Chapter VI

Middle East

The strife in the Occupied Palestinian Territory continued throughout 2002 with increasing intensity, causing heavy loss of life, widespread destruction and a breakdown in the peace negotiations between Israel and the Palestine Liberation Organization (PLO). The impasse persisted despite many international efforts to keep alive the 2001 Mitchell Committee recommendations on ending the violence, starting with an unconditional ceasefire.

The Palestinian intifada (uprising), which had erupted in September 2000 following the visit of then Israeli opposition leader Ariel Sharon to a holy Islamic site in the Old City of Jerusalem, continued unabated. Palestinian paramilitary groups resorted to an ever more frequent use of suicide bombers. For its part, Israel, on 28 March, launched a military action, Operation Defensive Shield, which led to the reoccupation by Israel of almost all the major Palestinian cities, villages and refugee camps in the West Bank, in particular Ramallah, Nablus and Jenin. In Ramallah, the main target was the headquarters of Yasser Arafat, President of the Palestinian Authority (PA) and PLO Chairman. The Church of the Nativity in Bethlehem—one of the holiest Christian sites—was besieged by Israeli forces for 39 days. Israel’s April military operation against the Jenin refugee camp brought devastation and suffering to some 14,000 refugees. The camp sustained a high death and injury toll, exacerbated by extensive property damage. The Secretary-General’s initiative to establish a fact-finding team to report on the events that took place inside the camp was welcomed by the Security Council. However, due to lack of cooperation from the Israeli Government, the Secretary-General was forced to disband the team. In June, Israel launched another military offensive resulting in the reoccupation of seven West Bank cities, the arrest of suspected militants and their relatives, house demolitions, a tight regime of internal and external closures and stringent on-and-off curfews.

The Quartet, a coordinating mechanism for international peace efforts, which comprised the Russian Federation, the United States, the European Union and the United Nations, continued its efforts to mediate a ceasefire and to revive the peace process. At an April meeting in Madrid, Spain, the Quartet called for a comprehensive approach to address security, economic and political concerns. In July, in New York, the Quartet expressed strong support for achieving a final Israeli-Palestinian settlement, consistent with a 24 June statement by George W. Bush, President of the United States, in which he called for two democratic States living side by side in peace and security. The Quartet agreed in September on a three-year, three-phase road map to achieve a comprehensive peace. The first phase would involve Palestinian security reform, Israeli withdrawal and Palestinian elections in early 2003. By the end of December, the Quartet was in the process of finalizing the road map. It reported some progress by the PA to advance political and security reform, and Israel had transferred some tax revenues to the PA. Another major international effort to reach a solution to the conflict was made in March by the League of Arab States (LAS), based on a Saudi Arabian proposal. Under that plan, Israel would withdraw from all Arab territories occupied since 1967 and accept a Palestinian State with East Jerusalem as its capital, in return for the establishment of normal relations with all Arab States in the context of a comprehensive peace.

Concerned about the deteriorating situation in the region, the Security Council convened 15 times during the year to discuss the situation in the Middle East, including the Palestinian question. On 12 March, the Council adopted a resolution that affirmed its vision of a region where two States, Israel and Palestine, lived side by side within secure and recognized borders. It called on the two sides to cooperate in implementing the Mitchell report recommendations. On 30 March, the Council called on both parties to move to a meaningful ceasefire and for Israeli forces to withdraw from Palestinian cities; it demanded the implementation of those terms on 4 April. On 19 April, the Council welcomed the Secretary-General’s initiative to establish a fact-finding team to report on the events in the Jenin refugee camp. Expressing concern at the 19 September reoccupation of Mr. Arafat’s headquarters, the Council, on 24 September, demanded that Israel cease measures in and around Ramallah and called on the PA to bring those responsible for terrorist acts to justice. In December, a draft resolution, by which the Council would have con-
demmed the killing by Israeli forces of UN employees and the destruction of a United Nations World Food Programme warehouse, was not adopted due to the negative vote of the United States, a permanent Council member. Throughout the year, the Council also expressed its support for the Quartet’s efforts and the LAS initiative.

In May and August, the General Assembly resumed its tenth emergency special session, which first convened in 1997, to discuss the item “Illegal Israeli actions in Occupied East Jerusalem and the rest of the Occupied Palestinian Territory”. In May, the Assembly condemned Israel’s refusal to cooperate with the Jenin fact-finding team and requested the Secretary-General to present a report, drawing upon available information, on the events that took place in the camp. In August, the Assembly considered the Secretary-General’s report, called for a cessation of military incursions and all acts of violence, and demanded the immediate withdrawal of Israeli forces to the positions held prior to September 2000.

At its regular session in December, the Assembly welcomed the Quartet’s efforts and the LAS peace initiative, and stressed the necessity for a commitment to the vision of a two-State solution and the principle of land for peace.

In southern Lebanon, Israeli forces and their main Lebanese opponents, the paramilitary group Hizbullah, continued to face each other along the “Blue Line”, the provisional border drawn by the United Nations following the withdrawal of Israeli troops from south Lebanon in June 2000. Violations and attacks across the Blue Line occurred sporadically throughout the year. The dispute, which centred on control of the Shab'a farmland, also raised tensions between Israel and the Syrian Arab Republic. Lebanon’s decision to undertake a project to draw water from the Wazzani River drew protests from Israel. The Special Coordinator for the Middle East Process and Personal Representative of the Secretary-General met with Lebanese authorities in December 2002, in order to defuse the situation and find a diplomatic solution.

The mandates of the United Nations Interim Force in Lebanon (UNIFIL) and of the United Nations Disengagement Observer Force in the Golan Heights were extended twice during the year, and the United Nations Truce Supervision Organization continued to assist both peacekeeping operations in their tasks. In December, having fulfilled most of its mandate with regard to observing the Israeli withdrawal from southern Lebanon, UNIFIL completed its reconfiguration and redeployment phase, thereby significantly reducing the size of the Force.

The United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA) continued to provide a wide-ranging programme of education and health and social services to nearly 4 million Palestinian refugees living both in and outside camps in the West Bank and the Gaza Strip, as well as in Jordan, Lebanon and Syria. In 2002, the Agency continued to focus on humanitarian emergency assistance due to the ever-increasing level of violence and deteriorating socio-economic situation in the occupied territories. Two emergency appeals were launched to provide food, health services, shelter and short-term emergency employment opportunities for refugees.

During the year, the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories reported to the Assembly on the situation in the West Bank, including East Jerusalem, the Gaza Strip and the Golan Heights. The Committee on the Exercise of the Inalienable Rights of the Palestinian People continued to mobilize international support for the Palestinians.

By decision 57/519 of 4 December, the General Assembly deferred consideration of the agenda item “Armed Israeli aggression against the Iraqi nuclear installations and its grave consequences for the established international system concerning the peaceful use of nuclear energy, the non-proliferation of nuclear weapons and international peace and security” and included it in the provisional agenda of its fifty-eighth (2003) session. The item had been inscribed yearly on the Assembly’s agenda since 1981, following the bombing by Israel of a nuclear research centre near Baghdad [YUN 1981, p. 275].

Peace process

Overall situation

In his November report on the peaceful settlement of the question of Palestine [A/57/621-S/2002/1268] (see also p. 454), the Secretary-General observed that the Israeli-Palestinian conflict had deteriorated further over the year, eroding many of the achievements of the peace process. He recalled that he had urged both sides to live up to their obligations under international humanitarian law to ensure the protection of civilians. Beyond the question of legality, he said, no further reminder of the ultimate futility of the course being followed was needed than the hundreds of deaths, thousands of injuries and
tens of thousands of grieving families and friends of the victims of the conflict. The Secretary-General stated that the situation reached a particularly dangerous point at the end of March when, following a Palestinian suicide bomb attack in the Israeli city of Netanya, which left 28 persons dead and 140 injured, Israel launched the massive military action “Operation Defensive Shield” in the West Bank that inflicted severe damage on the Palestinian security and civilian infrastructure and created a humanitarian and human rights crisis. To address that trend towards greater violence, he had proposed, in April, the deployment of a multinational force to help provide security for Israeli and Palestinian civilians. That proposal remained on the table.

The Secretary-General also described other initiatives, including by the Security Council, which had adopted five new resolutions, in particular resolution 1397(2002) (see p. 418), affirming the Council’s vision where two States, Israel and Palestine, would live side by side within secure and recognized borders. That two-State solution had gained universal support in the international community. In addition, the Quartet (the United Nations, the United States, the Russian Federation, the European Union) had, in September, agreed on a three-year, three-phase implementation road map to achieve a comprehensive settlement. The road map’s details were still being worked out. Further, the League of Arab States (LAS), in March, had adopted the Arab Peace Initiative, proposed by Saudi Arabia, calling for full Israeli withdrawal from the Arab territories occupied since June 1967 and for Israel’s acceptance of an independent Palestinian State with East Jerusalem as its capital, in return for normal relations with the Arab countries, in the context of a comprehensive peace with Israel. That Initiative would remain a crucial element in future peace efforts. For its part, the United Nations would continue to support the resumption of a meaningful peace process and would remain at the forefront of efforts to alleviate the severe economic and social hardships of the Palestinian people.

**Occupied Palestinian Territory**

**Communications (3 January–20 February).** In a series of letters dated between 3 January and 20 February [A/56/766-S/2002/25], Israel said that IDF had intercepted a shipment bound for the PA of 50 tons of offensive weapons, most of them originating in Iran. Referring to that allegation on 9 January [A/ES-10/137-S/2002/39], Palestine stated that the story defied logic as that quantity of weapons could not be smuggled into Gaza because of the Israeli naval siege, among other things. Responding on 11 January [A/56/772-S/2002/57], Iran denied any connection with the seized ship, and added that, through a massive disinformation campaign, Israel aimed to exacerbate regional tension to cover up its aggression against the Palestinian people.


On 4 January [A/56/766-S/2002/25], Israel said that IDF had intercepted a shipment bound for the PA of 50 tons of offensive weapons, most of them originating in Iran. Referring to that allegation on 9 January [A/ES-10/137-S/2002/39], Palestine stated that the story defied logic as that quantity of weapons could not be smuggled into Gaza because of the Israeli naval siege, among other things. Responding on 11 January [A/56/772-S/2002/57], Iran denied any connection with the seized ship, and added that, through a massive disinformation campaign, Israel aimed to exacerbate regional tension to cover up its aggression against the Palestinian people.
Qatar, on 23 January [A/56/812-S/2002/11], condemned and denounced Israel’s attacks against the Palestinian people inside the occupied territory.

By a 25 January letter [A/56/812-S/2002/131], Morocco transmitted the Final Statement of the nineteenth session of the Al-Quds Committee (Marrakesh, Morocco, 25 January), issued by the Organization of the Islamic Conference (OIC). The Committee said that in view of the explosive situation prevailing in the occupied territories, it had become imperative for the international community to assume its responsibility by exercising pressure on Israel to withdraw its forces from the Palestinian zones.

**Security Council consideration (21 February).** At the request of Palestine [A/ES-10/148-S/2002/182] and Yemen, in its capacity as Chairman of the Arab Group [S/2002/184], the Security Council, on 21 February [meeting 4474], discussed the situation in the Middle East, including the Palestinian question.

The Secretary-General said that during the past seven days there had been more than 60 deaths on both sides. Unless something was done to change the situation on the ground, violence would escalate even further and the conflict risked sliding towards full-fledged war. Particularly alarming was the growing belief, among both Palestinians and Israelis, that there could be no negotiated solution to the conflict. The key problems remained occupation; security—the need to end violence, including terrorism; and economic deprivation and suffering. They were interlinked problems, encompassing the political, security and economic domains. The 2001 Mitchell recommendations [ibid., p. 409], brokered by representatives of the United States, defined an array of security, economic and political measures that would have moved the parties back to the table to negotiate the fundamental issues that divided them. Though both parties had agreed in principle to those two plans, in practice they had not implemented them. The situation that was unfolding required urgent steps. A reduction in violence was the immediate priority, but trying to resolve the security problem on its own could not work. Security had to be addressed alongside key political issues, particularly the question of land, and economic and social issues, including the increasingly critical, desperate conditions of the Palestinians. It was imperative for both parties to exercise maximum restraint, particularly with regard to attacks against civilians. The lack of mutual confidence made a third-party role essential. The Security Council and the international community had to work in a concerted manner with the parties towards a just, lasting and comprehensive peaceful settlement of the conflict in the region. The Secretary-General remained in contact with leaders of both sides and he had asked his Special Coordinator, Terje Roed-Larsen, to intensify his consultations with the parties and with members of the Quartet.

Speaking on behalf of the Council, the President said that the Council had reached agreement on holding periodic consultations as to the situation in the Middle East. That day’s public meeting was a preamble to a future debate on the issue; consequently, Council members, at a later date, would address the situation in Palestine or the role the Council might play. Meanwhile, the Council welcomed the Secretary-General’s statement and would consider his suggestions.

**Communication (21 February).** In a 21 February letter [A/ES-10/149-S/2002/190], Palestine informed the Secretary-General and the Council President that the situation continued to deteriorate owing to Israeli attacks by land, sea and air. In the previous two days, more than 25 Palestinians had been killed, and, for the first time, Israeli forces had entered Gaza City. An Israeli incursion was made into the Rafah refugee camp in Gaza, and a siege had cut off the Palestinian people from the outside world and prevented Palestinian travel within the territory.

**Security Council consideration (26-27 February).** In accordance with an understanding reached in prior consultations among its members, the Security Council, on 26 and 27 February [meeting 4478], discussed the situation in the Middle East, including the Palestinian question. With the Council’s consent, the President invited, among others, Israel and the Permanent Observer of Palestine, at their request, to participate in the discussion without the right to vote.

The Permanent Observer said that upon instruction from Prime Minister Ariel Sharon, Israeli forces had intensified the military campaign against the Palestinian people and institutions. IDF had attacked the official compounds of President Arafat in Gaza City and Ramallah and had repeatedly raided densely populated Palestinian cities and refugee camps. Mr. Sharon had never concealed his opposition to a final settlement, and he had imposed the condition of seven days of calm before any negotiations, giving those opposed to the peace process ample opportunity to divert any progress. That condition was being imposed on the Palestinian side, while Israel continued to commit extrajudicial killings, or targeted assassinations, and assaults against the Palestinian people, with the intent of aborting any attempt to implement the Mitchell recommendations.
Israel said that it remained committed to the agreed terms of reference of the peace process, which required the sides to engage in direct face-to-face negotiations on the basis of Council resolutions 242 (1967) [YUN 1967, p. 257] and 338 (1973) [YUN 1973, p. 21], and had accepted the Mitchell and the Tenet plans in their entirety as a way towards negotiations and peace. Despite its demonstrated commitment to peace, Israel, for 17 months, had faced an orchestrated campaign, incited and supported by the highest levels of the Palestinian leadership. Israeli civilians had been subjected to every manner of terrorist atrocity. The international community needed to be clear that there was no justification for terrorism. The only constructive action was for the international community to exert pressure on the Palestinian leadership to abandon its campaign of terror and embrace a peaceful solution to the conflict. As a first step, the cessation of violence was crucial.

The United States said that the solution to the crisis lay in addressing the political, security and economic aspects of the problem and that its diplomatic efforts were aimed at establishing a viable State of Palestine living alongside the State of Israel in peace and security. The road back to productive negotiations should start with security. The PA had to help eliminate the danger posed by extremists in the region—not only to Israelis, but also to the legitimate aspirations of its own people. Israel also had to meet its obligations. Actions by Israel against the Palestinian security apparatus charged with preventing violence and terror were counterproductive. The United States remained intent on encouraging the parties to implement the Mitchell recommendations, which were designed to lead to a political outcome. It agreed with the Secretary-General’s assessment that while the situation was bleak, the current course of events was not irreversible.


On 5 March [A/ES-10/153-S/2002/234], the Chairman of the Committee on the Exercise of the Inalienable Rights of the Palestinian People (Committee on Palestinian Rights) said that the security situation on the ground in the Occupied Palestinian Territory had been steadily worsening. Since the beginning of the intifada 18 months earlier [YUN 2000, p. 417], over 1,000 Palestinians and some 300 Israelis had lost their lives. In an effort to quell actions by Palestinian militants, Israel had resorted to fighter jets and helicopter gunships, heavy armour and the use of special army units. Incursions into Palestinian towns and refugee camps in Balata and Jenin in the West Bank and Rafah in the Gaza Strip left large numbers of dead and injured persons. Noting IDF attacks against PA facilities, the Committee also condemned the virtual house arrest of Mr. Arafat. In addition, it stressed that efforts at re-establishing security should be complemented by improvements in the political and socio-economic areas and that the United Nations should maintain its responsibility for the question of Palestine until it was satisfactorily resolved.

On 7 March [A/56/830-S/2002/191], Turkey transmitted to the Secretary-General its own statement made at the end of the OIC–European Union (EU) Joint Forum on Civilization and Harmony: the Political Dimension (Istanbul, Turkey, 12-13 February). Turkey said that the Forum had agreed, among other things, that the two-State solution would contribute to bringing peace and security to the Middle East.

On 7 March [S/2002/241], South Africa, in its capacity as Chairman of the Coordinating Bureau of the Non-Aligned Movement, called on the Security Council to invite Prime Minister Sharon and President Arafat to discuss the situation in the Middle East with the Council at the earliest possible opportunity.

Security Council consideration (12 March). The Security Council, on 12 March [meetings 4488 and 4489], discussed the situation in the Middle East, including the Palestinian question. With the Council’s consent, the President invited Israel and the Permanent Observer of Palestine
able right to a viable State within secure, internationally recognized borders, but had to end the illegal occupation. More urgently, Israel had to stop thebombing of civilian areas, the assassinations, the unnecessary use of lethal force, the demolitions and the daily humiliation of ordinary Palestinians. Such actions eroded Israel’s standing in the international community and further fuelled the fires of hatred, despair and extremism among Palestinians. The Secretary-General observed that the recent initiative by Crown Prince Abdullah of Saudi Arabia (see p. 419) set out a clear and compelling vision for peace in the Middle East. He appealed to the leaders of the Arab world not to give up on the search for peace, but to unite in support of that vision.

SECURITY COUNCIL ACTION (12 March)


The Security Council,
Recalling all its previous relevant resolutions, in particular resolutions 242(1967) of 22 November 1967 and 338(1973) of 22 October 1973,
Affirming a vision of a region where two States, Israel and Palestine, live side by side within secure and recognized borders,
Expressing its grave concern at the continuation of the tragic and violent events that have taken place since September 2000, especially the recent attacks and the increased number of casualties,
Stressing the need for all concerned to ensure the safety of civilians,
Stressing also the need to respect the universally accepted norms of international humanitarian law,
Welcoming and encouraging the diplomatic efforts of special envoys from the United States of America, the Russian Federation and the European Union, and the United Nations Special Coordinator and others, to bring about a comprehensive, just and lasting peace in the Middle East,
Welcoming the contribution of Crown Prince Abdullah of Saudi Arabia,

1. Demands immediate cessation of all acts of violence, including all acts of terror, provocation, incitement and destruction;
2. Calls upon the Israeli and Palestinian sides and their leaders to cooperate in the implementation of the Tenet work plan and the recommendations contained in the Mitchell report with the aim of resuming negotiations on a political settlement;
3. Expresses support for the efforts of the Secretary-General and others to assist the parties to halt the violence and to resume the peace process;
4. Decides to remain seized of the matter.

VOTE ON RESOLUTION 1397(2002):

In favour: Bulgaria, Cameroon, China, Colombia, France, Guinea, Ireland, Mauritius, Mexico, Norway, Russian Federation, Singapore, United Kingdom, United States.
Against: None.
Abstaining: Syrian Arab Republic.

Speaking before the vote, the Syrian Arab Republic said that it would abstain because,
among other things, the draft resolution was weak and did not address the root of the question: the Israeli occupation. In addition, it treated killer and victim equally, which was particularly egregious in view of the practices of the occupation authorities against the Palestinian people.

Escalation of violence


On 12 March, IDF carried out attacks against the Jabaliya refugee camp, the largest and most heavily populated in Gaza, killing at least 18 Palestinians and wounding more than 80 people. The siege of President Arafat’s compound also continued.


On 18 March [S/2002/296], Spain transmitted to the Secretary-General the European Council’s 16 March Declaration of Barcelona on the Middle East. The Council said that the Middle East was in the grip of a grave crisis; the EU called on both sides to stop the bloodshed and condemned the indiscriminate terrorist attacks that had killed and injured innocent civilians. As the legitimate authority, the PA bore the full responsibility for fighting terrorism, and its capacity to do so should not be weakened. Israel, notwithstanding its right to fight terrorism, had to withdraw its forces immediately from areas placed under PA control, stop extrajudicial executions, lift the closures and restrictions, freeze settlements and respect international law.

Arab Peace Initiative

The Council of LAS, at its fourteenth session (Beirut, Lebanon, 27-28 March), adopted a number of resolutions, including one on the Arab Peace Initiative, which was presented by Crown Prince Abdullah of Saudi Arabia [A/56/1026-S/2002/321]. The Initiative called for full Israeli withdrawal from all Arab territories occupied since June 1967, in implementation of Security Council resolutions 242 (1967) [YUN 1967, p. 257] and 338 (1973) [YUN 1973, p. 251] and the principle of land for peace, in addition to Israel’s acceptance of an independent Palestinian State with East Jerusalem as its capital, in return for the establishment by the Arab States of normal relations in the context of a comprehensive peace with Israel.

Security Council consideration (29-30 March).

At the request of Jordan, on behalf of LAS [S/2002/329], and Qatar, as Chairman of the Islamic Summit Conference [S/2002/331], the Security Council, on 29 and 30 March (meeting 4513), considered the situation in the Middle East, including the Palestinian question. With the Council’s consent, the President invited, among others, Israel, Qatar and the Permanent Observer of Palestine [S/2002/332], at their request, to participate in the deliberations.

The Secretary-General said that he had just returned from the LAS summit in Beirut, where Arab leaders made a historic decision to embrace Crown Prince Abdullah’s peace proposal, which confirmed the possibility of peace in the Middle East and proposed a way forward. Nevertheless, the Secretary-General was deeply alarmed at the rapid escalation of violence over the past two days. Horrific terrorist attacks against Israeli civilians had been carried out in Netanya and Jerusalem, the intention of which was to subvert the possibility of any peaceful settlement. At the same time, the Secretary-General reiterated his criticism of Israel’s use of disproportionate lethal force, especially in civilian populated areas, in response to those attacks, and he called on Israel to stop its assaults on the PA. Through the Mitchell recommendations, the parties should move quickly to achieve the two-State vision expressed in relevant Council resolutions.

The Permanent Observer of Palestine said that the Council was convening again in the wake of a new step by the Israeli Government, which had dispatched tanks and forces to destroy Mr. Arafat’s headquarters. IDF had destroyed most of the President’s compound, with the exception of the single building in which Mr. Arafat remained with a few aides. Israeli forces had also occupied Ramallah; reoccupied parts of other Palestinian towns, including Nablus and Bethlehem; and divided the Gaza Strip into three separate areas.
The Israeli Government had also declared Mr. Arafat to be its enemy. The Palestinian security institutions had been destroyed and, thus, their capabilities had been reduced to a minimum. Palestine called on the Council to follow up the implementation of its resolution 1397(2002) (see p. 418); the Israeli Government had neither issued any official position on that resolution nor stated its commitment to fulfilling its provisions. More specifically, the Permanent Observer called on the Council to order a halt to Israel’s acts of aggression and that its forces withdraw from Palestinian towns as a first step towards the implementation of the Tenet plan and the Mitchell recommendations.

Israel recounted the latest Palestinian terrorist acts against Israelis that included an attack at Passover, which, it said, were the Palestinian leadership’s response to Council resolution 1397 (2002). For its part, Israel welcomed that resolution, both in the vision that it endorsed and in the concrete details it outlined to bring an end to violence, and accepted the Mitchell and Tenet plans in full. Israel had, in fact, withdrawn its troops from territories under Palestinian control and Mr. Sharon had declared that Israel would not insist on seven days of quiet before entering the Tenet and Mitchell process. Mr. Arafat, on the other hand, had failed to take even minimal steps to end the violence. In those circumstances, Israel was compelled to exercise its basic right of self-defence and target the terrorist infrastructure that the PA continued to nurture and sustain in its territory. Israel had no intention of occupying any territory under Palestinian control; its intention was to uproot the terrorist network that existed there. If the Palestinians shared in the vision outlined in resolution 1397(2002), then peace was no illusion; however, the Palestinian leadership had sent to Israel and to the world a very different message.

The United States said that it was terrorism perpetrated against innocent civilians that had been responsible for the deteriorating situation. It condemned all acts of terrorism and called on Mr. Arafat to bring the perpetrators and their supporters to justice. At the same time, there was cause for some guarded optimism. Among other things, resolution 1397(2002) set out a vision for the future and established an outline for progress. The LAS summit in Beirut, while it did not provide a complete solution, laid out a vision that was embraced by all Arab nations. In addition, both parties to the conflict welcomed General Anthony Zinni’s efforts, which aimed at restarting the Mitchell process. However, the United States was gravely concerned at the dangerous situation in Ramallah. It deplored the killing and wounding of innocent Palestinian civilians just as it condemned the killing of Israeli civilians as a result of terrorist attacks. While it understood that Israel had a right to self-defence, it called on Mr. Sharon to consider carefully the consequences of Israel’s actions. Mr. Arafat was the leader of the Palestinian people and his leadership would remain central to any meaningful effort to restore calm; the United States had made it clear to Israel that he should not be harmed. The Council, the United States and the international community had endorsed a vision of two states—Israel and Palestine—living side by side in peace. That vision could not be defeated by a small minority dedicated solely to destruction and death.

SECURITY COUNCIL ACTION (30 March)


The Security Council,
Expressing its grave concern at the further deterioration of the situation, including the recent suicide bombings in Israel and the military attack against the headquarters of the President of the Palestinian Authority,
1. Calls upon both parties to move immediately to a meaningful ceasefire; calls for the withdrawal of Israeli troops from Palestinian cities, including Ramallah; and calls upon the parties to cooperate fully with the Special Envoy, General Anthony Zinni, and others, to implement the Tenet security work plan as a first step towards implementation of the recommendations contained in the Mitchell report, with the aim of resuming negotiations on a political settlement;
2. Reiterates its demand in resolution 1397(2002) for an immediate cessation of all acts of violence, including all acts of terror, provocation, incitement and destruction;
3. Expresses support for the efforts of the Secretary-General and the special envoys to the Middle East to assist the parties to halt the violence and to resume the peace process;
4. Decides to remain seized of the matter.

VOTE ON RESOLUTION 1402(2002):
In favour: Bulgaria, Cameroon, China, Colombia, France, Guinea, Ireland, Mauritius, Mexico, Norway, Russian Federation, Singapore, United Kingdom, United States.
Against: None.
so doing, the Council was rewarding the Palestinian terrorists; thus, Israel could not accept it.

The Permanent Observer of Palestine said that he had hoped for a stronger text than the one that had just been adopted, but that the Palestinian side would abide by its provisions; he called upon Israel to declare a similar position.

The Syrian Arab Republic said it did not take part in the voting on the draft for a number of reasons, including that the text was a repetition of resolution 1397(2002) (see p. 418), it did not take into consideration the positive outcome of the LAS summit, it did not condemn Israeli attacks but condemned Palestinian bombings and did not call on Israel to withdraw from occupied Arab territories.

Communications (29 March–4 April). On 29 March [S/2002/330], the Permanent Observer of Palestine informed the Security Council President that on that day IDF invaded Ramallah and launched heavy attacks against Mr. Arafat’s compound, killing 5 Palestinians and wounding at least 25 others. He called on the Council to take the necessary measures to stop the bloodshed.

By a 1 April letter [A/56/895-S/2002/337], Israel said that on the previous day a Palestinian suicide bomber had killed 15 civilians and wounded more than 40 others at a Haifa restaurant. Three other terrorist attacks had taken place during the preceding six days. Israel called on the international community to hold the Palestine leadership responsible.

On 2 April [A/ES-10/163-S/2002/340], the Permanent Observer said that the Israeli military siege and attacks on Ramallah, including President Arafat’s compound, continued. IDF had also seized other Palestinian towns and carried out house-to-house searches and round-ups of all Palestinian males.

On 2 April [A/56/894-S/2002/337], Costa Rica, on behalf of the Rio Group (Latin American and Caribbean countries), called for the immediate withdrawal of Israeli troops from Palestinian cities and for a cessation of all acts of terror.

In a 4 April letter [A/ES-10/164-S/2002/353] to the Secretary-General and the Council President, the Permanent Observer of Palestine, stating that the Israeli military campaign had intensified over the past two days, called on the Council to adopt the draft resolution before it calling for the immediate implementation of resolution 1402(2002) (see p. 420).

Security Council consideration (2-4 April). On 2 April, the Council held two closed meetings and had separate discussions with the representative of Israel and the Permanent Observer of Palestine (meetings 4504 and 4505).

At the request of Tunisia, on behalf of the Arab Group [S/2002/336], and of South Africa, on behalf of the Non-Aligned Movement [S/2002/342], the Security Council, on 3 and 4 April [meeting 4506], discussed the situation in the Middle East, including the Palestinian question. With the Council’s consent, the President invited, among others, Israel and the Permanent Observer of Palestine [S/2002/344] to participate in the discussion, at their request.

The Permanent Observer of Palestine said that IDF, over the past week, had broadened the scope of its military attacks and aggression, reoccupying a number of Palestinian towns, attacking churches and hospitals, among other sites, and killing many civilians. In Bethlehem, Israeli forces had imposed a military siege on the Church of the Nativity, and continued to occupy President Arafat’s headquarters in Ramallah. The main difference between what was occurring on the Israeli side and on the Palestinian side was that in the first case it was being carried out by a State army under government orders, while in the second case it was being carried out by illegal groups that were condemned by the PA. The Council could help move the process forward by agreeing to an international third party on the ground to assist both parties in implementing the Tenet and Mitchell plans.

Israel said that it had accepted the vision and the steps detailed in resolution 1397(2002) and had shown willingness to implement it, the Tenet plan and the Mitchell recommendations prior to the recent massacre in Netanya, which led to the current deterioration. Israel also recognized the positive elements of resolution 1402(2002), namely, the call for a complete ceasefire, which would lead to the withdrawal of Israeli troops, as once the violence and terrorism ceased so would the need for further Israeli military action. The Palestinians had made a strategic choice to engage in terrorism for the achievement of political objectives, leaving Israel with no alternative but to defend itself. Israel’s ultimate goal remained the conclusion of a comprehensive and final settlement of the conflict.

The United States said that it was supportive of the Council’s role in the current crisis. As expressed in resolutions 1397(2002) and 1402(2002), it called for an immediate ceasefire, the withdrawal of Israeli forces and a return to the Tenet work plan, as a step towards implementation of the Mitchell Committee’s recommendations. The United States was working around the clock with both sides to secure implementation of resolution 1402(2002) in its entirety.

Speaking on 4 April, the Secretary-General said that the international community had to con-
sider urgently how best to intercede with the parties to persuade them to draw back from their course of action. Council resolution 1402(2002) provided the elements needed to de-escalate the crisis, and resolution 1397(2002) provided the framework for a permanent settlement. Israel’s actions since the adoption of resolution 1402 (2002) indicated that it was moving in the opposite direction to that prescribed by resolutions 1397 (2002) and 1402 (2002)—a sure path to further escalation. Israel had justified its acts as self-defence and counter-terrorism measures; however, self-defence was not a blank cheque, and responding to terrorism did not free Israel from its obligations under international law, nor did it justify creating a human rights and humanitarian crisis within the Occupied Palestinian Territory. Forcing Mr. Arafat, the legitimate representative of the Palestinian people, into exile would only lead to more violence and chaos. While he understood Israel’s anger, the military route it had taken had led to an increase in the resolve and unity of the Palestinians, and increasing public anger across the world. The PA, on the other hand, seemed to believe that failing to act against terrorism and inducing turmoil would cause the Government and people of Israel to buckle, but it was only spurring Israel on in its course; it also united the Israeli public behind the military option. The Palestinian leadership had to acknowledge that terrorism was never justified. The Secretary-General called on Israel to give the Quartet full access to Mr. Arafat and his compound. Together with General Zinni’s mission, the Quartet arrangement could pursue implementation of resolution 1402(2002).

The Secretary-General also expressed serious concern over events along the Blue Line, the UN delimitation of the provisional border between Lebanon and Israel (see, p. 473), where it appeared that efforts from Lebanese territory were being made to create instability along that border. In addition, Hizbullah elements had that day assaulted a patrol of UNIFIL observers from Denmark, Italy, Norway, Sweden, Switzerland and Turkey. According to Israel, that was not the first time that Palestinian terrorism had endangered international personnel and humanitarian workers in the region.

On the same day [S/2002/354], South Africa, as Chairman of the Coordinating Bureau of the Non-Aligned Movement, called on the Council to visit Israel and Palestine in order to witness the scale and severity of the crisis first-hand and to engage directly with the parties to the dispute.

The draft [S/2002/347] was prepared in consultations among Council members.

The Security Council,

Greedly concerned at the further deterioration of the situation on the ground, and noting that resolution 1402(2002) has not yet been implemented,

1. Demands the implementation of resolution 1402(2002) without delay;
2. Welcomes the mission of the Secretary of State of the United States of America to the region, as well as efforts by others, in particular the special envoys from the United States, the Russian Federation and the European Union, and the United Nations Special Coordinator, to bring about a comprehensive, just and lasting peace to the Middle East;
3. Requests the Secretary-General to follow the situation and keep the Council informed;
4. Decides to remain seized of the matter.

Communications (4-5 April). By a 4 April letter [A/56/901-S/2002/362], Mali, on behalf of the Islamic Group, transmitted to the Secretary-General the Statement on the Situation in the Occupied Palestinian Territories, adopted by the Islamic Conference of Foreign Ministers (Kuala Lumpur, Malaysia, 1-3 April). The Conference called on the Council to take the necessary measures to provide protection for the Palestinian people, to apply sanctions against Israel and to put in place a mechanism for implementing the Arab Peace Initiative (see p. 419).

On 5 April [A/ES-10/165-S/2002/556], the Permanent Observer of Palestine said that despite the adoption of resolution 1403(2002), Israel continued to wage its military campaign in Palestinian territory. Besides reoccupying Palestinian towns, Israeli forces had launched assaults in Nablus and Jenin and the surrounding refugee camps. Israel, on 5 April [A/56/905-S/2002/560], referred to an incident that took place the previous week in which two members of the Temporary Observer Force in Hebron (TIPH) were killed by a Palestinian gunman. (TIPH, established in 1994 to patrol Hebron’s streets, comprised a team of 85 observers from Denmark, Italy, Norway, Sweden, Switzerland and Turkey.) According to Israel, that was not the first time that Palestinian terrorism had endangered international personnel and humanitarian workers in the region.

On the same day [S/2002/354], South Africa, as Chairman of the Coordinating Bureau of the Non-Aligned Movement, called on the Council to visit Israel and Palestine in order to witness the scale and severity of the crisis first-hand and to engage directly with the parties to the dispute.

Security Council consideration (8-9 April). On 8 April, the Security Council held two closed meetings and had separate constructive discus-
sions with the representative of Israel and the Permanent Observer of Palestine [meetings 4508 and 4509].

At the request of Tunisia [S/2002/350 & Corr.1], the Council, on 8 and 9 April [meeting 4509], discussed the situation in the Middle East, including the Palestinian question. With the Council’s consent, the President invited, among others, Israel and the Permanent Observer [S/2002/361], at their request, to participate in the discussion.

The Permanent Observer said that Israel continued the military offensive against the Palestinian people and the PA, using helicopters, tanks, missiles and rockets. Scores of missiles and rockets had been launched against the refugee camp in Jenin. More than 250 Palestinians had been killed and scores wounded. Israeli forces had prevented ambulances and medical teams from reaching the injured; declared many areas closed to military zones and forbidden reporters from entering them; imposed curfews; cut off water and power to vast areas; destroyed infrastructure; detained many Palestinians; and attacked mosques and churches. Since 29 March, the Israeli military attacks and the reoccupation of Palestinian cities continued despite the adoption of Council resolutions 1397(2002), 1402(2002) and 1403(2002). The Permanent Observer called for an effective international presence on the ground, especially after the destruction inflicted on the Palestinian police force and other security forces.

Israel said that resolution 1402(2002) laid out a package of reciprocal steps to be carried out by both sides. Those steps had to be carried out simultaneously; Israeli withdrawal, if it was not preceded by a meaningful Palestinian ceasefire, had, at the very least, to be accompanied by one. The fact that Israel urged that a withdrawal be accompanied by a meaningful ceasefire was not a rejection of the resolution, but a call for its faithful implementation. Israel believed that, with the direct involvement of United States Secretary of State Powell, the package of steps envisaged in resolution 1402(2002), including Israel’s withdrawal, could be fully implemented; however, the Palestinian side apparently had no intention of declaring or implementing a ceasefire. PLO Chairman Arafat had in fact rejected a bridging proposal presented by United States Special Envoy Zinni, thus demonstrating that the Palestinian leaders had not abandoned their decision to use terrorism to advance their cause. In addition, Israeli forces had discovered documentary evidence that the PA had played a central role in supporting and financing terrorist operations. Scores of documents and thousands of illegal weapons hidden in Mr. Arafat’s Ramallah compound confirmed that PA leaders provided support for terrorist attacks, including the financing, with international donor funds, of terrorist activities carried out by Fatah Al-Aqsa Martyrs Brigades, the group responsible for nine separate terrorist attacks against Israel in the month of March alone. Those findings attested to the importance of Israel’s military operations, both a legal and moral necessity, which were being conducted in such a way as to minimize harm to Palestinian civilians.

