Chapter VI

Middle East

The year 2008 was marked by a number of encouraging developments in the Middle East. Bilateral and multilateral efforts intensified to find a comprehensive, just and lasting settlement of the Israeli-Palestinian conflict within the framework set out at the 2007 Annapolis Conference. Nonetheless, the goal of a peaceful settlement of the conflict by the end of the year remained elusive, and the situation on the ground in Israel and the Occupied Palestinian Territory, including East Jerusalem, remained difficult, hampering political efforts to achieve the vision of two States existing side by side in peace and security. In the Gaza Strip, in particular, prolonged violence and a deepening humanitarian crisis prevailed, complicated by the widening rift between the Palestinian factions in the Fatah-controlled West Bank and the Hamas-controlled Gaza Strip. As part of the recently intensified diplomatic efforts in the Middle East peace process, the good offices of the Secretary-General continued, as well as those of the Middle East Quartet (European Union, Russian Federation, United Nations, United States) to promote the road map initiative endorsed by the Security Council in 2003 and confirmed at Annapolis in 2007.

The year 2008 also marked 60 years of Palestinian dispossession. At a special meeting to commemorate that event, the Committee on the Exercise of the Inalienable Rights of the Palestinian People (Committee on Palestinian Rights) reiterated the permanent responsibility of the United Nations towards the question of Palestine until it was resolved in all its aspects in accordance with international law, and urged the international community to continue its support for the Middle East peace process.

The Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs in the Occupied Territories reported to the General Assembly on the situation in the West Bank, including East Jerusalem, and in the Gaza Strip and the Golan Heights. The United Nations Relief and Works Agency for Palestine Refugees in the Near East, working under increasingly difficult circumstances, continued to provide education, health and social services to over 4 million Palestinians living in and outside camps in the West Bank and Gaza Strip, as well as in Jordan, Lebanon and the Syrian Arab Republic.

In Lebanon, marked progress was made in returning the country to stability and reconciliation. An agreement among Lebanese political leaders was reached on 21 May that led to the election of General Michel Sleiman as President of Lebanon, the formation of a Government of national unity and the launching of a national dialogue. Despite the improved political climate, however, the country’s stability remained fragile and was threatened by a number of serious security incidents involving Lebanese and non-Lebanese militias. Progress towards a permanent ceasefire and long-term solution between Israel and Lebanon remained elusive.

The United Nations International Independent Investigation Commission continued to investigate the 14 February 2005 assassination of former Lebanese Prime Minister Rafik Hariri and 22 others. The Security Council extended the Commission’s mandate until February 2009 to allow for a smooth transition and handover to the Special Tribunal for Lebanon, which was to begin its work in March 2009.

The United Nations Interim Force in Lebanon (UNIFIL) continued to cooperate closely with the Lebanese Armed Forces in consolidating the strategic military and security environment in southern Lebanon. UNIFIL’s mandate was extended in August for another 12 months. Also during the year, the Security Council twice extended the mandate of the United Nations Disengagement Observer Force (UNDOF) in the Golan Heights. The United Nations Truce Supervision Organization continued to assist UNIFIL and UNDOF in their tasks.

Peace process

Political developments

In 2008, the Middle East peace process, revived in November 2007 [YUN 2007, p. 445] at the Annapolis Conference in Maryland, United States, took centre stage as bilateral and multilateral efforts continued to find a comprehensive, just and lasting settlement of the Israeli-Palestinian conflict. Both the General Assembly and the Security Council reaffirmed their support for the peace process, and called on the parties to fulfil their obligations under the road map, as stated in the Annapolis Joint Understanding [ibid., p. 446].

Israeli Prime Minister Ehud Olmert and Palestinian Authority (PA) President Mahmoud Abbas met for
bilateral negotiations on 8 and 27 January, 7 and 13 April, 5 May, 2 June, 13 July, 6 and 31 August, and 16 September. In addition, negotiations within the Annapolis framework were held by a joint steering committee headed by Israel’s Minister for Foreign Affairs, Tzipi Livni, and the Palestinian Chief Negotiator, Ahmed Qurei. Despite intensive efforts, the goal of a peace settlement by the end of the year was not reached, but the parties remained committed to continuing their confidential bilateral negotiations, to which the international community pledged its ongoing support.

Representatives of the Middle East Quartet (European Union, Russian Federation, United Nations, United States), who continued to monitor the political and economic situation in the Middle East and the bilateral Israeli-Palestinian negotiations, met several times throughout the year, joined by Quartet Representative Tony Blair, former Prime Minister of the United Kingdom.

The Security Council discussed the situation in the Middle East, including the Palestine question, at meetings held on 22 January [meeting 5824 & Res.1], 30 January [meeting 5827], 26 February [meeting 5846], 1 March [meeting 5847], 25 March [meeting 5859 & Res.1], 23 April [meeting 5873], 28 May [meeting 5899], 27 June [meeting 5927], 22 July [meeting 5940 & Res.1], 20 August [meeting 5963], 18 September [meeting 5974], 26 September [meeting 5983], 22 October [meeting 5999], 25 November [meeting 6022], 3 December [meeting 6030], 16 December [meeting 6045], 18 December [meeting 6049 & Res.1] and 31 December [meeting 6060]. During those meetings, the Council was briefed by Secretariat officials on the peace process and developments in the Occupied Palestinian Territory, especially the precarious situation in the Gaza Strip. On 18 December, the Council adopted a resolution declaring its support for the negotiations initiated at Annapolis.

Occupied Palestinian Territory


Political and security situation

The beginning of 2008 was marked by a serious and rapid deterioration in the security situation in the Occupied Palestinian Territory, especially in the Gaza Strip. On 4 [A/ES-10/409-S/2008/8], 15 [A/ES-10/410-S/2008/23] and 21 January [A/ES-10/411-S/2008/35], Palestine complained to the Security Council President that the Occupied Palestinian Territory had begun the year under increasing assault by Israel, with lethal raids and attacks against towns in the Gaza Strip, and air missile attacks on 2 and 3 January, killing some 23 Palestinians and wounding many others. Ten days later another 37 Palestinians were killed, including children. Palestine said that, even as they engaged in direct bilateral negotiations in the fragile peace process, Israel intensified its military campaign, spreading more death, destruction and terror among the civilian population, particularly in the Gaza Strip. In addition, Israel intensified its closure of the Occupied Palestinian Territory by sealing all border crossings, preventing the delivery of food supplies since 18 January, and persisted with the reduction of fuel supplies to the Gaza Strip, cutting off fuel to the main power plant. Such collective punishment threatened to exacerbate the humanitarian crisis and was hastening the deterioration of the situation on the ground. In response, Israel, on 15 January...
the need to defend itself from armed attacks. Since June 2007 [YUN 2007, p. 441], when Hamas took control of Gaza, more than 1,000 Qassam rockets and mortar shells had been fired and Hamas and other Palestinian groups continued their quest to murder Israelis and destroy Israel. Those acts were indicative of the daily dangers facing Israeli civilians, particularly those living near the Gaza Strip, and the two acts of terrorism that took place on the same day reminded that Palestinian terrorism remained the greatest obstacle to peace and security in the region. The Palestinian leadership had to stop the violence, dismantle the terrorist infrastructure and the cycle of impunity, and bring terrorists to justice.

Replying to a 17 January 2008 letter [A/62/652-S/2008/28] from Cuba on behalf of the nam Coordinating Bureau condemning Israel’s recent military assaults against Palestinian civilians in the Gaza Strip, Israel stated, on 28 January [A/62/667-S/2008/55], that putting blame on Israel demonstrated a failure to understand the realities on the ground. Palestinian terrorism, stewarded by Hamas, made security measures a necessity. Hamas fired at border-crossings, forcing closures and hampering Israeli and international efforts to deliver humanitarian aid and relief. Recently, Hamas allegedly attempted to smuggle explosives and weapons material into Gaza, using humanitarian convoys, and diverted fuel from domestic generators to produce Qassam rockets. Israel believed that responsible members of the international community could play a constructive role by supporting the bilateral process between Israel and the PA. That meant taking a balanced approach rather than a one-sided stance as the nam statement reflected.

On 21 January [A/62/655], Israel charged that negotiations with the Palestinians had been met with an escalation of Palestinian violence and terrorist activity, specifically by Hamas terrorists who controlled the Gaza Strip. While Israel worked to facilitate humanitarian assistance, Palestinian terrorists did everything to thwart those efforts and provoke Israeli reactions. Since June 2007, Israel had permitted more than 9,000 Palestinians to enter Israel to seek medical treatment, while Hamas had fired over 1,500 rockets and mortars.

**Security Council consideration (January).** Speaking at an emergency meeting of the Security Council on 22 January [meeting 5824], convened in response to a request by Saudi Arabia on behalf of the Group of Arab States [S/2008/31], the Under-Secretary-General for Political Affairs, B. Lynn Pascoe, reported that the crisis in the Gaza Strip and southern Israel had escalated dramatically since 15 January, when the Israeli Defence Force (IDF) entered the Gaza Strip and engaged Hamas militants in a heavy battle. The precursor to that escalation lay in daily rocket and mortar attacks on Israeli civilian residential areas by several militant groups from Gaza and regular IDF military attacks on and into Gaza. During that week, over 150 rockets and mortar attacks were launched at Israel, injuring 11 Israelis, while IDF launched 8 ground incursions, 15 air strikes and 10 surface-to-surface missiles, killing 42 Palestinians and injuring 117, among them civilians. This revealed the ever-present potential for the Annapolis process to be undermined by the deterioration of the situation on the ground. Less than two weeks earlier, the parties began negotiations on core issues, and United States President George W. Bush had visited the region to underline his commitment to assisting them in reaching a peace treaty in 2008 and implementing the first phase of the road map presented to the parties by the Quartet in 2003 [YUN 2003, p. 464] and endorsed by the Security Council [ibid., p. 472].

The Secretary-General had appealed for an immediate end to the violence and stressed the responsibility of all parties to adhere to their obligations under international humanitarian law and not to endanger civilians. Indiscriminate rocket and mortar firing towards civilian population centres and crossing points was unacceptable, Mr. Pascoe said; such attacks terrorized Israeli communities near Gaza, particularly in the town of Sderot, endangered humanitarian workers at crossing points, a regular occurrence well before Israel’s disengagement, and caused civilian casualties, damage, school closures and high levels of post-traumatic stress disorders. Over 100,000 Israelis lived within range of standard Qassam rocket fire.

