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## Special Political and Decolonization Committee (Fourth Committee)

### Summary record of the 18th meeting

Held at Headquarters, New York, on Monday, 3 November 2003, at 10 a.m.

*Chairman:* Mr. Loeder ..... (Uruguay)

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Agenda item 83: United Nations Relief and Works Agency for Palestine Refugees in the Near East (*continued*)

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*The meeting was called to order at 10.10 a.m.*

**Agenda item 83: United Nations Relief and Works Agency for Palestine Refugees in the Near East**

(continued) (A/58/13 and Corr.1 and Add.1, A/58/119, A/58/205, A/58/206, A/58/256, A/58/339 and A/58/450)

1. **Mr. El Badri** (Egypt) expressing appreciation to the Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA) for his detailed report on the work of the Agency for the previous year (A/58/13 and Corr.1 and Add.1), said that the report contained information on the determined efforts undertaken by UNRWA and other agencies to alleviate the serious sufferings of the Palestinian people. In that connection, he wished to make a number of remarks. In the first place, the report referred to a sharp deterioration in the quality of life of Palestinians. For example, 60 per cent of the Palestinian population was living below the poverty line, which had an adverse impact on the work of the Agency, particularly in areas such as health and education. In the second place, there had been an increase in the number of refugees in the West Bank and the Gaza Strip. A similar situation was occurring in neighbouring countries and was an additional burden for UNRWA. In the third place, there were a number of problems that had a negative impact on the work of the Agency, chief among them being the financial crisis which was caused by a reduction in donor contributions to cover additional expenses. The budgetary difficulties were also caused by a deterioration in the socio-economic situation of the Palestinians in the occupied territories as a consequence of Israel's policy of closure and destruction of the economic infrastructure. In the fourth place, credit must be given to UNRWA for its attempts, through the use of various resources, to alleviate the economic crisis being faced by the Palestinian people. In that connection, mention must be made of the microfinancing and microenterprise credit programme which was possibly the only source of funding for microeconomic activity in the occupied territories.

2. The humanitarian situation in the occupied territories was deteriorating by the day; in that connection note should be taken of the significance of the visit to the region of the Personal Humanitarian Envoy of the Secretary-General for the Middle East, Ms. Catherine Bertini.

3. As a result of action by the occupying forces, 2,300 people had been killed and 22,000 wounded since 2000, hundreds of homes had been demolished, and thousands of families had been obliged to leave their places of residence. The Israeli Government was conducting a policy of isolation of the Palestinian people, building a separation wall in Palestinian territory. Those measures were likely to lead to social, economic and political disaster and, as it was noted in the report, the Agency was concerned that the completion of the construction of the wall would lead the impoverishment and isolation of thousands of refugee families and to the creation of significant new obstacles to the delivery by UNRWA of essential services to refugees living in the vicinity of the wall, along the length of its route. The international community should again indicate that it was essential to cease construction of the separation wall in accordance with the decisions of the tenth special session of the General Assembly.

4. In addition, in discussing the question of the sufferings of the Palestinian people under occupation, it must not be forgotten that Israel was continuing to hinder the work of the United Nations in the region by impeding the movement of its staff and holding up the delivery of humanitarian aid. The report provided factual evidence of the deterioration in the conditions under which UNRWA was working as a consequence of the policy being conducted by Israel and its refusal to comply with its international obligations.

5. At the same time, history showed that an occupation could not last for ever and Israel must recognize that, in conducting such a policy, it was ignoring human progress over a long period that had achieved respect for human rights and established the principle of the rule of law.

6. **Mr. Kabtani** (Tunisia) emphasizing the extreme importance of the services provided by UNRWA, noted with concern the Agency's financial difficulties, which were having an adverse impact on its work. In that connection, he called on the international community, and in particular the donor countries, to support UNRWA and to make financial contributions to its budget to fund its programme.

7. In the report under consideration, reference was made to the adverse consequences of action by the occupying Power such as the demolition of homes, structures and medical facilities and the closure of

schools, which the occupying forces were turning into military bases. All those actions were a violation of international law and of the agreements signed with UNRWA including those relating to the privileges and immunities of staff of the Agency in the occupied Palestinian territories.

8. Tunisia called on the international community to take urgent measures to secure the lifting of the obstacles to the movement of UNRWA personnel which prevented the delivery of assistance to the Palestinian refugees. In order to achieve a just and lasting solution to the Palestinian problem it was essential to take into account the rights of the Palestinian people as well as those of the Palestinian refugees.

9. **Mr. Laggner** (Switzerland) said that, in its activities, UNRWA, more than any other specialized agency of the United Nations, depended on the situation on the ground. In that connection his delegation was deeply concerned at the deterioration in the socio-economic situation in the territories occupied by Israel, particularly the blockade of populated areas, the introduction of curfews, the demolition of Palestinian homes and the construction of the separation wall. As a result of the actions by the Israeli authorities, staff of the Agency had also suffered. That situation impeded the implementation of sectoral programmes and the rendering of emergency humanitarian assistance to the most vulnerable groups of the population. His Government was particularly concerned at the restrictions on access by humanitarian organizations to the civilian population of the occupied territories. In that connection, his delegation called on the Israel authorities to comply with the fourth Geneva Convention and, in particular, to guarantee humanitarian organizations, including UNRWA, safe and unimpeded access to the civilian population of the occupied areas.

