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

SUMMARY RECORD OF THE 240th MEETING

Held at Headquarters, New York,
on Wednesday, 4 November 1998, at 10.30 a.m.

Chairman: Mr. KA (Senegal)

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The meeting was called to order at 10.40 a.m.

ADOPTION OF THE AGENDA

1. The agenda was adopted.

DEVELOPMENTS IN THE MIDDLE EAST PEACE PROCESS AND THE SITUATION IN THE OCCUPIED PALESTINIAN TERRITORY, INCLUDING JERUSALEM

2. Mr. AL-KIDWA (Observer for Palestine) drew attention to the most important recent development, the signing on 23 October 1998 of the Wye River Memorandum by President Arafat of the Palestinian Authority and Prime Minister Netanyahu of Israel, with President Clinton of the United States as witness. As the Memorandum indicated, the steps to be taken - in a parallel, phased approach according to an agreed time-frame - would facilitate the implementation of the 1995 Interim Agreement on the West Bank and the Gaza Strip and other related agreements, including the 1997 Note for the Record on Hebron.

3. The Memorandum was subject to the terms of all prior agreements and did not supersede them. It covered five basic issues: further redeployments with Israel redeploying its forces from an additional 13 per cent of the West Bank territory currently under its exclusive occupation and from an additional 14.2 per cent of areas currently under joint Palestinian/Israeli control; security, in connection with which an internal security plan to be developed by the Palestinian Authority would be shared with the United States; interim committees and economic issues; permanent status negotiations; and unilateral actions.

4. The signing of the Memorandum was especially significant because it marked the association of the Israeli right wing with the framework of the Oslo accords, and also an unprecedented United States engagement at the highest level in the processes of negotiation and implementation. Extremists on both sides had immediately begun to express their opposition to the latest agreement, even to the point of violent demonstrations and a Palestinian attempted bombing in connection with which the Palestinian authorities had taken all necessary measures in keeping with their commitment.

5. It was to be hoped that the Wye River Memorandum would be implemented in accordance with the agreed time-frame, despite certain signals to the contrary, such as the Israeli Prime Minister's delay in submitting the Memorandum for government approval prior to its submission for parliamentary approval. Also disquieting was the fact that Israel, in a letter dated 30 October 1998 from the Minister for Foreign Affairs to the Secretary-General (A/53/561-S/1998/1021) had unfortunately set out a flawed interpretation of the Memorandum and done so in a United Nations document, rather than choosing to present the text of the Memorandum jointly with the Palestinian side, as had been the case with previous agreements.

6. The letter had, for instance, made Israel's undertakings conditional upon compliance by the Palestinian side, a departure from the concept of mutual compliance; had referred to "Judea and Samaria" in describing the West Bank,

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betraying its expansionist ideology, and made a sweeping reference to "the process by which the Palestinian National Covenant is to be annulled", rather than to the nullification of certain Palestinian National Charter provisions as stipulated in the Memorandum. With characteristic Israeli disregard for international law and United Nations resolutions, the Foreign Minister's letter had further called for repudiation of resolutions concerning the question of Palestine adopted in the past, whereas no Israeli-Palestinian agreements could or should negate such resolutions. In any case, the inalienable rights of the Palestinian people, including their right to a State, did not stem from existing agreements or from resolutions but were natural rights.

7. The Palestinian reaction to the letter from the Israeli Foreign Minister would be circulated as a United Nations document, as would an expression of concern over the inauspicious steps taken by Israel, immediately after its signing of the Wye River Memorandum, to expand its settlement activities and increase its 1999 budget for settlements by 50 per cent.

8. The Palestinian hope was that all such violations would stop and that both sides would apply themselves to implementing the Wye River Memorandum and all prior agreements, so that fruitful final-settlement negotiations could begin on schedule before May 1999. Despite its misgivings, the Palestinian side had high expectations that the Wye River Memorandum would take both parties to a new threshold and would lead to a final settlement. To ensure success, the United States must remain engaged as a co-sponsor of the agreement, and the international community must remain vigilant and hold to its established positions.