The United States said that Special Envoy Zinni had met with Chairman Arafat and Prime Minister Sharon and had focused on the need for an immediate ceasefire, Israeli withdrawal and the PA’s agreement to implement the Tenet work plan. Although neither side had demonstrated compliance with resolution 1402(2002), a high-level diplomatic effort was under way. President George W. Bush had called for Israeli withdrawal without delay and had called on the PA and leaders in the region to do everything in their power to stop terrorist activities and to stop inciting violence by glorifying terror in State-owned media or by telling suicide bombers that they were martyrs. The United States said that the attacks from Lebanon across the Blue Line by Hizbullah were a deliberate effort to escalate the situation and widen the conflict, and it called in particular on Lebanese and Syrian leaders who had influence over Hizbullah to work to prevent a serious escalation that could destabilize the region.

Quartet initiative

On 10 April [S/2002/369], the Secretary-General transmitted to the Security Council President the Joint Statement by the Russian Federation, the United States, the EU and the United Nations (the Quartet) on the escalating confrontation in the Middle East, issued at the end of a meeting held that day in Madrid, Spain (see annex to statement S/PRST/2002/9 below).

SECURITY COUNCIL ACTION (10 April)

On 10 April [meeting 4511], following consultations among Security Council members, the President made statement S/PRST/2002/9 on behalf of the Council:

The Security Council supports the Joint Statement issued in Madrid on 10 April 2002 by the Secretary-General, the Minister for Foreign Affairs of the Russian Federation, the Secretary of State of the United States of America, the Minister for Foreign Affairs of Spain and the High Representative for Common Foreign and Security Policy of the European Union, which is annexed to this statement, as transmitted to the Council by the Secretary-General. The Council calls upon the Government of Israel, the Palestinian Authority and all States in the region
to cooperate with the efforts to achieve the goals set out in the Joint Statement and insists on the immediate implementation of resolutions H02(2002) of 30 March 2002 and H03(2002) of 4 April 2002.

Annex

Joint Statement

The Secretary-General of the United Nations, Mr. Kofi Annan, the Minister for Foreign Affairs of the Russian Federation, Mr. Igor Ivanov, the Secretary of State of the United States of America, Mr. Colin Powell, the Minister for Foreign Affairs of Spain, Mr. Josep Pique, and the High Representative for Common Foreign and Security Policy of the European Union, Mr. Javier Solana, met in Madrid today. We reviewed the escalating confrontation in the Middle East and agreed to coordinate our actions to resolve the current crisis.

We express our grave concern about the present situation, including the deteriorating humanitarian crisis and the growing risk to regional security. We reiterate our shared condemnation of violence and terrorism, express our deep distress at the loss of innocent Palestinian and Israeli life, and extend our deepest sympathy to the families of those killed and wounded. Believing that there has been too much suffering and too much bloodshed, we call upon the leaders of Israel and the Palestinian Authority to act in the interests of their own people, the region, and the international community and to immediately halt this senseless confrontation.

In this regard, we express our grave concern about the most recent attacks from Lebanon across the Blue Line determined by the United Nations. The Quartet calls upon all parties to respect the Blue Line, halt all attacks, and show the utmost restraint. The conflict should not be allowed to spread and threaten regional security and stability.

The United Nations, the European Union and the Russian Federation express their strong support for the mission of the Secretary of State, Mr. Powell, and urge Israel and the Palestinian Authority to cooperate fully with his mission and with their continuing efforts to restore calm and resume a political process.

We reiterate that there is no military solution to the conflict and call upon the parties to move towards a political resolution of their disputes based on Security Council resolutions 242(1967) of 22 November 1967 and 338(1973) of 22 October 1973, and the principle of land for peace—which formed the basis for the Peace Conference on the Middle East convened in Madrid on 30 October 1991. We reaffirm our support for the objective expressed by President George W. Bush of the United States of America and spelled out in Council resolution 1397(2002) of 12 March 2002, of two States, Israel and Palestine, living side by side within secure and recognized borders. We warmly welcome the peace initiative of Crown Prince Abdullah of Saudi Arabia, as endorsed in Beirut by the League of Arab States, as a significant contribution towards a comprehensive peace, including Syria and Lebanon.

To enable progress towards our shared goals, we reaffirm that Security Council resolution H02(2002) of 30 March 2002 must be fully implemented immediately, as called for in Council resolution H03(2002) of 4 April 2002. We call upon Israel to halt immediately its military operations. We call for an immediate, meaningful ceasefire and an immediate Israeli withdrawal from Palestinian cities, including Ramallah, specifically including the headquarters of Chairman Yasser Arafat. We call upon Israel to fully comply with international humanitarian principles and to allow full and unimpeded access to humanitarian organizations and services. We call upon Israel to refrain from the excessive use of force and undertake all possible efforts to ensure the protection of civilians.

We call upon Chairman Arafat, as the recognized, elected leader of the Palestinian people, to undertake immediately the maximum possible effort to stop terror attacks against innocent Israelis. We call upon the Palestinian Authority to act decisively and take all possible steps within its capacity to dismantle terrorist infrastructure, including terrorist financing, and to stop incitement to violence. We call upon Chairman Arafat to use the full weight of his political authority to persuade the Palestinian people that any and all terrorist attacks against Israelis should end immediately, and to authorize his representatives to resume immediately security coordination with Israel.

Terrorism, including suicide bombing, is illegal and immoral, has inflicted grave harm upon the legitimate aspirations of the Palestinian people and must be condemned as called for in Council resolution 1373(2001) of 28 September 2001.

We call upon Israel and the Palestinian Authority to reach agreement on ceasefire proposals put forward by General Anthony Zinni without further delay. We commend the efforts of General Zinni to date to achieve this objective.

The Quartet stands ready to assist the parties in implementing their agreements, in particular the Tenet security work plan and the recommendations contained in the Mitchell report, including through a third-party mechanism, as agreed to by the parties.

We affirm that the Tenet plan and the recommendations contained in the Mitchell report must be fully implemented, including an end to all settlement activity. We affirm that there must be immediate, parallel and accelerated movement towards near-term and tangible political progress, and that there must be a defined series of steps leading to permanent peace, involving recognition, normalization and security between the sides, an end to Israeli occupation and an end to the conflict. This will allow Israel to enjoy enduring peace and security and the Palestinian people to realize their hopes and aspirations in security and dignity.

In support of these objectives, we call upon the international community, particularly the Arab States, to preserve, strengthen and assist the Palestinian Authority, including through efforts to rebuild its infrastructure, security and governance capacity. We also call upon the donor community and the international financial institutions to renew and expand their commitment to provide urgent humanitarian assistance to the Palestinian people, and to assist in economic and institutional reconstruction. We pay tribute to the courageous efforts of the humanitarian agencies.

We agreed upon the need to keep the situation in the Middle East under review by the Quartet at the
Jenin refugee camp violence

Communications (10-16 April). In a letter of 10 April [A/ES-10/166-S/2002/370], the Permanent Observer of Palestine expressed concern to the Secretary-General and the Security Council President regarding the critical situation in the cities of Jenin and Nablus and the adjacent refugee camps that had come under attack by Israeli forces. The refugee camp in Jenin had endured the deadliest assaults, with reports of more than 100 Palestinians killed and the camp nearly destroyed. Many of those killed bled to death in the streets as Israeli soldiers prevented emergency medical assistance from reaching them. Also, many bodies remained in the streets, as Israeli forces denied Palestinians the ability to retrieve the dead for burial. At the same time, in Bethlehem, the Israeli siege of the Church of the Nativity continued.

On the same day [A/56/992-S/2002/573], Israel said that on that morning a Palestinian suicide bomber had detonated explosive charges aboard a public bus in northern Israel, killing at least 8 Israelis and wounding 17. On 12 April [A/56/999-S/2002/415], Israel said that a Palestinian suicide bomber killed at least 6 Israelis and wounded 60 at a bus stop near a Jerusalem market and a gunman opened fire at a crossing point in northern Gaza.

By a 15 April note verbale [A/56/988-S/2002/428], Costa Rica transmitted a statement of the Rio Group, expressing concern at the spiral of violence in the Middle East and urging the parties to agree to a ceasefire and return to the negotiating table.

On 16 April [A/ES-10/167-S/2002/431], the Permanent Observer called attention to reports of a massacre committed against residents of the Jenin refugee camp by IDF. Israeli forces were still preventing ICRC and other humanitarian organizations from entering the camp. Many Palestinians killed remained in the streets decaying, while some reports indicated that Israeli forces had been removing and burying some of the bodies.

Security Council consideration (18-19 April). At the request of Tunisia on behalf of LAS [S/2002/431], the Security Council, on 18 and 19 April [meeting 435], discussed the situation in the Middle East, including the Palestinian question. With the Council’s consent, the President invited, among others, Israel and the Permanent Observer of Palestine [S/2002/499], to their request, to participate in the discussion.

The Permanent Observer said that the crimes committed by Israel were part of a premeditated plan to destroy not only the PA but also Palestinian infrastructure as a means of destroying the very present and future of the Palestinian people. In the Jenin refugee camp, Israeli acts went even further, with revelations of a wide-ranging massacre perpetrated against the camp’s inhabitants. War crimes were perpetrated not only in Jenin, but also in other heavily populated civilian areas in the occupied territory. Besides killing civilians and destroying buildings and infrastructure, Israeli forces had detained approximately 5,000 Palestinian males. Furthermore, the Israeli Government took all the necessary stands to ensure the failure of United States Secretary of State Powell’s mission, including refusing to withdraw from Palestinian cities and ignoring President Bush’s call for an end to military activity and a beginning of withdrawal. Israel refused to withdraw even after Mr. Powell’s arrival in the region and it persisted in creating new facts on the ground, including besieging cities from which IDF had previously withdrawn. Having learned of the idea of an international conference, the Permanent Observer said that such a conference, in order to be successful, had to involve the full participation of the Quartet, among others; it had to deal with all aspects of the Middle East problem, including the Syrian-Israeli track; and it had to be based on a comprehensive and detailed political vision, to be agreed upon before the conference.

Israel said that it was completing its withdrawal from Palestinian cities in accordance with Council resolution 1402(2002); the Palestinians, however, had failed to undertake even minimal steps to implement the resolution. The use of the term “massacre” in the battle that took place in Jenin was politically convenient for the Palestinian side, which had distorted the facts. What happened in Jenin was an intense gun battle between Israeli soldiers and the Palestinian terrorists who had taken up residence there. The real massacres were committed by the suicide bombers who blew themselves up in crowds of Israeli civilians. The pattern of distortion was even clearer with the situation at the Church of the Nativity, from which gunmen continued to fire at Israeli soldiers. International law had made it clear that when cultural sites and objects were used for military purposes they lost their protection and became military targets. Despite that, IDF had not returned fire at the gunmen holding hostage the Church of the Nativity, but was trying to negotiate with them. Those inside had showed no interest in ending the crisis in a peaceful manner.
Progress was achieved during Mr. Powell's visit to the region, which led to a quieting somewhat of the situation on the northern border with Lebanon, despite the inaction of the Council. Hizbullah's belligerence, nevertheless, continued. Despite the confirmed withdrawal of Israeli forces and the presence of UNIFIL, terrorism emanating from Lebanon had continued virtually unabated, thus raising doubts about the effectiveness of an international presence in the face of Palestinian terrorism.

The United States said that Mr. Powell, during his 10-day visit to the Middle East, had obtained Israel's commitment to wind down its military operations. IDF had withdrawn from Jenin and would soon be pulling out of Nablus. He also obtained a clear statement from the Palestinian leadership condemning terrorist attacks, notably the suicide bombings in Netanya and Jerusalem. Mr. Powell found broad support among Israelis, Palestinians, Arab States and members of the Quartet for a comprehensive strategy as a way forward that comprised three key elements: security and freedom from terror and violence for Israelis and Palestinians alike; serious and accelerated negotiations to lead to a political settlement; and economic and humanitarian assistance to address the desperate conditions faced by the Palestinian people. The United States had pressed Israel to allow full and unimpeded access to the Jenin camp for humanitarian organizations. Access for relief organizations had been improved, and Swiss and Norwegian search and rescue teams had entered the Jenin camp that day. Alleviating the situation in Jenin remained the primary humanitarian objective, and Council action was not the best way to meet that objective. Greater impact could be achieved by working directly with the parties on the ground. The Council was most effective when its actions focused on areas of convergence and agreement rather than on areas of differences and the condemnation of one side or another, which risked inflaming the conflict.

SECURITY COUNCIL ACTION (19 April)


The Security Council,


Concerned by the dire humanitarian situation of the Palestinian civilian population, in particular reports from the Jenin refugee camp of an unknown number of deaths and destruction,

Calling for the lifting of restrictions imposed, in particular in Jenin, on the operations of humanitarian organizations, including the International Committee of the Red Cross and the United Nations Relief and Works Agency for Palestine Refugees in the Near East,

Stressing the need for all concerned to ensure the safety of civilians, and to respect the universally accepted norms of international humanitarian law,

1. Emphasizes the urgency of access of medical and humanitarian organizations to the Palestinian civilian population;
2. Welcomes the initiative of the Secretary-General to develop accurate information regarding recent events in the Jenin refugee camp through a fact-finding team, and requests him to keep the Security Council informed;
3. Decides to remain seized of the matter.

Communications (19 April–1 May). On 19 April [A/56/926-S/2002/468], Lebanon, as Chairman of the Arab Summit, condemned the illegal practices carried out by Israeli forces during their occupation of Palestinian villages and towns, and especially in the Jenin refugee camp.

In a letter of 22 April [A/ES-10/168/S/2002/474] to the Secretary-General and the Security Council President, the Permanent Observer of Palestine said that Israel continued its military assault against the Palestinian people and maintained the siege on President Arafat’s headquarters in Ramallah and on the Church of the Nativity in Bethlehem. The Secretary-General’s announcement of the composition of the fact-finding team to investigate the events in Jenin was welcomed (see below). On 29 April [A/ES-10/169/S/2002/495], the Permanent Observer said that Israel had widened its military campaign by invading the city of Al-Khalil, killing 9 Palestinians and injuring at least 20 more.

Israel, on 1 May [A/56/956-S/2002/503], said that Palestinian terrorist attacks on 27 April had caused the death of 4 Israeli civilians and injured 7 more in the community of Adora.

Jenin fact-finding team

In response to resolution 1405(2002), the Secretary-General, on 22 April [S/2002/475], informed the Security Council that he had established a fact-finding team to develop accurate information regarding events in the Jenin refugee camp. The three-member team would be led by Martti Ahtisaari (Finland) and would be supported by a number of technical advisers. He expected that the Israeli Government and the PA would fully cooperate with the team and provide complete access to all sites. The team would begin its work by travelling to the region to initiate its mission on the ground.
On 1 May [S/2002/504], the Secretary-General informed the Council that he had instructed his Jenin fact-finding team to gather in Geneva on 24 April and to proceed to the area the next day. However, soon after the announcement of his plan, and after receiving assurances from Israeli officials that Israel would cooperate with the team, the Israeli Government expressed concerns related to the composition of the team, the scope of its mandate, how the mandate would be carried out and various procedural matters. At the request of the Israeli Government, the Secretary-General arranged for the UN Secretariat to meet with an Israeli delegation to listen to Israel’s concerns and engage in a clarification process. Consequently, the Secretary-General twice set back the arrival of the team in the area.

Further discussions and written clarifications were exchanged over the following four days. On 30 April, the Israeli Cabinet met and issued the following statement: “Israel has raised essential issues before the United Nations for a fair examination. As long as these terms have not been met, it will not be possible for the clarification process to begin.” In the absence of a formal indication of the terms on which Israel would cooperate with the fact-finding team, that statement was reviewed against the background of various public statements by, and telephone conversations that the Secretary-General held with, senior Israeli officials. The Secretary-General reluctantly concluded that Israel had developed concerns about resolution 1405(2002) that were fundamental in nature. He added that throughout that process, the United Nations had made every effort to accommodate Israel’s concerns within the Council’s mandate. In the light of Israel’s announcement, the team would not be able to proceed to the area in the near future. Moreover, Israeli officials had broached issues additional to those raised by the Israeli delegation that had visited New York. Time was also a factor, as the situation in the Jenin refugee camp was changing by the day and it would become more and more difficult to establish with any confidence or accuracy the “recent events” that had taken place there. The Secretary-General expressed regret at being unable to provide the information requested by the Council in resolution 1405(2002) and especially that the long shadow cast by events in the Jenin refugee camp would remain in the absence of a fact-finding exercise.

On 2 May [S/2002/301], the Secretary-General informed the Council that, in the continued absence of the necessary cooperation from Israel, he was disbanding the fact-finding team. Without the full cooperation of both parties and a visit to the area, it would not have been possible to produce an accurate, credible, thorough and balanced report.

**Security Council consideration (3 May)**. At the request of the Sudan, as Chairman of the Arab Group and on behalf of LAS [S/2002/301], the Security Council, on 3 May [meeting 4525], discussed the situation in the Middle East, including the Palestinian question. With the Council’s consent, the President invited, among others, Israel, the Syrian Arab Republic and the Permanent Observer of Palestine [S/2002/506], at their request, to participate in the discussion. Prior to the meeting, the Secretary-General, in informal consultations, had briefed the Council on the outcome of the Quartet’s meeting, held on 2 May in Washington, D.C. The Quartet had agreed on a three-pronged approach to deal with the crisis in the region, which focused on addressing security, economic and political elements in a parallel and comprehensive way. It also agreed on the need to hold an international conference on the situation and discussed the need for a third-party mechanism and the idea of a multinational force.

The Permanent Observer condemned Israel’s decision to refuse compliance with resolution 1405(2002) and to impede the work of the Jenin fact-finding team. It also believed that the Council should have supported the Secretary-General’s efforts a few days earlier. A draft resolution presented by the Arab Group, which would have called on the Council to take drastic steps to enforce resolution 1405(2002), did not receive adequate support due to the objections of one of the Council’s permanent members. The Council’s backtracking before the Israeli rejections would constitute a breach of the Charter’s provisions and abrogation by the Council of its responsibilities. According to the Permanent Observer, the Israeli position towards the fact-finding team proved that Israeli forces had carried out a massacre of the camp population. He called for an investigation of those acts and for the adoption of measures to prosecute the war criminals who deliberately killed civilians.

Israel said that the principles governing the operation of the fact-finding team should have been based on both resolution 1405(2002) and on established UN guidelines for fact-finding. That resolution called on the team to “develop accurate information”, and not to reach legal conclusions or make recommendations. Israel believed that the team should have been mandated to address the activities of both sides, including the use of a UN-administered camp for terrorist activity. UN fact-finding principles, as set out in General Assembly resolution 46/59 [YUN 199, p. 843], stipulated that fact-finding reports be limited to findings of “a factual nature”, and pro-
vied for confidentiality, the right of States at all stages of the process to express their views, and the obligation of the fact-finding team to respect local laws and to cooperate with the parties concerned. It was those considerations that lay behind Israel’s reservations regarding the team’s mandate. While Israel understood the international community’s wish to develop an accurate report, it called attention to international press reports that confirmed that what occurred in Jenin was a battle between IDF and Palestinian terrorists, that weapons were widespread in the camp, and that many buildings had been booby-trapped with explosive devices. Although Palestinian spokesmen had initially claimed that thousands of bodies were buried under the rubble, ultimately they had to accept the figures of those killed: 47 Palestinian gunmen, 23 Israeli soldiers and 7 Palestinian civilians. The civilian deaths, though regrettable, did not constitute a massacre. With regard to the Church of the Nativity, negotiations between Palestinian and Israeli representatives had been constructive; a number of Palestinians had been released from the Church and a non-violent resolution could be reached shortly. A satisfactory resolution of the Ramallah compound situation had been reached, with Israel agreeing to President Bush’s proposal that those responsible for cabinet minister Rehavam Zeevi’s death in 2001 [YUN 2001, p. 412] and other terrorist operatives inside the compound should be incarcerated in Palestinian territory, under United States and British supervision, so as to avoid impunity. Chairman Arafat was able to move around at will and to exercise his full authority.

The United States said that resolution 1405 (2002), which it had sponsored, called for the lifting of restrictions imposed on humanitarian organizations and welcomed the Secretary-General’s initiative to establish the facts about events in the Jenin refugee camp; it did not require or demand anything of the Secretary-General, Israel or the Palestinians. While it was regrettable that Israel decided in the end that it would not cooperate with that initiative, the United States supported the Secretary-General’s efforts and his conclusion that it was not possible to dispatch a fact-finding team as planned. In addition, as facts were emerging, there seemed to be growing clarity that there was as yet no evidence that a massacre occurred in Jenin. Meanwhile, the United States was continuing its diplomatic efforts and, on 2 May, had convened in Washington a meeting of the Quartet in attempts to restore security, address humanitarian needs and promote a settlement.

Syria said that what happened in the Jenin refugee camp was a terrible human tragedy. Contrary to Israeli statements, it had become obvious that Israel had a great deal to hide. When the Secretary-General formed the fact-finding team, Israel began to use tactics to circumvent and undermine resolution 1405(2002). Syria called on the Council to defend its resolutions and its authority and to shoulder its responsibilities to defend the Secretary-General’s position and his efforts in an impartial and objective manner.

Emergency special session
In accordance with General Assembly resolution ES-10/9 [YUN 2001, p. 415] and at the request of the Sudan [A/ES-10/71], on behalf of the Arab Group and LAS, as well as at the request of South Africa, in its capacity as Chairman of the Coordinating Bureau of the Non-Aligned Movement [A/ES-10/71], the tenth emergency special session of the Assembly resumed on 7 May to discuss “Illegal Israeli actions in Occupied East Jerusalem and the rest of the Occupied Palestinian Territory”. The session was first convened in April 1997 [YUN 1997, p. 394] and resumed in July and November of that year, as well as in March 1998 [YUN 1998, p. 425], February 1999 [YUN 1999, p. 402], October 2000 [YUN 2000, p. 421] and December 2001 [YUN 2001, p. 414].

GENERAL ASSEMBLY ACTION
On 7 May [meeting 17], the General Assembly adopted resolution ES-10/10 [draft: A/ES-10/L.1/Rev.1] by recorded vote (74-4-54) [agenda item 5]. Prior to the vote on the draft text as a whole, separate votes were taken on each paragraph, preambular and operative [A/ES-10/PV.17].

Illegal Israeli actions in Occupied East Jerusalem and the rest of the Occupied Palestinian Territory
The General Assembly,
Recalling its resolutions, including the resolutions of the tenth emergency special session on illegal Israeli actions in Occupied East Jerusalem and the rest of the Occupied Palestinian Territory,
Expressing its grave concern at the continuation of the tragic and violent events that have taken place since September 2000, especially the recent attacks and the increased number of casualties,
Expressing its profound concern at the grave situation in the Occupied Palestinian Territory, including Jerusalem, particularly since the start of the Israeli military attack on Palestinian cities and the Palestinian Authority on 29 March 2002,
Gravely concerned at the extensive loss of life and injuries suffered by the Palestinian people, as well as the destruction of both public and private property, including homes and institutions of the Palestinian Authority,
Gravely concerned in particular at the reports of grave breaches of international humanitarian law committed in the Jenin refugee camp and other Palestinian cities by the Israeli occupying forces,
Expressing its profound concern at the dire humanitar- 
ian situation of the Palestinian civilian population, in- 
cluding the lack of access to food, water and medi- 
cines, owing to the Israeli siege and the attacks on 
Palestinian cities,

Deploring the destruction of holy sites in the Occupied 
Palestinian Territory, including mosques and 
churches, and expressing its expectation that the 
Israeli military siege on the Church of the Nativity in 
Bethlehem will end immediately,

Noting that Security Council resolutions 1402(2002) 
of 30 March 2002 and 1403(2002) of 4 April 2002 have 
not yet been fully implemented,

Noting also that Israel, the occupying Power, has re- 
fused to cooperate with the Secretary-General’s fact-
finding team to the Jenin refugee camp, in disregard 
of Security Council resolution 1405(2002) of 19 April 
2002, noting as well the decision of the Secretary-
General to disband the team, and welcoming his ef- 
forts to develop accurate information regarding the 
recent events,

Taking note that the Security Council is yet to take the 
necessary measures in response to the Israeli refusal to 
cooperate with the fact-finding team and the ensuing 
developments,

Reaffirming the applicability of the Fourth Geneva 
Convention relative to the Protection of Civilian Per-
sons in Time of War of 12 August 1949 to the Occupied 
Palestinian Territory, including Occupied East Jerusal-
em,

Reiterating the obligation of Israel, the occupying 
Power, to abide scrupulously by its legal obligations 
and responsibilities under the Fourth Geneva Conven-
tion,

Deploring Israel’s disregard for relevant Security 
Council resolutions, and stressing the need for full ac-
countability in this regard,

Welcoming and encouraging the diplomatic efforts 
of special envoys from the United States of America, 
the Russian Federation, the European Union and the 
United Nations, as well as others, to bring about a com-
prehensive, just and lasting peace in the Middle East,

1. Condemns the attacks committed by the Israeli oc-
cupying forces against the Palestinian people in several 
Palestinian cities, particularly in the Jenin refugee 
camp.

2. Also condemns the refusal by Israel, the occupying 
Power, to cooperate with the Secretary-General’s fact-
finding team to the Jenin refugee camp, in disregard 
of Security Council resolution 1405(2002);

3. Emphasizes the importance of the safety and well-
being of all civilians in the whole Middle East region, 
and condemns in particular all acts of violence and ter-
ror resulting in deaths and injuries among Palestinian 
and Israeli civilians;

4. Demands the immediate and full implementation 
of Security Council resolution 1402(2002);

5. Calls for the implementation of the declaration 
adopted by the Conference of High Contracting Par-
ties to the Fourth Geneva Convention, reconvened in 
Geneva on 5 December 2001, through concrete action 
on the national, regional and international levels to en-
sure respect by Israel, the occupying Power, of the pro-
visions of the Convention;

6. Requests the Secretary-General to present a re-
port, drawing upon the available resources and infor-
mation, on the recent events that took place in Jenin 
and in other Palestinian cities;

7. Demands that Israel, the occupying Power, cease 
all hindrances and obstacles to the work of humanitar-
ian organizations and the United Nations agencies in 
the Occupied Palestinian Territory, in particular the 
International Committee of the Red Cross and the 
United Nations Relief and Works Agency for Palestine 
Refugees in the Near East, including by lifting the re-
strictions on the freedom of movement and ensuring a 
free and safe access of staff and vehicles;

8. Calls for the provision of urgently needed assist-
ance and services to help in alleviating the current hu-
manitarian situation and the reconstruction efforts, 
including the rebuilding of the institutions of the Pale-
stinian Authority;

9. Calls upon all concerned parties to redouble their 
efforts to assist the parties to end the current crisis and 
bring them back to negotiations towards the achieve-
ment of a final settlement on all issues, including the 
establishment of the State of Palestine;

10. Decides to adjourn the tenth emergency special 
 session temporarily and to authorize the President of 
the General Assembly at its most recent session to re-
sume its meetings upon request from Member States.}

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the region would worsen into a real crisis. In response to the suicide bombings in Israel, which had been condemned by the PA and had harmed the Palestinian national interest, Mr. Sharon attacked the Palestinian security apparatus instead of attacking the groups that committed the bombings. An all-out assault on Palestinian cities started on 29 March 2002, followed by the attack on and destruction of the Jenin refugee camp. Despite the adoption of resolution 1405(2002), Israel refused to cooperate with the Secretary-General’s fact-finding team. The Council did not compel Israel to cooperate, despite the Arab Group’s attempt to submit a resolution under Chapter VII of the Charter. The Council thus lost its credibility. The Permanent Observer reaffirmed the readiness of the Palestinian people to cooperate with all peace efforts. However, Israel first had to withdraw from all the areas that should be under PA control.

Israel said the situation in the Middle East was the result of the resurgence of Palestinian terrorism and of the strategic decision by the Palestinian leadership to abandon a political process in favour of a strategy of terrorism. What happened in the Jenin camp bore no resemblance to the Palestinian accounts; independent observers who had entered the camp had not produced any evidence of a massacre. Recalling that the fact-finding team was an initiative of the Secretary-General, not a Security Council demand, Israel said that the fact that the initiative did not lead to the team’s departure, as Israel’s concerns remained unresolved, did not constitute defiance of resolution 1405(2002). When Palestinian spokespeople claimed that a massacre occurred in Jenin, the United Nations did not wait for any evidence to support the claim. When Israelis were massacred, the United Nations was silent. When Israel was to be investigated, the results were routinely predetermined in advance. The draft resolution continued in that vein, condemning Israel for atrocities it allegedly committed in Jenin, then requesting the Secretary-General to present a report on the subject when the conclusions had already been determined. The draft resolution mentioned only reluctantly Palestinian terrorism. In fact, it contained no unequivocal condemnation of suicide bombings. In addition, the draft text failed to reflect the specific obligations placed by resolution 1402(2002) on the Palestinian side, including the implementation of a ceasefire, an end to terrorism and cooperation with General Zinni—none of which the PA had even begun to implement.

The United States said that the best way forward was to advance the Quartet’s comprehensive strategy, which was based on three elements: security for both sides; serious and accelerated negotiations; and assistance for the Palestinian people. The draft resolution before the Assembly was filled with one-sided rhetoric condemning Israel, while there was no mention of Palestinian people. The sponsor of resolution 1405(2002), welcoming the Secretary-General’s initiative to send a fact-finding team to Jenin, the United States did not believe that any Member State was in violation of operative paragraph 2 of that resolution. The United States, which was focused on working directly with the parties to bring results, opposed the draft text because the condemnatory rhetoric against Israel would not contribute to the process of negotiations.


In letters dated between 10 May and 11 June [A/ES-10/T73-S/2002/536, A/ES-10/T74-S/2002/555, A/ES-10/T75-S/2002/610, A/ES-10/T76-S/2002/617, A/ES-10/T77-S/2002/641, A/ES-10/T78-S/2002/650, A/ES-10/T79-S/2002/654], the Permanent Observer of Palestine informed the Secretary-General and the Council President that the Israeli military campaign against Palestinian people continued unabated. IDF had used excessive and indiscriminate force, killing and injuring many civilians, had repeatedly reoccupied parts of Palestinian cities, and was preventing the movement of people and goods between Palestinian towns. He submitted lists of the names of those killed. During the first days of June, IDF carried out raids in the cities of Nablus, Bethlehem, Tulkarem and Ramallah and detained hundreds of Palestinians. On 6 June, IDF reoccupied parts of Ramallah, attacked President Arafat’s compound and imposed a new military siege on the PA headquarters. The Observer, on 4 June, noted that Israel had begun construction of a fence around the East Jerusalem...
neighbourhood of Jabel Mukhaber where a new illegal Israeli settlement was planned.

Security Council consideration (13 June). At the request of Bahrain, on behalf of the Arab Group and LAS [S/2002/655], the Security Council, on 13 June [meeting 4592], discussed the situation in the Middle East, including the Palestinian question. With the Council’s consent, the President invited, among others, Israel and the Permanent Observer of Palestine [S/2002/658], at their request, to participate in the discussion.

The Permanent Observer said that during the first days of June, IDF, in addition to maintaining a tight siege on Palestinian cities and on several occasions reoccupying them for days, killed many civilians, bombed Mr. Arafat’s compound and destroyed many institutions. Israel had also tried to institutionalize the situation resulting from the military assaults by isolating residential areas in the West Bank and the Gaza Strip from one another and isolating all such areas from East Jerusalem, by reinstating military administration, and by requiring licences to move people and goods from one Palestinian city to another. The colonization of Palestinian land continued through the building of more settlements, including the initial stages of settlement activity on Mount Scopus in East Jerusalem. Mr. Sharon had devised various scenarios to prevent the implementation of the Mitchell recommendations, including his insistence on seven days of complete calm and his refusal to negotiate until changes were made in the Palestinian leadership.

Israel said that it had withdrawn troops from Palestinian cities, including Ramallah; negotiated a peaceful end to the stand-off at the Church of the Nativity; and redeployed its forces to the perimeters of population centres. Meanwhile, the Palestinian leadership had failed to take steps towards fulfilling its obligations. Not a single day had passed since the adoption of resolution 1405 (2002) in which Palestinian terrorists had not attempted to carry out attacks against Israeli civilians. Palestinian duplicity reached new heights with two recent incidents: the discovery by IDF in Ramallah of an explosives laboratory in a building belonging to Mr. Arafat’s personal security force, and Mr. Arafat’s invitation to members of Hamas and Islamic Jihad to join his cabinet. Thus, rather than arresting the leaders of those two terrorist organizations, Mr. Arafat had bestowed legitimacy upon them by treating them as acceptable political partners.

The United States said there could be no defence for the intentional killing of civilians or support for those who engaged in terrorist acts or who financed, planned or supported them. Both sides had to do all they could to create an environment for political progress by following recent Council resolutions. For Israel, that included easing the closures and lifting restrictions that impeded the access of UN and humanitarian workers to the Palestinian civilian population. President Bush had outlined the United States strategy on the Middle East: it would seek to establish effective Palestinian security performance; to renew a political process aimed at a two-State solution; and to respond to humanitarian needs and build responsible PA institutions in preparation for statehood. The strategy had been endorsed by the Quartet and other States.

On 20 June, the Council held a closed meeting [meeting 4596] and had a constructive discussion with the Secretary-General.

Communications (14 June–17 July). In letters dated between 14 June and 17 July [A/56/983-S/2002/668, A/56/992-S/2002/683, A/56/995-S/2002/686, A/56/1006-S/2002/775], Israel reported acts of terrorism committed by Palestinian suicide bombers against Israeli civilians. On 18 June, 19 Israelis were killed and 74 more wounded aboard a bus in Jerusalem, the single deadliest explosion in the city since a similar attack in 1996; on 19 June, another suicide bomber killed 7 Israelis and injured 43 near a bus stop in Jerusalem; and on 17 July, 8 Israelis were killed and 16 wounded when Palestinian gunmen bombed and attacked a bus near the community of Emmanuel.

In a series of communications dated between 20 June and 9 July [A/ES-10/180-S/2002/686, A/ES-10/181-S/2002/697, A/ES-10/182-S/2002/699, A/ES-10/183-S/2002/707, A/ES-10/184-S/2002/738], the Permanent Observer of Palestine informed the Secretary-General and the Security Council President that Israeli forces continued their military campaign against the Palestinian people and the PA; he submitted lists of the names of those killed. IDF had reoccupied most of the major Palestinian cities and population centres, and had surrounded and entered President Arafat’s compound on 24 June. Due to the imposition of round-the-clock curfews, basic daily necessities, such as food and medicine, were in serious short supply.

On 20 June [A/56/997-S/2002/706], Oman transmitted to the Secretary-General a press communiqué adopted at the eighty-third session of the Ministerial Council of the Gulf Cooperation Council (Jeddah, Saudi Arabia, 8 June). The Council, among other things, condemned the Israeli military campaign in the occupied Palestinian territories and emphasized that the continuation of violence was a disservice to peace efforts.

The Secretary-General, in a 24 June statement [SG/SM/8265], welcomed President Bush’s reaffir-
tion, on that day, that the outcome of the Middle East peace process should be the establishment of a credible and viable State of Palestine, based on Security Council resolutions 242 (1967) and 338 (1973), and security for Israel.

Quartet statement

SECURITY COUNCIL ACTION (18 July)

On 18 July [meeting 4578], following consultations among Security Council members, the President made statement S/PRST/2002/20 on behalf of the Council:

The Security Council supports the Joint Statement of the “Quartet”, annexed to the present statement, which was issued in New York on 16 July 2002 by the Secretary-General of the United Nations, the Minister for Foreign Affairs of the Russian Federation, the Secretary of State of the United States of America, the Minister for Foreign Affairs of Denmark, the High Representative for Common Foreign and Security Policy of the European Union and the European Commissioner for External Affairs. The Council appreciates also the involvement in discussions with the “Quartet” of senior representatives of Egypt, Jordan and Saudi Arabia.

The Council calls upon the Government of Israel, the Palestinian Authority and all States in the region to cooperate with the efforts to achieve the goals set out in the Joint Statement and stresses the importance of, and the need to achieve, a comprehensive, just and lasting peace in the Middle East, based on all its relevant resolutions including resolutions 242 (1967) of 22 November 1967, 338 (1973) of 22 October 1973 and 1397 (2002) of 12 March 2002, the Madrid terms of reference and the principle of land for peace.

Annex

Joint Statement of the “Quartet”

The following is the text of a joint statement issued by the “Quartet” (the United Nations, the Russian Federation, the United States of America and the European Union) following their meeting in New York.

The Secretary-General of the United Nations, Mr. Kofi Annan, the Minister for Foreign Affairs of the Russian Federation, Mr. Igor Ivanov, the Secretary of State of the United States of America, Mr. Colin Powell, the Minister for Foreign Affairs of Denmark, Mr. Per Stig Moeller, the High Representative for Common Foreign and Security Policy of the European Union, Mr. Javier Solana, and the European Commissioner for External Affairs, Mr. Chris Patten, met in New York today. The members of the Quartet reviewed the situation in the Middle East and agreed to continue close consultations, as expressed in the Madrid Declaration, to which the Quartet remains fully committed, to promote a just, comprehensive, and lasting settlement of the Middle East conflict. The Quartet expresses its support for the convening of a further international ministerial meeting at an appropriate time.

The Quartet deeply deplores the tragic killing, today, of Israeli civilians and reiterates its strong and unequivocal condemnation of terrorism, including suicide bombing, which is morally repugnant and has caused great harm to the legitimate aspirations of the Palestinian people for a better future. Terrorists must not be allowed to kill the hope of an entire region, and a united international community, for genuine peace and security for both Palestinians and Israelis. The Quartet expresses once again its profound regret at the loss of innocent Israeli and Palestinian lives and extends its sympathy to all those who have suffered loss. The members of the Quartet express their increasing concern about the mounting humanitarian crisis in Palestinian areas and their determination to address urgent Palestinian needs.