10. As far as the Agency's emergency assistance activities were concerned, his delegation would prefer UNRWA to focus more on aid programmes targeted at the most vulnerable sectors of society, which it could achieve by improving cooperation with its partners in the United Nations system and by engaging in a transparent dialogue with other humanitarian agencies such as the International Committee of the Red Cross. In that connection, his delegation noted with satisfaction the Agency's active role in developing a humanitarian plan of action for the occupied territories

for 2004. It also noted the encouraging results achieved by UNRWA in implementing internal reforms.

11. Switzerland intended to continue supporting the Agency's activities both through its contributions to the regular budget and through supplementary payments in response to specific appeals. As in the past, his delegation would actively support the Agency's activities in implementation of various projects on the ground. Switzerland was also preparing for the conference to be held in Geneva in June 2004 entitled "Meeting the humanitarian needs of the Palestine refugees in the Near East: Building partnerships in support of UNRWA". The aim of the conference was twofold: to improve the international community's knowledge of the role and functions of UNRWA and to mobilize support for it, so that it could more effectively meet the humanitarian needs of the Palestinian refugees.

12. **Mr. Nguyen Van Bao** (Viet Nam) said that his delegation had always attached great importance to the varied activities of UNRWA aimed at alleviating the sufferings of the Palestinian people in the occupied territory. Given the current deterioration of the situation, the Agency's work had become more important than ever. During the reporting period, as noted in the report under consideration, the number of refugees had reached 4 million; as a result of Israel's actions, the Palestinian people had suffered heavy loss of life, as well as destruction of or damage to their property and infrastructure; the number of large-scale military incursions into the refugee camps had risen, leading to a marked increase in fatalities; the Palestinian economy had been experiencing a severe downturn and unemployment had reached 30 per cent, while closures and other measures had continued to keep a large number of Palestinians out of work; and the separation wall under construction inside the West Bank would impoverish and isolate thousands of refugee families and constitute a new and formidable obstacle to the delivery of essential UNRWA services to refugees living in the vicinity of the wall, along the entire length of its route.

13. It was therefore essential to create favourable conditions for the successful work of the Agency. To begin with, action should be taken to resume the peace process, remove all the obstacles mentioned in the report and ensure the security of all UNRWA staff members and installations.

14. **Mr. López** (Cuba) said that the escalation of violence made the work of UNRWA even more important. Israeli aggression had led to the loss of human life and to significant economic losses due to closures of the territory, curfews and restrictions on movement. In addition, the separation wall was being built. Unfolding events gave no cause for optimism; there could be no hope that a just and lasting peace in the Middle East could be concluded in the near future. That being so, there was a growing role for UNRWA, which, from the outset, had done useful work in improving the living conditions of Palestinian refugees. His delegation thus viewed the Agency's financial problems with deep concern, since they were preventing it from meeting the growing needs of the Palestinian refugees. The international community had, unfortunately, been slow in reacting to the Agency's appeals in 2003 and the resources made available at that time had been insufficient to meet its essential needs. At the same time, his delegation was grateful to all the countries and institutions that had made it possible for the Agency to provide assistance to the Palestinian refugees. It therefore supported the Agency's call for contributions to be maintained at their previous level or increased to meet the growing needs. His delegation also hoped that the Government of Israel would refrain from its policy of imposing restrictions that hindered the Agency's activities.

15. Despite the economic hardship suffered by Cuba, Cuban educational institutions had, since 1961, provided an education for 351 Palestinians on full scholarship programmes, 298 of whom had received a university degree. There were currently 17 Palestinians studying at Cuban universities.

16. **Mr. Al-Rawahi** (Oman), after commending the report of the Commissioner-General, said that the issue under consideration was extremely complex, since it involved the lives of 4 million suffering people. The international community fully acknowledged the importance of the work done by UNRWA to meet the refugees' basic needs, but it should not lose sight of the need for Israel to put an end to the occupation of the Palestinian territory. There were currently some 3,900,000 Palestinian refugees in the Gaza Strip, the West Bank, Jordan, Lebanon and the Syrian Arab Republic. That figure did not, however, reflect the real total, since a substantial number of unregistered Palestinian refugees were living in those countries or

other regions. All of them had the right to live in freedom and peace in their own territory.

17. Although the activities of UNRWA were essentially humanitarian in nature, political factors could not be ignored, for the deteriorating situation was the result of existing political problems. UNRWA should, in every report, indicate the basic reasons for the sufferings of the Palestinian people, which had continued for over half a century. It was well known that the reason for the deterioration in the situation was Israel's policy of aggression, including killings, terror, destruction of homes, deportation and racism directed against Palestinians. General Assembly resolutions confirmed the Palestinian refugees' right of return or compensation for those who preferred not to return. That was the main prerequisite for the establishment of a just and lasting peace in the Middle East. Yet Israel continued to violate United Nations resolutions and failed to fulfil its international obligations. His delegation urged the international community to put the strongest possible pressure on Israel to stop waging its policy of aggression against civilians, to cease hindering the work of UNRWA and to fulfil its international obligations.

18. **Mr. Al-Athba** (Qatar) expressed his gratitude to the Commissioner-General for his comprehensive annual report and said that his Government would continue to cooperate with him and support his humanitarian work for the benefit of the Palestinian people, which was continuing despite the worsening of the security situation in the occupied territories, restrictions, the escalation of violence and the increase in Israeli military activity.

19. The difficult social and economic situation in the territories exacerbated the state of nutrition and health care, unemployment and several other problems. In such conditions, UNRWA was one of the most effective United Nations agencies, particularly in delivering services in the areas of health care, education and vocational and technical training.