The Gaza crossings remained largely closed since the Hamas takeover. To bring about a cessation of rocket fire, Israelis had tightened restrictions on crossings into Gaza, except for imports to meet minimal humanitarian needs. Compared with the first half of 2007, Gaza’s imports had dropped 77 per cent, and exports by 98 per cent. Most Palestinians could not exit Gaza, and large UN construction projects were frozen because of the unavailability of building materials. On 18 January 2008, as rocket fire intensified, Israel imposed a comprehensive closure of the Gaza Strip, halting the import of fuel, food and medical and relief items. The shut-down of the Gaza power plant left every area in Gaza, except Rafah, with power cuts of 8 to 12 hours a day, and approximately 40 per cent of the population without access to running water. Thirty million litres of raw sewage were pumped into the Mediterranean Sea owing to the breakdown of equipment.

The United Nations was actively involved, through interventions of the Secretary-General, the United Nations Special Coordinator for the Middle East Peace
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whatever the political environment.
Mr. Pascoe reiterated
the United Nations’ commitment to the welfare of
the civilian population affected by the conflict. The
work being performed in Gaza by UN agencies and
non-governmental organizations (ngos) was one of
the few things that stood between the existing crisis
conditions and an even more dramatic deterioration
of the situation. The United Nations would continue
to ensure that civilians were protected and assisted,
whatever the political environment.

At the Council’s 30 January meeting [meeting 5827],
Mr. Pascoe said that the past month underscored the
gap between the aspirations of the political process
and the grim realities of the ground. Continued ef-
forts to progress along the Annapolis track were
overshadowed by an intensification of violence in Gaza
and southern Israel, combined with periods of total
closure of the Gaza Strip and increased humanitarian
suffering and violations of human rights. Mr. Pascoe
noted that President Bush had stressed that the point
of departure for permanent status negotiations was
an end to the occupation that began in 1967 [YUN
1967, p. 177], and that he had made a number of public
observations regarding borders, refugees, Jerusalem
and security. He had also issued calls for both sides to
fulfil their commitments under the road map, including
removal of outposts and a settlement freeze, and
action against violence and terrorism.

Since his 22 January briefing, Mr. Pascoe added,
there had been significant developments in the cri-
is in Gaza. On 23 January, Palestinian militants
destroyed entire sections of the border fence at the
Rafah crossing with Egypt, and hundreds of thou-
sands of Gazans crossed the border. Following efforts
by Egyptian security forces to close the border on 25
January, Hamas had toppled additional sections of
the border fence. A number of Egyptian security per-
sonnel sustained injuries when fired upon by Palesti-
nian militants, but they exercised restraint and the
situation remained calm. By 29 January, shops in the
border area in Egypt had largely run out of goods, and
Egyptian forces resealed the border.

From 18 January, when Israel imposed a com-
hensive closure, to 29 January, only 32 truckloads of
goods had entered Gaza, compared to a daily average
of 93 trucks during the first two weeks of 2008 and
250 trucks before June 2007. There was a backlog of
some 224 trucks of unrwa, the World Health Or-
ganization (who) and the World Food Programme
(wfp). Fuel imports from Israel resumed on 22 Janu-
ary, although due to the level of supply, electricity cuts
would continue. Some water wells were functioning
again, but according to the United Nations Children’s
Fund (unicef), 40 per cent of Gazans still had limited
access to safe water.

The crisis added new urgency to the PA proposal
to operate the Gaza crossings. The Secretary-General
supported that proposal and welcomed the recent
Arab League and European Council resolutions in
that respect, as well as the diplomatic efforts under
way. Mr. Pascoe called on all parties to work urgently
towards the controlled reopening of the crossings for
both humanitarian reasons and commercial flows,
which should include materials and equipment to
enable UN re-housing and rubble removal projects
to resume. The United Nations stood ready to assist
efforts to implement the PA’s proposals in any way it
could.

Mr. Pascoe said that 108 Palestinians had been
killed and 229 injured in January. There were also
a number of violent incidents in the West Bank, in-
cluding in occupied East Jerusalem, where Palestinian
militants attacked Israeli border police and religious
seminary students. Three Israelis were killed and 24
injured by Palestinian militants. Idf incursions into
West Bank cities and towns continued on a regular
basis. In early January, the entire city of Nablus was
placed under a three-day curfew.

On 30 January, Israel’s Supreme Court declared
legal the reductions of fuel and electricity supplies
to Gaza, effectively approving the Government’s 19
September 2007 decision [YUN 2007, p. 444] to impose
sanctions on the Gaza Strip in response to continued
rocket and mortar fire on Israel. Mr. Pascoe noted
that the level of violence had reduced significantly
during the past week, but he remained concerned that
77 rockets and mortars had been fired by Palestinian
militants in that time and that idf had carried out
four incursions and air strikes on Gaza.

Communications. On 2 January [A/62/629-
S/2008/3], Israel called the international community’s
attention to the fate of Israeli soldier, Corporal Gilad
Shalit. Since his capture by Palestinian militants on
25 June 2006 [YUN 2006, p. 510], there had been no
verification of his health or condition.

On 24 January [A/62/661-S/2008/42], Iran requested
relevant UN agencies to take immediate measures to
provide the Palestinian people in the Gaza Strip with
basic goods and services. On 30 January [S/2008/57],
Cuba protested the Security Council’s rejection of
Nam’s request to participate in its deliberations. On 31
January [S/2008/62], Cuba responded to what it called
fallacious remarks against Nam made by Israel during
the Council debate.
Security Council consideration (February). On 26 February [meeting 5846], Mr. Serry, the Special Coordinator for the Middle East Peace Process and the Secretary-General’s Personal Representative to the Palestine Liberation Organization (PLO) and the Palestinian Authority, reported to the Council that Israeli Foreign Minister Livni and Palestinian lead negotiator Qurei met on a continuous basis, while President Abbas and Prime Minister Olmert continued their fortnightly meetings. Mr. Serry also met United States General William Fraser—appointed to lead United States efforts to monitor implementation of phase I of the road map in accordance with the Annapolis Joint Understanding—during his first visit to the region, offered full UN support to the United States-led monitoring process and looked forward to regular Quartet consultation on it.

John Holmes, the Under-Secretary-General for Humanitarian Affairs and Emergency Relief Coordinator, briefed the Council on his visit to the Occupied Palestinian Territory and Israel from 14 to 18 February. Mr. Holmes said he found the conditions for the people of Gaza grim and miserable, as eight months of severe restrictions on the movement of goods and people had taken a heavy economic and social toll, in addition to years of difficulty and economic decline. The consequences were increasingly severe. Almost 80 per cent of the population was receiving food aid as most industry and agriculture had collapsed, raising unemployment and poverty to new heights. Vulnerability to disease was rising, notably among children who made up more than half of the Gaza population.

The effective Israeli isolation of Gaza was not justified, Mr. Holmes stated, in spite of the provocation and illegality of the continuing firing of rockets by Hamas, whose physical and psychological damage to the population in Sderot he had witnessed during his mission. The isolation of Gaza amounted to collective punishment and did not appear to have the desired effect, either in halting the rockets or in weakening Hamas’ position among the Gaza people. Meanwhile, the consequences for civilians on both sides were dramatic. The fundamental principles of distinction between combatants and non-combatants and of proportionality in attacks during the conduct of hostilities had to be respected by all sides.

The situation in Gaza was not sustainable and was extremely damaging to the prospects for the peace process, and only political efforts could change that dynamic. Meanwhile, Mr. Holmes said he had pressed the Israeli Government and the PA to ensure that more humanitarian and other goods were allowed into Gaza on a more predictable and systematic basis. He had also made the same message clear to Hamas. That meant reopening the crossings and establishing better mechanisms to identify and address the fundamental needs of the population. There were some indications that the Israeli authorities were willing to respond positively to his requests that the materials necessary for the resumption of $213 million worth of frozen humanitarian projects in sanitation, housing, education and health be allowed into Gaza and that spares and equipment for medical and sanitation services be given priority. The Palestinian Prime Minister’s proposals for the reopening of the key Karni crossing—the only one with adequate infrastructure for processing large quantities of goods—deserved support, and a properly negotiated role was necessary for the Rafah crossing; one that did not give credence to the idea that Israel could hand over its responsibilities for Gaza to Egypt or any other State or authority. Arrangements to ensure proper screening for goods passing in both directions through the crossings, in order to meet Israel’s security concerns, should be possible, with appropriate international support.

Conditions of life in the West Bank were better than those in Gaza, Mr. Holmes observed, but the situation there was of no less concern. The construction of the barrier, the steady expansion of settlements and the 580 separate checkpoints and blockages within the West Bank fragmented communities and seriously impaired the access of tens of thousands of people to their lands and to essential services, especially medical services. Severe movement restrictions affected economic growth, increased poverty and food insecurity and reduced health standards, thus further threatening the viability of a future Palestinian State.

In Mr. Holmes’ view, the disconnect between the deteriorating realities on the ground in Gaza and the West Bank, as well as in Sderot, and the hopes and aims of the continuing peace talks, seemed almost total and risked making a mockery of the readiness of the international community to invest $7.7 billion in the economic development of the Occupied Palestinian Territory. As the Special Coordinator had stressed, unless that chasm was bridged quickly and the humanitarian indicators began to rise, the chances of success in the peace talks might be fatally undermined. Notwithstanding all the difficulties, Mr. Holmes concluded, the humanitarian community would continue to respond to the moral imperative of saving and improving lives and preserving human dignity. Unrwa and other agencies, as well as NGOs working in Gaza, were doing a heroic job under difficult and dangerous circumstances.