Consistent with the statement of President George W. Bush of the United States of America, of 24 June 2002, the United Nations, the European Union and the Russian Federation give strong support for the goal of achieving a final Israeli-Palestinian settlement which, with intensive effort on security and reform by all, could be reached within three years from now. The United Nations, the European Union and the Russian Federation welcome the commitment of President Bush to active American leadership towards that goal. The Quartet remains committed to implementing the vision of two States, Israel and an independent, viable and democratic Palestine, living side by side in peace and security, as affirmed by Security Council resolution 1397 (2002) of 12 March 2002. The members of the Quartet, in their individual capacity and jointly, pledge all possible efforts to realize the goals of reform, security and peace, and reaffirm that progress in the political, security, economic, humanitarian and institution-building fields must proceed together, hand in hand. The Quartet reiterates its welcome of the initiative of Saudi Arabia, endorsed by the Arab League Countries Summit, held in Beirut on 27 March, as a significant contribution towards a comprehensive peace.

To assist progress towards these shared goals, the Quartet agreed upon the importance of a coordinated international campaign to support Palestinian efforts at political and economic reform. The Quartet welcomes and encourages the strong Palestinian interest in fundamental reform, including the Palestinian 100-day reform programme. It also welcomes the willingness of regional States and the international community to assist the Palestinians to build institutions of good government and to create a new governing framework of working democracy, in preparation for statehood. For these objectives to be realized, it is essential that well-prepared, free, open and democratic elections take place. The new international Task Force on Reform, which is composed of representatives of the United States, the European Union, the Secretary-General of the United Nations, the Russian Federation, Japan, Norway, the World Bank and the International Monetary Fund, and which works under the auspices of the Quartet, will strive to develop and implement a comprehensive action plan for reform. At its inaugural meeting in London on 10 July 2002, the Task Force discussed a detailed plan, including specific Palestinian commit-
ments. It will meet again in August to review actions in areas including civil society, financial accountability, local government, the market economy, elections and judicial and administrative reform.

Implementation of an action plan, with appropriate benchmarks for progress on reform measures, should lead to the establishment of a democratic Palestinian State characterized by the rule of law, the separation of powers and a vibrant free market economy that can best serve the interests of its people. The Quartet also commits itself to continuing to assist the parties in efforts to renew dialogue and welcomes in this regard the recent high-level ministerial meetings between Israelis and Palestinians on the issue of reform and peace.

The Quartet agreed upon the critical need to build new and efficient Palestinian security capabilities on sound bases of unified command, and transparency and accountability with regard to resources and accountability. Restructuring security institutions to serve these goals should lead to improvement in Palestinian security performance, which is essential to progress on other aspects of institutional transformation and the realization of a Palestinian State committed to combating terror.

In this context, the Quartet notes Israel’s vital stake in the success of Palestinian reform. The Quartet calls upon Israel to take concrete steps to support the emergence of a viable Palestinian State. Recognizing the legitimate security concerns of Israel, these steps include immediate measures to ease the internal closures in certain areas and, as security improves through reciprocal steps, withdrawal of Israeli forces to their pre-28 September 2000 positions. Moreover, frozen tax revenues should be released. In this connection, a more transparent and accountable mechanism is being put into place. In addition, consistent with the recommendations contained in the Mitchell report, Israel should stop all new settlement activity. Israel must also ensure full, safe and unfettered access for international and humanitarian personnel.

The Quartet reaffirms that there must be a negotiated permanent settlement based on Security Council resolutions 242 (1967) of 22 November 1967 and 338 (1973) of 22 October 1973. There can be no military solution to the conflict; Israelis and Palestinians must address the core issues that divide them, through sustained negotiations, if there is to be real and lasting peace and security. The Israeli occupation that began in 1967 must end and Israel must have secure and recognized borders. The Quartet further reaffirms its commitment to the goal of a comprehensive regional peace between Israel and Lebanon, and Israel and Syria, based upon resolutions 242 (1967) and 338 (1973), the Madrid terms of reference and the principle of land for peace.

The Quartet looks forward to upcoming consultations with the Ministers for Foreign Affairs of Egypt, Jordan and Saudi Arabia, and other regional partners, and determines to continue regular consultations on the situation in the Middle East at the principals’ level. The envoys of the Quartet will continue their work on the ground to support the work of the principals, to assist the Task Force on Reform and to aid the parties in resuming a political dialogue in order to reach a solution to the core political questions.

Communications (19-23 July). Israel, on 19 July [A/ES-10/185-S/2002/800], said that two Palestinian suicide bombers had detonated their charges in a Tel Aviv neighbourhood on 17 July, killing 3 Israelis and injuring 40. Israel held Chairman Arafat responsible for the attack.

On 23 July [A/ES-10/185-S/2002/827], the Permanent Observer of Palestine said that on that day an Israeli F-16 plane fired a missile at a building in a civilian neighbourhood of northern Gaza City, killing 15 Palestinians and wounding more than 150. Israel had declared that the attack was carried out as a targeted killing.

Security Council consideration (24 July). At the request of Saudi Arabia on behalf of the Arab Group [S/2002/832], the Security Council, on 24 July [meeting 4588], discussed the situation in the Middle East, including the Palestinian question. The President invited, among others, Israel and the Permanent Observer of Palestine [S/2002/850], at their request, to participate in the discussion.

The Permanent Observer said that the dropping of a one-ton bomb on a three-story apartment building in northern Gaza City (see above) was carried out as an extrajudicial killing and also deliberately targeted innocent civilians. At the same time, Israeli forces continued with their second wave of reoccupation of most Palestinian cities in the West Bank. Hundreds of thousands of Palestinians had been subjected to round-the-clock curfews, confined to their homes and denied any aspect of normal daily life. Furthermore, the siege on President Arafat’s compound continued. The Israeli Government had been trying to portray its policies and practices as simply a response to the suicide bombings. In fact, the Israeli Government’s aim was to destroy the PA. Some parties had decided to focus on the issue of reform of the PA, making that the central issue. The Palestinians believed that reform was in their national interest, but hoped that the focus did not represent another attempt to divert attention from the imperative of confronting Israel’s illegal policies. The Palestinians would continue to cooperate with the Quartet and other invited parties, but strongly believed in the need for decisive action, especially on the part of the Council, to prevent the worst from happening.

Israel said that its forces had undertaken the military action in northern Gaza City as part of its ongoing effort to protect civilians from the threat of Palestinian terrorism. The target of the attack was a leading Hamas leader, Salah Shehada; a second leading Hamas operative was also killed. Regrettably, 14 Palestinian civilians
were killed in the attack. The action was precipitated by the PA’s failure to prevent its territory from being used as a base for terrorist operations. While Israel recognized that military actions could not stop every potential attacker, Israeli forces had been successful in thwarting scores of attempted terrorist bombings. Chairman Arafat had demonstrated in the past that when he wanted to he could successfully prevent acts of terror. What was missing was the necessary political will to act. In the absence of any steps by the PA to fight terrorism, Israel could not be expected to take unilateral action that would increase the risk to Israeli civilians.

Communications (26–30 July). In letters of 26 [A/56/104-S/2002/841] and 30 July [A/56/106-S/2002/852], Israel informed the Secretary-General that, on 26 July, four Palestinians were killed in two shooting attacks south of Hebron, and that, on 30 July, among other attacks, a Palestinian suicide bomber wounded seven Israelis in a Jerusalem street.

Jenin report

Report of Secretary-General (30 July). The Secretary-General, in response to General Assembly resolution ES-10/10 (see p. 428), submitted a July report [A/ES-10/186] on recent events in Jenin and other Palestinian cities, drawing upon available resources and information. The Assembly had requested the report following the disbandment of the UN fact-finding team that had been convened by the Secretary-General in response to Security Council resolution 1405 (2002) (see p. 426).

The report was written without a visit to Jenin or the other Palestinian cities in question and therefore relied on available resources and information, including submissions from five UN Member States and observer missions, documents in the public domain and papers submitted by non-governmental organizations (NGOs). The UN Under-Secretary-General for Political Affairs wrote to the Permanent Representative of Israel and the Permanent Observer of Palestine requesting them to submit information, but only the latter did so. In the absence of a response, the United Nations relied on public statements by Israeli officials and available relevant documents of the Israeli Government. The report covered the period from the beginning of March to 7 May 2002. It set out the context and background of the situation in Israel and the Occupied Palestinian Territory, including the security, humanitarian and human rights responsibilities of both parties. It briefly charted the rising violence since September 2000, which had by 7 May 2002 caused the death of 441 Israelis and 1,539 Palestinians.

The report described the pattern of attacks carried out by Palestinian armed groups against Israel from the West Bank and Israel’s military action during Operation Defensive Shield, which began on 29 March with an incursion into Ramallah, followed by entry into Tulkarem and Qalqilya on 1 April, Bethlehem on 2 April, and Jenin and Nablus on 3 April. By that date, six of the largest cities in the West Bank, and their surrounding towns, villages and refugee camps, had been occupied by IDF. Operation Defensive Shield was characterized by extensive curfews on civilian populations, and restrictions and occasional prohibitions on the movement of international personnel, including at times humanitarian and medical personnel, as well as human rights monitors and journalists. In many instances, humanitarian workers were not able to reach people in need. Combatants on both sides conducted themselves in ways that, at times, placed civilians in harm’s way. Much of the fighting during Operation Defensive Shield occurred in areas heavily populated by civilians, and in many cases heavy weaponry was used. As a result, the urban populations suffered severe hardships. IDF announced the official end of the Operation on 21 April, but its consequences lasted well beyond.

According to a report prepared by UN agencies in the Occupied Palestinian Territory, a total of 497 Palestinians were killed by IDF from 1 March to 7 May; over 2,800 refugee housing units were damaged and 878 homes demolished or destroyed, leaving more than 17,000 people in need of shelter.

On 3 April, as part of Operation Defensive Shield, IDF entered the city of Jenin and the adjacent refugee camp and declared them a closed military area. When IDF withdrew on 18 April and the curfew was lifted, at least 55 Palestinians, of whom up to half might have been civilians, and 23 Israeli soldiers were dead, and approximately 150 buildings were destroyed. IDF encountered heavy Palestinian resistance, and the Palestinian militants in the camp (some 200 armed men from the Al-Aqsa Martyrs Brigades, Tanzim, Palestinian Islamic Jihad and Hamas) adopted methods that constituted breaches of international law. Clarity remained elusive, however, on the IDF response to that resistance. The Israeli Government maintained that IDF took all possible measures not to hurt civilians, though they were confronted with armed terrorists who concealed themselves among the civilian population. However, some human rights groups and Palestinian eyewitnesses asserted that IDF sol-
diers did not take all possible measures to avoid hurting civilians and even used some as human shields. As IDF penetrated the camp, the Palestinian militants moved further into its centre. It was impossible to determine with precision how many civilians were among the Palestinian dead. Israeli officials estimated that 52 Palestinians were killed, 38 of whom were armed men and 14 were civilians. Following a 9 April ambush in which 13 IDF soldiers were killed, IDF shifted tactics to wider bombardment and destruction of portions of the camp. By 11 April, IDF had brought the camp under control and defeated the remaining armed elements. A range of humanitarian problems arose for the estimated 4,000 Palestinian civilians remaining in the camp, primarily the prolonged delay in obtaining medical attention. Medical personnel were prevented by IDF from reaching the wounded within the camp. Israel repeatedly charged that the medical vehicles and premises were used by terrorists. On 15 April, IDF granted humanitarian agencies access to the Jenin refugee camp, though unexploded ordnance impeded the safe operations of humanitarian personnel.

Resumed emergency special session

Following a 1 August request [A/ES-10/187] from Oman, as Chairman of the Arab Group and on behalf of LAS, the General Assembly resumed its tenth emergency special session on 5 August. Support for the request to resume the session was voiced by South Africa on behalf of the Non-Aligned Movement [A/ES-10/188].

Addressing the meeting, the Permanent Observer of Palestine said that the Secretary-General’s report on the Jenin events provided yet further confirmation that Israeli forces had committed war crimes, atrocities and other serious violations of the Fourth Geneva Convention. The situation had deteriorated since the period covered by the report, as Israel engaged in yet another wave of invasion and reoccupation of most Palestinian cities and population centres in the West Bank. The siege of Mr. Arafat’s headquarters and the city of Ramallah continued. The Permanent Observer stressed that acts of resistance against the Israeli occupation were legitimate under international law and could not be compared with acts targeting Israeli civilians in Israel itself.

Israel said that the Secretary-General’s report made it categorically clear that there was no massacre in Jenin. It emphasized that the venue of that battle was not of Israel’s choosing; it was the Palestinian terrorists who chose to operate in the heart of civilian homes. Israel took note of the comments regarding IDF’s conduct during its operation, particularly regarding delays in humanitarian access as a result of the fighting and the extensive booby-trapping of civilian homes by Palestinian gunmen. The policy adopted by Palestinian terrorists of using civilians as their shields was a war crime and a violation of international law. The PA had to be held accountable for sacrificing the lives of innocent Palestinians who were used as pawns in the Palestinian leadership’s terror campaign.

GENERAL ASSEMBLY ACTION

On 5 August [meeting 19], the General Assembly adopted resolution ES-10/11 [draft: A/ES-10/L.11] by recorded vote (114-4-11) [agenda item 5].

Illegal Israeli actions in Occupied East Jerusalem and the rest of the Occupied Palestinian Territory

The General Assembly,

Recalling its relevant resolutions, including the resolutions of the tenth emergency special session on the situation in Occupied East Jerusalem and the rest of the Occupied Palestinian Territory,

Having received with interest the report of the Secretary-General prepared pursuant to General Assembly resolution ES-10/10 on the recent events that took place in Jenin and in other Palestinian cities in the period from the beginning of March to 7 May 2002,

Strongly deploiring the lack of Israeli cooperation in implementing Security Council resolution 1405(2002) of 19 April 2002, and in the preparation of the report,

Noting that a full and complete account of the events that took place in Jenin and in other Palestinian cities could not be obtained,

Reiterating the obligation of Israel, the occupying Power, fully and effectively to respect the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, in the Occupied Palestinian Territory, including Jerusalem, and noting that the Convention, which takes fully into account imperitive military necessity, has to be respected in all circumstances,

Gravely concerned at the tragic and violent events that have taken place since September 2000 and at the continued violence in the Occupied Palestinian Territory, including Jerusalem, as well as in Israel,

Gravely concerned about the reoccupation of Palestinian cities, the continuation of severe restrictions on the movement of persons and goods, the severe deterioration of the economic situation and the living conditions, together with the dire humanitarian crisis facing the Palestinian people,

Stressing the need to end the Israeli occupation,

Emphasizing the importance of the safety and well-being of all civilians in the whole Middle East region, and condemning all attacks against civilians on both sides,

1. Takes note of the report of the Secretary-General;
2. Demands the immediate cessation of military incursions and all acts of violence, terror, provocation, incitement and destruction;
3. Also demands the immediate withdrawal of the Israeli occupying forces from Palestinian population
centres towards a return to the positions held prior to September 2000;
4. *Stresses* the need for all concerned parties to ensure the safety of civilians, and to respect the universally accepted norms of international humanitarian law;
5. *Emphasizes* the urgency of ensuring that medical and humanitarian organizations are granted unhindered access to the Palestinian civilian population at all times;
6. *Stresses* the need for the High Contracting Parties to follow up on the implementation of the declaration adopted on 5 December 2001 by the Conference of High Contracting Parties to the Fourth Geneva Convention;
7. *Calls* for the urgently needed assistance and services to help in alleviating the current dire humanitarian situation facing the Palestinian people and to assist in rebuilding and revitalizing the Palestinian economy, and expresses support for efforts in the reconstruction of the Palestinian Authority, the reform of Palestinian institutions and the holding of democratic and free elections;
8. *Decides* to adjourn the tenth emergency special session temporarily and to authorize the President of the General Assembly at its most recent session to resume its meetings upon request from Member States.

**RECORDED VOTE ON RESOLUTION ES-10/11:**

In favour: Algeria, Andorra, Argentina, Armenia, Austria, Azerbaijan, Bahrain, Bangladesh, Belarus, Belgium, Belize, Benin, Bolivia, Bosnia and Herzegovina, Botswana, Brazil, Brunei Darussalam, Burkina Faso, Cambodia, Cameroon, Cape Verde, Chile, China, Colombia, Croatia, Cuba, Cyprus, Czech Republic, Democratic People’s Republic of Korea, Denmark, Djibouti, Ecuador, Egypt, Estonia, Ethiopia, Finland, France, Gabon, Gambia, Germany, Ghana, Greece, Guatemala, Guinea, Guyana, Hungary, Iceland, India, Indonesia, Iran, Ireland, Italy, Jamaica, Japan, Jordan, Kenya, Kuwait, Lao People’s Democratic Republic, Latvia, Lebanon, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Malaysia, Maldives, Malta, Mauritius, Mexico, Monaco, Morocco, Myanmar, Namibia, Nepal, Netherlands, New Zealand, Norway, Oman, Pakistan, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Russian Federation, San Marino, Saudi Arabia, Senegal, Sierra Leone, Singapore, Slovakia, Slovenia, South Africa, Spain, Sri Lanka, Sudan, Sweden, Syrian Arab Republic, Thailand, The former Yugoslav Republic of Macedonia, Togo, Tunisia, Turkey, United Arab Emirates, United Kingdom, United Republic of Tanzania, Uruguay, Venezuela, Viet Nam, Yemen, Yugoslavia.

Against: Israel, Marshall Islands, Micronesia, United States.

Abstaining: Australia, Bulgaria, Canada, Honduras, Nauru, Nicaragua, Nigeria, Romania, Samoa, Solomon Islands, Tonga.

The Permanent Observer of Palestine, in letters dated between 6 August and 3 September [A/ES-10/190-S/2002/891, A/ES-10/192-S/2002/976, A/ES-10/195-S/2002/983], described crimes and acts of destruction committed by Israeli forces against Palestinian people and infrastructure; he submitted lists of those killed. On 2 August, IDF launched another invasion of Nablus, causing extensive destruction to buildings and infrastructure and killing a boy; on 31 August, in an attempt to carry out an extrajudicial execution, IDF fired two helicopter missiles at a car, killing 5 Filipinos and injuring 7. Israeli forces continued the practice of demolishing homes, leaving numerous Palestinians homeless. They also carried out extrajudicial executions, raided homes and detained countless Palestinians.

On 14 August [A/ES-10/191-S/2002/933], the Chairman of the Committee on Palestinian Rights informed the Secretary-General that Israel had intensified its illegal practices of collective punishment of the Palestinian people. IDF had demolished more than 20 homes belonging to the families of alleged Palestinian militants and had detained several of their family members. IDF, among other things, continued to carry out its policy of extrajudicial assassinations of Palestinian militants, routinely reoccupied Palestinian population centres and imposed curfews at will.

Oman, on 12 September [A/57/417-S/2002/1042], transmitted to the Secretary-General a communication adopted at the eighty-fourth session of the Ministerial Council of the Gulf Cooperation Council (Jeddah, 2-3 September). The Council, among other things, said that the whole Middle East process was in danger of collapse, and ending the Israeli occupation was the only way to achieve a comprehensive, just and lasting peace.

**Quartet peace plan (17 September).**

The Quartet met in New York on 17 September and agreed on a plan for Middle East peace. After the meeting, the Secretary-General highlighted key elements of that plan for the media (SG/SM/889). He said that the Quartet was continuing to work with the parties and key regional actors on an implementation of a road map, to achieve final and comprehensive settlement within three years. Comprehensive security performance was essential, as was an end to the morally repugnant violence and terror. The Quartet was in agreement that the overall plan had to address political, economic, humanitarian and institutional dimensions. It had to spell out reciprocal steps to be taken by the parties in each of the phases.
The implementation of the road map would be in three phases. Progress between each phase would be based on the parties’ compliance with performance benchmarks to be monitored and assessed by a Quartet mechanism. The first phase would see Palestinian security reform, Israeli withdrawals and support for Palestinian elections to be held in early 2003. There would also be an Ad Hoc Liaison Committee meeting in November to review the humanitarian situation and identify priority areas, including the reform process, for development assistance in the West Bank and the Gaza Strip. In the second phase, during 2003, efforts should focus on the option of creating a Palestinian State with provisional borders and based on a new constitution, as a way to station to a permanent status settlement. In the third phase (from 2004 to mid-2005), the Quartet envisioned Israeli-Palestinian negotiations aimed at a permanent status solution.

Both the Palestinian reform effort and political progress had to include Israeli measures to improve the lives of Palestinians: to allow the resumption of economic activity and the movement of goods, people and essential services, and to ease or lift curfews and closures. Israel also had to return the tax revenues owed to the PA, and all Israeli settlement activity in the occupied territory had to stop. The Palestinians had to work with the United States and regional partners to reform their security services and combat terrorism, and both sides needed to work to allow policing and law and order for the civilian population of the West Bank and Gaza. Israelis and Palestinians had to re-establish security cooperation. The Quartet remained committed to the search for a just, lasting and comprehensive settlement in the Middle East, including the Syrian/Israeli and the Lebanese/Israeli tracks.

Communications (19-20 September). On 19 September [A/57/419-S/2002/1049], Israel said that on that day, after six weeks of relative calm, 5 Israelis were killed and 60 injured aboard a bus in Tel Aviv by a Palestinian suicide bomber. On the previous day, a string of Palestinian attacks killed three Israelis and left three wounded.

In a 20 September letter [A/ES-10/194-S/2002/1002], the Permanent Observer of Palestine said that, on 19 September, IDF reoccupied President Arafat’s headquarters in Ramallah. Israeli tanks and armoured carriers invaded the compound, killed one person, and destroyed several structures that had recently been repaired.

Security Council consideration (20 September). On 20 September [meeting 4683], the Security Council, meeting in accordance with the understanding reached in consultations, discussed the situation in the Middle East, including the Palestinian question. With the Council’s consent, the President invited the Special Coordinator for the Middle East Peace Process and Personal Representative of the Secretary-General, Terje Roed-Larsen, to brief the Council.

The Special Coordinator said that the humanitarian situation in the Occupied Palestinian Territory had continued to deteriorate. In response to the decline in living conditions, the Secretary-General had dispatched his Personal Humanitarian Envoy, Catherine Bertini, to review the situation (see p. 455). Until 18 September, there had been six weeks of relative calm in Israel itself, although Israeli military operations resulted in the death of 56 Palestinians during that time. In fact, the period of 4 August to 18 September was the longest without a suicide bombing since November 2000.

The Special Coordinator briefed the Council on the Quartet’s three meetings held in New York on 17 September: Quartet only, Quartet plus five Arab ministers, and Quartet plus Israeli and Palestinian representatives. The meetings focused on the humanitarian situation, security issues, institutional reform and political issues. There was a common understanding that those issues were all closely linked and that neither the security problem nor the humanitarian crisis could be fully solved without a political solution. The Quartet expressed great concern about the humanitarian situation. Fifty per cent of the population were dependent on food handouts from UNRWA or the World Food Programme (WFP), while malnutrition and water-borne diseases were spreading. Unemployment was around 50 per cent and the PA was facing a fiscal crisis. The Quartet underlined to the Israeli delegation the problems of access and movement within the occupied territory and, further, how closures adversely affected Palestinian security training, humanitarian delivery and the PA’s ability to implement reform, including the holding of elections, which the PA had called for 20 January 2003. It was also pointed out that the preceding six weeks had been noticeably quiet from the Palestinian side, despite many actions undertaken against Palestinians during the same period. On reform, the Quartet agreed that progress had been uneven, at best. It also agreed that there could be no real progress on the humanitarian front if Israel did not alter its system of security, which, while based on legitimate and understandable concerns, was hurting an increasingly significant portion of the Palestinian population. Quartet members were in agreement on a three-phase plan of action or road map for achieving a two-State solution within three years. Forward
movement would be monitored by a third-party mechanism to be established by the Quartet.

Palestinian legislators were awaiting the appointment by Mr. Arafat of a new cabinet, following the resignation of the government. Many were also calling for the appointment of a Prime Minister. However, the security situation undermined reform efforts. In fact, the 19 September incursion inside President Arafat’s compound, and his consequent renewed isolation, weakened the position of those working for major reform.

Security Council consideration (23-24 September). At the request of the Permanent Observer of Palestine on behalf of the Arab Group and LAS [S/2002/1055] and with support from the Syrian Arab Republic [S/2002/1056], the Security Council, on 23 and 24 September [meeting 464], discussed the situation in the Middle East, including the Palestinian question. With the Council’s consent, the President invited, among others, the Permanent Observer of Palestine [S/2002/1056], Egypt and Israel to participate in the discussion.

Addressing the Council, the Secretary-General noted that, on 17 September, the Quartet had agreed on the need for a road map to achieve a permanent settlement of the Israeli-Palestinian conflict (see p. 436). The killings and bombings that had taken place since then, after six weeks of relative calm, struck directly at the hope that was an essential driver of political progress. The Quartet recognized Israel’s legitimate security concerns and repeated its call on the PA to reform security services and combat terrorism. However, the PA could not respond to that call if its civil and security infrastructure was destroyed. Similarly, the destruction of the capacity to provide basic services, such as water and education, would undermine both Palestinian and international efforts to meet humanitarian needs. The Quartet and Arab countries were working with the PA to see that security and institutional reforms were implemented; those efforts could succeed only if Israel supported the process rather than hindered it. The systematic grinding down of the PA’s headquarters in Ramallah, in which another 10 Palestinians had been killed, was also likely to cause greater political instability in the West Bank and Gaza, and had already prompted mass demonstrations in a number of Palestinian cities; efforts to address reform issues had been postponed as a result. The Israeli-Palestinian conflict was not going to be resolved by military might alone, or by violent means of any kind. A policy based on forcing the other side to capitulate only encouraged desperation, weakened moderates and strengthened extremists. In the end, a political settlement would have to be reached, one negotiated between the two peoples on an equal basis—a settlement in which two States, Israel and Palestine, lived side by side within secure and recognized borders. The so-called sequential approach, which insisted on full security as a precondition for progress in the peace negotiations, had clearly failed. Israel needed to understand that there would be no lasting security without a political settlement; therefore, it should cooperate actively with the Quartet’s efforts. The Palestinians, on their side, had to understand that there would be no settlement without lasting security for Israel.

The Permanent Observer of Palestine called on the Council to adopt a resolution demanding Israel’s withdrawal from President Arafat’s headquarters, in addition to whatever other action it might deem appropriate to end the Palestinians’ humanitarian crisis. Israel was trying to divert attention to issues other than the main issue at hand and to shift the onus to the Palestinian side. Such was the case with the issue of reform, which remained a Palestinian matter and was not part of the international agenda that dealt with the Israeli-Palestinian conflict.

Israel said that time and again Palestinian terrorist groups had shown their eagerness to scuttle any attempts to energize the peace process. If the Palestinian leadership was unwilling to confront those enemies of peace, then it undermined its claim to be a partner for peace. The responsibility of the Palestinian leadership was clear: it had to de-legitimize terrorism and suicide bombings completely in the eyes of its people. Instead, the Palestinian leadership continued to harbour terrorists and refused to arrest them and bring them to justice. Additional Council resolutions, particularly one-sided ones, were counterproductive.

SECURITY COUNCIL ACTION (24 September)


The Security Council,
Condemning all terrorist attacks against any civilians including the terrorist bombings in Israel on 18 and 19 September 2002 and in a Palestinian school in Hebron on 17 September 2002,
Gravely concerned at the reoccupation of the headquarters of the Palestinian Authority in the city of Ramallah that took place on 19 September 2002, and demanding its immediate end,

alarmed at the reoccupation of Palestinian cities as well as the severe restrictions imposed on the freedom of movement of persons and goods, and gravely concerned at the humanitarian crisis being faced by the Palestinian people,

reiterating the need for respect, in all circumstances, of international humanitarian law, including the fourth Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949,

1. Restates its demand for the complete cessation of all acts of violence, including all acts of terror, provocation, incitement and destruction;
2. Demands that Israel immediately cease measures in and around Ramallah, including the destruction of Palestinian civilian and security infrastructure;
3. Demands also the expeditious withdrawal of the Israeli occupying forces from Palestinian cities towards the return to the positions held prior to September 2000.
4. Calls upon the Palestinian Authority to meet its expressed commitment to ensure that those responsible for terrorist acts are brought to justice by it;
5. Expresses its full support for the efforts of the Quartet and calls upon the Government of Israel, the Palestinian Authority and all States in the region to cooperate with these efforts, and recognizes in this context the continuing importance of the initiative endorsed at the Arab League Summit, held in Beirut on 27 and 28 March 2002;
6. Decides to remain seized of the matter.

VOTE ON RESOLUTION 1435(2002):

In favour: Bulgaria, Cameroon, China, Colombia, France, Guinea, Ireland, Mauritius, Mexico, Norway, Russian Federation, Singapore, Syrian Arab Republic, United Kingdom.

Against: None.

Abstaining: United States.

Speaking after the vote, the United States said that the adopted resolution was flawed in that it failed explicitly to condemn the terrorist groups and those who provided them with political cover, support and safe haven. The United States had hoped that the Council would take a clear stand against the actions of those terrorist groups. The adopted resolution started that process, but it did not go far enough, nor did it provide the clarity and context that was required, as compared to the draft text tabled by the United States [S/2002/1061].

Communications (24 September–12 November).


Israel, in communications dated between 25 September and 12 November [A/57/431-S/2002/1076, A/57/438-S/2002/1089, A/57/463-S/2002/1134, A/57/495-S/2002/1186, A/57/509-S/2002/1214, A/57/585-S/2002/1220, A/57/592-S/2002/1221, A/57/601-S/2002/1241], detailed Palestinian attacks against Israeli civilians, which included: on 10 October, a Palestinian suicide bomber killed 1 Israeli and wounded 30 in Tel Aviv; on 21 October, 14 Israelis were killed and more than 40 injured when bombers crashed a vehicle packed with explosives into a public bus near Hadera; on 27 October, a Palestinian suicide bomber killed 3 Israelis and wounded 18 near the community of Ariel; on 4 November, 2 Israelis were killed and nearly 70 injured when a bomber detonated his explosives inside a shopping centre in Kfar Sava; and on 12 November, a Palestinian gunman infiltrated a kibbutz and killed five Israeli civilians.

On 20 September [A/57/422-S/2002/1064], the Sudan transmitted to the Secretary-General the Final Communiqué, the Khartoum Declaration, the Declaration on the Situation in Palestine and the resolutions adopted by the Islamic Conference of Foreign Ministers at its twenty-ninth session (Khartoum, Sudan, 25–27 June). The Final Communiqué called on the Security Council to compel Israel to end its aggression and halt its confiscation of lands and demolition of houses. The Declaration on the Situation in Palestine called on the international community, and particularly the Quartet, to take similar action.

By a 23 September letter [A/57/444], Venezuela transmitted to the Secretary-General the Ministerial Declaration adopted by the twenty-sixth Meeting of the Ministers for Foreign Affairs of the Group of 77 developing countries (New York, 19 September). Among other things, concern was expressed over the situation in the Occupied Palestinian Territory. The Group called for an end to settlement activities and the occupation of Palestinian towns by Israeli forces.

On 27 September [A/57/438-S/2002/1225], the Sudan transmitted to the Secretary-General the Final Communiqué adopted by the Annual Coordination Meeting of Ministers for Foreign Affairs of States members of OIC (New York, 17 Septem-
The Meeting, among other things, called on the international community to compel Israel to withdraw its forces from areas occupied since September 2000 as a preliminary step towards total withdrawal.

**Security Council consideration (12 November).** On 12 November [meeting 4645], the Security Council discussed the situation in the Middle East, including the Palestinian question. The Council heard a briefing by the Under-Secretary-General for Political Affairs, Kieran Prendergast.

The Under-Secretary-General said that against the backdrop of a new Palestinian cabinet taking office and the collapse of Israel’s governing coalition, Israeli-Palestinian violence continued to claim lives on both sides nearly every day. The Quartet special envoys met on 11 November to work towards finalizing the road map to a comprehensive peace settlement, having held consultations with the Palestinians, Israel and other regional Governments. The UN Special Coordinator was convening a UN inter-agency meeting on that day to review the humanitarian plan of action for the occupied territories, prepared by a UN technical assessment mission that visited the region in October on the recommendation of the Secretary-General’s Personal Humanitarian Envoy.

On 5 November, the PA issued a directive to all Fatah offices forbidding members from opening negotiations with Islamic factions to secure a commitment to end suicide operations. Nevertheless, a Palestinian gunman infiltrated a kibbutz on 12 November, killing five Israelis. The futile pattern of violence showed no signs of abating and Israel continued to impose curfews throughout the Occupied Palestinian Territory, though some restrictions had been eased in Ramallah and Hebron. Israel’s confiscation of thousands of dunums of agricultural land near the Green Line (the pre-1967 border that divided Israel proper from the West Bank), so as to facilitate construction of a separation wall, was also heightening tensions. According to Israeli human rights organizations, the northern segment of the wall would leave at least eight villages, home to more than 10,000 Palestinians, stranded between the wall and the Green Line, and it would also cut off access by West Bank residents to their agricultural land and water resources. Once completed, the wall could effectively annex approximately 7 per cent of the West Bank.

The Under-Secretary-General reported that, on 29 October, the PA gave a vote of confidence to a new cabinet appointed by President Arafat. By decree, the cabinet would remain in office in a caretaker capacity until new elections, scheduled for 20 January 2003, were held. Many observers were, nevertheless, sceptical about the prospect of holding elections that soon, due to the absence of a legislative framework and to the severe restrictions on movement. The previous Palestinian elections were held in 1996 [YUN 1996, p. 380]. New elections in Israel were scheduled to be held on 28 January 2003 as the Government had failed to establish a new coalition after the departure of the Labour Party from the previous coalition.

With regard to developments in Lebanon, the Wazzani Springs water project continued to be a source of tension along the Blue Line, the provisional border between Lebanon and Israel (see p. 473), as did Israeli air violations over southern Lebanon.

**Communications (13 November–13 December).** The Permanent Observer of Palestine, in letters dated between 13 November and 13 December [A/ES-10/202-S/2002/1244, A/ES-10/205-S/2002/1270, A/ES-10/204-S/2002/1298, A/ES-10/205-S/2002/1339, A/ES-10/206-S/2002/1356, A/ES-10/207-S/2002/1655], informed the Secretary-General and the Council President of the killing and injuring of Palestinians by Israeli forces. On 13 November, IDF launched a raid against the city of Nablus and two adjacent refugee camps and detained at least 35 Palestinians; on 19 November, IDF committed an extrajudicial killing in Tulkarem, also killing 3 Palestinian bystanders and a 15-year-old boy; on 22 November, Israeli forces killed Iain Hook, an UNRWA official, in the Jenin refugee camp; on 6 December, IDF raided the Breij refugee camp in the Gaza Strip, killing 10 Palestinians, including 2 UNRWA workers, and wounding at least 20; and between 7 and 12 December, 10 more Palestinians were killed by Israeli forces. IDF also destroyed a WFP food warehouse in Gaza.

In letters dated between 15 November and 10 December [A/57/65-S/2002/1290, A/57/62-S/2002/1295, A/57/63-S/2002/1308], Israel detailed Palestinian attacks against Israeli civilians. On 15 November, Palestinian gunmen killed 12 Israelis and wounded approximately 20 when they hurled hand grenades and fired automatic weapons at a crowd near the Tomb of the Patriarchs in Hebron; on 28 November, a Palestinian paramilitary group, the “Army of Palestine”, claimed responsibility for a suicide bomb attack at a hotel in Mombasa, Kenya, frequented by Israeli tourists, which killed 13 Kenyans and 3 Israeli citizens and wounded 80 people; on the same day, 6 Israelis were killed and 40 more were injured when a Palestinian gunman fired at people at a polling station in Beit Shean, in northern Israel.
Security Council consideration (16 December). On 16 December [meeting 4668], the Security Council discussed the situation in the Middle East, including the Palestinian question.

Briefing the Council, the Special Coordinator for the Middle East Peace Process and Personal Representative of the Secretary-General, Mr. Roed-Larsen, reported that three UN staff members had been killed and a WFP food storehouse destroyed as a result of IDF actions. The toll of Palestinian and Israeli casualties had reached new peaks since 12 November, when the Council was last briefed, with at least 88 Palestinians and 37 Israelis killed. The humanitarian crisis also deepened. Cities in the West Bank and Gaza Strip were suffering from frequent round-the-clock curfews, and closures in the occupied Palestinian territories had all but shut down the Palestinian economy. On 12 November, the United Nations convened an inter-agency meeting to review the humanitarian action plan prepared by an assessment mission led by the UN Office for the Coordination of Humanitarian Affairs. Israel had taken a step towards easing the crisis by transferring $28 million in withheld tax revenues to the PA and undertaking to transfer revenue regularly.

The Special Coordinator expressed concern over reports that IDF was confiscating and demolishing homes in Hebron in order to build a road for Jewish settlers. Also troubling was the new security wall east of the Green Line, which threatened to sever thousands of Palestinians from their agricultural lands and other sources of livelihood.

The Special Coordinator informed the Council that, on 14 and 15 November, the Quartet Task Force on Palestinian Reform had met at the capital level in Jordan to review progress in implementing reforms in financial accountability, market economics, civil service, judiciary/rule of law, local government and elections, and civil society engagement in the reform process. On 9 December, the Task Force met at the local level in Jerusalem to assess progress on all those fronts, focusing on civil service, the judiciary/rule of law and election reforms. It determined that the PA had made considerable, but uneven, progress in advancing the reform agenda. Financial reforms had been particularly substantial, while progress in the judicial sector had been extremely slow, as had security reform. President Arafat had appointed an elections commission that was regarded as independent, and the Palestinian Legislative Council’s legal committee had begun work to revise the Palestinian elections law. The Task Force called on the PA to continue reform efforts. It called on Israel to end actions impeding reform, including withholding tax revenues owed to the PA and restricting the movement of Palestinians involved in the reform process.