20. Nevertheless, financial support for the Agency was declining and its staff were being subjected to restrictions and arrests on the part of the Israeli authorities, in gross violation of the Convention on the Privileges and Immunities of the United Nations. Therefore, further support for UNRWA must be considered as support for the peace process, the crux of which was the issue of the refugees' right of return to

their homeland. The international community must call on Israel, the occupying Power, to renounce its policy of oppression and expansion and make a choice in favour of peace.

21. Palestinian refugees, in accordance with a number of United Nations resolutions, had the inalienable right to return to their homes or to receive just compensation. Nevertheless, Israel continued to deny them that right and did not accept any responsibility for the refugees' difficult situation, not wishing to achieve a fair settlement based on the norms of international law, particularly the provisions of General Assembly resolution 194 (III) of 11 December 1948.

22. Under such circumstances, it was extremely important to ensure a solid financial basis for the work of UNRWA and the implementation of its programmes. The international community must put pressure on Israel as an occupying Power to remove all restrictions on the movement of UNRWA personnel and cargo, fulfil the terms of the agreement between UNRWA and the Government of Israel and comply with the norms of international law. Israel's policies were a form of collective punishment within the meaning of the fourth Geneva Convention. The international community must do everything possible to achieve a comprehensive Middle East settlement in accordance with international law, in particular Security Council resolutions 242 (1967), 338 (1973) and 1397 (2002). That process must include the withdrawal of troops from the Syrian Golan and Lebanese territory, and the granting to the Palestinian people of the right to self-determination and the creation of an independent State in their own homeland.

23. Qatar firmly supported the struggle of the Palestinians to exercise their inalienable rights, including the right of return, in the framework of a comprehensive and final settlement and considered the work of UNRWA to be highly commendable.

24. **Mr. Norzuhdy** (Malaysia) said that Malaysia recognized the vital role of UNRWA in preventing a more serious humanitarian disaster through its work in alleviating the plight of the Palestinian refugees. Over the past 53 years UNRWA had done much to improve their social and economic situation. The Agency had contributed greatly towards improving the standard of living of the Palestinian refugees in the Gaza Strip and

West Bank and also in Jordan, Lebanon and the Syrian Arab Republic.

25. UNRWA was the primary source of humanitarian relief assistance to Palestinian refugees. His delegation therefore believed that the Agency's activities constituted an essential component of the overall efforts to achieve peace in the Middle East. Its continued operations in the region were crucial for addressing the humanitarian crisis the Palestinians were experiencing, particularly as a result of the intensification of Israeli military operations and the construction of the separation wall. The international community must therefore remain firmly committed to assisting and supporting UNRWA so that the Agency could continue to carry out its mandate effectively.

26. Malaysia was gravely concerned by the restrictions placed on the movement of Agency personnel, the destruction of its installations and abuse of its staff. It strongly condemned such acts by Israel and believed that Israel's behaviour towards UNRWA was unacceptable. Israel must respect the neutrality and security of all UNRWA staff and installations. It was troubling that Israeli forces had continued to use UNRWA school buildings as bases and detention centres and that Agency vehicles had come under fire. Such acts undermined overall efforts to revive the Middle East peace process.

27. Malaysia was gravely concerned by the impact of the Israeli practice of closures and curfews, the creation of closed military zones and obstruction of humanitarian activities in the West Bank and Gaza Strip. The restrictions on movement were preventing UNRWA from functioning effectively. That situation had severe psychological effects on the Palestinian population and prevented the Palestinians living in the occupied territories from earning a decent living. It was disturbing that approximately 60 per cent of the Palestinian population lived below the poverty line primarily because of the harsh restrictions on movement imposed by Israel.

28. The international community must give particular attention to the budgetary constraints and other limitations on the capacity of UNRWA to deliver its main services. Malaysia welcomed the vigorous implementation of the Agency's extensive emergency assistance programme and appreciated the difficulties that it faced in providing shelter to the Palestinian refugees. The current financial situation of the Agency

required concerted steps by all donor countries to increase their contributions. In that regard, Malaysia would continue to contribute within its means to the work of UNRWA, over and above its bilateral assistance to the Palestinian people. He hoped that the international community would continue to support the Agency and contribute to improving its financial situation. That would allow UNRWA to enhance its capacity to implement its mandate to provide assistance to the Palestinian refugees.

29. **Mr. Rilmania** (Indonesia) expressed deep appreciation to the Commissioner-General for his comprehensive and valuable report and paid tribute to the UNRWA staff for the selfless dedication with which they carried out their very important work in difficult and dangerous circumstances. His delegation extended deep condolences to the Agency and to the families of the six UNRWA staff who had been killed. The report made it clear that the tragic situation in the Occupied Palestinian Territory had not improved compared to previous years. Israeli actions had led to a deterioration in the political, economic and social situation, to a deepening of the humanitarian crisis, and to a further worsening in the living conditions of the Palestinians, who had almost no hope for an improvement in their situation. However, despite those problems, the Agency was continuing to implement its regular programmes in the spheres of education, health care, social services and microcredit assistance to Palestinian refugees. Given the dangerous circumstances confronting UNRWA staff members in the course of their work, his delegation proposed that consideration should be given to the question of introducing hazard pay for locally-recruited staff, and urged the Secretariat to correct that situation without delay.