Security Council consideration (March). Opening the Council’s emergency session on 1 March [meeting 5847], convened on the request by the Libyan Arab Jamahiriya [S/2008/142], the Secretary-General reported an alarming escalation of violence in Gaza and southern Israel during the preceding week, and
a terrible civilian death toll. Some 117 rockets had been fired from Gaza at civilian centres in southern Israel, as far north as the city of Ashkelon. According to press reports and Israeli Government sources, those rockets were not home-made Qassams, but of advanced Katyusha-like design, allegedly smuggled into Gaza when the border with Egypt was breached. During the same period, IDF attacked Gaza from air and by land, killing an estimated 90 Palestinians and causing heavy property damage. All UNRWA schools were closed and many families were trapped inside their houses by the violence, unable to obtain medical aid or reach safety.

The Secretary-General condemned Palestinian rocket attacks as acts of terrorism and called for their immediate cessation. While recognizing Israel’s right to defend itself, he condemned the disproportionate and excessive use of force that had killed and injured so many civilians, including children, and called on Israel to cease such attacks, comply with international humanitarian law and exercise the utmost restraint. Incidents in which civilians were killed or injured should be investigated and accountability ensured.

Concerned at the possibility of escalating violence, the Secretary-General offered UN support for all efforts to end it and bring about a period of calm, and called on all parties to step back from the brink of even deeper and more deadly clashes. He was also concerned at the impact of those developments on the negotiation process, and called on the international community, important stakeholders and Security Council members to exercise their influence on the parties to stop the violence and allow humanitarian relief.

Addressing the Council again on 25 March [meeting 5859], the Secretary-General said that the process was too important to be allowed to lose momentum through inaction or indifference, or to be overwhelmed by violence.

Under-Secretary-General for Political Affairs Pascoe regretted that the reporting period had seen major escalations of violence: heavy Israeli air and land military assault in Gaza; the firing of over 390 rockets and mortars at Israel, including longer-range rockets; an attack on a Jewish school in West Jerusalem; IDF operations targeting alleged militants throughout the West Bank; and clashes between the IDF and protesting Palestinians in West Bank cities, including East Jerusalem. In total, 124 Palestinians, among them 36 children, were killed in IDF operations, and 359 injured, while Palestinian militants killed 13 Israelis, including 4 children, and injured 55. Tensions remained high, and although there was an observable reduction of violence in and around Gaza, violence had spread to Jerusalem and the West Bank. The United Nations supported Egyptian efforts to bring about a cessation of violence, particularly in Gaza, and to facilitate a gradual reopening of crossings into Gaza in coordination with the parties. All parties were urged to cooperate with those efforts and ensure that legitimate traffic into and out of Gaza at all crossing points took place and concerns about alleged smuggling were addressed.

Although the volume of goods entering the Gaza Strip had improved, the humanitarian situation remained grave. Shortages continued in the health sector, and sanitation authorities had dumped 60,000 cubic metres of raw and partially treated sewage into the sea. Fuel shortages prevented 63 per cent of Gaza’s regular fishing trips, further exacerbating the dire socio-economic scenario. Food insecurity increased as salaries dried up, and at least 50,000 additional beneficiaries were added to food assistance distribution lists.

In the West Bank, 580 IDF-imposed obstacles continued to block Palestinian movement. Restrictions, which were at the root of Palestinian economic decline, continued despite PA security efforts. Action to ease closure inside the West Bank was essential if the Palestinian economy was to develop as the basis for a viable Palestinian State.

Israeli settlement activity continued, including in East Jerusalem. The PLO raised concerns about Israeli archaeological excavations bordering the Haram Al-Sharif/Temple Mount, and about alleged plans to bring more Israeli settlers to East Jerusalem. Israel’s failure to cease its settlement activity—including natural growth—or to dismantle the outposts erected after March 2001 was contrary to the road map. The Secretary-General made public his concerns that urgent action had to be taken on that issue. Construction work on the barrier continued within occupied Palestinian territory, and the number of house demolitions in the West Bank had noticeably increased. Since the beginning of the year, over 100 structures—at least half of them residential—had been demolished, displacing nearly 400 Palestinians.

Mr. Pascoe said that there was little to report about the state of the bilateral negotiations, reflecting the confidentiality being maintained, which enabled Israeli and Palestinian leaders to be candid in their discussions. While those negotiations had been suspended for a period by Palestinian President Abbas due to the significant Palestinian casualties in Gaza, meetings between the heads of the two negotiating teams had resumed and the work of the technical groups formed between the parties was being pursued. Palestinian Prime Minister Salam Fayyad and a senior Israeli Ministry of Defence official attended the first trilateral meeting on monitoring the implementation of phase I road map commitments, hosted by General Fraser.
The United Nations supported the reform efforts of Prime Minister Fayyad’s Government. A recent International Monetary Fund (IMF) mission confirmed that, despite the difficult environment, impressive financial reform measures had been taken. The Palestinian Development Plan was being finalized and would be shared with the international community to enlist support. Efforts to reform, train and equip the Palestinian security forces in the West Bank continued, and Palestinian security forces had undertaken operations to disarm and arrest militants. However, more work had to be done by the PA to reassert law and order across the West Bank and meet its road map obligations to combat terrorism effectively; if those obligations were to be met, greater Israeli–PA security cooperation was essential.

The Quartet continued to be in close contact at the principal and envoy levels. The United Nations supported ongoing discussions over the idea of a renewed international meeting to be held in Moscow, and continued to stress the vital role of Arab States in support of the peace process, the central importance of the 2002 Arab Peace Initiative (YP 2002, p. 415), and the ultimate need for a comprehensive regional peace.

Security Council consideration (April). At the Security Council’s 23 April meeting (meeting 5873), Angela Kane, Assistant Secretary-General for Political Affairs, reported that there had been major episodes of violence, especially in and around Gaza, which had also witnessed heightened humanitarian distress, while conditions in the West Bank, including East Jerusalem, had not significantly improved. During the reporting period, 69 Palestinians, including 15 children, were killed in terror operations and 95 were injured. Six Israelis were killed by Palestinian militants and 27 injured. Some 70 rockets and mortars were fired at Israel or at crossing points. Hamas and other militant organizations also staged attacks against crossing points between Gaza and Israel, which were the only outlets for international humanitarian assistance. Alarmed at the prospects of a further intensification of violence, with its implications for civilians and the security of all parties, the United Nations supported and encouraged Egyptian efforts to achieve calm in Gaza leading to a reopening of crossings, as well as to ensure security along the border. It also urged all parties to work with Egypt, and regional States with influence to work for calm.

Following a trilateral meeting between United States Secretary of State Condoleezza Rice, Palestinian Prime Minister Fayyad and Israeli Defence Minister Ehud Barak on 30 March, Israel announced measures to ease conditions in the West Bank, among them the opening of additional PA police stations, approval of delivery of equipment to Palestinian security forces, an additional 5,000 permits for Palestinian construction workers in Israel, and the passage of regional and international business figures to a planned investment conference to be convened by Prime Minister Fayyad in Bethlehem from 21 to 23 May. Israel also announced its intention to remove obstacles in the West Bank, and subsequently reported that it had removed 61 of them. UN staff on the ground confirmed that 44 had been removed. The United Nations urged further and more substantive progress to ease restrictions, as envisaged in the 2005 Agreement on Movement and Access (YP 2005, p. 519), as that was vital to Palestinian economic revival.

Tenders and construction permits for hundreds of housing units in Israeli settlements in the Occupied Palestinian Territory were announced, and construction work on the barrier continued, in deviation from the 1949 Armistice Demarcation Line (Green Line) (YP 1948–49, p. 184) and contrary to the 2004 Advisory Opinion of the International Court of Justice (ICJ) (YP 2004, p. 452). Restrictions on UN operations increased in the West Bank, with the installation of Israeli civilian police checkpoints, causing significant delays and security concerns. Twenty incidents of violence between settlers and Palestinians during March were reported in the southern West Bank alone. Palestinian security forces in the West Bank pursued militants and criminal elements during the reporting period. Some militants were granted amnesty, pursuant to PA-Israel understandings. A newly trained battalion of Palestinian security forces was expected to be deployed and efforts to increase national security planning, reform and train security services, and strengthen all aspects of the rule of law needed to continue, with support by international partners.

Efforts to advance the political process continued through direct bilateral negotiations. The Quartet principals were to meet in London on 2 May, on the margins of the Ad Hoc Liaison Committee meeting assessing progress in Palestinian institutional and economic development, to review all aspects of the Annapolis process and the situation on the ground. In the meantime, the Secretary-General and Special Coordinator Serry were working with the parties, regional partners and the Quartet to support the political process, encourage action to meet commitments and improve conditions on the ground, and address the grave humanitarian, political and security situation in and around Gaza.

Quartet meeting (May). Meeting in London on 2 May (SG/2137), the Quartet encouraged the parties in the Israeli-Palestinian negotiations to make every effort to realize the shared goal of an agreement by the end of the year on the establishment of a Palestinian State, and called on the international community to remain constructively engaged in support of that goal and an end to the conflict. It emphasized the
importance of visible progress on the ground to build confidence and create an atmosphere supportive of negotiations. The Quartet welcomed the steps taken by both sides in the wake of the trilateral meeting between United States Secretary of State Rice, Palestinian Prime Minister Fayyad and Israeli Defence Minister Barak, and stressed the urgent need for rapid and continued implementation of those and previous commitments to improve conditions on the ground. While noting some positive steps taken, including the removal of roadblocks and an outpost by Israel, as well as improved security performance by the PA, the Quartet stressed that much more remained to be done to improve the situation on the ground, change the conditions of life in the West Bank and keep the political process on track. In that context, it supported Quartet Representative Tony Blair, and underscored the need for donor coordination. The Quartet backed the planned Bethlehem Conference on Private Sector Investment (21–23 May), as well as the parties’ agreement to improve security and economic conditions in Jenin, which it felt could be a model for progress. Noting the importance of justice sector reform, it looked forward to the upcoming June meeting in Berlin to promote and coordinate donor assistance in that area.

The Quartet called on both sides to fulfil their obligations under the road map and refrain from any steps that could undermine confidence, or prejudice the outcome of negotiations. In that context, it called on Israel to freeze its settlement activity, including natural growth, and to dismantle outposts erected since March 2001. The PA should also fight terrorism and accelerate steps to rebuild and refocus its security apparatus; both sides should increase cooperation in that respect and facilitate the delivery of security assistance to the PA.