In a 4 December speech, the Special Coordinator noted, Prime Minister Sharon, who was the leadership of the Likud Party in preparation for the general elections of 28 January 2003, endorsed President Bush’s 24 June vision statement, which supported the establishment of a Palestinian State, describing it as a reasonable, pragmatic and practicable one. The consensus around the two-State solution was growing, and opinion polls showed that large majorities of both the Israeli and Palestinian communities supported it.

Quartet joint statement (20 December)

On 20 December, the Quartet convened in Washington, D.C., to discuss the road map for a comprehensive Middle East peace and released a joint statement. Secretary-General Kofi Annan, Russian Foreign Minister Igor Ivanov, Danish Foreign Minister Per Stig Moeller, High Representative for European Common Foreign and Security Policy Javier Solana, and European Commissioner for External Affairs Chris Patten met with President Bush and Secretary of State Powell. Mr. Bush expressed strong support for the Quartet’s road map, which envisioned two States—Israel and Palestine—living side by side in peace and security.

The Quartet took stock of the results of the ongoing consultations with the parties on the road map and agreed to continue work on developing a credible monitoring mechanism. In the meantime, the group called on the parties to carry out as rapidly as possible their responsibilities to restore calm, pursue reforms and improve the humanitarian situation—steps that it said would lead to a political process culminating in Palestinian statehood. Specifically, it called for an immediate, comprehensive ceasefire. Palestinian individuals and groups needed to end all acts of terror against Israelis, and, in that regard, the Quartet welcomed Egypt’s initiative to work with Palestinians to achieve that end. Such a ceasefire should be accompanied by Israeli measures. As calm was established, Israeli forces should withdraw from Palestinian areas and the pre-intifada status quo on the ground should be restored. The Quartet called on the Palestinian leadership to work with the United States and others to restructure and reform the Palestinian security services.

Recognizing the importance of well-prepared Palestinian elections to the process of building democratic institutions in preparation for statehood, the Quartet supported the work of the
Constitutional Committee to draft a Palestinian constitution. The Quartet noted the progress in the reform process and called for increased efforts by the PA, in cooperation with the Task Force on Palestinian Reform. In that context, the Quartet welcomed the initiative of the United Kingdom to convene a meeting in early 2003 to accelerate the reform process.

The Quartet called for increased efforts by Israel to ease the deepening humanitarian crisis in the West Bank and Gaza. It welcomed Israel’s recent transfer of certain tax revenues to the PA and called for those monthly transfers to continue, including arrears. The Quartet reiterated the importance of immediate Israeli measures, consistent with legitimate security concerns, to improve the lives of Palestinians, including allowing the resumption of normal economic activity, facilitating the movement of goods, people and essential services, and lifting curfew and closures. Israel was urged to avoid actions that undermined trust and created further hardship for innocent Palestinian civilians, including demolition of houses and civil infrastructure. For the goal of two States living peacefully side by side to be achieved, violence and terror had to come to an end, and Israeli settlement activity had to stop, consistent with the recommendations of the Mitchell report.

The Quartet affirmed its intention to encourage all parties in the region to seek a just, lasting and comprehensive settlement to the Arab-Israeli conflict based on the foundations of the Madrid Conference, the principle of land for peace, Security Council resolutions 242 (1967), 338 (1973) and 1397 (2002), agreements previously reached between the parties, and the initiative of Saudi Crown Prince Abdullah for acceptance of Israel as a neighbour living in peace and security, in the context of a comprehensive settlement (see p. 419). The Quartet planned to hold a further meeting of the Quartet principals in the near future to adopt the road map and present it to the parties.

Security Council consideration (20 December). On 20 December [meeting 4681], the Security Council discussed the situation in the Middle East, including the question of Palestine. With the Council’s consent, the President invited Israel and the Permanent Representative of Palestine [S/2002/195], at their request, to participate in the discussion. Members of the Council had before them the text of a draft resolution submitted by the Syrian Arab Republic [S/2002/185]. Under its terms, the Council would have condemned the killing by Israeli forces of UN employees and the destruction of a WFP warehouse, and would have demanded that Israel refrain from excessive use of force in the Occupied Palestinian Territory. Speaking before the vote, the United States said that any resolution on that subject should urge action by all concerned to minimize the threats to UN personnel and facilities. The United States did not see that focus in the proposed text. In fact, the proponents appeared more intent on condemning Israeli occupation than on ensuring the safety of UN personnel. Mixing those two issues was inappropriate and weakened the Council’s voice on the need for both parties to take steps to avoid actions that endangered civilians and UN staff. Adoption of the draft resolution would not contribute to an environment where both sides would be ready to move forward in implementing the practical steps of the road map. Therefore, the United States would vote against the draft resolution.

A vote was taken on the draft resolution (12-1-2). Owing to the negative vote of a permanent member of the Council, the draft text was not adopted.

Speaking after the vote, the Permanent Observer of Palestine said that the Arab Group, through Syria, had submitted a draft resolution that aimed at putting an end to IDF’s acts, by stressing the protection provided by international humanitarian law to UN sites, headquarters and personnel and those of other humanitarian organizations. United States bias towards Israeli settlement activity weakened the Council’s voice on the need for both parties to take steps to avoid actions that endangered civilians and UN staff. Adoption of the draft resolution would not contribute to an environment where both sides would be ready to move forward in implementing the practical steps of the road map. Therefore, the United States would vote against the draft resolution.

A vote was taken on the draft resolution (12-1-2). Owing to the negative vote of a permanent member of the Council, the draft text was not adopted.

Communications (20-30 December). In a 20 December letter [A/ES-10/208-S/2002/1360], the Permanent Observer of Palestine informed the Secretary-General and the Security Council President that, since 28 September 2000, more than 2,000 Palestinians had been killed by Israeli forces. On 26 December [A/ES-10/209-S/2002/1420], he said that IDF had killed at least 8 Palestinians and injured more than 30 that day in Ramallah, Tulkarem and Nablus.

On 30 December [A/57/697-S/2002/1440], Israel informed the Secretary-General that, on 27 December, two Palestinian gunmen disguised in
Israeli army uniforms infiltrated the community of Otniel and killed 4 Israelis and wounded 10.

**Israeli settlements**

**Special Committee on Israeli Practices.** In a September periodic report to the General Assembly [A/57/412], the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories (Special Committee on Israeli Practices) stated that the Jewish settler population in the territories had continued to grow, increasing by 10,847 during the 12-month period beginning 1 June 2001 to reach a total of 218,862. Although that constituted a 5.21 per cent growth over the preceding year, it was the lowest increase since 1995. Of the new population, 3,500 moved to the territories, while the remaining 7,100 or so were the result of natural growth. The figures were taken from Israeli press reports.

**Report of Secretary-General.** On 16 August [A/57/36], the Secretary-General informed the Assembly that Israel had not replied to his June request for information on steps taken or envisaged to implement the relevant provisions of resolution 56/61 [YUN 2001, p. 417], demanding that Israel, among other things, cease all construction of new settlements in the Occupied Palestinian Territory, including Jerusalem.

**GENERAL ASSEMBLY ACTION**

On 11 December [meeting 75], the General Assembly, on the recommendation of the Fourth (Special Political and Decolonization) Committee [A/57/301], adopted resolution 57/126 by recorded vote (154-6-3) [agenda item 77].

**Israeli settlements in the Occupied Palestinian Territory, including East Jerusalem, and the occupied Syrian Golan**

The General Assembly,

Guided by the principles of the Charter of the United Nations, and affirming the inadmissibility of the acquisition of territory by force,


Reaffirming the 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 to the occupied Syrian Golan and to abide scrupulously by the provisions of the Convention, in particular article 49;

3. **Reiterates its calls for the prevention of all acts of violence by Israeli settlers, particularly in the light of recent developments;**

6. **Requests the Secretary-General to report to the General Assembly at its fifty-eighth session on the implementation of the present resolution.**

RECORDED VOTE ON RESOLUTION 57/126:

In favor: Albania, Algeria, Andorra, Angola, Antigua and Barbuda, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belgium, Belize, Bolivia, Bosnia and Herzegovina, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Cambodia, Canada, Cape Verde, Chad, Chile, China, Colombia, Congo, Costa Rica, Côte d’Ivoire, Croatia, Cuba, Cyprus, Czech Republic, Democratic People’s Republic of Korea, Democratic Republic of the Congo, Denmark, Djibouti, Dominican Republic, Ecuador, Egypt, El Salvador, Eritrea, Estonia, Ethiopia, Fiji, Finland, France, Georgia, Germany, Ghana, Greece, Grenada, Guinea, Guyana, Haiti, Honduras, Hungary, Iceland, India, Indonesia, Iran, Ireland, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Lao People’s Democratic Republic, Latvia, Lebanon, Lesotho, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Monaco, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Netherland, New Zealand, Nicaragua, Nigeria, Norway, Oman, Pakistan, Panama, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania,
Jerusalem

East Jerusalem, where most of the city’s Arab inhabitants lived, remained one of the most sensitive issues in the Middle East peace process and a focal point of concern for the United Nations in 2002.

Committee on Palestinian Rights. In its annual report [A/57/35], the Committee on the Exercise of the Inalienable Rights of the Palestinian People (Committee on Palestinian Rights) said that it had observed with growing concern attempts by Israel to establish a barrier between it and the occupied West Bank, including Jerusalem. In addition to the planned 225-mile-long “security fence”, running along the Green Line, the Israeli Government was considering the creation of what was called the “Seam line plan” or the “Jerusalem envelope”—a wall separating the city from the West Bank. Settlement and bypass road construction was in progress or in various planning stages in several East Jerusalem neighbourhoods.

Transfer of diplomatic missions

Report of Secretary-General. On 14 October [A/57/470], the Secretary-General reported that five Member States, including Israel, had replied to his request for information on steps taken or envisaged to implement General Assembly resolution 56/31 [YUN 2001, p. 491], which addressed the transfer by some States of their diplomatic missions to Jerusalem in violation of Security Council resolution 478(1980) [YUN 1980, p. 426] and called on them to abide by the relevant UN resolutions. Israel viewed those resolutions as unbalanced and said that it threatened to prejudge them.

The United Arab Emirates said that any attempt by any country to transfer its embassy to Jerusalem before a final solution on the status of the city was reached was illegal and a violation of international laws.

GENERAL ASSEMBLY ACTION

On 3 December [meeting 66], the General Assembly adopted resolution 57/111 [draft: A/57/L.44 & Add.1] by recorded vote (154-5-6) [agenda item 36].

RECORDED VOTE ON RESOLUTION 57/111:

In favour: Afghanistan, Albania, Algeria, Andorra, Antigua and Barbuda, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belgium, Belize, Bhutan, 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, Democratic Republic of the Congo, Denmark, Djibouti, Dominican Republic, Ecuador, Egypt, El Salvador, Estonia, Ethiopia, Fiji, Finland, France, Gabon, Gambia, Georgia, Germany, Ghana, Greece, Grenada, Guinea, Guyana, Haiti, Honduras, Hungary, Iceland, India, Indonesia, Iran, Iraq, Ireland, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lao People’s Democratic Republic, Latvia, Lebanon, Lesotho, Libya, Malawi, Malaysia, Maldives, Mali, Mauritania, Mauritius, Mexico, Moldova, Monaco, Montenegro, Morocco, Mozambique, Namibia, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Romania, Russian Federation, Saint Lucia, Saint Vincent and the Grenadines, Samoa, San Marino, Sao Tome and Principe, Saudi Arabia, Senegal, Seychelles, Singapore, Slovakia, Slovenia, Somalia, South Africa, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Switzerland, Syrian Arab Republic, Thailand, The former Yugoslav Republic of Macedonia, Togo, Trinidad and Tobago, Tunisia, Turkey, Uganda, Ukraine, United Arab Emirates, United Kingdom, United Republic of Tanzania, Uruguay, Venezuela, Viet Nam, Yemen, Yugoslavia, Zambia, Zimbabwe.

Against: Israel, Marshall Islands, Micronesia, Nauru, Palau, United States.

Abstaining: Papua New Guinea, Solomon Islands, Vanuatu.
the Palestinian population could be expected to affect the next generation, considering the high percentage of the population under the age of 18. It also had serious gender impacts, as it had become more difficult for women to seek employment or education outside the house.

Checkpoints, closures and curfews severely impeded access to medical care, education and employment. Israeli closure policy, with varying degrees of movement restrictions on Palestinian people, vehicles and goods, had become the most important factor negatively affecting the Palestinian economy and living conditions. Since October 2000, mobility between the West Bank and Gaza, and between the Occupied Palestinian Territory and the rest of the world, had been severely impeded. The Gaza International Airport was closed in February 2001, and, in January 2002, the runway was bulldozed. The closure policy and movement restrictions had also seriously hampered the ability of aid agencies to deliver humanitarian assistance to refugees. UNRWA’s staff, numbering 3,500 in the West Bank and 7,000 in Gaza, experienced severe work disruptions owing to IDF checkpoints that frequently delayed them or prevented them from fulfilling their assignments. In addition, 190 schools had been temporarily closed and 55 per cent of older students had experienced difficulties in reaching higher education institutions.

The crisis and the growing atmosphere of profound political and economic uncertainty had a devastating impact on the Palestinian economy. The percentage of Palestinian people living below the poverty line ($2 per person per day) was nearly 50 per cent, more than double the rate prior to the eruption of the crisis in September 2000 [YUN 2000, p. 416]. In 2000, real GDP contracted to between 6 and 7 per cent; in 2001, the World Bank projected an additional 10 per cent decline. The restriction on the entry into Israel had forced over 50 per cent of the Palestinian workforce out of work.

The environmental impact of Israeli measures taken during the crisis fell into three broad categories: land degradation, water resource damage and a halt to essential infrastructure work. Land degradation was occurring rapidly owing to the felling of thousands of trees and the blockade of roads used by the Palestinians, resulting in new dirt tracks being created as alternative transport routes. Water resources were being affected by damage to environmental facilities, particularly sewage infrastructure, and by restrictions imposed on proper waste disposal. Many infrastructure projects supported by the international aid community had also been brought to a halt because of the closures. Land confiscation for estab-
lishing settlements and bypass roads had a major impact on the Palestinian agricultural sector, which accounted for about 30 per cent of the Palestinian national income. Moreover, the 190 Israeli settlements in the West Bank and Gaza, which were inhabited by some 380,000 settlers and linked by a vast system of bypass roads, separated Palestinian communities and deprived Palestinians of agricultural land.

An extensive, yet comparatively small, settlement infrastructure, totalling 17,000 Israeli settlers in 33 settlements, existed in the Golan Heights in the Syrian Arab Republic, occupied by Israel since June 1967. Over 17,000 Syrians, remaining after 1967, were clustered in five villages close to the Syrian and Lebanese borders. The Golan Heights Regional Council intended to campaign for the construction of 1,000 new dwelling units in Israeli settlements. Employment opportunities for the Arab population in the Golan Heights continued to be extremely restricted, since their movement between the Golan and Syria remained problematic.

ECONOMIC AND SOCIAL COUNCIL ACTION


Economic and social repercussions of the Israeli occupation on the living conditions of the Palestinian people in the Occupied Palestinian Territory, including Jerusalem, and the Arab population in the occupied Syrian Golan

The Economic and Social Council,
Recalling General Assembly resolution 56/204 of 21 December 2001,
also recalling its resolution 2001/19 of 25 July 2001,
Reaffirming the 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 Jerusalem, and other Arab territories occupied by Israel since 1967,
Stressing the importance of the revival of the Middle East peace process on the basis of Security Council resolutions 242(1967), 338(1975) of 22 October 1975 and 425(1978) of 19 March 1978, and the principle of land for peace as well as the compliance with the agreements reached between the Government of Israel and the Palestine Liberation Organization, the representative of the Palestinian people,
Reaffirming the principle of the permanent sovereignty of peoples under foreign occupation over their natural resources,
Convinced that the Israeli occupation impedes efforts to achieve sustainable development and a sound economic environment in the Occupied Palestinian Territory, including Jerusalem, and the occupied Syrian Golan,
Gravely concerned about the deterioration of economic and living conditions of the Palestinian people in the Occupied Palestinian Territory, including Jerusalem, and of the Arab population of the occupied Syrian Golan and the exploitation by Israel, the occupying Power, of their natural resources,
Expressing grave concern over the continuation of the recent tragic and violent events since September 2000 that have led to many deaths and injuries and the continuous deterioration of the situation,
AWARE of the important work being done by the United Nations and the specialized agencies in support of the economic and social development of the Palestinian people,
Conscious of the urgent need for the reconstruction and development of the economic and social infrastructure of the Occupied Palestinian Territory, including Jerusalem, and for addressing the humanitarian crisis facing the Palestinian people,
1. Stresses the need to preserve the territorial integrity of all of the Occupied Palestinian Territory and to guarantee the freedom of movement of persons and goods in the Territory, including the removal of restrictions on going into and from East Jerusalem, and the freedom of movement to and from the outside world;
2. Also stresses the vital importance of the construction and operation of the seaport in Gaza and safe passage to the economic and social development of the Palestinian people;
3. Calls upon Israel, the occupying Power, to end its occupation of Palestinian cities and other populated centres, to end all kinds of closures and to cease destruction of homes and economic facilities and agricultural fields;
4. Reaffirms the inalienable right of the Palestinian people and the Arab population of the occupied Syrian Golan to all their natural and economic resources, and calls upon Israel, the occupying Power, not to exploit, endanger or cause loss or depletion of these resources;
5. Also reaffirms that Israeli settlements in the Occupied Palestinian Territory, including Jerusalem, and the occupied Syrian Golan are illegal and an obstacle to economic and social development;
6. Stresses the importance of the work of the organizations and agencies of the United Nations and of the United Nations Special Coordinator for the Middle East Peace Process and Personal Representative of the Secretary-General to the Palestine Liberation Organization and the Palestinian Authority;
7. URGES Member States to encourage private foreign investment in the Occupied Palestinian Territory, including Jerusalem, in infrastructure, job-creation projects and social development in order to alleviate the hardship of the Palestinian people and improve living conditions;
8. Requests the Secretary-General to submit to the General Assembly at its fifty-eighth session, through the Economic and Social Council, a report on the implementation of the present resolution and to continue to include, in the report of the United Nations Special Coordinator, an update on the living conditions of the
Palestinian people, in collaboration with relevant United Nations agencies;

9. Decides to include the item entitled “Economic and social repercussions of the Israeli occupation on the living conditions of the Palestinian people in the Occupied Palestinian Territory, including Jerusalem, and the Arab population in the occupied Syrian Golan” in the agenda of its substantive session of 2003.

ROLL-CALL VOTE ON RESOLUTION 2002/31:

In favour: Andorra, Angola, Argentina, Austria, Bahrain, Benin, Bhutan, Brazil, Bulgaria, Cambodia, Cameroon, Chad, China, Croatia, Cuba, Egypt, Ethiopia, Finland, France, Germany, Ghana, Hungary, India, Iran, Italy, Japan, Libyan Arab Jamahiriya, Malta, Mexico, Nepal, Netherlands, Nigeria, Pakistan, Peru, Qatar, Republic of Korea, Romania, Russian Federation, South Africa, Spain, Sudan, Suriname, Sweden, Switzerland, United Arab Emirates, United Kingdom, Zimbabwe.

Against: United States.

Abstaining: Australia, Fiji, Guatemala.

GENERAL ASSEMBLY ACTION

On 20 December [meeting 78], the General Assembly, on the recommendation of the Second (Economic and Financial) Committee [A/57/536], adopted resolution 57/269 by recorded vote (155-4-4) [agenda item 91].

Permanent sovereignty of the Palestinian people in the Occupied Palestinian Territory, including East Jerusalem, and of the Arab population in the occupied Syrian Golan over their natural resources

The General Assembly,
Recalling its resolution 56/204 of 21 December 2001, and taking note of Economic and Social Council resolution 2002/31 of 25 July 2002,
Reaffirming the principle of the permanent sovereignty of peoples under foreign occupation over their natural resources,
Reaffirming the 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 other Arab territories occupied by Israel since 1967,
Expressing its concern at the exploitation by Israel, the occupying Power, of the natural resources of the Occupied Palestinian Territory, including East Jerusalem, and other Arab territories occupied by Israel since 1967,
Also expressing its concern at the extensive destruction by Israel of the occupying Power, of agricultural land and orchards in the Occupied Palestinian Territory during the recent period,
Aware of the additional detrimental economic and social impact of the Israeli settlements on Palestinian and other Arab natural resources, especially the confiscation of land and the forced diversion of water resources,
Reaffirming the need for the immediate resumption of negotiations within the Middle East peace process, on the basis of Security Council resolutions 242(1967), 338(1973) of 22 October 1973 and 425(1978) of 19 March 1978 and the principle of land for peace, and for the achievement of a final settlement on all tracks,
Taking note of the note by the Secretary-General on the economic and social repercussions of the Israeli occupation on the living conditions of the Palestinian people in the Occupied Palestinian Territory, including Jerusalem, and of the Arab population in the occupied Syrian Golan,
1. Reaffirms the inalienable rights of the Palestinian people and the population of the occupied Syrian Golan over their natural resources, including land and water;
2. Calls upon Israel, the occupying Power, not to exploit, cause loss or depletion of, or endanger the natural resources in the Occupied Palestinian Territory, including East Jerusalem, and in the occupied Syrian Golan;
3. Recognizes the right of the Palestinian people to claim restitution as a result of any exploitation, loss or depletion of, or danger to, their natural resources, and expresses the hope that this issue will be dealt with in the framework of the final status negotiations between the Palestinian and Israeli sides;
4. Requests the Secretary-General to report to it at its fifty-eighth session on the implementation of the present resolution, and decides to include in the provisional agenda of its fifty-eighth session an item entitled “Permanent sovereignty of the Palestinian people in the Occupied Palestinian Territory, including East Jerusalem, and of the Arab population in the occupied Syrian Golan over their natural resources”.

RECORDED VOTE ON RESOLUTION 57/269:

In favour: Afghanistan, Albania, Algeria, Andorra, Angola, Antigua and Barbuda, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belgium, Belize, Benin, Bhutan, Bolivia, Bosnia and Herzegovina, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Burundi, Cambodia, Canada, Cape Verde, Chad, Chile, China, Colombia, Comoros, Congo, Côte d’Ivoire, Croatia, Cuba, Cyprus, Czech Republic, Democratic People’s Republic of Korea, Denmark, Djibouti, Dominica, Dominican Republic, Ecuador, Egypt, Eritrea, Estonia, Ethiopia, Fiji, Finland, France, Gabon, Georgia, Germany, Ghana, Greece, Grenada, Guyana, Haiti, Honduras, Hungary, Iceland, India, Indonesia, Iran, Ireland, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lao People’s Democratic Republic, Latvia, Lebanon, Lesotho, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Monaco, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Netherlands, New Zealand, Nigeria, Norway, Oman, Pakistan, Panama, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Romania, Saint Lucia, Saint Vincent and the Grenadines, Samoa, San Marino, Sao Tome and Principe, Saudi Arabia, Senegal, Seychelles, Sierra Leone, Singapore, Slovakia, Slovenia, South Africa, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Switzerland, Thailand, The former Yugoslav Republic of Macedonia, Timor-Leste, Togo, Trinidad and Tobago, Tunisia, Turkey, Uganda, Ukraine, United Arab Emirates, United Kingdom, United Republic of Tanzania, Uruguay, Venezuela, Viet Nam, Yemen, Yugoslavia, Zambia, Zimbabwe.

Against: Israel, Micronesia, Palau, United States.

Abstaining: Madagascar, Nauru, Papua New Guinea, Tuvalu.

Other aspects

Special Committee on Israeli Practices. On 16 September, the Special Committee on Israeli Practices reported for the thirty-fourth time to the General Assembly on events and the human rights situation in the territories it considered occupied—the Golan Heights, the West Bank, including East Jerusalem, and the Gaza Strip [A/57/207]. In addition to the annual report, the Special Committee, in response to a request by
the Assembly in resolution 56/39 [YUN 2001, p. 424], provided updated information in a report covering July/August 2002 [A/57/421]. The two reports contained information obtained from the Arab and Israeli press; testimony from persons from the occupied territories; and communications and reports from regional Governments, organizations and individuals. As in the past, the Committee received no response from Israel to its request for cooperation and was unable to obtain access to the occupied territories, which had been the case since 1968, when the Committee was established [YUN 1968, p. 556].

The Committee’s review of the human rights situation in the occupied territories focused on the right to life; arrest and detention; use of military force against the civilian population; freedom of movement; freedom of the media; humanitarian assistance; medical assistance; the economic impact, including destruction of infrastructure and property; and human rights defenders. The Committee stated that there had been a disturbing deterioration in the humanitarian and economic situation since Israel’s military incursions, coupled with severe violations of the human rights of the Palestinian civilian population.

The Special Committee observed that the confrontations between Israeli forces and Palestinians, the escalating violence, the death and injury caused to both sides and the greatly disproportionate force used by Israeli soldiers, resulting in far greater losses to the Palestinians, had the most devastating consequences in the occupied territories. Israeli authorities had put in place a comprehensive and elaborate system of laws and regulations and administrative measures that affected all aspects of the lives of the Palestinian and Syrian populations in the occupied territories.

The Special Committee visited the Syrian Arab Republic and reported on the Israeli-occupied Syrian Golan Heights (for details, see p. 480).

Report of Secretary-General. On 16 August [A/57/37], the Secretary-General informed the General Assembly that Israel had not replied to his June request for information on steps taken or envisaged to implement Assembly resolution 56/62 [YUN 2001, p. 423], demanding that Israel, among other things, cease all practices and actions that violated the human rights of the Palestinian people and accelerate the release of all remaining Palestinians arbitrarily detained or imprisoned.

Commission on Human Rights. In a 6 March report [E/CN.4/2002/31], the Special Rapporteur of the Commission on Human Rights, John Dugard (South Africa), described the situation of human rights in the Palestinian territories occupied by Israel since 1967. The Special Rapporteur observed that the parties to the conflict were themselves either incapable of or unwilling to bring the violence in the Occupied Palestinian Territory and Israel to an end. In those circumstances, the need for an international presence, either in the form of monitors or peacekeepers, was imperative to reduce violence, restore respect for human rights and create conditions in which negotiations could be resumed (for details, see p. 808).

GENERAL ASSEMBLY ACTION

On 11 December [meeting 75], following consideration of the Special Committee’s annual and periodic reports and five reports of the Secretary-General on specific aspects of the situation in the occupied territories [A/57/94-98], the General Assembly, on the recommendation of the Fourth Committee [A/57/301], adopted resolution 57/127 by recorded vote (148-6-6) [agenda item 77].

Israeli practices affecting the human rights of the Palestinian people in the Occupied Palestinian Territory, including East Jerusalem

The General Assembly,

Recalling its relevant resolutions, including those adopted at its tenth emergency special session, and the resolutions of the Commission on Human Rights,

Bearing in mind the relevant resolutions of the Security Council,

Having considered the reports of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories and the reports of the Secretary-General,

Taking note of the report of the Human Rights Inquiry Commission established by the Commission on Human Rights and the report of the Special Rapporteur on the situation of human rights in the Palestinian territories occupied by Israel since 1967,

Aware of the responsibility of the international community to promote human rights and ensure respect for international law,

Reaffirming the principle of the inadmissibility of the acquisition of territory by force,

Reaffirming also the 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 other Arab territories occupied by Israel since 1967,

Reaffirming further the obligation of the States parties to the Fourth Geneva Convention under articles 146, 147 and 148 with regard to penal sanctions, grave breaches and responsibilities of the High Contracting Parties,

Stressing the need for full compliance with the Israeli-Palestinian agreements reached within the context of the Middle East peace process,

Concerned about the continuing systematic violation of the human rights of the Palestinian people by Israel,
the occupying Power, including the use of collective punishment, reoccupation and closure of areas, confiscation of land, establishment and expansion of settlements, destruction of property and all other actions by it designed to change the legal status, geographical nature and demographic composition of the Occupied Palestinian Territory, including East Jerusalem.

Gravely concerned by the tragic events that have occurred since 28 September 2000 and that have led to thousands of deaths and injuries, mostly among Palestinian civilians,

Expressing deep concern about the destruction caused by the Israeli occupying forces, including the destruction of homes and properties, of religious, cultural and historical sites, of vital infrastructure and institutions of the Palestinian Authority, and of agricultural land throughout Palestinian cities, towns, villages and refugee camps,

Also expressing deep concern about the Israeli policy of closure and the section restrictions, including curfews, imposed on the movement of persons and goods, including medical and humanitarian personnel and goods, throughout the Occupied Palestinian Territory, including East Jerusalem, and the consequent impact on the socio-economic situation of the Palestinian people, which has resulted in a dire humanitarian crisis,

Expressing concern that thousands of Palestinians continue to be held in Israeli prisons or detention centres, and also expressing concern about their ill-treatment and harassment and reports of torture,

Convinced of the need for an international presence to monitor the situation, to contribute to ending the violence and protecting Palestinian civilians and to help the parties to implement agreements reached, and, in this regard, recalling the positive contribution of the Temporary International Presence in Hebron,

Stressing the necessity for the full implementation of all relevant Security Council resolutions,

1. Determines that all measures and actions taken by Israel, the occupying Power, in the Occupied Palestinian Territory, including East Jerusalem, in violation of the relevant provisions of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, and contrary to the relevant resolutions of the Security Council, are illegal and have no validity;

2. Demands that Israel, the occupying Power, comply fully with the provisions of the Fourth Geneva Convention of 1949 and cease immediately all measures and actions taken in violation of the Convention, including extraordinary executions;

3. Condemns all acts of violence, including all acts of terror, provocation, incitement and destruction, especially the excessive use of force by Israeli forces against Palestinian civilians, resulting in extensive loss of life, vast numbers of injuries and massive destruction;

4. Also condemns the recent events that have occurred in the Jenin refugee camp, including the loss of life, injury, destruction and displacement inflicted on many of its civilian inhabitants;

5. Demands that Israel, the occupying Power, cease all practices and actions that violate the human rights of the Palestinian people;

6. Stresses the need to preserve the territorial integrity of all the Occupied Palestinian Territory and to guarantee the freedom of movement of persons and goods within the Palestinian territory, including the removal of restrictions on movement into and from East Jerusalem, and the freedom of movement to and from the outside world;

7. Requests the Secretary-General to report to the General Assembly at its fifty-eighth session on the implementation of the present resolution.

RECORDED VOTE ON RESOLUTION 57/127:

In favour: Albania, Algeria, Andorra, Angola, Antigua and Barbuda, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belgium, Belize, Bolivia, Bosnia and Herzegovina, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burma, Cabo Verde, Cambodia, Canada, Cape Verde, Chad, Chile, China, Colombia, Congo, Côte d'Ivoire, 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, Grenada, Guinea, Guyana, Haiti, Honduras, Hungary, Iceland, India, Indonesia, Iran, Ireland, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Lao People's Democratic Republic, Latvia, Lebanon, Lesotho, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Malawi, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Monaco, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Netherlands, New Zealand, Nicaragua, Norway, Oman, Pakistan, Panama, Paraguay, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Saint Lucia, Saint Vincent and the Grenadines, San Marino, Sao Tome and Principe, Saudi Arabia, Senegal, Seychelles, Sierra Leone, Somalia, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Switzerland, Syrian Arab Republic, Thailand, The former Yugoslav Republic of Macedonia, Togo, Trinidad and Tobago, Tunisia, Turkey, Uganda, Ukraine, United Arab Emirates, United Kingdom, United Republic of Tanzania, Uruguay, Venezuela, Viet Nam, Yemen, Yugoslavia, Zambia, Zimbabwe.

Against: Israel, Marshall Islands, Micronesia, Nauru, Palau, United States.

Abstaining: Papua New Guinea, Samoa, Solomon Islands, Tonga, Tuvalu, Vanuatu.

By resolution 57/198 of 18 December, the Assembly reaffirmed the right of the Palestinian people to self-determination, including their right to a State, and urged all States and UN specialized agencies and organizations to continue to support the Palestinian people in their quest for self-determination (see p. 686).

Work of Special Committee

In an August report [A/57/341], the Secretary-General stated that all necessary facilities were provided to the Special Committee on Israeli Practices, as requested in General Assembly resolution 56/59 [YUN2001, p. 424]. Arrangements were made for it to meet in June, and a field mission was carried out to Egypt, Jordan and the Syrian Arab Republic from 23 June to 6 July. A periodic report [A/57/421] and the thirty-fourth annual report of the Special Committee [A/57/207] were circulated to Member States. The UN Department of Public Information continued to provide press coverage of Special Committee meetings and to disseminate information materials on its activities.

GENERAL ASSEMBLY ACTION

On 11 December [meeting 73], the General Assembly, on the recommendation of the Fourth
committed to investigate Israeli policies and practices in the Occupied Palestinian Territory, including East Jerusalem, and other Arab territories occupied by Israel since 1967, especially Israeli violations of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, and to consult, as appropriate, with the International Committee of the Red Cross according to its regulations in order to ensure that the welfare and human rights of the peoples of the occupied territories are safeguarded and to report to the Secretary-General as soon as possible and whenever the need arises thereafter;

6. Also requests the Special Committee to submit regularly to the Secretary-General periodic reports on the current situation in the Occupied Palestinian Territory, including East Jerusalem;

7. Further requests the Special Committee to continue to investigate the treatment of prisoners and detainees in the Occupied Palestinian Territory, including East Jerusalem, and other Arab territories occupied by Israel since 1967;

8. Requests the Secretary-General:
(a) To provide the Special Committee with all necessary facilities, including those required for its visits to the occupied territories, so that it may investigate Israeli policies and practices referred to in the present resolution;
(b) To continue to make available such additional staff as may be necessary to assist the Special Committee in the performance of its tasks;
(c) To circulate regularly to Member States the periodic reports mentioned in paragraph 6 above;
(d) To ensure the widest circulation of the reports of the Special Committee and of information regarding its activities and findings, by all means available, through the Department of Public Information of the Secretariat and, where necessary, to reprint those reports of the Special Committee that are no longer available;
(e) To report to the General Assembly at its fifty-eighth session on the tasks entrusted to him in the present resolution;

9. Decides to include in the provisional agenda of its fifty-eighth session the item entitled "Report of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories".

RECOMMENDED VOTE ON RESOLUTION 57/124:
In favour: Algeria, Angola, Antigua and Barbuda, Armenia, Azerbaijan, Bahamas, Bangladesh, Belarus, Belize, Bolivia, Botswana, Brazil, Brunei Darussalam, Burkina Faso, Cambodia, Chad, China, Colombia, Congo, Côte d'Ivoire, Cuba, Cyprus, Democratic People's Republic of Korea, Djibouti, Dominican Republic, Ecuador, Egypt, Eritrea, Ghana, Guinea, Guyana, Haiti, India, Indonesia, Iran, Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Lebanon, Lesotho, Libyan Arab Jamahiriya, Malawi, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Mongolia, Morocco, Mozambique, Namibia, Niger, Nigeria, Oman, Pakistan, Panama, Philippines, Qatar, Saint Lucia, Sao Tome and Principe, Saudi Arabia, Senegal, Singapore, Somalia, South Africa, Sri Lanka, Sudan, Suriname, Swaziland, Syrian Arab Republic, Thailand, Togo, Trinidad and Tobago, Tunisia, Turkey, United Arab Emirates, United Republic of Tanzania, Venezuela, Viet Nam, Yemen, Zambia, Zimbabwe.

Against: Israel, Marshall Islands, Micronesia, Nauru, Palau, United States.

Abstaining: Albania, Andorra, Argentina, Australia, Austria, Bahamas, Barbados, Belgium, Bosnia and Herzegovina, Bulgaria, Canada, Costa Rica, Croatia, Czech Republic, Denmark, Estonia, Ethiopia, Fiji, Finland, France, Georgia, Germany, Greece, Guatemala, Honduras, Hungary, Iceland, Ireland, Italy, Jamaica, Japan, Kazakhstan, Latvia, Liechtenstein, Lithuania, Luxembourg, Monaco, Netherlands, New Zealand, Norway, Ecuador, Eritrea, Ethiopia, Georgia, Germany, Greece, Guatemala, Honduras, Hungary, Iceland, Ireland, Italy, Jamaica, Japan, Kazakhstan, Latvia, Liechtenstein, Lithuania, Luxembourg, Monaco, Netherlands, New Zealand, Norway.
Fourth Geneva Convention

Report of Secretary-General. In August [A/57/345], the Secretary-General informed the General Assembly that Israel had not replied to his June request for information on steps taken or envisaged to implement Assembly resolution 56/60 [YUN 2001, p. 426] demanding that Israel accept the de jure applicability of the Fourth Geneva Convention in the Occupied Palestinian Territory, including Jerusalem, and that it comply scrupulously with its provisions. The Secretary-General noted that he had drawn the attention of all States parties to the Convention to paragraph 3 of resolution 56/60 calling on them to exert all efforts to ensure respect by Israel for the Convention’s provisions.

The high contracting parties to the Fourth Geneva Convention had reaffirmed the applicability of the Convention to the Occupied Palestinian Territory at meetings in 1999 [YUN 1999, p. 415] and in 2001 [YUN 2001, p. 425].

GENERAL ASSEMBLY ACTION

On 11 December [meeting 78], the General Assembly, on the recommendation of the Fourth Committee [A/57/321], adopted resolution 57/125 by recorded vote (155-6-3) [agenda item 77].