30. **Mr. Al-Otaibi** (Kuwait) thanked the Commissioner-General for his work and his report and paid tribute to UNRWA and its staff for their indefatigable work, emphasizing the importance of giving assistance to the Palestinians and providing refugees with all types of services. He expressed the hope that UNRWA would expand its sphere of activities, notwithstanding its serious financial predicament. Kuwait continued to provide economic assistance to Palestinian refugees. The Palestinian people were suffering from the actions of the Israeli authorities, which justified their policies on grounds of national security, although in fact those actions led to

exactly opposite results, and further hindered the Agency's delivery of assistance to refugees. His delegation called for an end to the illegal occupation and to the killing of people. Israel must respect the provisions of international conventions and agreements to which it was a signatory. His delegation paid tribute to the UNRWA staff, who worked in difficult conditions, and expressed the hope that all the privileges and immunities in force in the region would apply to them. Kuwait expressed its complete solidarity with the Palestinian people in their just struggle for the achievement of their rights, and called on the Government of Israel to fulfil the basic provisions of mandates and implement the road map on the ground in order to facilitate the peace process. In conclusion, he expressed the hope that the Agency would be able to overcome the impediments which it faced in its work, without prejudice to the standard and quality of services provided to refugees.

31. **Mr. Al-Zayani** (Bahrain) said that in his report, the Commissioner-General placed special emphasis on the impediments and complications faced in carrying out its work. That called for finding ways to enable the Agency to render unimpeded assistance to Palestinian refugees in accordance with its mandate. He thanked the Working Group on the Financing of UNRWA which had analysed the means of guaranteeing the Agency's financial security and improving the quality of services provided to Palestinian refugees. The Agency expressed serious concern about the dire humanitarian crisis in the occupied Palestinian territories, which was the result of ongoing acts of aggression on the part of the Israeli forces against the Palestinian people. In addition to a worsening of socio-economic conditions, that had led to the division of the occupied Palestinian territories into enclaves that were completely isolated from one another. Israel's policies had also led to restrictions on the freedom of movement of the Agency's staff and the deaths of six UNRWA workers, and were impeding the delivery of staple goods by the Agency as well as the fulfilment of its mandate in the humanitarian and developmental spheres. Israel's actions violated the norms of international law, as well as the provisions concerning the immunities and privileges of UNRWA staff. UNRWA, for its part, was doing everything possible to ease the suffering of refugees in the occupied Palestinian territories and had begun undertaking programmes of emergency assistance to refugees.

32. The report gave a great deal of attention to the problem of the Agency's insufficient financial resources, which weakened its potential; the Agency must be provided with appropriate assistance to ensure the maintenance of the requisite level of basic services provided to Palestinian refugees and to resolve existing financial problems. Notwithstanding the Agency's exceptionally serious financial situation, its activities had wide support, including moral backing. His delegation hoped that the Agency would be afforded financial help as well. He thanked the donors and expressed the hope that with their help, the Agency would be able to increase its effectiveness and broaden the sphere of its activities, especially given the population increase in the region.

33. **Mr. Takahashi** (Japan) thanked the Commissioner-General for his work and his report. As a result of the wave of violence in relations between Israelis and Palestinians, that had begun over two years previously and was still continuing, the situation in the Middle East had worsened. His Government hoped that Israel would exercise the maximum restraint and take steps to calm tensions. The Palestinian Authority, for its part, must immediately take decisive measures against extremists. The tense situation was having a negative impact on the Agency's work, and consequently also on the social and economic conditions of Palestinian refugees. It was important to remove the restrictions on the freedom of movement of UNRWA staff and goods, in accordance with norms of international law and the agreements between UNRWA and the Government of Israel. The separation wall, said to be intended to prevent incursions by terrorists, not only had a negative impact on the lives of Palestinians, but could also prejudice the final outcome of the negotiations. For that reason his Government called on the Government of Israel to reconsider its programme for the erection of the wall.

34. Japan, as one of the major donors, attached great importance to the activities of UNRWA, which was the only international agency providing humanitarian assistance to the Palestinians. Japan had pledged about US\$ 6 million for the Agency's activities in 2003. Japan emphasized that it was paying close attention to the Agency's management of its budget and operations. It reiterated its request to the UNRWA secretariat to make further improvements in order to reach an appropriate level of management and operations. Japan underscored the vital role of the Agency's activities in

the region and reiterated its strong commitment to and support for those activities. Japan believed that it was worth considering the United States initiative regarding the streamlining of UNRWA-related resolutions, and it stood ready to contribute as actively as possible in that process, in coordination with the parties concerned.

35. **Mr. Al-Dhanhani** (United Arab Emirates) said that the report of the Commissioner-General once again reflected the deterioration of the living conditions of thousands of Palestinian refugees, particularly in recent years, as a result of the increasingly hostile and violent policy pursued by the Israeli authorities in the West Bank and Gaza Strip, and, in particular, since the construction of the separation wall had begun, which had resulted in unprecedented levels of poverty, illiteracy and unemployment among the Palestinian refugees, to whom Israel was denying the right to return to their homeland.

36. Israel's violations and restrictions targeted not only the Palestinians, but also UNRWA staff and structures in the West Bank and Gaza Strip. That policy hampered the Agency's ability to provide emergency humanitarian assistance and carry out its educational, social and health programmes.

37. The United Arab Emirates reaffirmed its strong condemnation of all Israel's serious violations of the provisions of the fourth Geneva Convention and reiterated that a just and comprehensive solution to the Palestinian problem must include the unconditional repatriation of Palestinian refugees and compensation for their financial and moral losses.

38. While his Government appreciated the work of UNRWA, it was concerned about the financial difficulties experienced by the Agency, which had an adverse impact not only on the implementation of development programmes and plans but also on the level and quality of the services provided to the Palestinian refugees. His Government would continue to provide financial and moral support to UNRWA and called upon the international financial institutions, as well as donor countries, to increase their contributions to UNRWA and strengthen their efforts to meet the urgent humanitarian needs of the Palestinian refugees within the occupied territories and in the host countries. His delegation stressed the responsibility of the international community to resolve the problem of Palestinian refugees within the framework of a

comprehensive, just and lasting solution to the Palestinian problem.