Looking forward to a productive meeting of the Ad Hoc Liaison Committee, the Quartet encouraged all parties to support Palestinian institutional capacity-building and economic development, and called on donors to follow through on pledges made at the December 2007 Paris Donors’ Conference [YUN 2007, p. 446]. Emphasizing the crucial role of Arab States in support of the peace process, and the importance of the 2002 Arab League peace initiative [YUN 2002, p. 415], the Quartet encouraged Arab States to fulfil their political and financial roles in support of the process begun at the Annapolis Conference.

The Quartet also discussed the proposed international meeting in Moscow to lend support to the parties in their negotiations and efforts on the ground. It authorized its envoys to continue to facilitate the achievement of those goals, and reaffirmed its commitment to a just, lasting and comprehensive peace in the Middle East based on Security Council resolutions 242(1967) [YUN 1967, p. 257], 338(1973) [YUN 1973, p. 213], 1397(2002) [YUN 2002, p. 418] and 1515(2003) [YUN 2003, p. 483].

Communications. Underscoring its commitment to the bilateral negotiations, Israel, on 24 March [S/2008/189], stressed that Palestinian terrorism remained the greatest obstacle to peace and security and called on the Palestinian leadership to stop the violence, dismantle the terrorist infrastructure, end the cycle of impunity and bring the terrorists to justice. Israel remained committed to the bilateral process, and despite the escalation of rocket attacks, its leaders continued to meet with their Palestinian counterparts and move forward with negotiations. The first trilateral meeting with General Fraser, the PA and Israel took place the previous week, and the IDF Civil Administration hosted a one-day symposium with its Palestinian counterparts, bringing together, for the first time since 1998, all officials coordinating civilian and defence issues between Israel and the PA. On 18 April [S/2008/261], Israel reiterated its commitment to the bilateral process.

Security Council consideration (May). Addressing the Security Council on 28 May [meeting 5899], Mr. Serry noted that during the past month, the complex political, security, human rights and humanitarian crisis in Gaza and southern Israel had deepened. Four Israeli civilians were killed by Palestinian militants and at least 30 injured, while IDF operations killed at least 50 Palestinians, among them 11 children, and injured 207, including at least 22 children. Humanitarian conditions for the 1.5 million people in the Gaza Strip were increasingly grave. Approximately 5 per cent of the weekly average supply of petrol and 16 per cent of the weekly average of diesel entering Gaza prior to June 2007 were delivered during the reporting period, leading to a virtual cessation of vehicular traffic and of some UNRWA operations, including food distribution, for four working days. The Gaza power plant shut down entirely for two days due to the sporadic nature of import and delivery.

Gazans faced significant interruptions in their access to water, due to a lack of fuel and spare parts. Up to 80 million litres of raw and partially treated sewage continued to be discarded into the Mediterranean Sea every day, and an estimated 600 tons of rubbish accumulated in the streets daily, with attendant health risks. In May, the catch by fishermen was 50 per cent less than that of the same month the previous year, and meat shortages were compounded by the destruction of two chicken farms on 17 May during IDF operations. No exports had left Gaza for five months, and only 77 trucks during the six months before that.

The Rafah crossing to Egypt opened on an exceptional basis between 10 and 12 May, to allow 140 of the 1,700 patients seeking medical treatment and
about 750 students and others to cross into Egypt. Some 550 Gaza residents also crossed back from Egypt.

Meanwhile Palestinian institutions in Gaza were more and more separated from the PA itself, and Hamas-Fatah tensions were increasingly evident. In addition, Salafist elements were suspected of attacks on cafes and other institutions associated with Christians in Gaza. The United Nations repeatedly made clear its concern that the situation in and around Gaza was unsustainable, and called for a different and more positive strategy for Gaza. In London, the Quartet threw its weight behind a new strategy to provide security for all Gazans, end all acts of terror, provide for the controlled and sustained opening of the Gaza crossings for humanitarian reasons and commercial flows, support the legitimate PA Government and work towards conditions that would permit implementation of the 2005 Agreement on Movement and Access. The United Nations also commended and supported the Egyptian effort to calm the violence and ease the situation on the ground, through contacts with representatives of Hamas and other groups in Gaza, and with the Israeli and Palestinian Governments.

Mr. Serry reported that a number of important political developments in the Middle East had taken place during the previous month, with the potential for lasting change, but they all remained fragile, as underlying sources of tension had to be addressed through further political progress and action on the ground. While comprehensive discussions were under way and the parties remained committed to the process, important gaps had to be overcome. United States Secretary of State Rice visited the region immediately after the 2 May Quartet meeting to push the Annapolis process forward, and President Bush underlined his support for the process during a subsequent trip. In the economic sphere, the Ad Hoc Liaison Committee, also meeting on 2 May, stressed that Israel had to enable Palestinian reform and economic revival, while the Palestinians had to continue their reform efforts, and regional and international players needed to continue providing concrete support. On 13 May, Quartet Representative Blair announced a package of measures coordinated with the parties to stimulate economic development, ease movement and access restrictions, develop 60 per cent of the West Bank in Area C and build Palestinian security capability and performance. The package also included measures to establish an economic and security zone around Jenin, which, if successful, could be replicated elsewhere.

Those measures held promise, Mr. Serry said, but much more remained to be done to improve conditions, implement recent commitments and fulﬁl road map obligations. Steps taken—such as continued efforts by Palestinian security forces to disarm and arrest militants—needed encouragement and support from all parties. He noted that Israel had approved the reopening of 20 Palestinian police stations, but IDF incursions continued in the West Bank, including in areas where Palestinian security forces were deployed. Additionally, Israel had not consented to the delivery of certain equipment to those forces. Construction in a majority of Israeli settlements continued, as did the building of settlement infrastructure in East Jerusalem and throughout the West Bank. Palestinian institutions in East Jerusalem remained closed by Israeli order, despite road map commitments, and hundreds of demolition orders remained pending against Palestinian structures, along with some 3,000 further orders in the remainder of the West Bank. The Israeli Government had undertaken to review them as part of Quartet Representative Blair’s package for stimulating economic development.

**Quartet meeting (June).** At a 24 June meeting in Berlin [SG/2140], the Quartet, stressing the urgent need for tangible progress towards an agreement by the end of 2008 on the establishment of an independent and viable Palestinian State, and an end to the conflict, committed to supporting the parties in implementing the difficult decisions required to achieve those outcomes. It underscored the need for more visible progress on the ground to build conﬁdence and support progress in the negotiations. Israel’s removal of some significant West Bank checkpoints and the opening of a number of Palestinian police stations in Area B (which was under full Palestinian civil control and joint Israeli-Palestinian security control) represented a good step, but greater efforts were required to project a new reality, including through further steps improving access and movement. The Quartet noted the improvement in Palestinian security performance, including in Jenin, but stressed that continued efforts to ﬁght terrorism and implement a more comprehensive security strategy were necessary for sustainable long-term improvement. It urged the parties to build on those efforts, fulﬁl all their obligations under the road map and refrain from any steps that could undermine conﬁdence or prejudice the outcome of negotiations. The Quartet reiterated its concern at continuing settlement activity and called on Israel to freeze all such activity.

The Quartet endorsed the outcome of the Berlin Conference in Support of Palestinian Civil Security and the Rule of Law, which took place on 24 June on the invitation of Germany, and with the participation Prime Minister Fayyad, foreign ministers and representatives of over 40 countries and international organizations. With its focus on the Palestinian police and justice sector, the Quartet stated that the Conference provided a timely forum to refocus and direct international support efforts towards two key sectors of Palestinian state-building. It called for speedy im-
plementation of projects agreed and robust donor support, and emphasized the importance of unobstructed delivery of security assistance to the PA.

Noting the dire budget situation facing the PA, the Quartet urged all donors to fulfil their pledges from the December 2007 Paris donors conference [YUN 2007, p. 446] and looked to the next Ad Hoc Liaison Committee meeting on 22 September to take stock of progress. It reaffirmed its support for the Quartet Representative and congratulated the PA on the success of the Palestine Investment Conference (Bethlehem, 21–23 May). It commended the close cooperation between Israel and the PA on that initiative and encouraged similar cooperation on short- and medium-term projects and private sector activities.

The Quartet expressed its continuing support for the Egyptian-brokered calm that came into effect on 19 June, urged that it be respected and extended, and expressed the hope that it would lead to improved security and humanitarian conditions for Israelis and Palestinians alike, and the restoration of normal civilian life in Gaza. As a matter of urgency, it tasked the Quartet Representative to develop and promote measures to improve conditions in Gaza.

The Quartet welcomed the 21 May announcement that indirect talks between Israel and the Syrian Arab Republic had been launched with Turkey’s facilitation, aimed at achieving peace in accordance with the 1991 Madrid terms of reference [YUN 1991, p. 221].

Security Council consideration (June). On 27 June [meeting 5927], the Director of the Asia and the Pacific Division in the Department of Political Affairs reported to the Security Council that, owing to Egypt’s efforts over the past several months, a cessation of all acts of violence began on 19 June. The calm, which prevailed for several days, was broken on 24 June, when Palestinian militants fired one mortar and three rockets at Israel, injuring two Israeli civilians. Another rocket was fired from Gaza at Israel on 25 June, and two mortar shells on 27 June. In response, Israel closed the border crossings for three days. In the reporting period before the ceasefire, Palestinian militants launched 125 rockets and 149 mortars at Israel and Gaza crossings. Those attacks, as well as clashes with IDF soldiers operating in Gaza, resulted in the death of one Israeli civilian and the injury of 12 civilians and four IDF soldiers. On 12 June, direct mortar hits on the Erez crossing terminal caused significant damage and led to its closure for a number of days. The attack followed an explosion in Gaza caused by Palestinian militants, killing eight Palestinians, and injuring 40 others, including 21 children. Also prior to the ceasefire, IDF conducted 25 air strikes and a number of land incursions into the Gaza Strip. Thirty Palestinians, including at least six civilians, two of them children, were killed; 53 others, among them at least 25 civilians, five of them children, were injured. Conditions in Gaza were still grave, despite a 30 per cent increase in the number of truckloads of supplies into Gaza between 22 and 24 June and slightly increased fuel imports since mid-May.