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

The General Assembly,
Recalling its relevant resolutions,
Bearing in mind the relevant resolutions of the Security Council,
Having considered the reports of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories and the relevant reports of the Secretary-General,
Considering that the promotion of respect for the obligations arising from the Charter of the United Nations and other instruments and rules of international law is among the basic purposes and principles of the United Nations,
Noting the convening of the meeting of experts of the High Contracting Parties to the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, at Geneva from 27 to 29 October 1998, at the initiative of the Government of Switzerland in its capacity as the depositary of the Convention, concerning general problems of application of the Convention in general and, in particular, in occupied territories,

Welcoming the convening for the first time, on 15 July 1999, of a Conference of High Contracting Parties to the Fourth Geneva Convention, as recommended by the General Assembly in its resolution ES-10/6 of 9 February 1999, on measures to enforce the Convention in the Occupied Palestinian Territory, including East Jerusalem, and to ensure respect therefor in accordance with article 1 common to the four Geneva Conventions, and aware of the statement adopted by the Conference,

Welcoming the reconvening of the Conference of High Contracting Parties to the Fourth Geneva Convention at Geneva on 5 December 2001, stressing the importance of the Declaration adopted by the Conference, and underlining the need for the parties to follow up the implementation of the Declaration,

Welcoming and encouraging the initiatives by States parties to the Convention, both individually and collectively, according to article 1 common to the four Geneva Conventions, aimed at ensuring respect for the Convention,

Stressing that Israel, the occupying Power, should comply strictly with its obligations under international law, including international humanitarian law,

1. Reaffirms that the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, is applicable to the Occupied Palestinian Territory, including East Jerusalem, and other Arab territories occupied by Israel since 1967, and that it comply scrupulously with the provisions of the Convention;
2. Demands that Israel accept the de jure applicability of the Convention in the Occupied Palestinian Territory, including East Jerusalem, and other Arab territories occupied by Israel since 1967, and that it comply scrupulously with the provisions of the Convention;
3. Calls upon all High Contracting Parties to the Convention, in accordance with article 1 common to the four Geneva Conventions, to continue to exert all efforts to ensure respect for its provisions by Israel, the occupying Power, in the Occupied Palestinian Territory, including East Jerusalem, and other Arab territories occupied by Israel since 1967;
4. Reiterates the need for speedy implementation of the relevant recommendations contained in the resolutions adopted at its tenth emergency special session with regard to ensuring respect by Israel, the occupying Power, for the provisions of the Convention;
5. Requests the Secretary-General to report to the General Assembly at its fifty-eighth session on the implementation of the present resolution.

RECORDED VOTE ON RESOLUTION 57/125:

In favour: Albania, Algeria, Andorra, Angola, Antigua and Barbuda, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belgium, Belize, Bolivia, Bosnia and Herzegovina, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Cambodia, Canada, Cape Verde, Chad, Chile, China, Colombia, Congo, Costa Rica, Côte d’Ivoire, Croatia, Cuba, Cyprus, Czech Republic, Democratic People’s Republic of Korea, Democratic Republic of the Congo, Denmark, Djibouti, Dominican Republic, Ecuador, Egypt, El Salvador, Estonia, Ethiopia, Fiji, Finland, France, Georgia, Germany, Ghana, Greece, Grenada, Guinea, Guyana, Haiti, Honduras, Hungary, Iceland, India, Indonesia, Iran, Ireland, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Lao People’s Democratic Republic, Latvia, Lebanon, Lesotho, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Monaco, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Netherland, New Zealand, Nicaragua, Niger, Nigeria, Oman, Pakistan, Panama, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Saint Lucia, Saint Vincent and the Grenadines, Sao Tome and Principe, Saudi Arabia, Senegal, Sey-
Palestinian women

The Secretary-General, in a January report [E/CN.6/2002/1] to the Commission on the Status of Women, reviewed, in response to Economic and Social Council resolution 2001/2 [YUN 2000, p. 427], the situation of Palestinian women and assistance provided by UN organizations from September 2000 to September 2001. He said that during that period, the region was marked by the eruption of the Al-Aqsa intifada (uprising), or second intifada [YUN 2000, p. 416]. The crisis sharply during the period under review, the number of unpaid family workers and self-employed rose. That led to an increase in the "informal labour force, that situation affected women adversely as, in situations of crisis and widespread poverty, women were forced to take on additional economic and social burdens. In order to counter that situation, UN organizations had provided assistance through various welfare and income-generating projects. UNRWA provided, among other things, food and material assistance to special hardship case families, around 50 per cent of which were headed by women. In its women’s development project in Lebanon, UNICEF supported the camp community’s microcredit revolving loan scheme; half of the loans were given to female-headed households and promoted women’s economic self-reliance. The World Bank allocated $12 million towards job-creation projects in the West Bank and Gaza; about 15 per cent of the jobs created went to women. It also implemented the “Second Community Development Project”, which identified the need to include women on microprojects' committees. The project included targeted interventions, such as promoting women’s training centres and nursery schools in order to benefit women directly.

With regard to the human rights of women, a study funded by the United Nations Development Programme (UNDP) assessed gaps hindering women from attaining equality and social justice within Palestinian society. It said that Palestinian women suffered from “honour crimes”, rape, incest and other forms of violence, particularly at the family level. Discrimination was also inherent in criminal legislation, whereby the crimes of rape and incest were classified as “crimes against public morals and ethics”, which were punished with shorter sentences than “crimes against individuals”. The United Nations Development Fund for Women promoted gender awareness within the criminal justice system in Palestinian and Jordanian societies, and UNDP funded television spots on violence against women.

The Secretary-General observed that during the crisis, the PA, civil society groups and the UN system had worked to improve the conditions of Palestinian women and to encourage a negotiated solution. In particular, UN organizations reacted immediately to the emergency situation, shifting their focus from long-term sustainable development projects to implementing humanitarian assistance programmes for Palestinian women. It was important that women were fully involved in any conflict-resolution and peace-building initiatives to be undertaken in the region. It was also important to increase women’s participation in decision-making processes at all levels.
ECONOMIC AND SOCIAL COUNCIL ACTION

On 24 July [meeting 38], the Economic and Social Council, on the recommendation of the Commission on the Status of Women [E/2002/27], adopted resolution 2002/25 by roll-call vote (46-1-1) [agenda item 14 (a)].

Situation of and assistance to Palestinian women

The Economic and Social Council,

Having considered with appreciation the report of the Secretary-General on the situation of and assistance to Palestinian women,

Recalling the Nairobi Forward-looking Strategies for the Advancement of Women, in particular paragraph 260 concerning Palestinian women and children, the Beijing Platform for Action adopted at the Fourth World Conference on Women, and the outcome of the twenty-third special session of the General Assembly, entitled “Women 2000: gender equality, development and peace for the twenty-first century”,

Recalling also its resolution 2001/2 of 24 July 2001 and other relevant United Nations resolutions,

Recalling further the Declaration on the Elimination of Violence against Women as it concerns the protection of civilian populations,

Stressing the need for compliance with the existing Israeli-Palestinian agreements concluded within the context of the Middle East peace process and the need to resume peace negotiations, as soon as possible, in order to reach a final settlement,

Concerned about the continuing dangerous deterioration of the situation of Palestinian women in the Occupied Palestinian Territory, including Jerusalem, and about the severe consequences of continuous illegal Israeli settlements activities as well as the harsh economic conditions and other consequences for the situation of Palestinian women and their families, resulting from the frequent closures and isolation of the occupied territory,

Expressing its condemnation of acts of violence, especially the excessive use of force against Palestinians, many of them women and children, resulting in injury and loss of human life,

1. Calls upon the concerned parties, as well as the international community, to exert all the necessary efforts to ensure the immediate resumption of the peace process on its agreed basis, taking into account the common ground already gained, and calls for measures for tangible improvements in the difficult situation on the ground and the living conditions faced by Palestinian women and their families;

2. Reaffirms that the Israeli occupation remains a major obstacle for Palestinian women with regard to their advancement, self-reliance and integration into the development planning of their society;

3. Demands that Israel, the occupying Power, comply fully with the provisions and principles of the Universal Declaration of Human Rights, the Regulations annexed to the Hague Convention IV, of 18 October 1907, and the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, in order to protect the rights of Palestinian women and their families;

4. Calls upon Israel to facilitate the return of all refugees and displaced Palestinian women and children to their homes and properties, in compliance with the relevant United Nations resolutions;

5. Urges Member States, financial organization of the United Nations system, non-governmental organizations and other relevant institutions to intensify their efforts to provide financial and technical assistance to Palestinian women, especially during the transitional period;

6. Requests the Commission on the Status of Women to continue to monitor and take action with regard to the implementation of the Nairobi Forward-looking Strategies for the Advancement of Women, in particular paragraph 260 concerning Palestinian women and children, the Beijing Platform for Action, and the outcome of the twenty-third special session of the General Assembly entitled “Women 2000: gender equality, development and peace for the twenty-first century”;

7. Requests the Secretary-General to continue to review the situation and to assist Palestinian women by all available means, and to submit to the Commission on the Status of Women at its forty-seventh session a report on the progress made in the implementation of the present resolution.

ROLL-CALL VOTE ON RESOLUTION 2002/25:

In favour: Andorra, Angola, Argentina, Austria, Bahrain, Benin, Bhutan, Brazil, Burkina Faso, Burundi, Cameroon, Chile, China, Costa Rica, Croatia, Cuba, Egypt, Ethiopia, Finland, France, Germany, Ghana, Guinea, India, Iran, Italy, Japan, Libyan Arab Jamahiriya, Malta, Mexico, Netherlands, Pakistan, Peru, Qatar, Republic of Korea, Romania, Russian Federation, South Africa, Spain, Sudan, Suriname, Sweden, Uganda, Ukraine, United Kingdom, Zimbabwe.

Against: United States.

Abstaining: Australia.

Palestinian children

GENERAL ASSEMBLY ACTION

On 18 December [meeting 77], the General Assembly, on the recommendation of the Third (Social, Humanitarian and Cultural) Committee [A/57/502], adopted resolution 57/188 by recorded vote (108-5-60) [agenda item 105].

Situation of and assistance to Palestinian children

The General Assembly,

Recalling the Convention on the Rights of the Child,

Recalling also the World Declaration on the Survival, Protection and Development of Children and the Plan of Action for Implementing the World Declaration on the Survival, Protection and Development of Children in the 1990s adopted by the World Summit for Children, held in New York on 29 and 30 September 1990,

Recalling further the Declaration and Plan of Action adopted by the General Assembly at its twenty-seventh special session,

Concerned that the Palestinian children under Israeli occupation remain deprived of many basic rights under the Convention,

Concerned also about the recent grave deterioration of the situation of Palestinian children in the Occupied Palestinian Territory, including East Jerusalem, and about the severe consequences of the continuing Israeli assaults and sieges on Palestinian cities, towns, villages and refugee camps, resulting in the dire humanitarian crisis,
Exercise of the Inalienable Rights of the Palestinian people, 1947–2002. Having discussed the annual report of the Committee on the Exercise of the Inalienable Rights of the Palestinian People (Committee on Palestinian Rights) [A/57/35], the Assembly adopted four resolutions, reaffirming, among other things, the necessity of achieving a peaceful settlement of the Palestinian question—the core of the Arab-Israeli conflict—and stressing the need for the realization of the inalienable rights of the Palestinians, primarily the right to self-determination, for Israeli withdrawal from the Palestinian territory occupied since 1967 and for resolving the problem of the Palestinian refugees. The Assembly called on the Secretariat to continue its activities to promote and raise awareness of Palestinian rights.

The International Day of Solidarity with the Palestinian People, celebrated annually on 29 November, observed on the occasion of the United Nations resolution 32/40 B (YUN 1977, p. 429), observed the International Day had also been observed in many other cities throughout the world.

Report of Secretary-General. In a November report on the peaceful settlement of the question of Palestine (A/57/621-S/2002/1268), submitted in response to Assembly resolution 56/36 (YUN 2001, p. 429), the Secretary-General made observations on the Middle East peace process. By a 27 June note verbale, the Secretary-General had sought the positions of Egypt, Israel, Jordan, Lebanon, the Syrian Arab Republic and the PLO according to steps taken by them to implement resolution 56/36. As at 15 November, Israel, Syria and the PLO had responded.

Israel said that it viewed the resolution as unbalanced and an undue interference in the Israeli-Palestinian bilateral negotiations. The ongoing violence was a result of the Palestinian decision to abandon negotiations and pursue their goals through violence and terrorism. The approach of the resolution sought to dictate the outcome of the negotiating process and rewarded violence when the Palestinian side should be compelled to renounce violence and return to peaceful dialogue.

Syria stated that the establishment of peace in the region required Israel to withdraw from all the Arab territories it occupied in 1967, including Jerusalem and the Syrian Golan, and also from the remaining occupied Lebanese territories, to guarantee the exercise of the inalienable rights of the Palestinian people, foremost among them the right to self-determination and the right to establish an independent State with Jerusalem as its capital. That required Israel to cease its hostile and expansionist policies and renounce its policies of hegemonism, the building of settlements and the confiscation of land.

The Permanent Observer of Palestine said that the resolution had been adopted by an overwhelming majority reflecting long-established positions of the international community on the

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Issues related to Palestine

General aspects

The General Assembly continued to consider the question of Palestine in 2002. Having discussed the annual report of the Committee on the Exercise of the Inalienable Rights of the Palestinian People (Committee on Palestinian Rights) [A/57/35], the Assembly adopted four resolutions, reaffirming, among other things, the necessity of...
issue. The peace process had not resumed as the Israeli side continued to refuse to adhere to agreements reached between the two sides and to implement overdue provisions. The situation on the ground was characterized by an escalation of the excessive and indiscriminate use of force by the Israeli military against the Palestinian people.

The Secretary-General stated that since the outbreak of the latest intifada at the end of September 2000 [YUN 2000, p. 416] over 1,800 Palestinians had been killed and some 25,000 injured. On the Israeli side, more than 600 people had been killed and over 4,000 injured. The Secretary-General emphasized that illegitimate or illegal means could not be justified by reference to legitimate objectives—whether they were an end to occupation and statehood for Palestinians or security for Israelis. The parties were on a path leading to further pain and suffering, one that would bring neither close to achieving its stated goals.

The Secretary-General observed that a particularly worrying trend was the rapid expansion of Israeli settlements in the West Bank, including those around East Jerusalem, despite repeated international calls for a freeze on all such activity and an end to land confiscations. Those settlements, and the road networks that served them, were enveloping East Jerusalem, cutting it off from other Palestinian areas in the West Bank, which would be split into two. Other new settlement projects would bisect the northern West Bank and encircle both Bethlehem and Hebron to the south.

The escalating confrontation had a devastating impact on the humanitarian and economic situation in the Occupied Palestinian Territory. The Palestinian economy had virtually ceased to function in some areas, owing largely to the Israeli policy of curfews and closures. In August, the Secretary-General had sent Catherine Bertini to the region, as his Personal Humanitarian Envoy, to review humanitarian needs in the light of the deteriorating situation. Ms. Bertini reported that the humanitarian crisis was inextricably linked to the conflict and to the measures imposed by Israel in response to terrorist and other attacks: closures, curfews and restrictions on the movement of goods and people. On 17 September, the Quartet reviewed her recommendations and urged the parties to recognize and act upon their respective responsibilities. In particular, it urged Israel to improve the lives of the Palestinians by lifting those measures, and it agreed that Israel had to ensure unfettered access for international and humanitarian personnel.

The Secretary-General stressed that there was no military solution to the conflict. The realization of legitimate Palestinian national aspirations and security for Israel could be achieved only through a negotiated settlement. The road map outlined in September by the Quartet offered a way forward (see p. 436). The Arab Peace Initiative, developed in March at the LAS summit (see p. 449), also remained a crucial element in peace efforts.

It was a matter of particular regret to the Secretary-General that so little remained of the mutual trust that had been so painstakingly built between the parties. Regular and consistent third-party involvement and encouragement was needed to help them find a way out of the cycle of violence and destruction.

As the Assembly had underscored on many occasions, achieving a final and peaceful settlement of the question of Palestine was imperative for the attainment of a comprehensive and lasting peace in the Middle East. The Secretary-General hoped that there would also be movement on the Syrian and Lebanese tracks so that peace, security and stability could be achieved on the basis of Security Council resolutions 242(1967) [YUN 1967, p. 257] and 338(1973) [YUN 1973, p. 213].

**GENERAL ASSEMBLY ACTION**

On 3 December [meeting 66], the General Assembly adopted resolution 57/110 [draft: A/57/L.37 & Add.1] by recorded vote (160-4-3) [agenda item 35].

**Peaceful settlement of the question of Palestine**

The General Assembly,

Recalling its relevant resolutions, including those adopted at the tenth emergency special session,


Welcoming the affirmation by the Security Council of the vision of a region where two States, Israel and Palestine, live side by side within secure and recognized borders,

Noting that it has been fifty-five years since the adoption of resolution 181(II) of 29 November 1947 and thirty-five years since the occupation of Palestinian territory, including East Jerusalem, in 1967,

Having considered the report of the Secretary-General submitted pursuant to the request made in its resolution 56/36 of 3 December 2001,

Reaffirming the permanent responsibility of the United Nations with regard to the question of Palestine until the question is resolved in all its aspects,

Convinced that achieving a final and peaceful settlement of the question of Palestine, the core of the Arab-Israeli conflict, is imperative for the attainment of a comprehensive and lasting peace in the Middle East,

**Aware that the principle of equal rights and self-determination of peoples is among the purposes and**
principles enshrined in the Charter of the United Nations.

Affirming the principle of the inadmissibility of the acquisition of territory by war,

Affirming also the illegality of the Israeli settlements in the territory occupied since 1967 and of Israeli actions aimed at changing the status of Jerusalem,

Affirming once again the right of all States in the region to live in peace within secure and internationally recognized borders,

Recalling the mutual recognition between the Government of the State of Israel and the Palestine Liberation Organization, the representative of the Palestinian people, as well as the existing agreements concluded between the two sides, and the need for full compliance with those agreements,

Noting with satisfaction the establishment of the Palestinian Authority and the holding of the first Palestinian general elections, as well as the preparations being undertaken for the second elections,

Noting the appointment by the Secretary-General of the United Nations Special Coordinator for the Middle East Peace Process and Personal Representative of the Secretary-General to the Palestine Liberation Organization and the Palestinian Authority, and its positive contribution,

Welcoming the convening of the Conference to Support Middle East Peace in Washington, D.C., on 1 October 1993, as well as all follow-up meetings and the international mechanisms established to provide assistance to the Palestinian people,

Expressing its grave concern at the tragic events in the Occupied Palestinian Territory, including East Jerusalem, since 28 September 2000 and the continued deterioration of the situation, including the rising number of deaths and injuries, mostly among Palestinian civilians, the deepening humanitarian crisis facing the Palestinian people and the widespread destruction of Palestinian property and infrastructure, both private and public, including many institutions of the Palestinian Authority,

Expressing its grave concern also at the repeated incursions into Palestinian-controlled areas and the reoccupation of many Palestinian population centres by the Israeli occupying forces,

Emphasizing the importance of the safety and well-being of all civilians in the whole Middle East region, and condemning all acts of violence and terror against civilians on both sides,

Grievously concerned at the increased suffering and casualties on both the Palestinian and Israeli sides, the loss of confidence on both sides and the dire situation facing the Middle East peace process,

Affirming the urgent need for the parties to cooperate with all international efforts, including the efforts of the Quartet of the United States of America, the Russian Federation, the European Union and the United Nations, to end the current tragic situation and to resume negotiations towards a final peace settlement,

1. Desires the immediate cessation of all acts of violence, including military attacks, destruction and acts of terror;

2. Also reaffirms its full support for the Middle East peace process, which began in Madrid, and the existing agreements between the Israeli and Palestinian sides, which began in Madrid, and the existing agreements between the Israeli and Palestinian peoples, the necessity for a commitment to the vision of the two-State solution and the principle of land for peace, as well as the implementation of Security Council resolutions 242(1967), 338(1973) and 1397 (2002);

3. Welcomes the Arab Peace Initiative adopted by the Council of the League of Arab States at its fourteenth session, held in Beirut on 27 and 28 March 2002;

4. Stresses the necessity for a speedy end to the reoccupation of Palestinian population centres and for the complete cessation of all acts of violence, including military attacks, destruction and acts of terror;

5. Calls upon the concerned parties, the Quartet and other interested parties to exert all efforts and initiatives necessary to halt the deterioration of the situation and to reverse all measures taken in the course of actions aimed at changing the status of Jerusalem, in the territory occupied since 1967 and of Israeli military attacks, destruction and acts of terror;

6. Also stresses the need for resolving the problem of the Palestinian refugees in conformity with its resolution 194(III) of 11 December 1948;

7. Urges Member States to expedite the provision of economic, humanitarian and technical assistance to the Palestinian people and the Palestinian Authority during this critical period to help to alleviate the suffering of the Palestinian people, rebuild the Palestinian economy and infrastructure and support the restructuring and reform of Palestinian institutions;

8. Requests the Secretary-General to continue his efforts with the parties concerned, and in consultation with the Security Council, towards the attainment of a peaceful settlement of the question of Palestine and the promotion of peace in the region and to submit to the General Assembly at its fifty-eighth session a report on these efforts and on developments on this matter.

RECORDED VOTE ON RESOLUTION 57/110:

In favour: Afghanistan, Albania, Algeria, Andorra, Antigua and Barbuda, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belgium, Belize, Bhutan, Bolivia, Bosnia and Herzegovina, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Burundi, Cambodia, Canada, Cape Verde, Chile, China, Colombia, Comoros, Congo, Costa Rica, Côte d’Ivoire, 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, Gabon, Gambia, Georgia, Germany, Ghana, Greece, Grenada, Guatemala, Guinea, Guyana, Haiti, Honduras, Hungary, Iceland, India, Indonesia, Ireland, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Laos, People’s Democratic Republic, Lebanon, Lesotho, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Monaco, Montenegro, Mozambique, Myanmar, Namibia, Nepal, Netherlands, New Zealand, Nicaragua, Nigeria, Norway, Oman, Pakistan, Panama, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Rwanda, Saint Lucia, Saint Vincent and the Grenadines, San Marino, Sao Tome and Principe, Saudi Arabia, Senegal, Seychelles, Sierra Leone, Singapore, Slovenia, Solomon Islands, Somalia, South Africa, Spain, Sri Lanka, Sudan, Suriname, Sweden, Switzerland, Syrian Arab Republic, Tajikistan, Thailand,
Speaking before the vote [A/57/PV68], the Permanent Observer of Palestine said that Israel, by escalating its State-sponsored terror campaign against the Palestinian people, had destroyed all prospects for peace and had nullified all agreements between the two parties. Israel had destroyed the infrastructure of Palestinian society and the PA’s central institutions and systems, including its security system. Before the resumption of the peace process, the siege on the Palestinian people and leadership had to be lifted, Israeli forces had to be withdrawn to the positions they held before 28 September 2000, and international forces had to be deployed to guarantee that withdrawal. The Permanent Observer observed that the Quartet’s road map (see p. 436) contained some shortcomings and use of undefined expressions, such as “interim State”. It also called on the Palestinians to undertake reform measures under Israeli occupation. Israel wanted to establish a new electoral system in order to write off East Jerusalem as a legislative electoral district.

Israel affirmed its belief that security was the essence of peace. Despite the sporadic condemnations by Chairman Arafat of certain acts of Palestinian terror, the Palestinian leadership had not taken any significant action to give substance to its rhetoric. At the United Nations, every attempt to adopt a resolution expressly condemning Palestinian terrorist groups and suicide bombings had been blocked by automatic majorities. The Palestinian terrorist campaign evoked a continuation of the Palestinian policy of rejection of Israel—a rejection of Israel’s right to exist, of the right of its people to live in peace and security and of its right to live within secure and recognized boundaries. Israel had accepted the vision of peace articulated by President Bush on 24 June 2002, a vision that included two States, Israel and Palestine, living side by side in peace and security. Efforts to bring peace to the Middle East had to consider the end of terrorism as the price of political progress, not as its reward.

By decision 57/585 of 20 December, the Assembly decided that the agenda items entitled “Question of Palestine” and “The situation in the Middle East” would remain for consideration during its resumed fifty-seventh (2005) session.

Committee on Palestinian Rights

As mandated by General Assembly resolution 56/33 [YUN 2001, p. 432], the Committee on the Exercise of the Inalienable Rights of the Palestinian People continued to review the situation relating to the Palestine question, reported on it and made suggestions to the Assembly and the Security Council.

The Committee continued to follow the Palestine-related activities of intergovernmental bodies, such as the Organization of African Unity/African Union and the Coordinating Bureau of the Non-Aligned Movement, and, through its Chairman, participated in high-level meetings of those bodies. Through its Bureau, the Committee cooperated on the question of Palestine with the EU. A Committee delegation took part in the United Nations International Meeting in Support of Middle East Peace (Nicosia, Cyprus, 16-17 April), which focused on the situation in the Occupied Palestinian Territory since September 2000, international efforts to contain the crisis and resume the peace dialogue, and the urgency of ending the Israeli occupation and establishing a Palestinian State. The delegation denounced the Israeli policy of closures and other collective punishment of the Palestinian people. A Committee delegation also attended the United Nations African Meeting in Support of the Inalienable Rights of the Palestinian People (Rabat, Morocco, 24-26 June). The meeting included a workshop for African NGOs, which considered possible action by civil society in Africa in solidarity with the Palestinian people. The United Nations International Conference of Civil Society in Support of the Palestinian People (New York, 23-24 September) focused on aspects of life under occupation and civil society action to oppose the occupation. The Conference concluded with the adoption of an NGO Declaration and a Plan of Action.

The Committee strengthened its cooperation with academic institutions, parliamentarians and media representatives as well as with NGOs. It continued to develop its liaison with national, regional and international coordinating mechanisms accredited to it. The United Nations NGO Meeting in Solidarity with the Palestinian People (Nicosia, 18 April) reviewed the role of civil society in time of crisis and action by international civil society in support of the Palestinian people, and adopted an NGO Statement and a Plan of Action.

In its annual report to the Assembly [A/57/35] covering the period from 11 October 2001 to 10 October 2002, the Committee provided details of the unprecedented intensification of Israeli military activity, reoccupation by the army of areas under Palestinian control, disintegration of the Palestinian economy, and, as a result, a burgeoning humanitarian crisis. Noting that over 1,800 Palestinians had died and more than 37,000
had been injured since September 2000, the Committee said that Israeli forces made extensive use of heavy weapons and had allegedly used Palestinian civilians as human shields in army search operations during incursions. Months of Israeli military operations, protracted closures, curfews and heavy infrastructural damage ravaged the Palestinian economy and led to a humanitarian emergency. For most of the summer of 2002, between 500,000 and 900,000 Palestinians were under curfew, leading to a rapid loss of income and an upsurge in unemployment and poverty.

The Committee expressed concern at the Israeli attempts to establish a physical barrier between Israel and the occupied West Bank, including Jerusalem. The Israeli plan envisaged the construction of an approximately 225-mile-long security fence, running along the Green Line, equipped with surveillance outposts and electronic sensors. Construction had already begun on a first 71-mile stretch. The separation line would put at least six settlements inside the Occupied Palestinian Territory off limits to Palestinians. The Israeli Government was also considering the creation of what it called the “Seam Line plan” or “Jerusalem envelope” — a wall separating the city from the West Bank. Illegal settlement and road construction in the occupied territory, including Jerusalem, continued. Between February 2001 and March 2002, 34 new settlements and outposts were established in the West Bank, excluding East Jerusalem. Although the Israeli Defence Ministry announced in late July 2002 that 19 outposts had been evacuated, 8 new ones were reported established during August 2002. A total of 41.9 per cent of the West Bank area was controlled by settlements. Israeli settlers’ attacks against Palestinian civilians persisted throughout the year.

Since the outbreak of the Al-Aqsa intifada in September 2000, some 15,000 Palestinians had been arrested. During military operations, Israeli forces had routinely rounded up, arbitrarily arrested and detained, without charge for varying periods of time, large numbers of Palestinians between the ages of 15 and 45. Attorney or family visits were made virtually impossible by a number of newly established restrictions.

The Committee, in its conclusions and recommendations, said that it was appalled by the intensity of the Israeli military offensives, growing human losses and the scope of devastation left by the occupying forces. The fabric of Palestinian society had been badly damaged, and attempts to contain the violence, stabilize the situation and resolve the crisis had not been very successful. The continuing Israeli occupation remained at the core of the conflict and had to be addressed without further delay. Pending a political settlement, the parties would need assistance in steering away from escalating violence and confrontation. In that regard, a central role had to be played by members of the international community and by the United Nations. In its programme of work for the following year, the Committee would involve to a greater extent other sectors of civil society, such as academic institutions, parliamentarians and the media, and would focus on the rights of the Palestinian people, international initiatives to resolve the question of Palestine and international assistance to the Palestinians.

GENERAL ASSEMBLY ACTION

On 3 December [meeting 66], the General Assembly adopted resolution 57/107 [draft: A/57/1, 34 & Add.1] by recorded vote (109-4-56) [agenda item 35].

Committee on the Exercise of the Inalienable Rights of the Palestinian People

The General Assembly,

Recalling its resolutions 181(II) of 29 November 1947, 194(III) of 11 December 1948, 3236(XXIX) of 22 November 1974, 3375(XXX) and 3376(XXX) of 30 November 1975, 31/20 of 24 November 1976 and all subsequent relevant resolutions, including those adopted by the General Assembly at its emergency special sessions and resolution 56/35 of 3 December 2001,

Having considered the report of the Committee on the Exercise of the Inalienable Rights of the Palestinian People,

Recalling the commencement of the Israeli-Palestinian negotiations, the mutual recognition between the Government of the State of Israel and the Palestine Liberation Organization, the representative of the Palestinian people, and the existing agreements between the two sides, beginning with the Declaration of Principles on Interim Self-Government Arrangements of 1993, and the subsequent implementation agreements,

Reaffirming that the United Nations has a permanent responsibility towards the question of Palestine until the question is resolved in all its aspects in a satisfactory manner in accordance with international legitimacy,

1. Expresses its appreciation to the Committee on the Exercise of the Inalienable Rights of the Palestinian People for its efforts in performing the tasks assigned to it by the General Assembly, and takes note of its annual report, including the conclusions and recommendations contained in chapter VII thereof;

2. Requests the Committee to continue to exert all efforts to promote the realization of the inalienable rights of the Palestinian people, to support the Middle East peace process and to mobilize international support for and assistance to the Palestinian people, and authorizes the Committee to make such adjustments in its approved programme of work as it may consider appropriate and necessary in the light of developments and to report thereon to the General Assembly at its fifty-eighth session and thereafter;
3. Also requests the Committee to continue to keep under review the situation relating to the question of Palestine and to report and make suggestions to the General Assembly, the Security Council or the Secretary-General, as appropriate;

4. Further requests the Committee to continue to extend its cooperation and support to Palestinian and other civil society organizations in order to mobilize international solidarity and support for the achievement by the Palestinian people of its inalienable rights and for a peaceful settlement of the question of Palestine; and to involve additional civil society organizations in its work;

5. Requests the United Nations Conciliation Commission for Palestine, established under General Assembly resolution 194(III), and other United Nations bodies associated with the question of Palestine to continue to cooperate fully with the Committee and to make available to it, at its request, the relevant information and documentation which they have at their disposal;

6. Requests the Secretary-General to circulate the report of the Committee to all competent bodies of the United Nations, and urges them to take the necessary action, as appropriate;

7. Also requests the Secretary-General to continue to provide the Committee with all necessary facilities for the performance of its tasks.

RECORDED VOTE ON RESOLUTION 57/107:

In favour: Afghanistan, Algeria, Antigua and Barbuda, Armenia, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belize, Bhutan, Bolivia, Botswana, Brazil, Brunei Darussalam, Burkina Faso, Burundi, Cambodia, Cape Verde, Chile, China, Colombia, Comoros, Congo, Costa Rica, Côte d’Ivoire, Cuba, Cyprus, Democratic People’s Republic of Korea, Djibouti, Dominican Republic, Ecuador, Egypt, El Salvador, Eritrea, Ethiopia, Fiji, Gambia, Ghana, Grenada, Guatemala, Guinea, Guyana, Haiti, Honduras, India, Indonesia, Iran, Jamaica, Jordan, Kenya, Kuwait, Lao People’s Democratic Republic, Lebanon, Lesotho, Libya, Arab Jamahiriya, Madagascar, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Morocco, Mozambique, Myanmar, Namibia, Nepal, Nicaragua, Niger, Oman, Pakistan, Panama, Paraguay, Philippines, Qatar, Republic of Korea, Saint Lucia, Sao Tome and Principe, Saudi Arabia, Senegal, Seychelles, Sierra Leone, Singapore, Somalia, South Africa, Sri Lanka, Sudan, Suriname, Syrian Arab Republic, Thailand, Timor-Leste, Togo, Trinidad and Tobago, Tunisia, Turkey, Uganda, United Kingdom, United Nations, Uruguay, Ukraine, United Arab Emirates, United Republic of Tanzania, Uruguay, Venezuela, Viet Nam, Yemen, Zambia, Zimbabwe.

Against: Israel, Marshall Islands, Micronesia, United States. abstaining: Albania, Andorra, Argentina, Australia, Austria, Belgium, Bosnia and Herzegovina, Bulgaria, Canada, Croatia, Czech Republic, Denmark, Estonia, Finland, France, Georgia, Germany, Greece, Hungary, Iceland, Ireland, Italy, Japan, Kazakhstan, Latvia, Liechtenstein, Lithuania, Luxembourg, Monaco, Netherlands, New Zealand, Norway, Papua New Guinea, Peru, Poland, Portugal, Republic of Moldova, Romania, Russian Federation, Rwanda, Saint Vincent and the Grenadines, San Marino, Slovakia, Slovenia, Solomon Islands, Spain, Sweden, Switzerland, Tajikistan, The former Yugoslav Republic of Macedonia, Tonga, Tuvalu, United Kingdom, Uzbekistan, Vanuatu, Yugoslavia.

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Division for Palestinian Rights

Under the guidance of the Committee on Palestinian Rights, the Division for Palestinian Rights of the UN Secretariat continued to research, monitor, prepare studies, and collect and disseminate information on all issues related to the Palestine question. The Division responded to requests for information and issued the following publications: a monthly bulletin covering action by the Committee, UN bodies and intergovernmental organizations concerned with the issue of Palestine; a monthly chronology of events relating to the question of Palestine, based on media reports and other sources; reports of meetings organized under the auspices of the Committee; a special bulletin on the observance of the International Day of Solidarity with the Palestinian People (29 November); an annual compilation of relevant General Assembly and Security Council action; and two updated information notes entitled “The Committee on the Exercise of the Inalienable Rights of the Palestinian People and the Division for Palestinian Rights” and “The United Nations and non-governmental organizations on the question of Palestine.”

The Committee, in its annual report [A/57/35], noted that the Division continued to develop the electronic United Nations Information System on the Question of Palestine (UNISPAL), as mandated by Assembly resolution 46/74 B [YUN 099, p. 228]. The Division maintained the Internet web site entitled “NGO Network on the Question of Palestine” as a permanent tool of mutual information and cooperation between civil society and the Committee. It also continued a training programme for PA staff and issued a bimonthly newsletter entitled NGO Action News covering the activities of civil society on various aspects of the question of Palestine. The Committee requested the Division to continue its publications programme and other information activities, particularly development of the UNISPAL documents collection and annual training for PA staff.

GENERAL ASSEMBLY ACTION

On 3 December [meeting 66], the General Assembly adopted resolution 57/108 [draft: A/57/L.35 & Add.1] by recorded vote (108-4-56) [agenda item 35].

Division for Palestinian Rights of the Secretariat

The General Assembly, having considered the report of the Committee on the Exercise of the Inalienable Rights of the Palestinian People,

Taking note in particular of the relevant information contained in chapter V.B of that report,

Recalling its resolution 32/40 B of 2 December 1977 and all subsequent relevant resolutions, including resolution 56/34 of 3 December 2001,

1. Notes with appreciation the action taken by the Secretary-General in compliance with its resolution 56/34;

2. Considers that the Division for Palestinian Rights of the Secretariat continues to make a useful and constructive contribution;

3. Requests the Secretary-General to continue to provide the Division with the necessary resources and to ensure that it continues to carry out its programme of work as detailed in the relevant earlier resolutions, in consultation with the Committee on the Exercise of the Inalienable Rights of the Palestinian People and...
under its guidance, including, in particular, the organization of meetings in various regions with the participation of all sectors of the international community, the further development and expansion of the documents collection of the United Nations Information System on the Question of Palestine, the preparation and widest possible dissemination of publications and information materials on various aspects of the question of Palestine, and the provision of the annual training programme for staff of the Palestinian Authority;
4. Also requests the Secretary-General to ensure the continued cooperation of the Department of Public Information and other units of the Secretariat in enabling the Division to perform its tasks and in covering adequately the various aspects of the question of Palestine;
5. Invites all Governments and organizations to extend their cooperation to the Committee and the Division in the performance of their tasks;
6. Requests the Committee and the Division, as part of the observance of the International Day of Solidarity with the Palestinian People on 29 November, to continue to organize an annual exhibit on Palestinian rights in cooperation with the Permanent Observer Mission of Palestine to the United Nations, and encourages Member States to continue to give the widest support and publicity to the observance of the Day of Solidarity.