39. **Mr. Karagöz** (Turkey) said that Turkey associated itself with the statement made by the representative of Italy on behalf of the European Union and, for its part, wished to add that the situation of instability and uncertainty in Iraq could only exacerbate the already complex and constantly deteriorating situation in the Middle East. Turkey wanted Iraq to be a stable, democratic and peaceful State and hoped to see two States, Israel and Palestine, living side by side in the Middle East within secure recognized borders. The continuing wave of violence showed that, for both sides, the fulfilment of obligations and implementation of the road map were vitally important. Turkey recognized the legitimate security needs of Israel, and denounced terrorist acts targeting innocent civilians; however, the bombing and destruction of refugee shelters was not helping to increase the Israelis' security, and the construction of the separation wall on the West Bank was exacerbating the situation and adding new complications to a whole range of problems requiring a solution, including those associated with the work of UNRWA.

40. UNRWA was the largest United Nations agency in the Middle East engaged in providing assistance and promoting capacity-building, and it was continuing to play a decisive role in meeting the vital humanitarian needs of over 4 million Palestinian refugees, at times under very dangerous conditions. On behalf of his Government, he expressed sympathy in connection with the deaths during the reporting period of six UNRWA workers. The Agency's work continued to be of vital importance for resolving the problem of Palestinian refugees, and Turkey once again declared its firm support and commitment to the humanitarian work of UNRWA in the region.

41. The information in the UNRWA annual report showed a deterioration in the socio-economic situation of the Palestinians, and his delegation believed that uninterrupted services from UNRWA were essential at the current difficult time. The security measures imposed by the Israeli forces should not restrict or block access to humanitarian assistance, and in that connection, Turkey once again called upon Israel to lift the restrictions it had imposed on the Palestinians. The fragile financial situation of UNRWA was a matter for concern; financing was not keeping pace with the increase in the number of refugees, overall

contributions had declined in 2002, and the international community had not responded adequately to the appeals made in 2003. His delegation reiterated that the international community must resolve humanitarian problems on the basis of collective responsibility and the adoption of practical measures, and, in that connection, announced Turkey's support for the recommendations contained in the report of the Working Group on the Financing of UNRWA.

42. Welcoming the provision by individual Member States of grants and stipends for Palestinian refugees, he announced his Government's support for intensifying the work of the United Nations Conciliation Commission for Palestine. At the current stage, it was becoming clear that the way to a just and comprehensive solution of the Middle East issue lay through reconciliation and political settlement; his delegation believed that the implementation of the road map could radically change the fate of the region and give its peoples hope for development and prosperity. His delegation fully supported the proposal by the Observer for Palestine and the United States of America to rationalize the work of the Committee and reduce the number of resolutions on the agenda item and was prepared to participate in that work.

43. **Ms. Maso** (South Africa) said that her delegation commended the efforts of UNRWA to alleviate the plight of the Palestinian people by providing valuable assistance and services in the sphere of education, health care and other sectors. It welcomed the efforts of UNRWA to promote income-generating activities, particularly at a time when the Palestinian economy was continuing to deteriorate. At the same time, her delegation was concerned about the precarious financial situation of the Agency and said that South Africa would continue to support the activities of UNRWA within the limited means at its disposal.

44. Her delegation was deeply concerned by political developments in the Middle East, which had a direct bearing not only on the humanitarian and human rights situation but also on the long-term prospects for finding a solution to the conflict.

45. The excessive use of force by the Israeli authorities, the mass destruction of Palestinian homes and infrastructure, and the imposition of blockades and restrictions on the movement of persons constituted collective punishment of the civilian Palestinian population. Those actions were prohibited under the



fourth Geneva Convention relative to the Protection of Civilian Persons in Time of War. Israel was also continuing its construction of settlements and planning to expand its construction of the separation wall on the West Bank. The building of the wall was not only illegal under international law but also served as a pretext for the occupation of even more land, and was making a negotiated settlement even harder to achieve.

46. **Ms. El Alaoui** (Morocco) said that UNRWA was now confronted with new problems caused by the continuing occupation of Palestinian territory by Israeli forces and the escalating policy of violence, restrictions and destruction carried out by Israel. The erection of a separation wall in the very centre of the Palestinian territories was a flagrant violation of international law. All that worsened the conditions in which UNRWA was providing assistance to the Palestinians. Financial difficulties were also hindering the Agency's work, and in order to have the opportunity to ease the burdensome lot of the Palestinians, it needed the financial support of donors, and its staff needed to be afforded safe working conditions by Israel. The occupation forces were continuing to destroy the Agency's facilities and premises, use its educational facilities and schools as detention centres and take actions against Agency workers. The activities of UNRWA must be seen as inseparably linked with the peaceful efforts being undertaken by the international community in the region, since the further search for ways of achieving a comprehensive and definitive settlement of the Middle East problem depended on support for Palestinian refugees.

47. **Mr. Rahmatalla** (Sudan) drew attention to the worsening living conditions and socio-economic situation of Palestinian refugees as a result of Israel's blockade of Palestinian territories, its erection of the separation wall on them, and its conduct of a policy of aggression. In that connection, the activities of UNRWA aimed at alleviating the sufferings of the Palestinian people were deserving of recognition. Special mention should be made of the steadfastness displayed by UNRWA workers in face of the threat of Israeli air raids on Palestinian towns and villages. Resolution of the refugee problem was closely linked to respect for their right to return to their territory, cessation of Israel's policy of aggression and revival of the peace process.