9. Mr. YEL'CHENKO (Ukraine) said that the recent successful negotiations had inaugurated a new phase in the Middle East peace process. The dynamic intervention of the United States had helped to unblock the highly complicated talks, and now the two parties must, regardless of the radicals on both sides, find the requisite political will to forge ahead and reach a final settlement that would have the support of their peoples and of the international community.

CONSIDERATION OF THE DRAFT REPORT OF THE COMMITTEE TO THE GENERAL ASSEMBLY
(A/AC.183/1998/CRP.2)

10. Mr. SALIBA (Malta), Rapporteur, introduced the draft report and reviewed its main provisions, which dealt with the Committee's mandate and organization of work, the current situation relating to the question of Palestine, the action taken by the Committee and by the Department of Public Information, and the conclusions and recommendations of the Committee. He indicated that the draft had in the interim been amended to reflect the agreements concluded under the Wye River Memorandum.

11. The CHAIRMAN invited the Committee to consider the draft report chapter by chapter.

Letter of transmittal and chapter I

12. Mr. SALIBA (Malta), Rapporteur, said that the first sentence of the letter of transmittal should be replaced by the following: "After more than half a

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century of dispossession of the Palestinian people and at the threshold of a new millennium, it is more important than ever to promote rapid further progress in the peace process."

13. In paragraph 4 of the introductory chapter I, the word "deadlock" in the first sentence should be replaced by the word "stalemate", and the beginning of the next sentence should be amended to read: "The Committee, however, has joined ...". A new second sentence should be inserted after the first, reading: "In that regard, the Committee welcomed the signing, on 23 October 1998, of the Wye River Memorandum and expressed the hope that it would clear the way for further progress in the Israeli-Palestinian negotiations."

14. The letter of transmittal and chapter I, as amended, were adopted.

Chapters II and III

15. Chapters II and III were adopted.

Chapter IV

16. Mr. SALIBA (Malta), Rapporteur, said that following the signing of the Wye River Memorandum, paragraph 16 had been amended. It should be replaced by the following text:

"The Committee followed closely and with increasing concern the efforts throughout the year to restart the peace process. In the Committee's view, the Israeli Government's reluctance to abide by the existing agreements precluded the possibility of a constructive dialogue and the continuation of the peace process in accordance with the agreed timetable. Essential aspects of the agreements such as further Israeli withdrawal from the West Bank, safe passage between the West Bank and the Gaza Strip, the Gaza airport and seaport and the release of prisoners, remained unimplemented in the year under review. The Committee welcomed the signing at Wye Mills, Maryland, on 23 October 1998, of the Wye River Memorandum and accompanying documents, providing, inter alia, for further Israeli redeployment from 13 per cent of the West Bank; steps to be taken by the parties in the area of security; renewal of negotiations on safe passage between the West Bank and the Gaza Strip; establishment of the International Airport in the Gaza Strip; agreement to address without delay the issue of the Port of Gaza; and the commitment to resume permanent status negotiations. The Committee viewed the conclusion of this agreement as an important breakthrough in the efforts to restart the peace process. The Committee also hoped that the Memorandum would be implemented in full and would restore the atmosphere of trust and confidence between the parties enabling them to move without delay to the permanent status negotiations."

17. Mr. AL-KIDWA (Observer for Palestine) said that the current report was much better than previous ones. However, he expressed surprise that, in the text approved by the Bureau, while the names of the illegal Israeli settlements had been put in quotation marks, in the report currently before the Committee those quotation marks had been removed. He hoped that it was merely a printing error.

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18. The CHAIRMAN said that, indeed, the quotation marks had been a political decision by Member States. Their removal was probably a printing error and he would take the appropriate steps to have them reinstated.

19. Chapter IV, as amended, was adopted.

Chapter V

20. Mr. SALIBA (Malta), Rapporteur, said that paragraph 42 had been amended to read:

"The Bureau also held useful and constructive meetings with the Under-Secretary-General for Political Affairs and with the Assistant Secretary-General and the Under-Secretary-General for Public Information on key elements of the implementation of its programme of work."