The United Nations encouraged the parties to pursue discussions under Egypt’s auspices to secure the release of Gilad Shalit [YUN 2006, p. 510]. A letter from Mr. Shalit to his parents was forwarded by Hamas to representatives of former United States President Jimmy Carter on 9 June, but the International Committee of the Red Cross (ICRC) had still not been granted access to him after two years in captivity. The United Nations also hoped that the issue of Palestinian prisoners would be addressed. Measures to support the PA and the Palestinian economy in the West Bank should be intensified, including by donors fulfilling pledges for budgetary support and by Israel easing closures, and road map obligations should be acted upon, particularly an Israeli settlement freeze. Palestinian efforts on security performance and reform should continue and be supported.

Security Council consideration (July). On 22 July [meeting 5940], Mr. Pascoe reported to the Security Council that the security situation in Gaza and Israel had improved, as the Egyptian-mediated ceasefire had generally been upheld. During the reporting period, one Palestinian civilian was killed by IDF near the Gaza-Israel border, and two others were injured. Palestinian militants fired 7 rockets and 10 mortars at Israel, which did not result in casualties; no IDF air strikes or incursions were reported. Hamas communicated to the Gaza public its support for the calm, and detained individuals involved in firing mortars. However, 9 Palestinians were killed and 29 injured by internal violence, reckless handling of weaponry and tunnel collapses along the Gaza-Egyptian border.

The number of truckloads of supplies entering the Gaza Strip through the Sufa and Karni crossings increased by 54 per cent during the four weeks following the ceasefire, compared to the previous month. Imports of cement increased substantially, but the import of non-food commodities increased only slightly. The continued lack of raw materials and prohibition against exports precluded any significant economic recovery. Approximately 95 per cent of local industrial establishments remained closed.

On 17 July, Israeli officials informed their PA counterparts that they would increase the amount of fuel allowed into Gaza. However, between 27 June and 20 July, only 17 per cent of daily needs of petrol, 57 per cent of diesel, 40 per cent of cooking gas and 81 per cent of industrial gas requirements were met. The Gaza Electricity Company continued to operate at less than 70 per cent of its full capacity.
According to Mr. Pascoe, UN Special Coordinator Serry visited the Gaza Strip on 10 July to explore ways to resume stalled projects, including UN projects, as requested by the Quartet. The United Nations asked Israel to facilitate the resumption of priority projects as a matter of urgency. Prime Minister Olmert, in his discussions with the Secretary-General, undertook to consider that matter.

President Abbas continued wide-ranging consultations on a national dialogue to implement the Yemeni initiative for Palestinian reunification. Both the Secretary-General and the Special Coordinator supported President Abbas’ initiative for progress towards the reunification of the Gaza Strip and the West Bank within the framework of the legitimate PA. The League of Arab States (LAS) would have a leading role to play in facilitating such efforts.

As efforts continued to solidify the ceasefire in Gaza, it was critical to accelerate progress in the West Bank. In that connection, it was noted with concern that Israeli forces had stepped up their military operations throughout the West Bank since 19 June. IDF closed down and seized equipment of alleged Hamas-affiliated institutions in Nablus, including schools, medical centres, media outlets and civic associations. Israel outlawed 36 international NGOs, charging them with fundraising for Hamas. Israeli troops raided the Nablus municipality, arrested elected PA officials and ordered the closure of the Nablus main shopping mall. PA officials, including Prime Minister Abbas, criticized those operations as undermining the economy and the Authority’s efforts to improve security in the West Bank. Palestinian security forces continued to impose law and order and disarm and arrest militants. The United Nations was concerned about the effects of Israeli raids on the efforts of Palestinian security forces to operate effectively in areas under their control.

On 2 July, three Israeli civilians, including two women, were killed and 30 others injured when a Palestinian from East Jerusalem using a bulldozer attacked vehicles in West Jerusalem. In the West Bank, three Palestinians were killed by IDF, and 136 others injured, including at least 22 children. Most of the injuries occurred during anti-barrier demonstrations. On three occasions since mid-June, Israeli settlers reportedly fired rockets towards the Palestinian villages of Burin, southwest of Nablus. On 12 July, Israeli police arrested a settler suspected of that attack. On 21 July, another rocket was fired from the settlement.

Construction activity in settlements across the West Bank, including East Jerusalem, continued. On 3 July it was reported that Defense Minister Ehud Barak approved the construction of a new building in the Beit Romano settlement in Hebron’s old city. Across the West Bank, movement and access deteriorated slightly. Four significant obstacles removed during June were reinstalled by IDF in July, bringing the number of closure obstacles to 609. Meanwhile, Israel renovated the Wadi Nar, or Container, checkpoint controlling movement from the north to the southern part of the West Bank, rather than honouring its prior commitment to remove it.

Within the context of the Annapolis political process, Israeli Prime Minister Olmert and PA President Abbas met on 13 July on the margins of the Paris Summit for the Mediterranean, underscoring their determination to reach an agreement. However, significant gaps remained, and in discussions with both parties, the Secretary-General emphasized the need to press ahead with bilateral talks, with the goal of overcoming all outstanding differences. It was nevertheless encouraging that on 22 July, for the first time, Israeli President Shimon Peres hosted President Abbas in his residence in Jerusalem.

Communication. On 22 July, [S/2008/482], Israel submitted to the Security Council a written statement in addition to its remarks made before the Council. In the statement, Israel charged that the Council meetings on the Question of Palestine were detached from daily reality and served to feed the rhetoric that fuelled a business-as-usual mentality. If the vision of peace had not yet been turned into reality, it was not for lack of meetings in the Council, or lack of agreements or UN resolutions or international conferences. It was because there was still daily terrorism and violence and hatred. Israel was not asking for special treatment. Like any other country, it should be subject to criticism and debate on a fair and impartial basis. Israel had tried to engage the international community with openness and transparency. The Council held periodical briefings for Council members to hear updates from intelligence and military experts on the ground. However, even those briefings, which were vital and necessary to understand the real situation in the region, were not attended by all Council members for political reasons. All too often the finger was pointed at Israel without any consideration as to the whole picture.

Security Council consideration (August). Briefing the Security Council on 20 August [meeting 5963], Mr. Pascoe stated that Palestinian internal violence had increased considerably. One Israeli soldier died of injuries sustained on 11 July in East Jerusalem, and nine Israelis were reported injured. The Egyptian-mediated ceasefire in Gaza had largely held but remained fragile. Ten rockets and one mortar had been fired from Gaza into Israel without causing casualties, and there had been no IDF air strikes or incursions, although one Palestinian child had been injured by IDF shooting near the border. Due to the collapse of tunnels along the Gaza-Egypt border, 12 Palestinians had
been killed and 34 injured. Over 25 tunnels had been closed as a result of Egyptian efforts against smuggling. The United Nations welcomed Israel’s decision to release approximately 200 Palestinian prisoners as a goodwill gesture to President Abbas. However, Mr. Pascoe noted, the benefits of the ceasefire had not yet translated into any significant improvement in the living conditions of the people of Gaza. Further to the Secretary-General’s discussions with Prime Minister Olmert in Paris in July on stalled UN projects in Gaza, Israeli authorities were considering allowing the import of additional quantities of construction materials for UN priority projects for housing, school construction and water and sanitation. The United Nations hoped for the early resumption of all its suspended projects in Gaza.

In the West Bank, three Palestinians, among them two children, had been killed and 185 injured, including 47 children. There had also been a rise in settler violence. Settlement activity continued across the West Bank, particularly in East Jerusalem, and tenders were announced for over 400 new settlements. On 10 August, two major checkpoints in the West Bank had been partially reopened to Palestinian traffic, leading to significant access improvements. However, the overall number of closures remained unchanged at 608, as some previously removed obstacles had been reinstalled.

The implementation of Quartet Representative Blair’s May economic stimulation package advanced, as selected obstacles to movement had been eased, and a telecommunications contract was signed between Israel and the PA on 28 July, enabling a second mobile phone operator to launch in the Occupied Palestinian Territory. To achieve significant economic impact, all outstanding measures needed to be implemented rapidly and as originally negotiated.

Mr. Pascoe noted that Israeli-Palestinian negotiations were ongoing at both political and technical levels. On 6 August, Prime Minister Olmert met again with President Abbas, but it appeared that the gaps between the parties’ positions remained. Mr. Pascoe reiterated the Secretary-General’s call for them to make real progress in overcoming differences to reach the goal of an agreement by the end of the year, despite the political constraints. Those discussions took place against the background of the 30 July announcement by Prime Minister Olmert that he would not be seeking re-election as leader of the Kadima party and would therefore be stepping down as Prime Minister, but would remain in office until either a new Government was formed by the new party leader or after general elections were held.

Security Council consideration (September). Appearing before the Security Council on 18 September [meeting 5974], Mr. Serry said that the ceasefire in Gaza continued to hold, as Hamas made efforts to prevent the launching of rockets and mortars into Israel and there was no reported IDF incursion or air strike. However, Israel responded to isolated rocket fire by closing crossings for a period. The humanitarian situation remained grim, given the continued closure and restricted movement into and out of the Gaza Strip. Imports decreased by 21 per cent compared with the preceding four weeks, and the import of all types of fuel remained below previous levels. UN priority projects remained stalled and the shortage of raw materials, combined with the total ban on exports, had kept more than 95 per cent of Gaza’s industry closed. Hamas’ actions complicated the problems facing Gazans, increasingly divorcing Palestinian institutions from the PA itself and interrupting basic services delivery. Palestinian inter-factional violence during the reporting period resulted in the death of 14 people, including two children, and another 52 injured. Most of the casualties occurred on 15 and 16 September in Gaza City during armed clashes between security forces and militants affiliated with Hamas and members of one armed clan.

The only way to begin addressing the overall crisis and lay the basis for a two-State solution was for Gaza to be peacefully reunited with the West Bank, within the framework of the legitimate PA and in a manner that allowed the peace process to advance. In that context, Egypt started consultations with each Palestinian faction to formulate a proposal that could serve as a common national platform. Egypt’s efforts were strongly supported at the LAS Foreign Ministers’ meeting (Cairo, 9 September) and welcomed by the United Nations.