48. **Mr. Frydenlund** (Norway) noted with regret the fresh upsurge in violence and the overall degradation of the economic, social and humanitarian situation in the Palestinian territory. Norway was especially concerned about the Israeli army's recent disproportionate use of force in densely populated areas of Gaza. In face of that critical situation, the international community must become even more deeply engaged in the search for a viable political solution to the conflict.

49. In view of the serious deterioration in living conditions in the Palestinian territory in the past three years, it was worrying that the Agency's emergency appeals were receiving less and less support while the needs were steadily increasing. It was vital — both for the Palestinian refugees and for the development of the peace process — that UNRWA should have the means and resources to fulfil its mandate. Norway therefore supported all initiatives that would increase the Agency's resource base and called on donors to contribute.

50. The work of UNRWA personnel, and not least that of its local employees who were the great majority, involved operating in a high-risk environment. Norway continued to emphasize that the Government of Israel had a duty to respect international humanitarian law: UNRWA personnel must have full access to areas in need of emergency relief, the Agency's buildings and installations must be protected from military operations and its immunity as an international humanitarian institution must be respected.

51. Norway unfailingly responded to the Agency's emergency appeals, and in 2003 it had allocated a total of approximately US\$ 3 million for those purposes. Some of those funds were for the reconstruction and rehabilitation of homes in Rafah. In 2004, Norway intended to contribute approximately US\$ 14 million to the UNRWA General Fund.

52. **Mr. Mekel** (Israel) said that Israel's policy was to facilitate the humanitarian operations of UNRWA under all circumstances. The Palestinian refugee problem had arisen as a result of the political developments that had transpired in the region, and its full resolution could only result from a political process carried out directly between the sides. The efforts undertaken by UNRWA had to be conducted in a manner that would enable the refugees and their descendants to create for themselves a reasonable life

in the present and to build the foundations for a successful future.

53. Israel attached great importance to the humanitarian activities of UNRWA, and was therefore obliged to draw attention to its increasing politicization, which was reflected both in public comments and in reports issued by the Agency's leadership. Biased statements not only ran counter to the Agency's mandate and violated the principle of impartiality but also harmed its ability to fulfil its humanitarian functions. Specifically, in a recent interview with *The Jordan Times*, the Commissioner-General of UNRWA had made a public statement in support of one of the sides to the conflict. It was particularly disturbing that the statements he had made in that interview could be construed as expressing sympathy with those who resorted to terrorist tactics when they found themselves in difficult living conditions.

54. The enemy of truth was not a lie but a myth. Poverty was not the cause of terrorism but an excuse for those wishing to justify it. Palestinian refugees enjoyed special treatment within UNRWA like no other group. Yet statistical data showed that their situation had not improved as a result. The only explanation could be that there were reasons of a political nature stemming from the desire of the Arab side to perpetuate all components of the conflict even when it involved harming their own brethren.

55. In the past three years there had been an alarming increase in the number of cases in which terrorists had exploited UNRWA facilities and employees in order to pursue terrorist operations against Israel. UNRWA workers and installations in the West Bank and Gaza were perceived as having special immunity, and as a result terrorist organizations were using them as hideouts and places of refuge. Furthermore, some members of the Agency's staff had helped the terrorists in finding refuge at those sites, thereby endangering those depending upon the Agency's assistance, and abusing their positions to the detriment of the local population. Unfortunately, measures taken by Israel to ease the humanitarian situation had only led to an even greater intensification of activities by the terrorists.

56. UNRWA must not turn a blind eye to such activities, and must alert the relevant bodies in the United Nations and the Palestinian Authority, and world public opinion, to the existence of the

phenomenon. Israel also hoped that concrete action would be taken to put an end to that practice. In that connection, UNRWA must implement a more stringent process of screening its employees in order to ensure that they had no connections with terrorist groups and would not abuse its status and privileges.

57. As for the UNRWA report, Israel, as a State dedicated to the principle of respect for human dignity for its own sake and committed to supporting the humanitarian efforts of UNRWA, was examining it with great attention in order to learn of the Agency's activities and to draw lessons in areas where cooperation with UNRWA could be improved. It was disappointing that the drafters of the report had once again failed to take account of Israel's detailed comments regarding the document, and that was not because of a problematic schedule but the result of a consistent policy on the part of UNRWA. For many years Israel had held annual dialogue sessions with UNRWA to discuss the drafts of the reports, but not once had Israel's comments been in any way reflected in the final version of the report. In the current year Israel had submitted its written response in a letter to the Secretary-General, the text of which was being made available to the members of the Committee for their information.

58. Nowhere in the report was mention made of Israel's security constraints in the West Bank and Gaza and of its duty, on the basis of military necessity, to protect its citizens against a concerted policy of terror. Since September 2000 more than 800 Israelis had been killed by suicide bombings. Those circumstances obliged Israel to exercise its right to act in self-defence and to utilize the requisite military means. It would therefore have been appropriate and more accurate if the report had more clearly reflected Israel's security situation and legitimate concerns, as well as the efforts made to enhance coordination at the field level in recognition of a large number of international organizations conducting humanitarian work on the ground.

59. Israel expressed satisfaction with the effort to consolidate into a single draft resolution the numerous resolutions regarding UNRWA, which would make the work of the Committee more efficient and enable humanitarian resolutions to be stripped of political elements, which had no place there. That in its turn would open up the possibility of the new resolution being adopted by consensus.