RECORDED VOTE ON RESOLUTION 57/109:
In favour: Algeria, Antigua and Barbuda, Armenia, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belize, Bhutan, Bolivia, Botswana, Brazil, Brunei Darussalam, Burkina Faso, Burundi, Cambodia, Cape Verde, Chile, China, Colombia, Comoros, Congo, Costa Rica, Côte d’Ivoire, Cuba, Cyprus, Democratic People’s Republic of Korea, Djibouti, Dominican Republic, Ecuador, Egypt, El Salvador, Eritrea, Ethiopia, Fiji, Gabon, Ghana, Grenada, Guatemala, Guinea, Guatemala, Haiti, Honduras, India, Indonesia, Iran, Iraq, Jamaica, Jordan, Kenya, Kuwait, Lao People’s Democratic Republic, Lebanon, Lesotho, Libyan Arab Jamahiriya, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Morocco, Mozambique, Myanmar, Namibia, Nauru, Nepal, Nicaragua, Niger, Oman, Pakistan, Panama, Paraguay, Philippines, Qatar, Republic of Korea, Saint Lucia, Sao Tome and Principe, Saudi Arabia, Senegal, Seychelles, Sierra Leone, Singapore, Somalia, South Africa, Sri Lanka, Sudan, Suriname, Syrian Arab Republic, Thailand, Timor-Leste, Togo, Trinidad and Tobago, Tunisia, Turkey, Uganda, Ukraine, United Arab Emirates, United Republic of Tanzania, Uruguay, Venezuela, Viet Nam, Yemen, Zambia, Zimbabwe.
Against: Israel, Marshall Islands, Micronesia, United States.
Abstaining: Albania, Andorra, Argentina, Australia, Austria, Belgium, Bosnia and Herzegovina, Bulgaria, Canada, Croatia, Czech Republic, Denmark, Estonia, Finland, France, Georgia, Germany, Greece, Hungary, Iceland, Ireland, Italy, Japan, Kazakhstan, Latvia, Liechtenstein, Lithuania, Luxembourg, Monaco, Netherlands, New Zealand, Norway, Papua New Guinea, Peru, Poland, Portugal, Republic of Moldova, Romania, Russian Federation, Rwanda, Saint Vincent and the Grenadines, San Marino, Slovakia, Slovenia, Solomon Islands, Spain, Sweden, Switzerland, Tajikistan, The former Yugoslav Republic of Macedonia, Tonga, Tuvalu, United Kingdom, Uzbekistan, Vanuatu, Yugoslavia.

Special information programme
As requested in General Assembly resolution 56/35 [YUN 2001, p. 434], the UN Department of Public Information (DPI) in 2002 continued its special information programme on the question of Palestine, which included the organization of its annual training programme for Palestinian broadcasters and journalists and the organization of an international media seminar on the question of peace in the Middle East. Work on the digital conversion of films and videotapes on the question of Palestine also began during the year. The Radio Section provided extensive coverage of various aspects of the question in its daily live broadcasts in all six UN official languages. The UN Information Service in Geneva produced radio and television programmes covering the discussions on the question of Palestine at the fifty-eighth (2002) session of the Commission on Human Rights. The quarterly UN Chronicle continued to cover the Palestine question and reported on relevant UN action.
DPI, in cooperation with the Ministry of Foreign Affairs of Denmark, organized the International Media Seminar on the Question of Peace in the Middle East (Copenhagen, 17-18 July). With the overall theme “Ending confrontation: Building peace in the Middle East”, the seminar provided an opportunity for media representatives and international experts to discuss the lessons learned since the signing in 1995 of the Declaration of Principles on Interim Self-Government Arrangements by Israel and the PLO [YUN 1993, p. 321].
As in previous years, the United Nations information centres (UNICs) and other UN offices carried out numerous activities in connection with the International Day of Solidarity with the Palestinian People. Throughout the year, many UNICs dealt with the Palestinian question and organized related outreach activities.

GENERAL ASSEMBLY ACTION
On 3 December [meeting 66], the General Assembly adopted resolution 57/109 [draft: A/57/L.36 & Add.1] by recorded vote (159-5) [agenda item 35].

Special information programme on the question of Palestine of the Department of Public Information of the Secretariat

The General Assembly,
Having considered the report of the Committee on the Exercise of the Inalienable Rights of the Palestinian People,
Taking note in particular of the information contained in chapter VI of that report,
Recalling its resolution 56/35 of 3 December 2001,
Convinced that the worldwide dissemination of accurate and comprehensive information and the role of civil society organizations and institutions remain of vital importance in heightening awareness of and support for the inalienable rights of the Palestinian people,
Recalling the commencement of the Israeli-Palestinian negotiations, the mutual recognition between the Government of the State of Israel and the Palestine Liberation Organization, the representative of the Palestinian people, and the existing agreements between the two sides, beginning with the Declaration of Principles on Interim Self-Government Arrangements of 1995, and the subsequent implementation agreements,
1. Notes with appreciation the action taken by the Department of Public Information of the Secretariat in compliance with resolution 56/35;

2. Considers that the special information programme on the question of Palestine of the Department is very useful in raising the awareness of the international community concerning the question of Palestine and the situation in the Middle East and that the programme is contributing effectively to an atmosphere conducive to dialogue and supportive of the peace process;

3. Requests the Department, in full cooperation and coordination with the Committee on the Exercise of the Inalienable Rights of the Palestinian People, to continue, with the necessary flexibility as may be required by developments affecting the question of Palestine, its special information programme for the biennium 2002-2003, in particular:

(a) To disseminate information on all the activities of the United Nations system relating to the question of Palestine, including reports on the work carried out by the relevant United Nations organizations;

(b) To continue to issue and update publications on the various aspects of the question of Palestine in all fields, including materials concerning the recent developments in that regard, in particular the prospects for peace;

(c) To expand its collection of audio-visual material on the question of Palestine and to continue the production and preservation of such material and the updating of the exhibit in the Secretariat;

(d) To organize and promote fact-finding news missions for journalists to the area, including the territory under the jurisdiction of the Palestinian Authority and the Occupied Territory;

(e) To organize international, regional and national seminars or encounters for journalists, aiming in particular at sensitizing public opinion to the question of Palestine;

(f) To continue to provide assistance to the Palestinian people in the field of media development, in particular to strengthen the training programme for Palestinian broadcasters and journalists initiated in 1995.

RECORDED VOTE ON RESOLUTION 57/109:

In favour: Albania, Algeria, Andorra, Antigua and Barbuda, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belgium, Belize, Bhutan, Bolivia, Bosnia and Herzegovina, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Cambodia, Canada, Cape Verde, Chile, China, Colombia, Comoros, Congo, Costa Rica, Côte d'Ivoire, 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, Gambia, Georgia, Germany, Ghana, Greece, Grenada, Guatemala, Guinea, Guyana, Haiti, Honduras, Hungary, Iceland, India, Indonesia, Iran, 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, Mauritania, Mauritius, Monaco, Morocco, Mozambique, Myanmar, Namibia, Nepal, Netherlands, New Zealand, Nicaragua, Nigeria, Norway, Oman, Pakistan, Panama, Papau New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Rwanda, Saint Lucia, Saint Vincent and the Grenadines, San Marino, Sao Tome and Principe, Saudi Arabia, Senegal, Seychelles, Sierra Leone, Singapore, Slovakia, Slovenia, Solomon Islands, Somalia, South Africa, Spain, Sri Lanka, Sudan, Suriname, Sweden, Switzerland, Syrian Arab Republic, Tajikistan, Thailand, The former Yugoslav Republic of Macedonia, Timor-Leste, Togo, Trinidad and Tobago, Tunisia, Turkey, Uganda, Ukraine, United Arab Emirates, United Kingdom, United Republic of Tanzania, Uruguay, Venezuela, Viet Nam, Yemen, Yugoslavia, Zambia, Zimbabwe.

Against: Israel, Marshall Islands, Micronesia, Nauru, United States.

## Assistance to Palestinians

**UN activities**


During the reporting period, the realities and priorities in the Occupied Palestinian Territory shifted significantly owing to the rapid escalation of violence and confrontation in March/April 2002, leading to extensive destruction of Palestinian social and economic infrastructure and a sharp deterioration in the living conditions of the Palestinian people. That new situation required rapid adjustments in international assistance. To reflect that shift in emphasis, the report contained a separate analysis of the assistance provided between March and May 2002, when the international community responded with a two-track approach—supporting the PA's capacity to deliver essential services, and providing emergency assistance for repairs to damaged institutions, infrastructure and property and for urgent social and humanitarian needs. Israel's policy of internal and external closures, the single most important cause of the looming economic and social crisis, had increased the cost and complexity of UN and other efforts to strengthen Palestinian institutions and to provide basic services to an increasingly impoverished population.

From the outset of the latest crisis, the United Nations Special Coordinator focused on the security, political and economic dimensions of the crisis, and the Office for the Coordination of Humanitarian Affairs coordinated the international response to the crisis and facilitated the work of the humanitarian agencies, particularly UNRWA. The World Bank, in March, conducted an economic assessment, presenting a comprehensive and sobering picture of the situation in the Occupied Palestinian Territory.

The Secretary-General observed that despite the death and destruction, there was a growing consensus in the international community around a vision for peace in the region—one of two States, Israel and Palestine, living side by side within secure and recognized borders. However, due to the economic crisis and its growing humanitarian consequences, the Palestinian people were facing economic and social destitution. Emergency economic and social assistance could not be a substitute for political dialogue and progress towards an agreed solution. The aid community was currently faced with a multi-dimensional challenge: to continue to support
medium- and long-term development activities and capacity-building for the PA and Palestinian civil society, while assisting in the repair of physical and institutional damage and responding to the growing emergency humanitarian needs of the population. The aid community was attempting to do that in a context of violence and violations of the norms established by international humanitarian law pertaining to the protection of civilians. UN involvement and assistance to the Palestinian people would require close collaboration among donors and with the PA, and constant review of priorities in the light of changing circumstances. Existing funds might need to be reprogrammed and additional funding had to be found to support repair, reconstruction and growing humanitarian needs. Unless and until there was real political progress, the UN system needed to be prepared for a situation in which an increasing number of Palestinians would be dependent upon welfare and the generosity of the international community.

GENERAL ASSEMBLY ACTION

On 16 December [meeting 75], the General Assembly adopted resolution 57/147 [draft: A/57/L.51 & Add.1] without vote [agenda item 21 (c)].

Assistance to the Palestinian people

The General Assembly,
Recalling its resolution 56/111 of 14 December 2001, as well as previous resolutions on the question,
Recalling also the signing of the Declaration of Principles on Interim Self-Government Arrangements in Washington, D.C., on 13 September 1993, by the Government of the State of Israel and the Palestine Liberation Organization, the representative of the Palestinian people, and the subsequent implementation agreements concluded by the two sides,
Gravely concerned at the deterioration in the living conditions of the Palestinian people throughout the occupied territory, which constitutes a mounting humanitarian crisis,
Conscious of the urgent need for improvement in the economic and social infrastructure of the occupied territory,
Aware that development is difficult under occupation and is best promoted in circumstances of peace and stability,
Noting the great economic and social challenges facing the Palestinian people and their leadership,
Conscious of the urgent necessity for international assistance to the Palestinian people, taking into account the Palestinian priorities,
Noting the convening of the United Nations seminar on assistance to the Palestinian people, held in Vienna on 20 and 21 February 2001, to review the state of the Palestinian economy,
Stressing the need for the full engagement of the United Nations in the process of building Palestinian institutions and in providing broad assistance to the Palestinian people, and welcoming in this regard the establishment by the Quartet of the Task Force on Palestinian Reform,
Noting the appointment by the Secretary-General of the United Nations Special Coordinator for the Middle East Peace Process and Personal Representative of the Secretary-General to the Palestine Liberation Organization and the Palestinian Authority,
Welcoming the results of the Conference to Support Middle East Peace, convened in Washington, D.C., on 1 October 1995, the establishment of the Ad Hoc Liaison Committee and the work being done by the World Bank as its secretariat and the establishment of the Consultative Group, as well as all follow-up meetings and international mechanisms established to provide assistance to the Palestinian people,
Welcoming also the work of the Joint Liaison Committee, which provides a forum in which economic policy and practical matters related to donor assistance are discussed with the Palestinian Authority,
Stressing the continued importance of the work of the Ad Hoc Liaison Committee in the coordination of assistance to the Palestinian people,
Having considered the report of the Secretary-General,
Expressing grave concern at the continuation of the recent tragic and violent events that have led to many deaths and injuries,
1. Takes note of the report of the Secretary-General;
2. Also takes note of the report of the Personal Humanitarian Envoy of the Secretary-General on the humanitarian conditions and needs of the Palestinian people;
3. Expresses its appreciation to the Secretary-General for his rapid response and efforts regarding assistance to the Palestinian people;
4. Also expresses its appreciation to the Member States, United Nations bodies and intergovernmental, regional and non-governmental organizations that have provided and continue to provide assistance to the Palestinian people;
5. Stresses the importance of the work of the United Nations Special Coordinator for the Middle East Peace Process and Personal Representative of the Secretary-General to the Palestine Liberation Organization and the Palestinian Authority and of the steps taken under the auspices of the Secretary-General to ensure the achievement of a coordinated mechanism for United Nations activities throughout the occupied territories;
6. Urges Member States, international financial institutions of the United Nations system, intergovernmental and non-governmental organizations and regional and interregional organizations to extend, as rapidly and as generously as possible, economic and social assistance to the Palestinian people, in close cooperation with the Palestine Liberation Organization and through official Palestinian institutions;
7. Calls upon relevant organizations and agencies of the United Nations system to intensify their assistance in response to the urgent needs of the Palestinian people in accordance with Palestinian priorities set forth by the Palestinian Authority;
8. Urges Member States to open their markets to exports of Palestinian products on the most favourable terms, consistent with appropriate trading rules, and to implement fully existing trade and cooperation agreements.
9. Calls upon the international donor community to expedite the delivery of pledged assistance to the Palestinian people to meet their urgent needs;
10. Stresses, in this context, the importance of ensuring the free passage of aid to the Palestinian people and the free movement of persons and goods;
11. Urges the international donor community, United Nations agencies and organizations and non-governmental organizations to extend as rapidly as possible emergency economic and humanitarian assistance to the Palestinian people to counter the impact of the current crisis;
12. Stresses the need to implement the Paris Protocol on Economic Relations of 29 April 1994, fifth annex to the Israeli-Palestinian Interim Agreement on the West Bank and the Gaza Strip, signed in Washington, D.C., on 28 September 1995, in particular with regard to the full and prompt clearance of Palestinian indirect tax revenues;
13. Suggests the convening in 2003 of a United Nations-sponsored seminar on assistance to the Palestinian people;
14. Requests the Secretary-General to submit a report to the General Assembly at its fifty-eighth session, through the Economic and Social Council, on the implementation of the present resolution, containing:
   (a) An assessment of the assistance actually received by the Palestinian people;
   (b) An assessment of the needs still unmet and specific proposals for responding effectively to them;
15. Decides to include in the provisional agenda of its fifty-eighth session the sub-item entitled “Assistance to the Palestinian people”.

UNRWA

In 2002, the United Nations Relief and Works Agency for Palestine Refugees in the Near East continued to provide vital education, health and relief and social services to a growing refugee population despite a severe budget deficit and cash-flow crisis.

On 30 June, 3,970,000 refugees were registered with UNRWA, an increase of 2.5 per cent over the 2001 figure of 3,870,000 million. The largest refugee population was registered in Jordan (42.3 per cent of the Agency-wide total), followed by the Gaza Strip (22.1 per cent), the West Bank (15.8 per cent), the Syrian Arab Republic (10.1 per cent) and Lebanon (9.7 per cent). Of the registered population, 36 per cent were aged 15 or under and about one third lived in 59 refugee camps, while the remainder resided in towns and villages.

In his annual report on the work of the Agency from 1 July 2001 to 30 June 2002 [A/57/15], the UNRWA Commissioner-General said that the conditions of strife in the Occupied Palestinian Territory continued with increasing intensity in a cycle of violence. Since February 2002, there had been a major intensification in the level of violence, characterized by a pattern that included suicide bombings and armed attacks by Palestinian militants in Israel and the Occupied Palestinian Territory, causing heavy loss of life, and a massive military offensive launched by IDF in the West Bank against Palestinian cities, towns, villages and refugee camps, causing heavy loss of life and widespread damage to and destruction of Palestinian property and the infrastructure, including governmental institutions, residential buildings, refugee shelters, water and electricity supply systems, and sewage disposal systems. Among the buildings damaged or destroyed were UNRWA installations, such as schools, training centres and health-care facilities. Israeli forces took over a number of UNRWA schools and used them as bases and centres for detention and interrogation of Palestinians. By mid-April, IDF had partially withdrawn from some of the Palestinian cities and refugee camps, but that was later followed by a number of incursions of shorter duration into the same areas. The pattern of attacks by Palestinian militants in Israel and in the Occupied Palestinian Territory also continued. By the end of the reporting period, IDF had reoccupied seven major Palestinian cities in the West Bank, imposed curfews, carried out searches, and detained and arrested large numbers of Palestinians. The large-scale military operations carried out by IDF in the West Bank, which included the imposition of curfews and closures, and the creation of closed military zones, had an adverse impact on UNRWA’s ability to carry out its humanitarian functions. Movement of humanitarian goods, particularly in places where supplies of food, medicines, blood and other items were urgently needed, was often blocked, delayed or made very difficult. In a number of instances, UNRWA vehicles and staff had to face life-threatening situations as they came under fire from Israeli forces.

By the end of the last quarter of 2001, the level of donor contributions to UNRWA’s budget had improved to the point where total contributions reached $282.4 million against an expenditure of $267.4 million, thus enabling the Agency to have a working capital of $8.5 million at the end of December 2001. Nevertheless, expenditures continued to be minimal in relation to refugee needs.

UNRWA’s internal management reforms during the reporting period focused on improvements in the efficiency and effectiveness of its resource management. A new financial system was expected to improve financial control, accountability and transparency in field operations. The Agency also continued to improve the formulation of its budget for the 2002-2003 biennium.

Advisory Commission. By a 26 September letter to the Commissioner-General, which he in-
cluded in his report [A/57/13], the Chairperson of the Advisory Commission of UNRWA noted with concern the continuing deteriorating political, economic and social situation in the region and expressed deep concern regarding the humanitarian crisis in the Occupied Palestinian Territory. The crisis was evidenced primarily by rising levels of malnutrition among children, high levels of poverty and unemployment, deteriorating health conditions and the displacement of an increasing number of Palestinians following the destruction of their homes. He noted that the Agency had launched an appeal for $117 million for 2002, which was supplemented by another appeal for $55.7 million in June due to the deteriorating conditions as a result of renewed fighting. The Chairperson expressed concern about the response of the international community to those appeals, since, by the end of August, only $83.4 million had been pledged and $48.7 million had been actually received. In addition, it was noted that, against a regular budget planned expenditure of $301.8 million during 2002, pledges of only $271.3 million had been received by the end of August.

Peace Implementation Programme

UNRWA’s Peace Implementation Programme (PIP), established in 1993 [YUN 1993, p. 569] to fund extrabudgetary activities within the Agency’s education, health, relief and social services and income-generation programmes, contributed in a practical way to improving the refugees’ living conditions and to creating employment opportunities and developing infrastructure. Following the adoption of the 2000-2001 programme-based budget, which divided the Agency’s budget into regular budget and project budget sections, all new non-core contributions were credited to the projects budget. No new funding was received specifically for PIP as it was incorporated into the projects budget.

Between mid-2001 and mid-2002, UNRWA, with PIP funding, completed the construction of 5 schools, 23 additional classrooms, a school science laboratory and 2 handcraft units, a safety biology laboratory and a community rehabilitation centre. Other projects included the integration of visually impaired children in Lebanon, scholarships and HIV/AIDS awareness. Expenditure amounted to $3.8 million. As at 30 June, the outstanding amount from donors for ongoing PIP projects was $11.6 million.

Lebanon appeal

There was no noticeable improvement in the socio-economic conditions of the Palestine refugee community in Lebanon during the reporting period. Most of the 370,000 registered Palestine refugees in Lebanon continued to face very difficult living conditions and depended almost entirely on UNRWA for basic services. By mid-2002, the Agency had received $9.2 million of the $11 million sought under the special emergency appeal, launched in 1997 to support essential health, education, relief and social services activities for Palestine refugees in Lebanon. Completed projects included construction of a secondary school and construction or repairs of shelters for the families of special hardship cases.

Emergency appeals

The UNRWA Commissioner-General reported that the closures and curfews imposed on the Palestinians in the West Bank and Gaza continued to disrupt physical mobility and economic activity, affecting livelihoods and the delivery of services. The Agency had to cope with destroyed refugee shelters, elevated demand for its health, relief and social services, and disruption of its education programmes. In response to the crisis, UNRWA maintained its emergency operations in the Occupied Palestinian Territory.

The long-term nature of the emergency had become apparent by June 2001, when UNRWA appealed for funds to maintain emergency operations until the end of the year, raising approximately $63 million. In January 2002, an appeal for $117 million was launched to cover emergency activities for a further 12-month period. As at the end of April pledges stood at $48.5 million.

The Agency’s estimates for the 2002 emergency programme were based on the experience of the previous year. However, due to the level of damage and destruction since March 2002 and consequent humanitarian conditions in the West Bank and Gaza, the Agency was compelled to provide immediate relief and to plan for long-term needs. In March 2002 in the West Bank, 2,629 shelters housing 13,145 refugees sustained damage during the Israeli operations. In April, in the Jenin camp alone, some 400 families were rendered homeless, and repairs were needed for some 1,100 shelters. The Agency expanded the existing emergency programmes providing food assistance, health care, emergency education programmes and social and relief assistance. It estimated that the supplementary measures, over and above the 2002 emergency programme, would require funding of $55.7 million. A supplementary appeal to that effect was issued in June.
Major service areas

UNRWA continued to provide educational, health, and relief and social services to, and carried out microfinance and microenterprise activities for, Palestine refugees throughout the occupied territories.

During the 2001/02 school year, the 639 UNRWA schools across the region accommodated 483,651 pupils, most of whom were in elementary and preparatory cycles. Total enrolment increased by 1.88 per cent, or 8,909 pupils, over the 2000/01 school year. The West Bank and Gaza Strip continued to have rapid growth of 5 per cent and 4.2 per cent, respectively. The Jordan and Gaza fields each accounted for approximately one third of total Agency pupil enrolment, while the other three fields (Lebanon, Syrian Arab Republic, West Bank) together accounted for the remaining third. UNRWA’s school system continued to maintain full gender equality, with 50.1 per cent of pupils being female. The education programme remained the largest single area of UNRWA activity, with 16,993 education personnel representing 75.5 per cent of all Agency staff. The policy of operating schools on a double-shift basis (housing two schools in a single building) continued due to financial considerations and steadily rising student enrolment. Owing to financial constraints, the Agency remained unable to extend the basic education cycle in the West Bank and Gaza from 9 to 10 years; however, tenth-grade students were accommodated in PA schools. The Agency provided remedial and special education services for pupils with learning difficulties. Vocational and technical training was made available in the eight UNRWA centres for 4,891 students in the 2001/02 school year, an increase of 187 over the previous year. The Agency supported some university students with scholarship awards until they graduated and offered placement and career guidance services to Palestine refugee graduates of UNRWA training centres and other educational institutions.

UNRWA’s health-care programme focused on improving primary health-care services, with emphasis on expanded maternal health, family planning services, child health and integrated disease control; cost-efficiency through the use of appropriate technology; optimal resource utilization for improved programme performance; and improving the environmental health infrastructure in camps by funding projects for, among other things, water, sewage and drainage networks and solid waste management. The continuing strife in the region and the repeated Israeli incursions led to a severe disruption of health services in 2002. A breakdown in maternal and child health-care services and the programme on immunization and treatment threatened the Agency’s sustained achievements in primary health care.

The relief and social services programme supported Palestine refugees who were unable to meet the basic needs for food, shelter and other essentials. It also maintained records on Palestine refugees to determine eligibility for UNRWA services. The principal means of assistance to special hardship case families were food support, shelter rehabilitation, selective cash assistance, hospitalization subsidies and preferential access to UNRWA training centres. The hardship programme accounted for 83.8 per cent of the relief and social services budget. The number of refugees in households that met the eligibility criteria—no male adult medically fit to earn an income and no other identifiable means of financial support above a defined threshold—increased by 5.5 per cent, from 217,388 in June 2001 to 229,404 in June 2002. Small grants, averaging $130, were provided on a case-by-case basis for 3,113 families facing emergency situations. UNRWA rehabilitated 667 family shelters, compared with 358 in the previous reporting period. The poverty alleviation programme offered both financial and non-financial services, including various credit products, to individuals and groups for projects such as business start-ups and for training in technical and business skills. UNRWA-sponsored centres within the refugee camps, or community-based organizations, provided social development activities, including skill-training opportunities for women, youth and persons with disabilities. The regular budget for the relief and social services programme for 2002-2003 was $68.5 million, representing 10.2 per cent of the overall Agency budget.

The microfinance and microenterprise programme adapted its business objectives in order to face the most severe long-term recession of the Palestinian economy since 1967. As a result of the hardship facing its business clientele, the programme was forced to switch its credit products from straightforward market-oriented private sector development to business survival, rehabilitation and rescue. Thus, the programme lent only to existing businesses that showed a capacity to survive, sustain jobs, generate income and help mitigate poverty. During the reporting period, the programme provided 8,523 loans worth $6.51 million for businesses in the West Bank and Gaza Strip.

GENERAL ASSEMBLY ACTION

On 11 December (meeting 73), the General Assembly, on the recommendation of the Fourth
Committee [A/57/320], adopted resolution 57/117 by recorded vote (158-1-5) [agenda item 76].

**Assistance to Palestine refugees**

The General Assembly,

Recalling its resolution 194(III) of 11 December 1948 and its subsequent resolutions on the question, including resolution 56/52 of 10 December 2001,

Recalling also its resolution 302(IV) of 8 December 1949, by which, inter alia, it established the United Nations Relief and Works Agency for Palestine Refugees in the Near East,

Recalling further relevant Security Council resolutions,

Aware of the fact that the Palestine refugees have, for more than five decades, lost their homes, lands and means of livelihood,

Affirming the imperative of resolving the problem of the Palestine refugees for the achievement of justice and for the achievement of lasting peace in the region,

Acknowledging the essential role that the United Nations Relief and Works Agency for Palestine Refugees in the Near East has played for more than fifty years since its establishment in ameliorating the plight of the Palestine refugees in the fields of education, health and relief and social services,

Taking note of the report of the Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East covering the period from 1 July 2001 to 30 June 2002,

Notes with regret the continuing needs of Palestine refugees throughout all the fields of operation, namely the Occupied Palestinian Territory, Lebanon, Jordan and the Syrian Arab Republic,

Expressing grave concern at the especially difficult situation of the Palestine refugees under occupation, including with regard to their safety, well-being and living conditions, and the continuous deterioration of those conditions during the recent period,

Noting the signing of the Declaration of Principles on Interim Self-Government Arrangements on 13 September 1993 by the Government of Israel and the Palestinian Liberation Organization and the subsequent implementation agreements,

Aware that the Multilateral Working Group on Refugees of the Middle East peace process has an important role to play in the peace process,

1. Notes with regret that repatriation or compensation of the refugees, as provided for in paragraph 11 of its resolution 194(III), has not yet been effected and that, therefore, the situation of the Palestine refugees continues to be a matter of concern;

2. Also notes with regret that the United Nations Conciliation Commission for Palestine has been unable to find a means of achieving progress in the implementation of paragraph 11 of General Assembly resolution 194(III), and requests the Commission to exert continued efforts towards the implementation of that paragraph and to report to the Assembly as appropriate, but no later than 1 September 2003;

3. Affirms the necessity for the continuation of the work of the United Nations Relief and Works Agency for Palestinian Refugees in the Near East and the importance of its operation and services for the well-being of the Palestine refugees and for the stability of the region, pending the resolution of the question of the Palestine refugees;

4. Calls upon all donors to continue to make the most generous efforts possible to meet the anticipated needs of the Agency, including those mentioned in recent emergency appeals.

*RECORDED VOTE ON RESOLUTION 57/117:*

In favour: Albania, Algeria, Andorra, Angola, Antigua and Barbuda, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belgium, Belize, Bolivia, Bosnia and Herzegovina, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Cambodia, Cameroon, Canada, Cape Verde, Chad, Chile, China, Colombia, Congo, Costa Rica, Côte d’Ivoire, 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, Germany, Ghana, Greece, Grenada, Guatemala, Guinea, Guyana, Haiti, Hungary, Iceland, India, Indonesia, Iran, Ireland, Iraq, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Laos, Lebanon, Lesotho, Libya, Macedonia, Malawi, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Monaco, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nauru, Netherlands, New Zealand, Nicaragua, Nigeria, Norway, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Rwanda, Saint Lucia, Saint Vincent and the Grenadines, Samoa, San Marino, Sao Tome and Principe, Saudi Arabia, Senegal, Seychelles, Singapore, Slovenia, Solomon Islands, Somalia, South Africa, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Switzerland, Syrian Arab Republic, Thailand, the former Yugoslav Republic of Macedonia, Togo, Trinidad and Tobago, Tunisia, Turkey, Uganda, Ukraine, United Arab Emirates, United Kingdom, United Republic of Tanzania, Uruguay, Venezuela, Viet Nam, Yemen, Yugoslavia, Zambia, Zimbabwe.

Against: Israel.

Abstaining: Honduras, Marshall Islands, Micronesia, Palau, United States.

The Assembly, also on 11 December [meeting 75] and on the Fourth Committee’s recommendation [A/57/320], adopted resolution 57/121 by recorded vote (155-5-4) [agenda item 76].

**Operations of the United Nations Relief and Works Agency for Palestine Refugees in the Near East**

The General Assembly,

Recalling its resolutions 194(III) of 11 December 1948, 212(III) of 19 November 1948, 302(IV) of 8 December 1949 and all subsequent related resolutions, including resolution 56/56 of 10 December 2001,

Recalling also the relevant Security Council resolutions,

Having considered the report of the Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East addressed to the Assembly,

Recalling Articles 100, 104 and 105 of the Charter of the United Nations and the Convention on the Privileges and Immunities of the United Nations,

Expressing the applicability of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, to the Palestinian territory occupied since 1967, including East Jerusalem,

Aware of the continuing needs of Palestine refugees throughout the Occupied Palestinian Territory and in the other fields of operation, namely in Lebanon, Jordan and the Syrian Arab Republic,

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Also aware of the valuable work done by the refugee affairs officers of the Agency in providing protection to the Palestinian people, in particular Palestinian refugees.

Gravely concerned about the increased suffering of the Palestinian refugees, including the loss of life, injury and destruction and damage to refugee shelters and properties, during the recent tragic events in the Occupied Palestinian Territory, including East Jerusalem,

Expressing grave concern about the recent events that have occurred in the Jenin refugee camp, including the loss of life, injury, destruction and displacement inflicted on many of its civilian inhabitants,

Gravely concerned about the safety of the staff and the damage to the facilities of the Agency as a result of Israeli military operations during the reporting period,

Expressing deep concern about the policies of closure and severe restrictions, including in particular the curfews, imposed on the movement of persons and goods the Occupied Palestinian Territory, including East Jerusalem, which have had a grave impact on the socio-economic situation of the Palestine refugees and have greatly contributed to the dire humanitarian crisis facing the Palestinian people,

Deeply concerned about the continuing restrictions on the freedom of movement of the Agency’s staff, vehicles and goods, including the harassment of personnel, which adversely affect the ability of the Agency to provide its services, including its educational, health and relief and social services,

Deeply concerned also about the continuing critical financial situation of the Agency and its effect on the continuing provision of necessary Agency services to the Palestinian refugees, including the emergency-related programmes,

Recalling the signing, on 13 September 1993, of the Declaration of Principles on Interim Self-Government Arrangements by the Government of Israel and the Palestine Liberation Organization and the subsequent implementation agreements,

Aware of the agreement between the Agency and the Government of Israel,

Aware also of the establishment of a working relationship between the Advisory Commission of the Agency and the Palestine Liberation Organization in accordance with General Assembly decision 48/417 of 10 December 1993,

Taking note of the agreement reached on 24 June 1994, embodied in an exchange of letters between the Agency and the Palestine Liberation Organization,

1. Expresses its appreciation to the Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East, as well as to all of the staff of the Agency, for their tireless efforts and valuable work, particularly in the light of the increasingly difficult conditions throughout the past year;

2. Also expresses its appreciation to the Advisory Commission of the Agency, and requests it to continue its efforts and to keep the General Assembly informed of its activities, including the full implementation of decision 48/417;

3. Commends the efforts of the Commissioner-General to increase the budgetary transparency and efficiency of the Agency;

4. Acknowledges the support of the host Governments for the Agency in the discharge of its duties;

5. Takes note of the functioning of the headquarters of the Agency in Gaza City on the basis of the Headquarters Agreement between the Agency and the Palestinian Authority;

6. Calls upon Israel, the occupying Power, to comply fully with the provisions of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949;

7. Also calls upon Israel to abide by Articles 100, 104 and 105 of the Charter of the United Nations and the Convention on the Privileges and Immunities of the United Nations with regard to the safety of the personnel of the Agency, the protection of its institutions and the safeguarding of the security of the facilities of the Agency in the Occupied Palestinian Territory, including East Jerusalem;

8. Urges the Government of Israel to compensate the Agency for damage to its property and facilities resulting from actions by the Israeli side, particularly during the reporting period;

9. Calls upon Israel particularly to cease obstructing the movement of the personnel, vehicles and supplies of the Agency and to cease the levying of extra fees and charges, which have a detrimental effect on the Agency’s operations;

10. Requests the Commissioner-General to proceed with the issuance of identification cards for Palestine refugees and their descendants in the Occupied Palestinian Territory;

11. Notes that the functioning of the Agency remains essential in all fields of operation;

12. Notes also the success of the Agency’s microfinance and enterprise programmes, and calls upon the Agency, in close cooperation with the relevant agencies, to continue to contribute towards the development of the economic and social stability of the Palestine refugees;

13. Reiterates its request to the Commissioner-General to proceed with the modernization of the archives of the Agency and to indicate the progress made in that regard in his report to the General Assembly at its fifty-eighth session;

14. Urges all States, specialized agencies and non-governmental organizations to continue and to increase their contributions to the Agency so as to ease the ongoing financial constraints, which have been exacerbated by the current humanitarian situation on the ground, and to support the Agency’s valuable work in providing assistance to the Palestinian refugees.

RECORDED VOTE ON RESOLUTION 57/121:

In favour: Albania, Algeria, Andorra, Angola, Antigua and Barbuda, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belgium, Belize, Bolivia, Bosnia and Herzegovina, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burundi, Cambodia, Cameroon, Canada, Cape Verde, Chad, Chile, China, Colombia, Congo, Costa Rica, Côte d’Ivoire, Croatia, Cuba, Cyprus, Czech Republic, Democratic People’s Republic of Korea, Democratic Republic of the Congo, Denmark, Djibouti, Dominica, Dominican Republic, Ecuador, Egypt, El Salvador, Eritrea, Estonia, Ethiopia, Fiji, Finland, France, Georgia, Germany, Ghana, Greece, Grenada, Guatemala, Guinea, Guinea-Bissau, Haiti, Honduras, Hungary, Iceland, India, Indonesia, Iran, Ireland, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Lao People’s Democratic Republic, Latvia, Lebanon, Lesotho, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Malawi, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Monaco, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nauru, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Oman, Pakistan, Panama, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Saint Lucia, Saint Vincent and the Grenadines, Samoa, San Marino, Sao Tome and Principe, Saudi Arabia, Senegal, Seychelles, Sierra Leone, Sri Lanka, Sweden, Switzerland, Tajikistan, Thailand, Togo, Trinidad and Tobago, Tunisia, Turkey, Turkmenistan, Uganda, United Arab Emirates, United Kingdom, United States of America, Uruguay, Uzbekistan, Venezuela, Vietnam, Yemen, Zambia, Zimbabwe.

In abstention: Nepal.

In favour (32): Russian Federation, Saint Lucia, Saint Vincent and the Grenadines.
On 20 December, the Assembly decided that the agenda item on UNRWA would remain for consideration at its resumed fifty-seventh (2003) session (decision 57/585).

UNRWA financing

Owing to the increased level of donor contributions during 2001, UNRWA was able to end the 2000-2001 biennium, for the first time in a decade, with a positive working capital balance. The Agency was able to raise an additional $25 million in 2001 in contribution income compared with the income level for 2000. It was also able to achieve a relatively favourable financial result by reducing expenditure through continued application of strict financial controls. By the end of 2001, the Agency had a real working capital balance of $8.5 million; however, that figure was far below the optimal level of one month’s average expenditure of $25 million. Working capital, defined as the difference between assets and liabilities in the regular budget for the calendar year, stood at $17.8 million as at 31 December 2001; however, $9.3 million represented funds earmarked to procure basic commodities.

At mid-2002, the Agency’s cash position remained critical. Expected cash expenditure in the regular programme was $301.8 million, as against expected cash income of $289.7 million. As at 31 December 2001, outstanding cash pledges under all accounts amounted to $86.6 million, of which $29.2 million pertained to the regular budget, $34.2 million to projects and $29 million to the emergency appeal.


Working Group. The Working Group on the Financing of UNRWA held two meetings in 2002, on 27 September and 10 October. In its report to the General Assembly [A/57/462], the Working Group said that, by the end of September 2002, UNRWA faced the prospect of a funding gap in its 2002 regular cash budget of $16.7 million. Income for 2002 was expected to be $279.3 million, against a revised cash expenditure of $296 million. Furthermore, of the $271.3 million of contribution income expected for the regular 2002 budget, only $189.8 million had been received by the end of September and $81.5 million was still outstanding. UNRWA had faced a critical financial outlook for 2001, which was subsequently alleviated by increased contributions and cost-constraining measures that enabled it to end the year with a positive working capital. In 2001, UNRWA had an income of $302.9 million, of which $280.8 million was for the cash portion of the regular budget and $22.1 million for the in-kind portion. Those funds were received against a regular budget of $310.4 million, of which $289.7 million represented the cash portion and $20.7 million the in-kind portion, leaving a deficit of $8.9 million.