Mr. Serry told the Council that although bilateral negotiations between Israel and the PA continued, no agreement had been reached on the core issues. The potential of those substantive discussions had to be built upon through the continuation of intensive negotiations. Notwithstanding the prevailing uncertainties surrounding the political process, there had been a gradual but systematic process of Palestinian self-empowerment in the West Bank, under the leadership of President Abbas and Prime Minister Fayyad. Although those efforts were imperfect and faced many obstacles, they reflected a determination to build the institutions of a future Palestinian State.

The PA continued to make real strides in implementing its security plan, which included action against militants in accordance with obligations under phase 1 of the road map. Further improvement of the security conditions in Hebron was a priority for the Palestinian Government. In pursuing its reform and development plan [YUN 2007, p. 446], the PA also made notable gains in other areas, including public finance and the initiation of microfinance projects.
As to Israeli settlement activity, the Secretary-General had repeatedly stated that it was contrary to the Fourth Geneva Convention as well as Israel’s commitments under the road map and the Annapolis process. His repeated calls and those of the Quartet as a whole had not brought about significant action; rectifying that unacceptable situation should be the urgent priority of any new Israeli Government. Contrary to the road map, Palestinian institutions in East Jerusalem remained closed by Israeli order, and barrier construction continued around East Jerusalem and within the West Bank, in deviation from the Green Line, and contrary to the 2004 advisory opinion of the ICJ.

On 26 September [meeting 5983], the Council held an urgent meeting, in response to a request by Saudi Arabia on behalf of LAS [S/2008/615], to discuss the continued Israeli settlement activity which, Saudi Arabia said, in its opening statement, was clearly violating international law, UN resolutions and Israel’s obligations under the road map and the Annapolis process.

**Communication.** On 26 September [S/2008/625], Cuba expressed regret over the Security Council’s refusal to allow Hamas to participate in its deliberations, calling the Council’s decision an example of its customary lack of transparency.

**Quartet statement (September).** In a statement issued following its meeting in New York, on 26 September [SG/2143], the Quartet reaffirmed its support for the Israeli-Palestinian negotiations and commended the parties for their efforts. Recognizing that a meaningful and results-oriented process was underway, the Quartet called on the parties to make every effort to conclude an agreement before the end of 2008. It noted the significance of the Annapolis process and the importance of confidentiality for preserving its integrity, and underlined its commitment to the negotiations’ irreversibility, as well as to the creation of an independent, democratic and viable Palestinian State in the West Bank and Gaza, living in peace and security alongside Israel, and an end to the conflict. The Quartet expressed its desire to see the continuation of negotiations, involving substantive discussions on all issues, including core issues without exception, in order to ensure the fulfillment of the Annapolis goals. It reiterated its call on all Palestinians to commit themselves to non-violence, recognition of Israel and acceptance of previous agreements and obligations, noting that restoring Palestinian unity based on PLO commitments would be an important factor in that process.

The Quartet emphasized the need for a renewed focus on improvements in the situation on the ground and stated that visible and tangible progress should accompany the negotiations. The Quartet commended the PA for the encouraging results of its efforts to reform the security sector, confront militias and terrorism, and enforce the rule of law in areas under its control, as well as Israeli measures to lift restrictions to access and movement. It encouraged further steps to ease conditions for Palestinian civilian life and economy. The parties should redouble their cooperative efforts on security, and expand the success in Jenin to other major centres in the West Bank. The international community, including regional partners, should support those efforts with targeted and coordinated assistance and through the continued efforts of the Quartet Representative. The Quartet called for speedy implementation of the outcome of the Berlin Conference and invited donors to fulfill the pledges made at the Paris Donor Conference [YUN 2007, p. 446], in line with the Palestinian Reform and Development Plan 2008–2010. It welcomed the 22 September statement of the Ad Hoc Liaison Committee reaffirming that economic progress in the Occupied Palestinian Territory was an essential part of bringing the Israeli-Palestinian conflict to an end, and recalling the importance of equitable burden-sharing.

The Quartet discussed the status of the parties’ obligations under the road map as an integral part of the Annapolis follow-up. Concerned about the increasing settlement activity, it called on Israel to freeze such activity as it had a damaging impact on the negotiating environment and was an impediment to economic recovery, and to dismantle outposts erected since March 2001. It reiterated that the parties should avoid actions that undermined confidence and could prejudice the outcome of negotiations. Quartet principals condemned the rise in settler violence against Palestinian civilians, urging the enforcement of the rule of law without discrimination or exception. Likewise, it condemned acts of terrorism against Israelis, including rocket attacks from the Palestinian territories, and stressed the need for further Palestinian efforts to fight terrorism and dismantle the terror infrastructure, as well as foster an atmosphere of tolerance.

The Quartet commended Egypt for its effort to overcome Palestinian divisions and to reunite the West Bank and Gaza under the legitimate PA. It welcomed the continuing calm between Gaza and southern Israel, and hoped that it would result in further relief for the civilian population of Gaza, including the regular opening of the crossings for both humanitarian and commercial flows, and sustained peace on Israel’s southern border. The Quartet expected the movement of persons and goods to be normalized in the coming months, as foreseen in the 2005 Agreement on Movement and Access [YUN 2005, p. 319], and supported the immediate resumption of stalled United Nations and other donor projects in Gaza to facilitate economic activity, reduce dependence on humanitarian assistance and restore links between Gaza and the West Bank.
Security Council consideration (October). The Egypt-brokered calm was by and large holding between Gaza and southern Israel, Mr. Pascoe noted in his statement before the Security Council on 22 October [meeting 5999], although incidents had taken place, including the firing of a rocket into the Negev on 21 October and the subsequent closure of border crossings. The movement of goods and people in and out of Gaza had not improved and construction projects, including those of the United Nations, remained on hold. The split between the West Bank and Gaza was having increasingly adverse effects. The strike of teachers continued to affect some 250,000 pupils, and the strike of health workers caused concern over the quality and timely provision of services.

The Egyptian-mediated process aimed at the reunification of Gaza and the West Bank within the framework of the legitimate PA was ongoing. Earlier in the month, Egyptian mediators completed a round of meetings with Palestinian factions, which had since received a draft proposal for consideration. President Abbas also continued regional consultations. The United Nations looked forward to all regional States lending their support to Egypt’s efforts under the auspices of LAS, which was to meet at the Foreign Ministers’ level in Cairo in November.

Bilateral contacts between Israel and the Palestinians continued, with meetings held between Israeli negotiators and Foreign Minister Livni and lead Palestinian negotiator Qurei on 23 September; between Presidents Abbas and Peres on 26 September in New York; and between advisers. In Israel, the process of political transition was ongoing, with President Peres commissioning newly elected Kadima Party leader Livni, on 21 September, to form a new Government. On 26 September, the Secretary-General convened a meeting of the Quartet principals at UN Headquarters, and on the same date, Quartet members and Arab League representatives discussed how to work together in the crucial period ahead in support of the Israeli-Palestinian process, Palestinian reunification and regional peace. They also reaffirmed the central importance of the Arab Peace Initiative [YUN 2002, p. 495].

The Ad Hoc Liaison Committee comprising the parties and key donors, as well as Quartet Representative Blair, who met (22 September) on the margins of the General Assembly, commended the efforts of Prime Minister Fayyad’s Government to implement its reform and development agenda, and encouraged the continuation of ongoing security and institution-building efforts.

PA security efforts, in accordance with the road map, focused on deepening progress in the Jenin governorate, which Special Coordinator Serry visited on 22 October. Efforts were being extended to Hebron, where Palestinian security forces discovered a tunnel allegedly used by militants. The PA also made considerable progress in defining a strategy for developing the judicial sector, including the doubling of the number of judges and prosecutors.

Despite those efforts, the situation on the ground did not improve, as Israeli-Palestinian violence claimed the lives of seven Palestinians, two of them children, while injuring 116 Palestinians and 34 Israelis. No progress was made in the reporting period on Israel’s key road map and Annapolis commitments. Settlement construction continued across the West Bank, including in East Jerusalem, and a majority of Palestinian Muslims had not been able to pray at the Al-Aqsa mosque during the month of Ramadan due to permit and access restrictions. The Secretary-General continued to call for an end to unilateral action in Jerusalem and reminded all parties that the status of the city remained an issue for permanent status negotiations.

Quartet meeting (November). In Sharm el-Sheikh, Egypt, on 9 November [SG/2145], the Quartet was briefed in a first-ever joint meeting with the parties by PA President Abbas and Israeli Foreign Minister Livni on the negotiating efforts since the Annapolis Conference. Over the past year they had engaged in direct, sustained and intensive bilateral negotiations, based on a joint work plan that included the establishment of more than 10 committees, not only on core issues, but on an array of other topics necessary to turn the two-State solution into a reality. The parties reached a number of mutual understandings on the principles governing the negotiating process, including the need for continuous, uninterrupted, direct, bilateral negotiations; the principle that nothing would be considered agreed until everything was agreed; and the need to reach a comprehensive agreement addressing all issues, rather than just announcing agreement on selected items in isolation. The parties remained committed to implementing their respective obligations under the road map, and to the agreed mechanisms for monitoring and judging its implementation, as well as to implementation of the future peace treaty being subject to implementation of the road map. President Abbas and Foreign Minister Livni asked that the international community continue to support the parties’ efforts in the framework of the Annapolis process and that all States promote an environment conducive to peace, non-violence and the two-State solution. They urged political and economic assistance, especially in relation to institutional and security reform, capacity-building, economic development and the fulfilment of pledges to the legitimate Palestinian Government, which had accepted the Quartet principles and respected the PLO commitments. They asked the international community to redouble efforts to confront extremism, incitement, terrorism and in-
tolerance, and stressed that, absent the joint request of the parties, third parties should not intervene in the bilateral negotiations.

The Quartet endorsed the goals set out by the parties and called upon all States to lend their diplomatic and political support. It renewed its call on relevant States and international organizations to assist in developing the Palestinian economy, maximizing resources available to the PA and contributing to Palestinian institution-building in preparation for statehood. The Quartet welcomed the deployment of Palestinian security services in the Hebron governorate as a sign of the progress resulting from increased security cooperation. It emphasized its determination to continue working with Israel and the Palestinian Government to facilitate access and movement, and an improvement in conditions on the ground in order to address urgent humanitarian needs, foster economic activity and improve the atmosphere of negotiations. The Quartet reiterated its call to the parties to fully implement their obligations under phase I of the road map, including the freezing of settlement activity and the dismantlement of the terrorism infrastructure.