60. **Ms. Price** (Canada) said that the continuation of the institutional reforms of UNRWA was key to maintaining donor support. In spite of the complex conditions of its work, UNRWA had the opportunity and the responsibility to help foster a culture of peace in the region. It was of particular concern that restrictions on the movement of humanitarian personnel and goods continued to disrupt the provision of much-needed assistance, including the delivery of food, water and medical supplies. The violent deaths of six UNRWA workers served as a tragic reminder of the dangers faced by the staff of that Agency.

61. Canada had consistently called on Israel to abide by the norms of international law, including the provisions of the fourth Geneva Convention, and expressed its concern regarding the humanitarian situation in the Palestinian territories. At the same time, Canada condemned terrorist acts carried out by Palestinian suicide bombers and called on the Palestinian Authority to take concrete action to prevent such acts and to ban incitement to carry them out. Canada considered that implementation of the road map was now more urgent than ever. It remained committed to achieving the goal of the peaceful coexistence of two States — Israel and a democratic Palestinian State.

62. Since 2000 Canada had contributed Can\$ 10 million per year to the UNRWA general budget and had allocated more than Can\$5 million for emergency programmes in the West Bank and Gaza. Everything possible had to be done in support of the common goal of assisting the parties to move constructively towards peace. UNRWA had a key role in that process.

63. **Monsignor Chullikatt** (Observer for the Holy See) said that humanitarian and social institutions of the Catholic Church, such as the Pontifical Mission for Palestine, Caritas Internationalis and Catholic Relief Services, had been working in the region for a long time and in the past three years had been finding it increasingly difficult to carry out their mission.

64. Both Palestinians and Israelis were being killed in the current wave of violence. The Holy See was convinced that the current conflict in the Middle East would find a lasting solution only when there were two independent and sovereign States living side by side in peace and security. To that end, all questions concerning Palestinian refugees and Israeli settlements, and the problem of setting territorial boundaries and

defining the status of the most sacred places in Jerusalem, needed to be the subject of open dialogue and sincere negotiations.

65. His delegation was of the firm conviction that the international community must help both parties to the conflict realize that the occupation of the territories of the West Bank and Gaza and the terrorist attacks were triggering the unending spiral of acts of violence and retaliation by both Palestinians and Israelis. It was incumbent upon the international community to assist the two sides in the conflict to endorse the road map as a tool of negotiation and confidence building.

66. As far as the Catholic Church was concerned, the Pontifical Mission for Palestine was trying to ease the suffering of the population of the occupied territories with the support of a number of humanitarian organizations from all over the world. That activity was designed to combat unemployment, currently running at over 60 per cent, and to provide assistance with education. It was important to note in that connection that 7,617 students had graduated from Bethlehem University since its founding in 1973. The financial assistance of those organizations had made it possible to establish church hospitals and clinics in the occupied territories where the refugees could obtain medical treatment.

67. Turning to matters of religion, he said that any settlement must include the question of the Holy City of Jerusalem. In that connection the Holy See renewed its consistent call for a long-term solution of the question which would include internationally guaranteed provisions to ensure freedom of religion and conscience for Jerusalem's inhabitants, as well as permanent, free and unhindered access to the holy places for the faithful of all religions and nationalities. The current situation of continual violence had prevented pilgrims from visiting the holy places, and the worsening living conditions and the lack of access to shrines and places of worship were causing the Christian population to emigrate to other countries.

68. The international community must continue to work to achieve a long-term settlement through negotiation. Only then would the hopes and aspirations of the peoples of the region be fulfilled. The outcome would depend greatly on the readiness of those responsible for the region's destiny to achieve compromise and comply with the demands of justice.

69. **Mr. Kanaan** (Observer for the Organization of the Islamic Conference) said that in his report the Commissioner-General had highlighted the serious humanitarian crisis in the Occupied Palestinian Territory resulting from the massive military operations of the Israeli occupation forces against the Palestinian people and the severe and sustained restrictions imposed on Palestinian towns and villages. Those measures were causing serious damage to the Palestinian economy, which had been severely affected by the destruction of infrastructure. The report also stressed that the restrictions imposed by Israel on the movement of UNWRA personnel, vehicles and goods were seriously disrupting the Agency's efforts to provide humanitarian assistance to the Palestinian refugees.

70. The Israeli occupation forces were continuing their unlawful practice of destroying Palestinian homes and refugee shelters in the occupied Palestinian Territory. In the Gaza Strip alone the total number of people left without a roof over their heads exceeded 14,000. Even hospitals were no longer neutral ground. On 24 September 2003, Israeli soldiers had forcibly entered a hospital run by the United Nations and forced all the staff and patients to lie on the floor. Similar acts had been committed in several hospitals in Palestinian towns.

71. UNRWA estimated that the wall which Israel was constructing on the West Bank would have a negative effect on the lives of 200,000 Palestinians, including some 15,000 refugee families. All those acts perpetrated by the Israeli occupation forces were immoral and unlawful, for they violated the principles of international humanitarian law, the fourth Geneva Convention of 1949 and the relevant resolutions of the United Nations.

72. In view of the Agency's endemic financial constraints, the severe humanitarian crisis in the Occupied Palestinian Territory, and his delegation's conviction that UNRWA played a vital and indispensable role, his delegation strongly urged the international community to continue its support of the Agency's work by contributing generously to its budget. At the same time, it urged the international community to exert pressure on the Israeli Government to remove its restrictions on the movement of UNWRA staff so that the Agency would be able to furnish emergency humanitarian assistance to the Palestinian people and carry out its regular programmes.