The Working Group expressed concern about the increasing shortfalls in funding for its 2001-2002 appeals. Against a total request of $116.3 million for emergency appeals during 2001, UNRWA received $87.5 million in pledges, of which $10 million remained outstanding. Against a total request of $212.9 million for emergency appeals during 2002, UNRWA received $120 million in pledges, and some $40 million remained outstanding. The shortfalls in emergency appeals contributions had seriously affected UNRWA’s ability to order needed food commodities, thus delaying food distribution in the West Bank and Gaza Strip.

The Working Group expressed alarm at the negative effect the austerity measures adopted in previous years had on the Agency’s humanitarian operations. UNRWA expenditure per refugee per year dropped from an average of $200 in the 1970s to less than $70 in the 1990s. The freeze on former regular budget allocations, such as university scholarships and shelter rehabilitation, had reduced UNRWA’s activities and made them dependent on extrabudgetary contributions. Further cuts could cause severe social and economic hardship and place an increased burden on the authorities hosting the refugees. UNRWA services had to be viewed as the minimum required to enable the refugees to lead productive lives. The Group hoped that the international support for UNRWA embodied in the resolutions adopted each year by the Assembly would be translated into measures to ensure the Agency’s survival on a secure financial basis.
6 December 1971, 56/53 of 10 December 2001 and the previous resolutions on this question, 
Recalling also its decision 36/462 of 16 March 1982, by which it took note of the special report of the Working Group on the Financing of the United Nations Relief and Works Agency for Palestine Refugees in the Near East,
Having considered the report of the Working Group, Taking into account the report of the Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East covering the period from 1 July 2001 to 30 June 2002, Deeply concerned about the continuing financial situation of the Agency, which has affected and affects the continuing provision of necessary Agency services to Palestine refugees, including the emergency-related and humanitarian programmes,
Emphasizing the continuing need for extraordinary efforts in order to maintain, at least at the current level, the activities of the Agency, as well as to enable the Agency to carry out essential construction,
1. Commends the Working Group on the Financing of the United Nations Relief and Works Agency for Palestine Refugees in the Near East for its efforts to assist in ensuring the financial security of the Agency;
2. Takes note with approval of the report of the Working Group;
3. Requests the Working Group to continue its efforts, in cooperation with the Secretary-General and the Commissioner-General, to find a solution to the financial situation of the Agency;
4. Requests the Secretary-General to provide the necessary services and assistance to the Working Group for the conduct of its work.

Displaced persons

In an August report [A/57/338] on compliance with General Assembly resolution 56/54 [YUN 2001, p. 445], which called for the accelerated return of all persons displaced as a result of the June 1967 and subsequent hostilities to their homes or former places of residence in the territories occupied by Israel since 1967, the Secretary-General said that since UNRWA was not involved in arrangements for the return of either refugees or displaced persons not registered with it, the Agency’s information was based on requests by returning registered refugees for the transfer of their entitlements to their areas of return. Displaced refugees known by UNRWA to have returned to the West Bank and Gaza Strip since 1967 totalled about 22,900. As far as UNRWA knew, between 1 July 2001 and 30 June 2002, 1,101 refugees had returned to the West Bank and 173 to Gaza. Some of those refugees might not have been displaced since 1967, but were possibly family members of a displaced registered refugee.

GENERAL ASSEMBLY ACTION

On 11 December [meeting 75], the General Assembly, on the recommendation of the Fourth Committee [A/57/201], adopted resolution 57/119 by recorded vote (155-5-3) [agenda item 76].

Persons displaced as a result of the June 1967 and subsequent hostilities

The General Assembly, Recalling its resolutions 2252(ES-V) of 4 July 1967, 2341 B (XXII) of 19 December 1967 and all subsequent related resolutions, Recalling also Security Council resolutions 257(1967) of 14 June 1967 and 229(1968) of 27 September 1968, Taking note of the report of the Secretary-General submitted in pursuance of its resolution 56/54 of 10 December 2001, Taking note also of the report of the Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East covering the period from 1 July 2001 to 30 June 2002, Concerned about the continuing human suffering resulting from the June 1967 and subsequent hostilities, Taking note of the relevant provisions of the Declaration of Principles on Interim Self-Government Arrangements of 1993 with regard to the modalities for the admission of persons displaced in 1967, and concerned that the process agreed upon has not yet been effected,

1. Reaffirms the right of all persons displaced as a result of the June 1967 and subsequent hostilities to return to their homes or former places of residence in the territories occupied by Israel since 1967;
2. Expresses deep concern that the mechanism agreed upon by the parties in article XII of the Declaration of Principles on Interim Self-Government Arrangements of 1993 has not been implemented and stresses the necessity for an accelerated return of displaced persons;
3. Endorses, in the meanwhile, the efforts of the Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East to continue to provide humanitarian assistance, as far as practicable, on an emergency basis and as a temporary measure, to persons in the area who are currently displaced and in serious need of continuing assistance as a result of the June 1967 and subsequent hostilities;
4. Strongly appeals to all Governments and to organizations and individuals to contribute generously to the Agency and to the other intergovernmental and non-governmental organizations concerned for the above-mentioned purposes;
5. Requests the Secretary-General, after consulting with the Commissioner-General, to report to the General Assembly before its fifty-eighth session on the progress made with regard to the implementation of the present resolution.

RECORDED VOTE ON RESOLUTION 57/119:

In favour: Albania, Algeria, Andorra, Angola, Antigua and Barbuda, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belgium, Belize, Bolivia, Bosnia and Herzegovina, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Cambodia, Cameroon, Canada, Cape Verde, Chad, Chile, China, Colombia, Congo, Costa Rica, Côte d’Ivoire, 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, Grenada, Guatemala, Guinea, Guyana, Haiti, Honduras, Hungary, Iceland, India, Indonesia, Iran, Ireland, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Lao People’s Democratic Republic, Latvia, Lebanon, Lesotho, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg,
Recalling also its resolution 35/13 B of 3 November 1980 and all subsequent relevant resolutions, including resolution 56/55 of 10 December 2001,

Having considered the report of the Secretary-General,

Having also considered the report of the Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East covering the period from 1 July 2001 to 30 June 2002,

Expressing its appreciation to all Governments, specialized agencies and non-governmental organizations that responded favourably to its resolutions on this question,

1. Reiterates its previous appeals to all States, specialized agencies and non-governmental organizations to continue and to augment the special allocations for grants and scholarships to Palestine refugees, in addition to their contributions to the regular budget of the United Nations Relief and Works Agency for Palestine Refugees in the Near East;

2. Appeals to all States, specialized agencies and other international bodies to extend assistance for higher education to Palestine refugee students and to contribute towards the establishment of vocational training centres for Palestine refugees, and requests the Agency to act as the recipient and trustee for the special allocations for grants and scholarships;

3. Appeals to all States, specialized agencies and the United Nations University to contribute generously to the Palestinian universities in the Palestinian territory occupied by Israel since 1967, including, in due course, the proposed University of Jerusalem “Al-Quds” for Palestine refugees;

4. Requests the Secretary-General to report to the General Assembly at its fifty-eighth session on the implementation of the present resolution.

RECORDED VOTE ON RESOLUTION 57/120:

In favour: Albania, 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, Cambodia, Cameroon, Canada, Cape Verde, Chad, Chile, China, Colombia, Costa Rica, Côte d’Ivoire, 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, Grenada, Guatemala, Guinea, Guyana, Haiti, Honduras, Hungary, Iceland, India, Indonesia, Iran, Iraq, Ireland, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Lao People’s Democratic Republic, Latvia, Lebanon, Lesotho, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Marshall Islands, Mauritania, Mauritius, Mexico, Micronesia, Monaco, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nauru, Nepal, Netherlands, New Zealand, Nicaragua, Nigeria, Norway, Oman, Pakistan, Panama, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Rwanda, Saint Lucia, Saint Vincent and the Grenadines, Samoa, San Marino, Sao Tome and Principe, Saudi Arabia, Senegal, Seychelles, Singapore, Slovakia, Slovenia, Solomon Islands, Somalia, South Africa, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Switzerland, Syrian Arab Republic, Thailand, The former Yugoslav Republic of Macedonia, Togo, Tonga, Trinidad and Tobago, Tunisia, Turkey, Uganda, Ukraine, United Arab Emirates, United Kingdom, United Republic of Tanzania, United States, Uruguay, Venezuela, Viet Nam, Yemen, Yugoslavia, Zambia, Zimbabwe.

Against: Israel.

Abstaining: Nauru, Papua New Guinea, Solomon Islands.

In a July report [A/57/282], the Secretary-General transmitted responses to the General Assembly’s appeal in resolution 56/55 [YUN 2001, p. 446] for States, specialized agencies and NGOs to augment special allocations for scholarships and grants to Palestine refugees, for which UNRWA acted as recipient and trustee.

In the 2002 fiscal year, Japan awarded 12 fellowships to Palestine refugee students who were employed by UNRWA as vocational training staff at the eight vocational training centres in the Agency’s area of operations. During the 2001/02 academic year, owing to the cancellation in 1999 of the portion of the university scholarship fund for States, specialized agencies and NGOs, efforts were made to augment the special allocations for grants and scholarships for Palestine refugee students, for which UNRWA act as recipient and trustee.

The General Assembly, on the recommendation of the Fourth Committee, adopted resolution 57/72 by recorded vote (164-0-1) [agenda item 76].

Offers by Member States of grants and scholarships for higher education, including vocational training, for Palestine refugees

The General Assembly,

Recalling its resolution 212(III) of 19 November 1948 on assistance to Palestine refugees,

Expresses its appreciation to all Governments, specialized agencies and non-governmental organizations that responded favourably to its resolutions on this question,

1. Reiterates its previous appeals to all States, specialized agencies and non-governmental organizations to continue and to augment the special allocations for grants and scholarships to Palestine refugees, in addition to their contributions to the regular budget of the United Nations Relief and Works Agency for Palestine Refugees in the Near East;

2. Appeals to all States, specialized agencies and other international bodies to extend assistance for higher education to Palestine refugee students and to contribute towards the establishment of vocational training centres for Palestine refugees, and requests the Agency to act as the recipient and trustee for the special allocations for grants and scholarships;

3. Appeals to all States, specialized agencies and the United Nations University to contribute generously to the Palestinian universities in the Palestinian territory occupied by Israel since 1967, including, in due course, the proposed University of Jerusalem “Al-Quds” for Palestine refugees;

4. Requests the Secretary-General to report to the General Assembly at its fifty-eighth session on the implementation of the present resolution.

RECORDED VOTE ON RESOLUTION 57/120:

In favour: Albania, 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, Cambodia, Cameroon, Canada, Cape Verde, Chad, Chile, China, Colombia, Costa Rica, Côte d’Ivoire, 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, Grenada, Guatemala, Guinea, Guyana, Haiti, Honduras, Hungary, Iceland, India, Indonesia, Iran, Iraq, Ireland, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Lao People’s Democratic Republic, Latvia, Lebanon, Lesotho, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Marshall Islands, Mauritania, Mauritius, Mexico, Micronesia, Monaco, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nauru, Nepal, Netherlands, New Zealand, Nicaragua, Nigeria, Norway, Oman, Pakistan, Panama, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Rwanda, Saint Lucia, Saint Vincent and the Grenadines, Samoa, San Marino, Sao Tome and Principe, Saudi Arabia, Senegal, Seychelles, Singapore, Slovakia, Slovenia, Solomon Islands, Somalia, South Africa, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Switzerland, Syrian Arab Republic, Thailand, The former Yugoslav Republic of Macedonia, Togo, Tonga, Trinidad and Tobago, Tunisia, Turkey, Uganda, Ukraine, United Arab Emirates, United Kingdom, United Republic of Tanzania, United States, Uruguay, Venezuela, Viet Nam, Yemen, Yugoslavia, Zambia, Zimbabwe.

Against: Israel.

Abstaining: Nauru, Papua New Guinea, Solomon Islands.

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establish a university for Palestine refugees in Jerusalem [A/57/456]. First mentioned by the Assembly in resolution 35/13 B [YUN 1980, p. 443], the issue had been the subject of annual reports by the Secretary-General.

To assist in the preparation of a feasibility study and at the Secretary-General’s request, the Rector of the United Nations University again asked expert Mihaly Simai to visit the area and study and at the Secretary-General’s request, the

The General Assembly, Recalling its resolution 36/146 G of 16 December 1981 and all its subsequent resolutions on the issue, including resolution 55/58 of 10 December 2001,

1. Emphasizes the need for strengthening the educational system in the Palestinian territory occupied by Israel since 5 June 1967, including Jerusalem, and specifically the need for the establishment of the proposed university;

2. Requests the Secretary-General to continue to take all necessary measures for establishing the University of Jerusalem “Al-Quds”, in accordance with General Assembly resolution 35/13 B of 3 November 1980, giving due consideration to the recommendations consistent with the provisions of that resolution;

3. Calls once again upon Israel, the occupying Power, to cooperate in the implementation of the present resolution and to remove the hindrances that it has put in the way of establishing the University of Jerusalem “Al-Quds”;

4. Requests the Secretary-General to report to the General Assembly at its fifty-eighth session on the progress made in the implementation of the present resolution.

Recorded Vote on Resolution 57/123:

In favour: Albania, Algeria, Andorra, Angola, Antigua and Barbuda, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belgium, Belize, Bolivia, Bosnia and Herzegovina, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Cambodia, Cameroon, Canada, Cape Verde, Chad, Chile, China, Colombia, Congo, Costa Rica, Côte d’Ivoire, Croatia, Cuba, Cyprus, Czech Republic, Democratic People’s Republic of Korea, Democratic Republic of the Congo, Denmark, Djibouti, Dominican Republic, Ecuador, Egypt, El Salvador, Estonia, Ethiopia, Fiji, Finland, France, Georgia, Germany, Ghana, Greece, Grenada, Guatemala, Guinea, Guyana, Haiti, Honduras, Hungary, Iceland, India, Indonesia, Iran, Ireland, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Lao People’s Democratic Republic, Latvia, Lebanon, Lesotho, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Malawi, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Monaco, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Netherlands, New Zealand, Nicaragua, Nigeria, Norway, Oman, Pakistan, Panama, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Saint Lucia, Saint Vincent and the Grenadines, Samoa, San Marino, Saudi Arabia, Senegal, Seychelles, Singapore, Slovakia, Slovenia, Solomon, South Africa, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Switzerland, Syrian Arab Republic, Thailand, The former Yugoslav Republic of Macedonia, Togo, Tonga, Trinidad and Tobago, Tunisia, Turkey, Uganda, Ukraine, United Arab Emirates, United Kingdom, United Republic of Tanzania, Uruguay, Venezuela, Viet Nam, Yemen, Yugoslavia, Zambia, Zimbabwe.

Against: Israel, Marshall Islands, Micronesia, Palau, United States.

Abstaining: Nauru, Papua New Guinea, Solomon Islands, Vanuatu.

Property rights

In response to General Assembly resolution 56/57 [YUN 2001, p. 447], the Secretary-General submitted an October report [A/57/455] on steps taken to protect and administer Arab property, assets and property rights in Israel, and establish a fund for income derived therefrom, on behalf of the rightful owners. He indicated that he had transmitted the resolution to Israel and all other Member States, requesting information on any steps taken or envisaged to implement it.

In a 15 August reply, reproduced in the report, Israel stated that its position on the resolutions on Palestine refugees had been set forth in successive annual replies, the latest of which had been included in the Secretary-General’s 2001 report on the subject [YUN 2001, p. 447]. Israel regretted that the resolutions remained rife with political issues irrelevant to UNRWA’s work and detached from the reality in the area. Israel believed that UNRWA could play an important role in promoting the social and economic advancement foreseen in agreements between Israel and the Palestinians; accordingly, it looked forward to continuing its good working relationship with the Agency.

No replies were received from other Member States.


General Assembly Action

On 11 December [meeting 75], the General Assembly, on the recommendation of the Fourth
Committee [A/57/520, adopted resolution 57/122 by recorded vote (159-3-2) [agenda item 76].

Palestinian refugees’ properties and their revenues

The General Assembly,

Recalling its resolutions 194(III) of 11 December 1948, 56/46 C of 16 December 1981 and all its subsequent resolutions on the question,

Taking note of the report of the Secretary-General submitted in pursuance of its resolution 56/57 of 10 December 2001,

Taking note also of the report of the United Nations Conciliation Commission for Palestine for the period from 1 September 2001 to 31 August 2002,

Recalling that the Universal Declaration of Human Rights and the principles of international law uphold the principle that no one shall be arbitrarily deprived of his or her property,

Recalling in particular its resolution 394(V) of 14 December 1950, in which it directed the Conciliation Commission, in consultation with the parties concerned, to prescribe measures for the protection of the rights, property and interests of the Palestine refugees,

Noting the completion of the programme of identification and evaluation of Arab property, as announced by the Conciliation Commission in its twenty-second progress report, and the fact that the Land Office had a schedule of Arab owners and file of documents defining the location, area and other particulars of Arab property,

Expressing its appreciation for the work done to preserve and modernize the existing records, including the land records, of the Conciliation Commission and the importance of such records for a just resolution of the plight of the Palestinian refugees in conformity with General Assembly resolution 194(III),

Recalling that, in the framework of the Middle East peace process, the Palestine Liberation Organization and the Government of Israel agreed, in the Declaration of Principles on Interim Self-Government Arrangements of 13 September 1993, to commence negotiations on permanent status issues, including the important issue of the refugees,

1. Reaffirms that the Palestinian refugees are entitled to their property and to the income derived therefrom, in conformity with the principles of equity and justice;

2. Requests the Secretary-General to take all appropriate steps, in consultation with the United Nations Conciliation Commission for Palestine, for the protection of Arab property, assets and property rights in Israel;

3. Calls once again upon Israel to render all facilities and assistance to the Secretary-General in the implementation of the present resolution;

4. Calls upon all the parties concerned to provide the Secretary-General with any pertinent information in their possession concerning Arab property, assets and property rights in Israel that would assist him in the implementation of the present resolution;

5. Urges the Palestinian and Israeli sides, as agreed between them, to deal with the important issue of Palestinian refugees’ properties and their revenues in the framework of the final status negotiations of the Middle East peace process;

6. Requests the Secretary-General to report to the General Assembly at its fifty-eighth session on the implementation of the present resolution.

RECORDED VOTE ON RESOLUTION 57/122:

In favour: Albania, Algeria, Andorra, Angola, Antigua and Barbuda, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belgium, Belize, Bolivia, Bosnia and Herzegovina, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Cambodia, Cameroon, Canada, Cape Verde, Chad, Chile, China, Colombia, Congo, Costa Rica, Côte d’Ivoire, Croatia, Cuba, Cyprus, Czech Republic, Democratic People’s Republic of Korea, Democratic Republic of the Congo, Denmark, Djibouti, Dominican Republic, Ecuador, Egypt, El Salvador, Equatorial Guinea, Finland, France, Georgia, Germany, Ghana, Greece, Grenada, Guatemala, Guinea, Guyana, Haiti, Honduras, Hungary, Iceland, India, Indonesia, Iran, Ireland, Israel, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Lao People’s Democratic Republic, Latvia, Lebanon, Lesotho, Libya, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Monaco, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Netherlands, New Zealand, Nicaragua, Nigeria, Norway, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Saint Lucia, Saint Vincent and the Grenadines, Samoa, San Marino, Sao Tome and Principe, Saudi Arabia, Senegal, Seychelles, Singapore, Slovenia, Solomon Islands, South Africa, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Switzerland, Syrian Arab Republic, Thailand, The former Yugoslav Republic of Macedonia, Togo, Tonga, Trinidad and Tobago, Tunisia, Turkey, Uganda, Ukraine, United Arab Emirates, United Kingdom, United Republic of Tanzania, Uruguay, Vanuatu, Venezuela, Viet Nam, Yemen, Yugoslavia, Zambia, Zimbabwe.

Against: Israel, Marshall Islands, Micronesia, Palau, United States.

Abstaining: Nauru, Solomon Islands.

Peacekeeping operations

In 2002, the United Nations Truce Supervision Organization (UNTSO), originally set up to monitor the ceasefire called for by the Security Council in resolution S/801 of 29 May 1948 [YUN 1948-48, p. 427] in newly partitioned Palestine, continued its work. UNTSO’s unarmed military observers fulfilled changing mandates—from supervising the original four armistice agreements between Israel and its neighbours (Egypt, Jordan, Lebanon, Syrian Arab Republic) to observing and monitoring other ceasefires, as well as performing a number of additional tasks. During the year, UNTSO personnel worked with the two remaining UN peacekeeping forces in the Middle East—the United Nations Disengagement Observer Force (UNDOF) in the Golan Heights and the United Nations Interim Force in Lebanon (UNIFIL).

On 26 March [S/2002/326], the Secretary-General informed the Council of his intention to appoint Major General Carl A. Dodd (Ireland) as the new Chief of Staff of UNTSO, replacing Major General Franco Ganguzza (Italy). On 28 March [S/2002/327], the Council took note of the appointment.

In 2002, UNIFIL completed a reconfiguration and redeployment phase, which began in 2001 [YUN 2001, p. 451].
Lebanon

In 2002, a period of tense stability in the middle of the year was followed by further violence in the Shab’a farmlands area on the Lebanese-Israeli border. The paramilitary group Hezbollah carried out attacks against IDF positions in the farmlands and targets inside Israel, and IDF continued to carry out attacks within Lebanon. The Shab’a farmlands had been a source of contention since the withdrawal of Israeli forces from Lebanon in June 2000 (YUN 2000, p. 465). According to the Lebanese Government, Israel’s withdrawal from southern Lebanon was incomplete, as Israeli forces continued to occupy the Shab’a farms, while Israel held the view that the area was occupied Syrian territory and thus within the purview of Security Council resolution 425 (1978). The Security Council cautioned that it was harbouring elements of the terrorist organization Al-Qaeda inside Lebanese territory.


The Council of LAS, in its final communiqué, adopted at its fourteenth session (Beirut, 27-28 March) (A/56/1026-S/2002/932), supported Lebanon in seeking to complete the liberation of its territory from Israeli occupation up to its internationally recognized boundaries, including the Shab’a farmlands. The Council cautioned that further Israeli violation of Lebanese airspace and territorial waters might create an explosive situation along Lebanon’s southern boundaries.

Lebanon, in a 12 September letter to the Secretary-General (A/57/404-S/2002/1029), addressed the issue of the waters of the Hasbani and Wazzani Rivers, and in particular, Israel’s allegations that Lebanon was attempting to divert the course of the Hasbani River. Lebanon said that the Wazzani River, a tributary of the Hasbani, arose in Lebanese territory and fed into the Hasbani inside Lebanese...
territory. Since 1978, Israel had been intent on gaining possession of all the waters of the two rivers. Following the liberation of southern Lebanon in June 2000, Lebanon had begun to redevelop the south and to provide the people with water for drinking and irrigation. The quantity of water used by Lebanon since liberation was approximately 7 million cubic metres yearly, a very small amount that fell short of the population’s requirements. Consequently, Lebanese authorities were laying pipes to ensure the supply of water to villages in the basin of the Hasbani and Wazzani Rivers. The maximum quantity to be pumped would be 9 million cubic metres yearly, which was far below Lebanon’s legitimate entitlement.

On 23 September [S/2002/1081], the Permanent Observer of LAS transmitted to the Security Council President a resolution on Lebanon adopted by the LAS Council at its regular session (Cairo, 4-5 September). The Council condemned Israel for its continued occupation of Lebanese territory and for its failure to hand over to the United Nations all of the maps showing the location of landmines laid by Israeli forces. Denouncing Israeli threats against Lebanon and Syria, it affirmed that it regarded any aggression against them as aggression against all Arab States.

UNIFIL

The Security Council twice extended the mandate of the United Nations Interim Force in Lebanon in 2002, in January and July, each time for a six-month period.

UNIFIL, established by Council resolution 425(1978) following Israel’s invasion of Lebanon [YUN 1978, p. 296], was originally entrusted with confirming the withdrawal of Israeli forces, restoring international peace and security, and assisting Lebanon in regaining authority in southern Lebanon. Following a second invasion of Lebanon in 1982 [YUN 1982, p. 428], the Council in resolution 511(1982) [ibid., p. 450], authorized the Force to carry out the additional task of providing protection and humanitarian assistance to the local population. With the withdrawal of IDF from Lebanon in June 2000 [YUN 2000, p. 465], UNIFIL’s operational role changed. A reinforcement was initiated to enable UNIFIL to monitor Israel’s withdrawal, which included extending its operations into those territories previously occupied by IDF [ibid.]. In 2001, having fulfilled those responsibilities, UNIFIL began a reconfiguration and redeployment phase [YUN 2001, p. 435], which was completed in December 2002.

The Force headquarters, based in Naquora, provided command and control, and liaison with Lebanon and Israel, UNDOF, UNTSO and a number of NGOs.

Composition and deployment

UNIFIL, having completed its reconfiguration and redeployment phase, stabilized by the end of the year at a strength of 2,004 troops, as compared with 3,494 a year earlier. The Fijian contingent was repatriated, and Polish logistics and Ukrainian engineering battalions were reduced. Ghanaian and Indian battalions took over sectors vacated by the Fijians. Observer Group Lebanon relocated its operations and personnel from Israel to Lebanon, establishing a rear headquarters in Tyre. Although UNIFIL operations were concentrated along the Blue Line, the Force maintained a number of rear positions. As at 31 December, UNIFIL comprised troops from France (204), Ghana (650), India (650), Ireland (7), Italy (53), Poland (240) and Ukraine (200). The Force was assisted in its tasks by 51 UNTSO military observers. It employed 437 civilian staff, of whom 118 were recruited internationally and 319 locally. Major General Lalit Tewari (India) continued as Force Commander.

Since UNIFIL’s establishment, 242 members had lost their lives: 78 as a result of firings or bomb explosions, 103 in accidents and 61 from other causes.

Activities

Report of Secretary-General (January). In a report on developments from 21 July 2001 to 16 January 2002 in the UNIFIL area of operations [S/2002/55], the Secretary-General said that the situation on the ground had been generally calm, though ceasefire breaches in the Shab’s farms area and Israeli incursions into sovereign Lebanese airspace continued. The Lebanese Government took additional steps to restore its effective authority throughout the south, but that was limited to strengthening the presence of security forces and supporting the local administration and did not include additional deployment of the Lebanese army. At the same time, Lebanese authorities continued to allow Hizbullah to operate close to the Blue Line.

The Secretary-General observed that the further reductions needed to complete UNIFIL’s reconfiguration should commence in June 2002. The Force would continue to contribute towards stability in southern Lebanon by monitoring the Blue Line. In the light of the prevailing conditions, he recommended that the Force’s mandate be extended for another six months, until 31 July 2002.

Communication. By a 9 January letter [S/2002/40] to the Secretary-General, Lebanon requested that UNIFIL’s mandate, due to expire at the end of the month, be extended for a further six-month
period, especially in the light of Israel’s violations of Lebanese sovereignty.

SECURITY COUNCIL ACTION (January)

The Security Council, in a closed meeting on 21 January [S/PV.4455], had an exchange of views with UNIFIL troop-contributing countries and heard a briefing from Assistant Secretary-General for Peacekeeping Operations Hédi Annabi.

On 28 January [meeting 4458], the Council unanimously adopted resolution 1391(2002). The draft [S/2002/121] was prepared in consultations among Council members.

The Security Council,


Recalling also the letter dated 18 May 2001 from the President of the Security Council to the Secretary-General,

Recalling further the conclusion of the Secretary-General that, as of 16 June 2000, Israel had withdrawn its forces from Lebanon in accordance with resolution 425(1978) and met the requirements defined in the report of the Secretary-General of 22 May 2000, as well as the conclusion of the Secretary-General that the United Nations Interim Force in Lebanon had essentially completed two of the three parts of its mandate, focusing now on the remaining task of restoring international peace and security,

Emphasizing the interim nature of the Force,

Recalling its resolution 1308(2000) of 17 July 2000,

Recalling also the relevant principles contained in the Convention on the Safety of United Nations and Associated Personnel of 9 December 1994,

Responding to the request of the Government of Lebanon, as stated in the letter dated 9 January 2002 from the Permanent Representative of Lebanon to the United Nations addressed to the Secretary-General,

1. **Welcomes** the report of the Secretary-General of 16 January 2002 on the United Nations Interim Force in Lebanon, and endorses its observations and recommendations;

2. **Decides** to extend the present mandate of the Force, as recommended by the Secretary-General, for a further period of six months, until 31 July 2002;

3. **Requests** the Secretary-General to continue to take the necessary measures to implement the reconfiguration of the Force as outlined in his recent report and in accordance with the letter of the President of the Security Council dated 18 May 2001, in the light of developments on the ground and in consultation with the Government of Lebanon and the troop-contributing countries;

4. **Reiterates** its strong support for the territorial integrity, sovereignty and political independence of Lebanon within its internationally recognized boundaries;

5. **Calls upon** the Government of Lebanon to continue to take steps to ensure the restoration of its effective authority throughout the south, including the deployment of Lebanese armed forces;

6. **Calls upon** the parties to ensure the Force is accorded full freedom of movement in the discharge of its mandate throughout its area of operation;

7. **Encourages** the Government of Lebanon to ensure a calm environment throughout the south;

8. **Reiterates** its call upon the parties to continue to fulfill the commitments they have given to respect fully the withdrawal line identified by the United Nations, as set out in the report of the Secretary-General of 16 June 2000, to exercise utmost restraint and to cooperate fully with the United Nations and the Force;

9. **Condemns** all acts of violence, expresses great concern about the serious breaches and the air, sea and land violations of the withdrawal line, and urges the parties to put an end to these violations and to respect the safety of Force personnel;

10. **Supports** the continued efforts of the Force to maintain the ceasefire along the withdrawal line through mobile patrols and observation from fixed positions and through close contacts with the parties to correct violations, resolve incidents and prevent the escalation thereof;

11. **Welcomes** the continued contribution of the Force to operational demining, encourages further assistance in mine action by the United Nations to the Government of Lebanon in support of both the continued development of its national mine action capacity and emergency demining activities in the south, commends donor countries for supporting these efforts through financial and in-kind contributions and welcomes in this regard the establishment of the International Support Group, takes note of the communication to the Government of Lebanon and the Force of maps and information on the location of mines, and stresses the necessity to provide the Government of Lebanon and the Force with any additional maps and records on the location of mines;

12. **Requests** the Secretary-General to continue consultations with the Government of Lebanon and other parties directly concerned on the implementation of the present resolution;

13. **Also requests** the Secretary-General, following appropriate consultations, including with the Government of Lebanon and the troop-contributing countries, to submit to the Council before the end of the present mandate a comprehensive report on the activities of the Force, its technical reconfiguration, and the tasks presently carried out by the United Nations Truce Supervision Organization;

14. **Looks forward** to the early fulfilment of the mandate of the Force;

15. **Stresses** the importance of, and the need to achieve, a comprehensive, just and lasting peace in the Middle East, based on all its relevant resolutions including its resolutions 242(1967) of 22 November 1967 and 338(1973) of 22 October 1973.

Report of Secretary-General (July). In response to Security Council resolution 1391(2002) (above), the Secretary-General submitted a report on UNIFIL covering 17 January to 12 July [S/2002/746]. He said that tensions increased during the reporting period, with an outbreak of violent incidents across the Blue Line in the first two weeks of April. Those events coincided with the
escalation of violence in Israel and the Occupied Palestinian Territory of the same period. Militant activities were carried out by Hizbullah and by Palestinian and unidentified elements both inside and outside the Shab’a farms area. UNIFIL increased its patrols and its Force Commander intervened personally with the parties on the ground to contain incidents. On 10 April, the Quartet, meeting in Madrid (see p. 425), expressed grave concern about the attacks across the Blue Line and called on all parties to respect the boundary, halt all attacks and show restraint. The situation stabilized in May and had since remained relatively quiet but tense.

Local administration in the south was somewhat strengthened. Communications, health and welfare systems, and postal services continued to make slow progress towards integration with the rest of the country. The Lebanese Joint Security Forces, comprising army and internal security forces, and the Lebanese Army continued to operate in the area vacated by Israel and increased their activity near the Blue Line. The Lebanese Government maintained the position that, so long as there was no comprehensive peace with Israel, the Lebanese armed forces would not be deployed along the Blue Line. In that vacuum, Hizbullah maintained its visible presence near the Line through its network of mobile and fixed positions, and extended social, medical and educational services to the local population near the Blue Line. On several occasions, Hizbullah personnel interfered with UNIFIL’s freedom of movement.

The United Nations continued to coordinate international assistance to Lebanon for mine action in the southern part of the country under the supervision of the Secretary-General’s Personal Representative and in collaboration with UNDP. UNIFIL conveyed data on minefields in south Lebanon that had been received from Israel to the Lebanese authorities. The Force also assisted the civilian population in the form of medical care, water projects, equipment or services for schools and orphanages and supplies of social services to the needy. The Personal Representative, UNDP and the World Bank collaborated to facilitate the funding and implementation of development projects.

The Secretary-General observed that recent events in the Shab’a farms area underscored the fragility of the situation and demonstrated how readily tensions could escalate. Hizbullah’s commitment to launch attacks across the Blue Line and the Lebanese Government’s unwillingness to fulfil its commitment to ensure full respect for that Line contravened Security Council resolutions. He noted that the Shab’a farmlands lay in an area occupied by Israel in 1967 and were therefore subject to a negotiated settlement under Council resolutions 242(1967) and 338(1973), and were part of UNDOF’s area of operations. No internationally recognized boundary agreement had been concluded between Lebanon and the Syrian Arab Republic. The Blue Line was drawn without prejudice to any determination of territorial questions between the two countries that they might wish to conclude in the future. In the light of current conditions, the Secretary-General said that the Council might wish to extend UNIFIL’s mandate for another six months, until 31 January 2003.

Communications. By a 9 July letter to the Secretary-General [S/2002/739], Lebanon requested that UNIFIL’s mandate be extended for a further six months. Calling for UNIFIL’s maintenance at the current size, it remarked that the planned reconfiguration would undermine the existing sense of security and safety and would hinder the full implementation of UNIFIL’s mandate.

On 22 July [A/56/1011-S/2002/806], Lebanon, commending UNIFIL’s work as reported by the Secretary-General in July (see above), stressed that it was committed to Security Council resolutions and international legitimacy, called on Israel to end its violations of Lebanese territory and affirmed that it was providing full freedom of movement to UNIFIL.

SECURITY COUNCIL ACTION (July)


The Security Council,
Recalling also the letter dated 18 May 2001 from its President addressed to the Secretary-General,
Recalling further the conclusion of the Secretary-General that, as of 16 June 2000, Israel had withdrawn its forces from Lebanon in accordance with resolution 425(1978) and met the requirements defined in the report of the Secretary-General of 22 May 2000, as well as the conclusion of the Secretary-General that the United Nations Interim Force in Lebanon had essentially completed two of the three parts of its mandate, focusing now on the remaining task of restoring international peace and security,
Emphasizing the interim nature of the Force,
Recalling its resolution 1308(2000) of 17 July 2000,
Recalling also the relevant principles contained in the Convention on the Safety of United Nations and Associated Personnel of 9 December 1994,

Responding to the request of the Government of Lebanon, as stated in the letter dated 9 July from the Chargé d’affaires a.i. of the Permanent Mission of Lebanon to the United Nations addressed to the Secretary-General,

1. Endorses the report of the Secretary-General of 12 July 2002 on the United Nations Interim Force in Lebanon, in particular its recommendation to renew the mandate of the Force for a further period of six months;

2. Decides to extend the present mandate of the Force, as recommended by the Secretary-General, for a further period of six months, until 31 January 2003;

3. Requests the Secretary-General to continue to take the necessary measures to implement the reconfiguration of the Force as outlined in his recent reports and to furnish a report, with the letter from the President of the Security Council dated 18 May 2001, in the light of developments on the ground and in consultation with the Government of Lebanon and the troop-contributing countries;

4. Reiterates its strong support for the territorial integrity, sovereignty and political independence of Lebanon within its internationally recognized boundaries;

5. Commends the Government of Lebanon for taking steps to ensure the restoration of its effective authority throughout the south, including the deployment of Lebanese armed forces, and calls upon it to continue these measures;

6. Calls upon the parties to ensure the Force is accorded full freedom of movement in the discharge of its mandate throughout its area of operation as outlined in the report of the Secretary-General;

7. Encourages the Government of Lebanon to ensure a calm environment throughout the south;

8. Reiterates its call upon the parties to continue to fulfill the commitments they have given to respect fully the withdrawal line identified by the United Nations, as set out in the report of the Secretary-General of 16 June 2000, to exercise utmost restraint and to cooperate fully with the United Nations and the Force;

9. Condemns all acts of violence, expresses great concern about the serious breaches and the air, sea and land violations of the withdrawal line, and urges the parties to put an end to these violations and to abide scrupulously by their obligation to respect the safety of the personnel of the Force and other United Nations personnel;

10. Supports the continued efforts of the Force to maintain the ceasefire along the withdrawal line through mobile patrols and observation from fixed positions and through close contacts with the parties to correct violations, resolve incidents and prevent the escalation thereof;

11. Welcomes the continued contribution of the Force to operational demining, encourages further assistance in this action by the United Nations to the Government of Lebanon in support of both the continued development of its national mine action capacity and the emergency demining activities in the south, commends donor countries for supporting these efforts through financial and in-kind contributions and welcomes in this regard the establishment of the International Support Group, takes note of the communication to the Government of Lebanon and the Force of maps and information on the location of mines, and stresses the necessity to provide the Government of Lebanon and the Force with any additional maps and records on the location of mines;

12. Requests the Secretary-General to continue consultations with the Government of Lebanon and other parties directly concerned on the implementation of the present resolution;

13. Also requests the Secretary-General, following appropriate consultations, including with the Government of Lebanon and the troop-contributing countries, to submit to the Council before the end of the present mandate a comprehensive report on the activities of the Force, its technical reconfiguration and the tasks presently carried out by the United Nations Truce Supervision Organization;

14. Looks forward to the early fulfilment of the mandate of the Force;

15. Stresses the importance of, and the need to achieve, a comprehensive, just and lasting peace in the Middle East, based on all its relevant resolutions, including resolutions 242(1967) of 22 November 1967 and 338(1973) of 22 October 1973.