Security Council consideration (November). At the 25 November Security Council meeting [meeting 6022], Mr. Pascoe noted that recent developments underscored the fact that the gap between the political tracks and the situation on the ground remained large. Israeli-Palestinian violence during the reporting period resulted in the deaths of 16 Palestinians, while injuring 122 others, mainly civilians. One Israeli was killed in a stabbing attack in Jerusalem, and 25 Israeli soldiers and civilians were injured during the period. The tahdiya, or period of calm, in Gaza and southern Israel, in effect since 19 June, was threatened by a number of violent incidents. Israel conducted a military incursion into Gaza on 4 November to destroy a tunnel allegedly used to abduct Israeli soldiers, and a number of smaller incursions followed. More than 123 rockets and 118 mortars were fired by Palestinian militants into Israel or at the crossings between Israel and Gaza. Between 4 and 23 November, Israel severely restricted the access of humanitarian workers and commercial and humanitarian goods to Gaza, causing UNRWA and WFP to suspend food aid. Fuel shortages, causing the Gaza power plant to shut down for more than 12 days, led to water rationing throughout the Gaza Strip, affecting approximately 600,000 people. Despite fuel deliveries, the Gaza power plant was still not working due to a technical malfunction and lack of spare parts.

Rocket fire decreased dramatically on 23 November and the following day, Israel reopened the Kerem Shalom crossing. After rocket-firing towards Ashkelon on the evening of 24 November, however, all crossings were closed again. Major news agencies and organizations protested to the Israeli Government that foreign and Israeli media had not been allowed entry for more than 14 days.

Mr. Pascoe stated that the joint meeting of the parties with the Quartet in Sharm el-Sheikh on 9 November was an important marker of the ongoing political process pursuant to the Annapolis Conference. Following their bilateral meeting at Sharm el-Sheikh, Prime Minister Olmert and President Abbas met in Jerusalem on 17 November, the same date of the announcement by Prime Minister Olmert of Israel’s intention to release some 250 Palestinian prisoners as a gesture to President Abbas prior to the upcoming Muslim festival of Eid al-Adha.

Mr. Pascoe expressed regret that Israel and the Palestinians would likely fall short of their commitment made at Annapolis to reach an agreement by the end of the year. The parties stated that negotiations would continue uninterrupted, and their goal remained a comprehensive peace agreement addressing all issues, without exception. Furthermore, they recommitted to the implementation of their road map commitments, on which more urgent action was vital to ensure the credibility of the process.

Recent developments in the Occupied Palestinian Territory and in Israel underscored the large gap remaining between the political tracks and the situation on the ground, posing considerable obstacles to the path that lay ahead. Palestinians remained divided, and the rhetoric between Hamas and Fatah had intensified. The PLO Central Committee announced the election of Mahmoud Abbas as the President of the State of Palestine, but the Hamas leadership rejected that move. Developments on the ground remained the biggest challenge to building lasting peace.

The importance of the Arab Peace Initiative was widely discussed as a vital platform for reaching the goal of a comprehensive regional peace. The United Nations commended the efforts of King Abdullah of Saudi Arabia, which led to the convening of a high-level General Assembly meeting under the agenda item “Culture of Peace” on 13 November, attended by numerous leaders from the Middle East. In addition, the Secretary-General urged United States President-elect Barack Obama to engage early in the Middle East.

The Secretary-General expressed his concern over the deteriorating humanitarian situation in Gaza to Prime Minister Olmert and Foreign Minister Livni on 18 and 20 November, respectively. He restated his condemnation of rocket fire, but stressed that Israel had to uphold humanitarian principles. In public statements of 14 and 21 November, the Secretary-General urged Israel to facilitate freer movement of urgently needed humanitarian supplies and of UN personnel into Gaza, and emphasized that measures
which increased the hardship and suffering of the civilians of Gaza were unacceptable and should cease immediately. He was pleased that some humanitarian supplies and fuel had been allowed into Gaza and expected Israel to resume facilitating regular deliveries of both. The United Nations was concerned about reports of human rights abuses in Gaza under the de facto Hamas regime, which had apparently strengthened its control, divorcing Gaza institutions from those of the PA.

Communications. On 25 November [A/63/S/2008/736], the Syrian Arab Republic transmitted a request by the Syrian President, as Chairman of the Arab Summit, that the United Nations prevail on Israel “to desist immediately from its immoral and inhuman practices in the Gaza Strip”.

Quartet statement (December). In a 15 December statement [SG/2147], the Quartet affirmed that a final treaty and lasting peace would be reached through simultaneous and mutually re-enforcing efforts on three tracks: negotiations; building the institutions of a Palestinian State, including facilitating economic development through an improvement of conditions on the ground; and implementation of the parties’ obligations under the road map, as stated in the Annapolis Joint Understanding [YUN 2007, p. 446].

The Quartet urged that the calm that came into effect on 19 June be respected and extended. It condemned the indiscriminate attacks on Israel and called for an immediate cessation of violence. The Quartet reiterated its call for Israel to allow into Gaza sufficient materials to facilitate the resumption of stalled UN and other donor projects and supported the efforts of the Secretary-General and Quartet Representative Blair in that regard.

The Quartet called on all States to demonstrate their support for the Annapolis process and their commitment to the two-State solution by contributing to an environment conducive to an end to the conflict. It noted that at the Paris Donor Conference [YUN 2007, p. 446], international donors had pledged unprecedented levels of support for the success of the Annapolis process, providing an essential element of stability as the process unfolded. The Quartet called on all States and international organizations to continue to provide economic assistance to the legitimate Palestinian Government in security reform, institution- and capacity-building, and economic development, and to fulfill their pledges. The Quartet welcomed the robust Israeli-Palestinian cooperation for the expansion of security and law and order in the West Bank, most notably in Jenin and Hebron, the successful deployment of the Palestinian security services to Hebron being the most recent demonstration of substantial progress. The Quartet urged the Palestinians to continue reforming the security services and dismantling terrorism infrastructure, and Israel to freeze all settlement activities and address the growing threat of settler extremism.

The Quartet offered its support for an intensification of diplomatic efforts towards a peaceful coexistence among all States in the region and a just, lasting and comprehensive Middle East peace, based on UN Security Council resolutions. In that context, it welcomed efforts to invigorate the Arab Peace Initiative as part of a comprehensive approach to resolving the Arab-Israeli conflict, and looked forward to the intensification of the Israeli-Syrian negotiations. In consultation with the parties, the Quartet supported the convening of an international meeting in Moscow in 2009.

Security Council consideration (December). Addressing the Council on 16 December [meeting 6045], the Secretary-General regretted that the peace agreement had not been concluded as originally envisioned and that there were still many hurdles to face, but noted that a serious process was under way. The Secretary-General reiterated his commitments to the goal of a just, lasting and comprehensive peace in the region, based on Council resolutions, the principle of land for peace, the 1991 Madrid Conference terms of reference [YUN 1991, p. 221] and the 2002 Arab Peace Initiative [YUN 2002, p. 415].

United States Secretary of State Rice stated that the resolution before the Council built on the work of the international community through the Quartet. Firstly, the resolution confirmed the irreversibility of the bilateral negotiations and endorsed the parties’ brave efforts. There was no substitute for the Annapolis process, and stagnation was not an option. The Annapolis process had advanced under the leadership of President Abbas, Prime Minister Olmert and Foreign Minister Livni, and those advances had to be preserved and built upon. Secondly, the resolution reiterated the importance of fulfilling obligations under the road map. Neither party should undertake any activity that contravened road map obligations or prejudiced the final status negotiations. The United States’ view had been made very clear in that regard, especially in connection with settlement activity. At the same time, the PA had an absolute obligation to dismantle the infrastructure of terror in the territories, reform its security services and end incitement. Thirdly, the resolution underscored that peace would be built on mutual recognition, freedom from violence and terror, the two-State solution and previous agreements and obligations. The threat of extremism and terrorism posed by Hamas was a threat to the Annapolis process and to the fulfillment of legitimate Palestinian aspirations. Fourthly, the resolution emphasized that the solution to the Israeli-Palestinian conflict should be aligned with efforts towards
broader regional peace. The Arab Peace Initiative was a historic proposal in that regard. Just as Arab States should reach out to Israel, so should Israel reach out to Arab States.

The Annapolis negotiations gave confidence that the goal of two independent and democratic States, Israel and Palestine, living in peace and security was not just a vision but a commitment of the parties and of the international community. The chosen path would finally bring Israel the peace and security that could only come from living side-by-side in reconciliation with its democratic neighbour, Palestine, and that path forward would finally give to the people of Palestine the dignity and humanity that could only come from living in an independent and sovereign State.

Foreign Minister Sergey Lavrov of the Russian Federation, which co-sponsored the resolution, considered it essential to continue the negotiations while building on what had been achieved. Of particular importance were the resolution’s provisions calling for the full implementation by both parties of their obligations under the road map. The text also underscored the crucial need to allow the Arab Peace Initiative to work effectively. Under the current circumstances, it was especially important to restore the territorial and political unity of the Palestinian national administration as quickly as possible, which was essential for strengthening the Israeli-Palestinian dialogue and ensuring the viability of future final arrangements in the framework of that dialogue. The Israeli and Palestinian parties faced a very complex problem that required political will and courage, qualities which the negotiators had shown, but progress was impossible without the active support of the international community. Russia, along with its partners, would take every step necessary to ensure that the international meeting on the Middle East, scheduled for 2009 in Moscow, would mark an important step forward and would serve to accelerate the process to reach an agreement, which was the goal of the Council’s resolution.