73. Many summit meetings and ministerial conferences of the Organization of the Islamic Conference had reaffirmed the continuing responsibility of UNRWA for the Palestinian refugees, in accordance with the relevant United Nations resolutions, until such time as the Israeli occupation of Palestinian and Arab territories was ended and the refugee problem was solved on the basis of those resolutions, in particular resolution 194 (III), and the Universal Declaration of Human Rights. The obvious way out of the catastrophic situation was a genuine resumption of the peace process, which the Organization of the Islamic Conference was advocating. It was incumbent upon the international community to compel Israel to return to the negotiating table, so that the road to peace might be reopened and the suffering of the Palestinian people alleviated.

74. **Mr. Hansen** (Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East), responding to the statement by the representative of Israel, said that the Israeli delegation should compare the text of the interview which he had given to *The Jordan Times* as cited by the representative of Israel with the version on the Agency's website and draw its own conclusions. The point of the interview was not that poor living conditions gave rise to terrorism, and certainly not that such conditions could be construed as justifying terrorism. The point was that the whole situation — the destruction, humiliation and hopelessness — made it impossible for the refugees to forget the realities of their existence. There were always two sides to any conflict, however asymmetrical they might be in terms of power and legitimacy.

75. The statement contained incorrect budgetary data, as well as allegations of participation by Agency personnel in terrorist operations. Such allegations had been made against six staff members. The Israeli authorities had refused to meet them and had been unable to find the time to meet with Agency representatives in order to discuss the content of the report or dispute what it said.

76. **Mr. Assaf** (Lebanon) proposed that the discussion of the issue of Israeli practices affecting the human rights of the Palestinian people should be postponed until the following Wednesday so that delegations could prepare for the debate on the agenda item.

77. **Ms. Abdelhady-Nasser** (Observer for Palestine) said that, although she had actually asked for the floor in exercise of the right of reply, she wished to say that her delegation supported the proposal for the postponement until the following Wednesday of the consideration of the report of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories.

78. **Mr. Mekel** (Israel) said, with regard to the Commissioner-General's comments, that it was regrettable that the head of a humanitarian agency had been forced to explain himself. There would have been no need for that, had he refrained from making political statements in newspaper articles and interviews. The UNRWA mandate did not require him to make anti-Israeli statements.

79. With regard to the participation by some UNRWA staff members in terrorism, he said that, even if only one terrorist managed to carry out his plan, it could lead to dozens of deaths. As for the UNRWA report, he said that, since it had been submitted only in September, his delegation had not had time to respond in detail but would send a separate letter, with comments, at a later date.

80. Lastly, he said that UNRWA should, for the common good, engage in humanitarian activities rather than journalism.

81. **The Chairman** asked whether there were any objections to the proposal that the consideration of the question of Israeli practices affecting human rights should be postponed.

82. **Mr. Mekel** (Israel) requested clarification of the proposal by the representative of Lebanon and, in particular, the reasons for the proposal.

83. **The Chairman** said, in reply, that the representative of Lebanon had proposed that the consideration of the agenda item concerned should be postponed until the following Wednesday, presumably in the interests of finishing the consideration of the item at the current session.

84. **Mr. Mekel** (Israel) said that he still failed to understand the reasons for the proposal and requested further clarification.

85. **The Chairman** said that, as far he understood, the proposal was made so as to give delegations more

time to prepare for the debate on the agenda item. He took it that the Committee was in favour of the postponement.

86. *It was so decided.*

87. **Ms. Abdelhady-Nasser** (Observer for Palestine) said, in response to the comments by the representative of Israel, that she categorically rejected his remarks and especially his personal attacks on the Commissioner-General. UNRWA merited as much respect as other United Nations agencies. It should not be subjected to attacks and slander by Israel simply because it conscientiously carried out its obligations.

88. The public statements by the Commissioner-General, who carried out his mandate selflessly and with dignity, did no more than express the real situation of Palestinian refugees.

89. The accusations against UNRWA personnel were totally unfounded. On the other hand, the occupying Power's use of the Agency's infrastructure and equipment for its own purposes, and the killing of Agency personnel, constituted a violation of the Convention on the Privileges and Immunities of the United Nations, the Charter of the United Nations and the fourth Geneva Convention.

90. UNRWA was responsible for 59 refugee camps in the region, all told. Only in a few had any cases of participation in militant operations been recorded. Indeed, Israel's occupation and practices provided the breeding ground for the activities of suicide bombers, the effects of which, though not the reasons for which, had frequently been condemned by the Palestinian side. Moreover, the Agency's task was to provide humanitarian assistance, not to play a policing role in the camps.

91. Work on resolutions relating to the topic should focus not only on the Agency's humanitarian activities but also on the preservation of the political and legal framework governing the refugees' lives and the Agency's work.

92. **Mr. Fallouh** (Syrian Arab Republic) said that he was not surprised by the thoroughly deceitful statement made by the representative of Israel, the purpose of which had been to mislead world public opinion. The Israeli Government acted on the principle that it should go on lying until its lies were taken for the truth.

93. His delegation rejected any attempt to cast doubt on the impartiality of the Commissioner-General. Like many other delegations, it offered him and his staff its full support.

94. **Mr. Assaf** (Lebanon) thanked the representative of Israel for his admission that he was an enemy of the United Nations and expressed his full support for the Commissioner-General. Attacks on him and the Palestinian people were not surprising, especially in the light of the statement by the Minister for Foreign Affairs of Israel during the general debate in the General Assembly that resolutions on Palestine were of no interest.

*The meeting rose at 1.30 p.m.*