Further developments. In a report on developments during the second half of 2002 [S/2003/38], the Secretary-General said that the situation in UNIFIL’s area of operation had returned to one of general stability, with a substantial reduction in the number of incidents relative to his previous report. There was one violent incident in the Shab’a farms area in late August, when Hizbullah fired at IDF positions and IDF retaliated. On 8 December, a roadside bomb exploded near an IDF patrol. In general, there were few minor ground violations of the Blue Line. Sporadic Israeli violations of Lebanese airspace were reported. Hizbullah reacted to the overflights with anti-aircraft fire and, on at least one occasion, the Lebanese Army fired at Israeli aircraft. The Lebanese Joint Security Forces and the Lebanese Army, operating in the areas vacated by Israel, set up checkpoints and augmented patrols close to the Blue Line. On the whole, the Lebanese armed forces were more active, intervening at their own initiative when there were threats to security in the area. In most instances, Lebanese authorities responded to UNIFIL protests by taking prompt action to correct violations. Nevertheless, the Lebanese Government continued to maintain the position that as long as there was no comprehensive peace with Israel, the Lebanese armed forces would not be deployed along the Blue Line. Hizbullah maintained a visible presence near the Line through its network of mobile and fixed positions. Local administration in the south was further strengthened during the reporting period, as the official self-governing structures in-
creased their capacity to exercise their authority over the area.

The United Nations continued to coordinate international assistance to the Lebanese Government for mine action in southern Lebanon, and, through UNIFIL, provided medical assistance and social services to the civilian population. In September, intensive diplomatic activity undertaken with Israel and Lebanon by concerned Member States and by the Special Coordinator for the Middle East Peace Process and the Secretary-General’s Personal Representative for southern Lebanon averted military confrontation over a water project on the Hasbani River north of the Blue Line.

The Secretary-General said that the implementation of his recommendations for UNIFIL’s reconfiguration was completed at the end of 2002 and no further reduction in the Force level (currently 2,000) was envisaged. UNIFIL would continue to discharge its mandate by observing, monitoring and reporting on developments in its area of operation. His Personal Representative would continue, in consultation with the Special Coordinator, to lend UN political and diplomatic support to establish lasting peace in southern Lebanon. The Secretary-General drew attention to the serious shortfall in UNIFIL’s funding, and appealed to Member States to pay their assessments.

Financing

Reports of Secretary-General and ACABQ (February and April). On 14 February, the Secretary-General submitted the financial performance report of UNIFIL for the period 1 July 2000 to 30 June 2001 (A/56/882). Expenditures for the period totalled $183,811,094 gross ($179,958,941 net), excluding budgeted voluntary contributions in kind of $180,000, resulting in an unencumbered balance of $23,343,100 gross ($22,922,900 net). The unencumbered balance was mainly due to the termination of the Force’s expansion programme.

On 1 April (A/56/895), the Secretary-General submitted UNIFIL’s budget for the period from 1 July 2000 to 30 June 2001 in the amount of $112,576,000 gross ($108,401,200 net), inclusive of budgeted voluntary contributions in kind amounting to $333,500. Of the total budget, some 49.1 per cent related to military personnel costs, 27.7 per cent to civilian personnel costs, 18.8 per cent to operational requirements, 3.2 per cent to staff assessment and 0.9 per cent to other programmes.

The comments and recommendations of the Advisory Committee on Administrative and Budgetary Questions (ACABQ) were contained in a 5 April report (A/56/887/Add.7) on UNIFIL’s financial performance for 1 July 2000 to 30 June 2001 and proposed budget for 1 July 2002 to 30 June 2003.

GENERAL ASSEMBLY ACTION

On 27 June [meeting 105], the General Assembly, on the recommendation of the Fifth (Administrative and Budgetary) Committee (A/56/722/Add.1), adopted resolution 56/214 B by recorded vote (121-2) [agenda item 134(b)].

Financing of the United Nations

Interim Force in Lebanon

The General Assembly,

Having considered the reports of the Secretary-General on the financing of the United Nations Interim Force in Lebanon and the related reports of the Advisory Committee on Administrative and Budgetary Questions,

Recalling Security Council resolution 425 (1978) of 19 March 1978 regarding the establishment of the United Nations Interim Force in Lebanon, and the subsequent resolutions by which the Council extended the mandate of the Force, the latest of which was resolution 1391 (2002) of 28 January 2002,

Recalling also its resolution 5-8/2 of 21 April 1978 on the financing of the Force and its subsequent resolutions thereon, the latest of which was resolution 56/214 A of 21 December 2001,


Reaffirming also the general principles underlying the financing of United Nations peacekeeping operations, as stated in General Assembly resolutions 187 (IV) of 27 June 1963, 301 (XXVIII) of 11 December 1973 and 55/235 of 23 December 2000,

Noting with appreciation that voluntary contributions have been made to the Force,

Mindful of the fact that it is essential to provide the Force with the necessary financial resources to enable it to fulfill its responsibilities under the relevant resolutions of the Security Council,

Concerned that the Secretary-General continues to face difficulties in meeting the obligations of the Force on a current basis, including reimbursement to current and former troop-contributing States,

Concerned also that the surplus balances in the Special Account for the United Nations Interim Force in Lebanon have been used to meet expenses of the Force in order to compensate for the lack of income resulting from non-payment and late payment by Member States of their contributions,

1. Takes note of the status of contributions to the United Nations Interim Force in Lebanon as at 30 April 2002, including the contributions outstanding in the amount of 112.8 million United States dollars, representing 4 per cent of the total assessed contributions, notes with concern that only twenty-seven Member States have paid their assessed contributions in full, and urges all other Member States, in particular those in arrears, to ensure payment of their outstanding assessed contributions;
2. Expresses its appreciation to those Member States which have paid their assessed contributions in full and on time, and urges all other Member States to make every possible effort to ensure payment of their assessed contributions to the Force in full and on time;

3. Expresses its deep concern that Israel did not comply with General Assembly resolutions 51/233, 52/237, 53/227, 54/267, 55/180 A, 55/180 B and 56/244 A;

4. Stresses once again that Israel should strictly abide by General Assembly resolutions 51/233, 52/237, 53/227, 54/267, 55/180 A, 55/180 B and 56/244 A;

5. Expresses concern at the financial situation with regard to peacekeeping activities, in particular as regards the reimbursements to troop contributors that bear additional burdens owing to overdue payments by Member States of their assessments;

6. Also expresses concern at the delay experienced by the Secretary-General in deploying and providing adequate resources to some recent peacekeeping missions, in particular those in Africa;

7. Emphasizes that all future and existing peacekeeping missions shall be given equal and nondiscriminatory treatment in respect of financial and administrative arrangements;

8. Also emphasizes that all peacekeeping missions shall be provided with adequate resources for the effective and efficient discharge of their respective mandates;

9. Reiterates its request to the Secretary-General to make the fullest possible use of facilities and equipment at the United Nations Logistics Base at Brindisi, Italy, in order to minimize the costs of procurement for the Force;

10. Endorses the conclusions and recommendations contained in the report of the Advisory Committee on Administrative and Budgetary Questions, and requests the Secretary-General to ensure their full implementation;

11. Requests the Secretary-General to take all necessary action to ensure that the Force is administered with a maximum of efficiency and economy;

12. Also requests the Secretary-General, in order to reduce the cost of employing General Service staff, to continue efforts to recruit local staff for the Force against General Service posts, commensurate with the requirements of the Force;

13. Reiterates its request to the Secretary-General to take the measures necessary to ensure the full implementation of paragraph 8 of its resolution 51/233, paragraph 5 of its resolution 52/247, paragraph 11 of its resolution 53/227, paragraph 14 of its resolution 54/267, paragraph 14 of its resolution 55/180 A, paragraph 15 of its resolution 56/180 B and paragraph 15 of its resolution 56/244 A, stresses once again that Israel shall pay the amount of 1,284,633 dollars resulting from the incident at Qana on 18 April 1996, and requests the Secretary-General to report on this matter to the Assembly at its resumed fifty-seventh session;

Financial performance report for the period from 1 July 2000 to 30 June 2001

14. Takes note of the report of the Secretary-General on the financial performance of the Force for the period from 1 July 2000 to 30 June 2001;

Budget estimates for the period from 1 July 2002 to 30 June 2003

15. Decides to appropriate to the Special Account for the United Nations Interim Force in Lebanon the amount of 117,123,800 dollars for the period from 1 July 2002 to 30 June 2003, inclusive of 112,042,500 dollars for the maintenance of the Force, 4,537,700 dollars for the support account for peacekeeping operations and 543,600 dollars for the United Nations Logistics Base;

Financing of the appropriation

16. Decides also to appropriate among Member States the amount of 117,123,800 dollars at a monthly rate of 9,760,317 dollars, in accordance with the levels set out in resolution 55/235, as adjusted by the General Assembly in its resolution 55/236 of 23 December 2000, and taking into account the scale of assessments for the years 2002 and 2003 as set out in its resolution 55/5 B of the same date, subject to a decision of the Security Council to extend the mandate of the Force;

17. Decides further that, in accordance with the provisions of its resolution 973(X) of 15 December 1955, there shall be set off against the apportionment among Member States, as provided for in paragraph 16 above, their respective share in the Tax Equalization Fund of 4,307,600 dollars for the period from 1 July 2002 to 30 June 2003, at a monthly rate of 358,967 dollars, comprising the estimated staff assessment income of 3,641,500 dollars approved for the Force for the period from 1 July 2002 to 30 June 2003, the prorated share of 675,900 dollars of the estimated staff assessment income approved for the support account for the period from 1 July 2002 to 30 June 2003 and the increase in staff assessment income of that account for the period from 1 July 2000 to 30 June 2001, and the prorated share of 48,400 dollars of the estimated staff assessment income approved for the United Nations Logistics Base for the period from 1 July 2002 to 30 June 2003 and the reduction in staff assessment income of that account from 1 July 2000 to 30 June 2001;

18. Decides that for Member States that have fulfilled their financial obligations to the Force, there shall be set off against their apportionment, as provided for in paragraph 16 above, their respective share of the unencumbered balance of 23,545,100 dollars and their respective share of other income of 12,482,000 dollars in respect of the financial period ended 30 June 2001, in accordance with the levels set out in resolution 55/235, as adjusted by the General Assembly in its resolution 55/236, and taking into account the scale of assessments for the year 2001, as set out in its resolution 55/5 B;

19. Decides also that for Member States that have not fulfilled their financial obligations to the Force, there shall be set off against their outstanding obligations in accordance with the scheme set out in paragraph 16 above;

20. Decides further that the decrease in the staff assessment income of 420,200 dollars shall be set off against the credits from the unencumbered balance in
respect of the financial period ended 30 June 2001 referred to in paragraphs 18 and 19 above;

21. Emphasizes that no peacekeeping mission shall be financed by borrowing funds from other active peacekeeping missions;

22. Encourages the Secretary-General to continue to take additional measures to ensure the safety and security of all personnel under the auspices of the United Nations participating in the Force;

23. Invites voluntary contributions to the Force in cash and in the form of services and supplies acceptable to the Secretary-General, to be administered, as appropriate, in accordance with the procedure and practices established by the General Assembly;

24. Decides to include in the provisional agenda of its fifty-seventh session, under the item entitled “Financing of the United Nations peacekeeping forces in the Middle East”, the sub-item entitled “United Nations Interim Force in Lebanon”.

RECORDED VOTE ON RESOLUTION 56/214 B:

In favour: Algeria, Andorra, Angola, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahamas, Bahrain, Bangladesh, Belarus, Belgium, Belize, Bolivia, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Burundi, Cambodia, Canada, Cape Verde, Chile, China, Colombia, Congo, Costa Rica, Côte d’Ivoire, Croatia, Cuba, Cyprus, Czech Republic, Democratic People’s Republic of Korea, Denmark, Dominican Republic, Ecuador, Egypt, Eritrea, Estonia, Ethiopia, Finland, Gabon, Germany, Ghana, Guinea, Guinea-Bissau, Guatemala, Guyana, Haiti, Hungary, Iceland, India, Indonesia, Ireland, Italy, Japan, Jordan, Kuwait, Lao People’s Democratic Republic, Latvia, Lebanon, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Malta, Mexico, Monaco, Morocco, Mozambique, Myanmar, Nepal, Netherlands, New Zealand, Nicaragua, Nigeria, Norway, Oman, Pakistan, Panama, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Russian Federation, San Marino, Saudi Arabia, Senegal, Singapore, Slovakia, South Africa, Spain, Sri Lanka, Sudan, Sweden, Syrian Arab Republic, Thailand, The former Yugoslav Republic of Macedonia, Togo, Tonga, Tunisia, Uganda, Ukraine, United Arab Emirates, United Kingdom, United Republic of Tanzania, Uruguay, Venezuela, Viet Nam, Yemen, Yugoslavia, Zambia.

Against: Israel, United States.

The Assembly and the Committee each had adopted the fourth preambular paragraph and operative paragraphs 3, 4 and 15 by a single recorded vote of, respectively, 74 to 2, with 46 abstentions, and 74 to 2, with 36 abstentions. Speaking before the vote, Israel, referring to the April 1996 incident in Qana [YUN 9996, p. 429], said that responsibility for damage sustained by UN forces during peacekeeping operations should be absorbed by the general budget for peacekeeping operations, in accordance with the principle of collective responsibility. Israel would therefore vote against the politically motivated paragraphs and against the whole draft resolution.

Lebanon said that the attribution of criminal responsibility with regard to the Qana incident was based on the provisions of the resolution relating to attacks against UN personnel, the first paragraph of which referred to premeditated crimes carried out by States parties. Israel was thus responsible for such acts and should be judged accordingly.

On 20 December, the Assembly decided that the item on the financing of the UN peacekeeping forces in the Middle East would remain for consideration at its resumed fifty-seventh (2003) session [decision 57/585] and that the Fifth Committee would continue consideration of UNIFIL’s financing at that session [decision 57/556].

Syrian Arab Republic

In 2002, the General Assembly again called for Israel’s withdrawal from the Golan Heights in the Syrian Arab Republic, which it had occupied since 1967. The area was effectively annexed by Israel when it extended its laws, jurisdiction and administration to the territory towards the end of 1981 [YUN 988, p. 309].

Israeli policies and measures affecting the human rights of the population in the Golan Heights and other occupied territories were monitored by the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories (Committee on Israeli Practices) and were the subject of resolutions adopted by the Commission on Human Rights (see PART TWO, Chapter III) and the Assembly.

Committee on Israeli Practices. In its annual report [A/57/27], the Committee on Israeli Practices stated that it had visited Damascus and Quneitra province, which bordered the occupied area, where it received information from persons with personal knowledge of the occupied Syrian Arab Golan. The Committee was informed that there had been no change in Israeli policy regarding the occupied Golan, that the number of settlers had increased and that existing settlements had been expanded during the period under review. The Committee’s attention was also drawn to persistent Judaization of life in the occupied Golan and falsification of history at the expense of the Arab population. The economic situation continued to deteriorate due to lack of equal employment opportunities, heavy taxes, fixed low prices imposed on apples (the main agricultural produce), arbitrary arrest and detention, and inadequate health care. The uprooting of trees, burning of forests, and the release of chemical residue from Israeli factories and waste from settlements caused environmental deterioration. The separation of families who lived on either side of the valley constituting the demarcation line also continued.

Communication. On 12 August [A/57/297-S/2002/90], the Syrian Arab Republic informed the Secretary-General that students from the occupied Syrian Golan had been severely ill-treated by Israeli soldiers at the Quneitra crossing point.
Reports of Secretary-General. On 16 August [A/57/38], the Secretary-General reported that no reply had been received from Israel to his June request for information on steps taken or envisaged to implement General Assembly resolution 56/63 [YUN 2001, p. 462], which called on Israel to desist from changing the physical character, demographic composition, institutional structure and legal status of the Golan, and from its repressive measures against the population.

By a 14 October report [A/57/49], the Secretary-General transmitted replies received from five Member States, including Israel, in response to his request for information on steps taken or envisaged to implement Assembly resolution 56/63 [YUN 2001, p. 461], which dealt with Israeli policies in the Syrian territory occupied since 1967, and resolution 56/31 [YUN 2001, p. 491], on the transfer by some States of their diplomatic missions to Jerusalem (see p. 444).

GENERAL ASSEMBLY ACTION

On 3 December [meeting 66], the General Assembly adopted resolution 57/112 [draft: A/57/L.45 & Add.1] by recorded vote (109-4-57) [agenda item 36].

The Syrian Golan

The General Assembly,
Having considered the item entitled “The situation in the Middle East”,
Taking note of the report of the Secretary-General,
Recalling Security Council resolution 497(1981) of 17 December 1981,
Reaffirming the fundamental principle of the inadmissibility of the acquisition of territory by force, in accordance with international law and the Charter of the United Nations,
Reaffirming once more the applicability of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, to the occupied Syrian Golan,
Deeply concerned that Israel has not withdrawn from the Syrian Golan, which has been under occupation since 1967, contrary to the relevant Security Council and General Assembly resolutions,
Stressing the illegality of the Israeli settlement construction and activities in the occupied Syrian Golan since 1967,
Expressing grave concern at the halt in the peace process on the Syrian track, and expressing the hope that peace talks will soon resume from the point they had reached,

1. Declares that Israel has failed so far to comply with Security Council resolution 497(1981), and calls upon Israel to rescind it;
2. Also declares that the Israeli decision of 14 December 1981 to impose its laws, jurisdiction and administration on the occupied Syrian Golan is null and void and has no validity whatsoever, as confirmed by the Security Council in its resolution 497(1981), and calls upon Israel to rescind it;
3. Reaffirms its determination that all relevant provisions of the Regulations annexed to the Hague Convention of 1907, and the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, continue to apply to the Syrian territory occupied by Israel since 1967, and calls upon the parties thereto to respect and ensure respect for their obligations under those instruments in all circumstances;
4. Determines once more that the continued occupation of the Syrian Golan and its de facto annexation constitute a stumbling block in the way of achieving a just, comprehensive and lasting peace in the region;
5. Calls upon Israel to resume the talks on the Syrian and Lebanese tracks and to respect the commitments and undertakings reached during the previous talks;
6. Demands once more that Israel withdraw from all the occupied Syrian Golan to the line of 4 June 1967 in implementation of the relevant Security Council resolutions;
7. Calls upon all the parties concerned, the co-sponsors of the peace process and the entire international community to exert all the necessary efforts to ensure the resumption of the peace process and its success by implementing Security Council resolutions 242(1967) and 338(1973);
8. Requests the Secretary-General to report to the General Assembly at its fifty-eighth session on the implementation of the present resolution.

RECORDED VOTE ON RESOLUTION 57/112:

In favour: Afghanistan, Algeria, Antigua and Barbuda, Argentina, Armenia, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belize, Bhutan, Bolivia, Botswana, Brunei Darussalam, Burkina Faso, Burundi, Cambodia, Cape Verde, Chile, China, Colombia, Comoros, Congo, Costa Rica, Côte d’Ivoire, Cuba, Cyprus, Democratic People’s Republic of Korea, Democratic Republic of the Congo, Djibouti, Dominican Republic, Ecuador, Egypt, El Salvador, Equatorial, Ethiopia, Fiji, Gabon, Georgia, Ghana, Grenada, Guinea, Guatemala, Guyana, Haiti, Honduras, India, Indonesia, Iran, Jamaica, Jordan, Kenya, Kuwait, Kyrgyzstan, Lao People’s Democratic Republic, Lebanon, Lesotho, Libyan Arab Jamahiriya, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Morocco, Mozambique, Myanmar, Namibia, Nepal, Nicaragua, Niger, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Philippines, Qatar, Russian Federation, Saint Lucia, Sao Tome and Principe, Saudi Arabia, Senegal, Seychelles, Sierra Leone, Singapore, Somalia, South Africa, Sri Lanka, Sudan, Suriname, Syrian Arab Republic, Tajikistan, Thailand, Timor-Leste, Togo, Trinidad and Tobago, Tunisia, Turkey, Uganda, United Arab Emirates, United Republic of Tanzania, Venezuela, Viet Nam, Yemen, Zambia, Zimbabwe.

Against: Marshall Islands, Micronesia, United States.

Abstaining: Albania, Andorra, Australia, Austria, Belgium, Boinia and Herzegovina, Brazil, Bulgaria, Canada, Croatia, Czech Republic, Denmark, Estonia, Finland, France, Georgia, Germany, Greece, Hungary, Iceland, Ireland, Italy, Japan, Kazakhstan, Latvia, Liechtenstein, Lithuania, Luxembourg, Monaco, Nauru, Netherlands, New Zealand, Norway, Peru, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, Rwanda, Saint Vincent and the Grenadines, San Marino, Slovakia, Slovenia, Solomon Islands, Spain, Sweden, Switzerland, The former Yugoslav Republic of Macedonia, Tonga, Tuvalu, Ukraine, United Kingdom, Uruguay, Uzbekistan, Vanuatu, Yugoslavia.

On 11 December [meeting 78], the Assembly, under the agenda item on the report of the Committee on Israeli Practices and on the Fourth Committee’s recommendation [A/57/201], adopted resolution 57/128 by recorded vote (155-1-9) [agenda item 77].
The occupied Syrian Golan

The General Assembly,

Having considered the reports of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories,

Deeply concerned that the Syrian Golan, occupied since 1967, has been under continued Israeli military occupation,

Recalling Security Council resolution 497(1981) of 17 December 1981,

Recalling also its previous relevant resolutions, the last of which was resolution 56/63 of 10 December 2001,

Having considered the report of the Secretary-General submitted in pursuance of resolution 56/63,

Recalling its previous relevant resolutions in which, inter alia, it called upon Israel to put an end to its occupation of the Arab territories,

Reaffirming once more the illegality of the decision of 14 December 1981 taken by Israel to impose its laws, jurisdiction and administration on the occupied Syrian Golan, which has resulted in the effective annexation of that territory,

Reaffirming that the acquisition of territory by force is inadmissible under international law, including the Charter of the United Nations,

Reaffirming also the applicability of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, to the occupied Syrian Golan,

Bearing in mind Security Council resolution 257 (1967) of 14 June 1967,

Welcoming the convening in Madrid of the Peace Conference on the Middle East on the basis of Security Council resolutions 242(1967) of 22 November 1967 and 338(1973) of 22 October 1973 aimed at the realization of a just, comprehensive and lasting peace, and expressing grave concern about the stalling of the peace process on all tracks,

1. Calls upon Israel, the occupying Power, to comply with the relevant resolutions on the occupied Syrian Golan, in particular Security Council resolution 497(1981), in which the Council, inter alia, decided that the Israeli decision to impose its laws, jurisdiction and administration on the occupied Syrian Golan was null and void and without international legal effect, and demanded that Israel, the occupying Power, rescind forthwith its decision;

2. Also calls upon Israel to desist from changing the physical character, demographic composition, institutional structure and legal status of the occupied Syrian Golan and in particular to desist from the establishment of settlements;

3. Determines that all legislative and administrative measures and actions taken or to be taken by Israel, the occupying Power, that purport to alter the character and legal status of the occupied Syrian Golan are null and void, constitute a flagrant violation of international law and of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, and have no legal effect;

4. Calls upon Israel to desist from imposing Israeli citizenship and Israeli identity cards on the Syrian citizens in the occupied Syrian Golan and from taking repressive measures against the population of the occupied Syrian Golan;

5. Deplores the violations by Israel of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949;

6. Calls once again upon Member States not to recognize any of the legislative or administrative measures and actions referred to above;

7. Requests the Secretary-General to report to the General Assembly at its fifty-eighth session on the implementation of the present resolution.

RECORDED VOTE ON RESOLUTION 57/129:

In favour: Albania, Algeria, Andorra, Angola, Antigua and Barbuda, Armenia, Austria, Azerbaijan, Bangladesh, Barbados, Belarus, Belgium, Belize, Benin, Bolivia, Bosnia and Herzegovina, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Cambodia, Canada, Cape Verde, Chad, Chile, China, Colombia, Congo, Costa Rica, Côte d’Ivoire, Croatia, Cuba, Cyprus, Czech Republic, Democratic People’s Republic of Korea, Democratic Republic of the Congo, Denmark, Djibouti, Dominican Republic, Ecuador, Egypt, El Salvador, Eritrea, Estonia, Ethiopia, Fiji, Finland, France, Georgia, Germany, Ghana, Greece, Grenada, Guatemala, Guinea, Guyana, Haiti, Honduras, Hungary, Iceland, India, Indonesia, Iran, Ireland, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Laos, People’s Democratic Republic, Latvia, Lebanon, Lesotho, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Monaco, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Saint Lucia, Saint Vincent and the Grenadines, Samoa, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Samoa, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Samoa, Saint Martin, Sao Tome and Principe, Saudi Arabia, Senegal, Seychelles, Singapore, Slovak Republic, Slovenia, Somalia, South Africa, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Switzerland, Syrian Arab Republic, Thailand, The former Yugoslav Republic of Macedonia, Togo, Trinidad and Tobago, Tunisia, Turkey, Uganda, Ukraine, United Arab Emirates, United Kingdom, United Republic of Tanzania, Uruguay, Venezuela, Viet Nam, Yemen, Yugoslavia, Zambia, Zimbabwe.

Against: Israel.

Abstaining: Marshall Islands, Micronesia, Nauru, Palau, Solomon Islands, Tonga, Tuvalu, United States, Vanuatu.

UNDFO

The mandate of the United Nations Disengagement Observer Force, established by Security Council resolution 350(1974) (YUN 1974, p. 205) to supervise the observance of the ceasefire between Israel and the Syrian Arab Republic in the Golan Heights and ensure the separation of their forces, was renewed twice in 2002, in May and December, for a seven-month and a six-month period, respectively.

UNDFO maintained an area of separation, which was some 80 kilometres long and varied in width between approximately 10 kilometres in the centre to less than 1 kilometre in the extreme south. The area of separation was inhabited and policed by the Syrian authorities, and no military forces other than UNDOF were permitted within it.

Composition and deployment

As at 30 November, UNDOF comprised 1,060 troops from Austria (372), Canada (191), Japan (45), Poland (357), Slovakia (94) and Sweden (1). It was assisted by 78 UNTSO military observers. Major General Bo Wrander (Sweden) continued
as Force Commander. The Force was entirely deployed within and close to the area of separation, with two base camps, 44 permanently manned positions and 11 observation posts. UNDOF’s headquarters was located at Camp Faouar and an office was maintained in Damascus. The Austrian battalion, which included a Slovak company, was deployed in the northern part of the area of separation, and the Polish battalion was deployed in the southern part. Both battalions conducted mine-cleaning operations. The Canadian and Japanese logistic units, based in Camp Ziouani with a detachment in Camp Faouar, performed second-line general transport, control and management of goods received by the Force, and maintained heavy equipment.

Activities
UNDOF continued in 2002 to supervise the area of separation between Israeli and Syrian troops in the Golan Heights, to ensure that no military forces of either party were deployed there, by means of fixed positions and patrols. The Force, accompanied by liaison officers from the party concerned, carried out fortnightly inspections of equipment and force levels in the areas of limitation. As in the past, both sides denied inspection of personnel and local inhabitants. UNDOF’s mandate be extended until 30 November 2002 in the first instance and 30 June 2003 in the second.

SECURITY COUNCIL ACTION

The Security Council,
Having considered the report of the Secretary-General of 17 May 2002 on the United Nations Disengagement Observer Force, and reaffirming its resolution 1308(2000) of 17 July 2000,
1. Calls upon the parties concerned to implement immediately its resolution 338(1973) of 22 October 1973;
2. Decides to renew the mandate of the United Nations Disengagement Observer Force for a further period of seven months, that is, until 31 December 2002;
3. Requests the Secretary-General to submit, at the end of this period, a report on the developments in the situation and the measures taken to implement resolution 338(1973).

On 17 December [meeting 4670], the Council unanimously adopted resolution 1451(2002). The draft [S/2002/1568] was prepared during consultations among Council members.

The Security Council,
Having considered the report of the Secretary-General of 4 December 2002 on the United Nations Disengagement Observer Force, and reaffirming its resolution 1308(2000) of 17 July 2000,
1. Calls upon the parties concerned to implement immediately Security Council resolution 338(1973) of 22 October 1973;
2. Decides to renew the mandate of the United Nations Disengagement Observer Force for a period of six months, that is, until 30 June 2003;
3. Requests the Secretary-General to submit, at the end of this period, a report on the developments in the situation and the measures taken to implement resolution 338(1973).

After the adoption of each resolution, the President, following consultations among Council members, made identical statements S/PRST/2002/18 [meeting 4548] on 30 May and S/PRST/2002/37 [meeting 4670] on 17 December, on behalf of the Council:
In connection with the resolution just adopted on the renewal of the mandate of the United Nations Disengagement Observer Force, I have been authorized to make the following complementary statement on behalf of the Security Council:

As is known, the report of the Secretary-General on the United Nations Disengagement Observer Force states in paragraph 11: "...the situation in the Middle East is very tense and is likely to remain so, unless and until a comprehensive settlement covering all aspects of the Middle East problem can be reached." That statement of the Secretary-General reflects the view of the Security Council.

**Financing**

Reports of Secretary-General and ACABQ. On 8 February, the Secretary-General presented a report on UNDOF's financial performance for the period 1 July 2000 to 30 June 2001 [A/56/813]. Expenditures totalled $36,400,396 gross ($35,268,737 net), resulting in an unencumbered balance of $375,100 gross ($655,300 net). On 26 February, he submitted UNDOF's proposed budget for the period from 1 July 2002 to 30 June 2003 [A/56/832], totalling $38,991,800 gross ($38,072,000 net), which reflected a 12.9 per cent increase in gross terms compared with the resources approved for the preceding 12 months. Pursuant to General Assembly resolution 55/264 [YUN 2001, p. 464], the Secretary-General, in an 8 April report [A/56/832/Add.1], described further efforts to improve the working conditions of UNDOF local staff. He was prepared to elaborate on UNDOF's headquarters, taking into account the absence of a local labour market in the vicinity and long working hours. The financial implications for such a scale amounted to approximately $83,000 per year.

ACABQ's comments and recommendations on the two February reports were contained in an April report to the Assembly [A/56/887/Add.8].

**GENERAL ASSEMBLY ACTION**

On 27 June [meeting 105], the General Assembly, on the recommendation of the Fifth Committee [A/56/973], adopted resolution 56/294 without vote [agenda item 144 (a)].

**Financing of the United Nations Disengagement Observer Force**

The General Assembly,

Having considered the reports of the Secretary-General on the United Nations Disengagement Observer Force and the related reports of the Advisory Committee on Administrative and Budgetary Questions,

Recalling Security Council resolution 350(1974) of 31 May 1974 regarding the establishment of the United Nations Disengagement Observer Force and the subsequent resolutions by which the Council extended the mandate of the Force, the latest of which was resolution 4425(2002) of 30 May 2002,

Recalling also its resolution 3211 B (XXIX) of 29 November 1974 on the financing of the United Nations Emergency Force and of the United Nations Disengagement Observer Force, and its subsequent resolutions thereon, the latest of which was resolution 55/264 of 14 June 2001,

Reaffirming the general principles underlying the financing of United Nations peacekeeping operations, as stated in General Assembly resolutions 1874(S-IV) of 27 June 1963, 310(XXVIII) of 11 December 1973 and 55/235 of 23 December 2000,

Noting with appreciation that voluntary contributions have been made to the Force,

Mindful of the fact that it is essential to provide the Force with the necessary financial resources to enable it to fulfil its responsibilities under the relevant resolutions of the Security Council,

Concerned that the surplus balances in the Special Account for the United Nations Disengagement Observer Force have been used to meet expenses of the Force in order to compensate for the lack of income resulting from non-payment and late payment by Member States of their contributions,

1. Requests the Secretary-General to continue the productive and fruitful dialogue with local staff and to report on such dialogue;

2. Takes note of the status of contributions to the United Nations Disengagement Observer Force as at 30 April 2002, including the contributions outstanding in the amount of 15.7 million United States dollars, representing some 1.4 per cent of the total assessed contributions, notes with concern that only fifty-one Member States have paid their assessed contributions in full, and urges all other Member States, in particular those in arrears, to ensure payment of their outstanding assessed contributions;

3. Expresses its appreciation to those Member States which have paid their assessed contributions in full;

4. Expresses concern at the financial situation with regard to peacekeeping activities, in particular as regards the reimbursements to troop contributors that bear additional burdens owing to overdue payments by Member States of their assessments;

5. Urges all Member States to make every possible effort to ensure payment of their assessed contributions to the Force in full and on time;

6. Expresses concern at the delay experienced by the Secretary-General in deploying and procuring adequate resources to some recent peacekeeping missions, in particular those in Africa;

7. Emphasizes that all future and existing peacekeeping missions shall be given equal and non-discriminatory treatment in respect of financial and administrative arrangements;

8. Also emphasizes that all peacekeeping missions shall be provided with adequate resources for the effective and efficient discharge of their respective mandates;

9. Reiterates its request to the Secretary-General to make the fullest possible use of facilities and equipment at the United Nations Logistics Base at Brindisi, Italy, in order to minimize the costs of procurement for the Force;
10. **Endorses** the conclusions and recommendations contained in the report of the Advisory Committee on Administrative and Budgetary Questions and the conclusions contained in the report of the Secretary-General, and requests the Secretary-General to ensure their full implementation;

11. **Requests** the Secretary-General to take all necessary action to ensure that the Force is administered with a maximum of efficiency and economy;

12. **Also requests** the Secretary-General, in order to reduce the cost of employing General Service staff, to continue efforts to recruit local staff for the Force against General Service posts, commensurate with the requirements of the Force;

**Financial performance report for the period from 1 July 2000 to 30 June 2001**

13. **Takes note** of the report of the Secretary-General on the financial performance of the Force for the period from 1 July 2000 to 30 June 2001;

**Budget estimates for the period from 1 July 2002 to 30 June 2003**

14. **Decides** to appropriate to the Special Account for the United Nations Disengagement Observer Force the amount of 40,760,200 dollars for the period from 1 July 2002 to 30 June 2003, inclusive of 38,991,800 dollars for the maintenance of the Force, 1,579,200 dollars for the support account for peacekeeping operations, and 189,200 dollars for the United Nations Logistics Base;

**Financing of the appropriation**

15. **Decides also** to apportion among Member States the amount of 40,760,200 dollars at a monthly rate of 3,396,683 dollars, in accordance with the levels set out in resolution 55/5 B, as adjusted by the General Assembly in its resolution 55/236 of 23 December 2000, and taking into account the scale of assessments for the years 2002 and 2003 as set out in its resolution 55/5 B of the same date, subject to a decision of the Security Council to extend the mandate of the Force;

16. **Decides further** that, in accordance with the provisions of its resolution 973(X) of 15 December 1955, there shall be set off against the apportionment among Member States, as provided for in paragraph 15 above, their respective share in the Tax Equalization Fund of 1,154,800 dollars for the period from 1 July 2002 to 30 June 2003, at a monthly rate of 95,393 dollars, comprising the estimated staff assessment income of 919,800 dollars approved for the Force for the period from 1 July 2002 to 30 June 2003, the prorated share of 215,100 dollars of the estimated staff assessment income approved for the support account for the period from 1 July 2002 to 30 June 2003 and the increase in staff assessment income of that account for the period from 1 July 2000 to 30 June 2001, and the prorated share of 16,900 dollars of the estimated staff assessment income approved for the United Nations Logistics Base for the period from 1 July 2002 to 30 June 2003 and the reduction in staff assessment income of that account for the period from 1 July 2000 to 30 June 2001;

17. **Decides** that for Member States that have fulfilled their financial obligations to the Force, there shall be set off against their apportionment, as provided for in paragraph 15 above, their respective share of the unencumbered balance of 575,100 dollars and their respective share of other income of 2,264,000 dollars in respect of the financial period ended 30 June 2001, in accordance with the levels set out in resolution 55/235, as adjusted by the General Assembly in its resolution 55/256, and taking into account the scale of assessments for the year 2001, as set out in its resolution 55/5 B;

18. **Decides also** that for Member States that have not fulfilled their financial obligations to the Force, their respective share of the unencumbered balance of 575,100 dollars and other income of 2,264,000 dollars in respect of the financial period ended 30 June 2001 shall be set off against their outstanding obligations in accordance with the scheme set out in paragraph 15 above;

19. **Decides further** that the increase in the staff assessment income of 80,200 dollars shall be set off against the credits from the unencumbered balance in respect of the financial period ended 30 June 2001 referred to in paragraphs 17 and 18 above;

20. **Emphasizes** that no peacekeeping mission shall be financed by borrowing funds from other active peacekeeping missions;

21. **Encourages** the Secretary-General to continue to take additional measures to ensure the safety and security of all personnel under the auspices of the United Nations participating in the Force;

22. **Invites** voluntary contributions to the Force in cash and in the form of services and supplies acceptable to the Secretary-General, to be administered, as appropriate, in accordance with the procedure and practices established by the General Assembly;

23. **Decides** to include in the provisional agenda of its fifty-seventh session, under the item entitled “Financing of the United Nations peacekeeping forces in the Middle East”, the sub-item entitled “United Nations Disengagement Observer Force”.

By decision 57/556 of 20 December, the Assembly decided that the Fifth Committee should continue to consider UNDOF’s financing at its resumed fifty-seventh (2003) session.