21. Chapter V, as amended, was adopted.

Chapter VI

22. Mr. SALIBA (Malta), Rapporteur, said that the last sentence of paragraph 87 had been replaced by the following new sentence:

"In this context, the Committee hopes that the Wye River Memorandum, signed on 23 October 1998, will be fully implemented, provide the much-needed impetus to the Oslo process and help the parties move forward to the negotiations on permanent status issues."

23. Chapter VI, as amended, was adopted.

24. The draft report as a whole, as amended, was adopted.

OTHER MATTERS

25. The CHAIRMAN announced that, in response to the Committee's request, the Government of Italy had agreed to hold the International Forum Bethlehem 2000 in Rome in late February or mid-March 1999. Similarly, the Government of Namibia had agreed to hold an African meeting in Windhoek in late April 1999. He expressed gratitude on the Committee's behalf to the two Governments for agreeing to host the Committee's events.

26. As part of the Committee's 1998 training programme for staff of the Palestinian Authority, two members of staff of the Ministry of Planning and International Cooperation of the Palestinian Authority had been with the Division for Palestinian Rights since the beginning of the current session of the General Assembly, familiarizing themselves with the work of the United Nations and its Secretariat. It was the third year of the programme and the Committee hoped that the training would be beneficial to those young Palestinian professionals and would allow them to understand better the goals and activities of the Organization and the workings of its Secretariat and other organs.

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27. Mr. AL-KIDWA (Observer for Palestine) expressed appreciation to the Governments of Italy and Namibia for agreeing to host the Committee's meetings in Rome and Windhoek, respectively. He also expressed appreciation on behalf of the Palestinian trainees to the Committee, the Division for Palestinian Rights and the United Nations for the training programme.

28. Turning to the draft resolutions on Palestinian issues to be submitted to the General Assembly at its fifty-third session, he noted that paragraph 1 of the traditional draft resolution on the right of the Palestinian people to self-determination had been amended to include the words "without excluding the option of a State". In the past, the General Assembly had explicitly reaffirmed the right of the Palestinian people to establish their own independent State with Jerusalem as its capital. The new wording of the draft resolution was important because of the theoretical concept of self-determination within which the idea of a State was being presented and the expected overwhelming support by Member States of the draft resolution. It already enjoyed the sponsorship of a broad and diversified group of Member States. He hoped that those members of the Committee who were not already sponsors would join in sponsoring it.

29. With respect to the current version of the draft resolution on assistance to the Palestinian people, the words "West Bank" and "Gaza" had, for political reasons and because of practical difficulties, been replaced by the established United Nations terms "the Palestinian territory, including Jerusalem". Furthermore, the draft resolution would explicitly request the Secretary-General to use those terms in his report as well as in other reports introduced by various sections of the Secretariat. He hoped that the resolution would enjoy the same support as it had in the past.

30. In the first draft resolution relating to the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA), the Agency's mandate would be extended for three years.

31. Moreover, in addition to the traditional package of resolutions, there would be a new draft resolution on Bethlehem 2000 which, he hoped, would be adopted by consensus in the General Assembly.

32. Referring to a meeting of experts held in Geneva in October 1998 to consider general problems arising under the four Geneva Conventions of 1949, in particular with respect to occupation, he said that his delegation had experienced certain difficulties with the depositary, especially with regard to the implementation of the recommendations adopted at the tenth emergency special session of the General Assembly, particularly the recommendation that the High Contracting Parties to the fourth Geneva Convention convene a conference on enforcement of the Convention in the Occupied Palestinian Territory, including Jerusalem. Notwithstanding those difficulties, he was still hopeful that the report to be prepared by the Swiss Chairman of the meeting for submission to the Secretary-General would be a positive and useful one. The Palestinian side would decide what action to take on the issue of the implementation of the resolutions of the tenth emergency special session in the light of the report. Reference might even be made to the matter in one of the draft resolutions to be submitted to the General Assembly at its fifty-third session. He expressed deep

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appreciation to all members of the Committee for their continuing support for the cause of the Palestinian people.

33. The CHAIRMAN urged all members of the Committee and all Member States to join in sponsoring the draft resolution on Bethlehem 2000 in order to have it adopted by consensus.

The meeting rose at 12.05 p.m.