SECURITY COUNCIL ACTION


The Security Council,


Reiterating its vision of a region where two democratic States, Israel and Palestine, live side by side in peace within secure and recognized borders,

Welcoming the statement by the Quartet of 9 November 2008 and the Israeli-Palestinian Joint Understanding announced at the conference held in Annapolis, United States of America, on 27 November 2007, including in relation to the implementation of the performance-based road map to a permanent two-State solution to the Israeli-Palestinian conflict,

Noting that lasting peace can only be based on an enduring commitment to mutual recognition, freedom from violence, incitement and terror, and the two-State solution, building upon previous agreements and obligations,

Noting also the importance of the 2002 Arab Peace Initiative,

Encouraging the ongoing work of the Quartet to support the parties in their efforts to achieve a comprehensive, just and lasting peace in the Middle East,

1. Declares its support for the negotiations initiated at Annapolis, United States of America, on 27 November 2007 and its commitment to the irreversibility of the bilateral negotiations;

2. Supports the parties’ agreed principles for the bilateral negotiating process and their determined efforts to reach their goal of concluding a peace treaty resolving all outstanding issues, including all core issues, without exception, which confirm the seriousness of the Annapolis process;

3. Calls upon both parties to fulfil their obligations under the performance-based road map to a permanent two-State solution to the Israeli-Palestinian conflict, as stated in their Annapolis Joint Understanding, and to refrain from any steps that could undermine confidence or prejudice the outcome of negotiations;

4. Calls upon all States and international organizations to contribute to an atmosphere conducive to negotiations and to support the Palestinian government that is committed to the Quartet principles and the Arab Peace Initiative and respects the commitments of the Palestine Liberation Organization, to assist in the development of the Palestinian economy, to maximize the resources available to the Palestinian Authority, and to contribute to the Palestinian institution-building programme in preparation for statehood;

5. Urges an intensification of diplomatic efforts to foster, in parallel with progress in the bilateral process, mutual recognition and peaceful coexistence between all States in the region in the context of achieving a comprehensive, just and lasting peace in the Middle East;

6. Welcomes the Quartet’s consideration, in consultation with the parties, of an international meeting in Moscow in 2009;

7. Decides to remain seized of the matter.

VOTE ON RESOLUTION 1850(2008):

In favour: Belgium, Burkina Faso, China, Costa Rica, Croatia, France, Indonesia, Italy, Panama, Russian Federation, South Africa, United Kingdom, United States, Viet Nam.

Against: None.

Abstaining: Libyan Arab Jamahiriya.
Speaking before the Security Council on 18 December [meeting 6049], Mr. Serry observed that for the previous six weeks, the calm in Gaza had been gravely challenged, with heightened rhetoric and continued violence in recent days, an increase in rocket-firing and a resumption of Israeli air strikes. Expressing concern about Hamas’ statements questioning the renewal of the calm, which expired that day, Mr. Serry appealed for the calm to be respected and extended. He also appealed for respect of basic humanitarian principles. The unprecedented level of closure of crossing points caused unacceptable hardship. UNRWA again had to suspend all food distribution. Price increases resulted in Gazans spending approximately two thirds of their income on food. Limitations on cash allowed into Gaza left beneficiaries of humanitarian organizations, PA employees and pensioners unable to collect salaries, pensions and welfare payments, and forced UNRWA to suspend cash assistance to 94,000 beneficiaries. A one-time transfer of 100 million new Israeli shekels had alleviated the crisis for the time being, but a predictable mechanism for the transfer of cash was required. UN projects worth over $150 million, including six priority projects identified by the Secretary-General in May, remained suspended due to a lack of materials.

The Secretary-General outlined his concerns about conditions in Gaza in a letter delivered to his Quartet colleagues the previous week, Mr. Serry said. The United Nations welcomed the Quartet’s call for the provision of humanitarian supplies to the people in Gaza to be assured continuously, and noted its call for Israel to allow into Gaza sufficient materials to facilitate the resumption of stalled UN and other donor projects. The United Nations sought more effective communication and cooperation with Israel to ensure that it was able to execute its mandated programmes to the civilian population.

Preparations for the Israeli general election scheduled for 10 February 2009 continued, Mr. Serry said, and a new United States administration would take office on 20 January. There were also internal challenges on the Palestinian side. The immediate priority was to sustain the process during the transition period by building a solid bridge to carry through the fragile period ahead. Ensuring calm in and around Gaza and improving humanitarian conditions had to be a priority. The decision of the Arab League to ensure that there was no vacuum on the Palestinian side, to support the legitimate Palestinian Government and pursue Palestinian unity demanded support. It was important to pursue specific action to improve conditions on the ground in the West Bank. The three tracks of the Annapolis process—negotiations, institution-building and phase I road map implementation—had to be protected, preserved and, where possible, advanced to set the stage for a decisive push for peace in 2009.

Security Council meeting on crisis in Gaza (31 December). On 31 December, the Council convened [meeting 6060] in response to requests by Egypt [S/2008/842] and the Libyan Arab Jamahiriya [S/2008/815, S/2008/843]. In his address to the Council, the Secretary-General stated that a dramatic crisis in Gaza and southern Israel had reached its fifth day. The civilian population, the fabric of Gaza, the future of the peace process, stability in the region and goodwill among people throughout the world were trapped between the irresponsibility displayed in the indiscriminate rocket attacks by Hamas militants and the disproportionality of the continuing Israeli military operation. As a result of the crisis and violence, conditions for the 1.5 million people in Gaza were nothing short of terrifying, as they were living under heavy bombardment targeted at the infrastructure of Hamas, as well as the former PA security structure, government buildings, residential homes, mosques and businesses. More than 300 people were dead—among them at least 60 women and children—and over 800 were wounded. In southern Israel, a continuous stream of rockets was being fired from Gaza, hitting major cities with hundreds of thousands of people. Four Israelis died during the preceding four days, and over 30 more were injured. Schools were closed and daily life was extremely difficult, as Israelis were in constant fear of rockets hitting homes and schools.

Condemning the ongoing rocket and mortar attacks by Hamas and other Palestinian militants, the Secretary-General also condemned Israel’s excessive use of force, and reminded all parties that they had to fully uphold international humanitarian law. It was the civilian population that bore the brunt of the escalation, and the international community had to act swiftly and decisively to end their suffering. All parties should address the humanitarian and economic needs in Gaza and take measures to ensure the provision of humanitarian supplies. The Secretary-General paid tribute to UN staff in the area, working under adverse conditions to address the humanitarian situation of Gaza, and was pained at the death, injury and damage that UN personnel and premises, as well as others associated with UN programmes, had sustained. He urged the international community, in particular those in the region, to exert what influence they had on the parties to end the violence. There was need for decisive action. He welcomed the efforts under way, including by Arab and European leaders, but stressed that not enough had been done and more was urgently required. There had to be an immediate ceasefire fully respected by all parties to create new conditions on the ground that ensured that crossings
into Gaza would be reopened, rocket and weapons smuggling ended, political dialogue pursued to reunite Gaza with the West Bank, and that the root cause of the suffering—the absence of Israeli-Palestinian peace—also ended.

Nineteen other speakers addressed the Council in the ensuing debate.

Committee on Palestinian Rights. The Committee on the Exercise of the Inalienable Rights of the Palestinian People, in its annual report to the General Assembly [A/63/35], noted that the reporting period from 5 October 2007 to 6 October 2008 was characterized by a dichotomy between the resumption of the Israeli-Palestinian negotiations and intensified international engagement, on one hand, and on the other, a deteriorating situation on the ground. The lack of tangible progress in the situation on the ground had a negative effect on the ongoing negotiations between the parties. The Committee stressed the need for a complete cessation of all acts of violence, including military attacks, destruction and acts of terror. It called on Israel to end its illegal policies and oppressive practices in the Occupied Palestinian Territory, including East Jerusalem, such as settlement activities, the construction of the wall and numerous measures of collective punishment. The Committee was of the view that the Israeli occupation of the Palestinian territory had to end without conditions, allowing the Palestinian people to establish an independent State on all territories occupied in 1967, including East Jerusalem, and to exercise their inalienable rights, including the right to self-determination. The Committee firmly supported the two-State solution in accordance with Security Council resolutions 242(1967) [YUN 1967, p. 257], 338(1973) [YUN 1973, p. 213], 1397(2002) [YUN 2002, p. 418] and 1515(2003) [YUN 2003, p. 483].

Peaceful settlement of question of Palestine

Report of Secretary-General. In a 23 September report [A/63/368-S/2008/612], submitted in response to General Assembly resolution 62/83 [YUN 2007, p. 462] and covering the period from September 2007 through August 2008, the Secretary-General put forward his observations on the state of the Israeli-Palestinian conflict and on international efforts to move the peace process forward, as well as the views of the Security Council and the concerned parties on the question of Palestine.

For the Council, the goal of achieving a peaceful settlement remained one of the major challenges facing the international community. It considered the situation in Palestine every month under the agenda item “The situation in the Middle East, including the question of Palestine”, with briefings by either the Under-Secretary-General for Political Affairs or the Special Coordinator for the Middle East Peace Process, followed by an open Council meeting or consultations among the Council members.

In a 30 July note verbale, Israel declared that it remained committed to the bilateral process with the moderate, legitimate PA leadership that embraced its responsibility and the vision of two States living side by side in peace and security. In the past months, meetings had taken place to set in motion the building blocks for a political horizon and to maintain a dialogue between Israel and the PA. Israel hoped to work with its moderate counterparts in the region to advance mutual understanding and the bilateral process. Rather than promoting a vision that recognized both sides’ rights and responsibilities, however, General Assembly resolution 62/83 [YUN 2007, p. 462] obscured the parties’ efforts to achieve a negotiated outcome.

Also on the same date in a note verbale, the Permanent Observer of Palestine to the United Nations stated that 2008 marked the passage of 60 years since the Palestinians had lost their homeland. The situation in the Occupied Palestinian Territory, including East Jerusalem, remained critical, with little progress towards the realization by the Palestinians of their inalienable rights and the achievement of a peaceful settlement of the Palestine question. While the Annapolis Conference had set the end of 2008 as the timeline for establishing an independent Palestinian State and a comprehensive settlement to the Israeli-Palestinian conflict, bilateral negotiations and several high-level meetings had been held between Israeli and Palestinian leadership, and the Middle East peace process remained high on the international agenda, progress had been minimal. Moreover, negative developments on the ground continued to impede the process and complicate efforts to address the core, final status issues of Jerusalem, settlements, borders, refugees, water and security. The peace process was in a state of serious disrepair, as it was constantly being undermined by Israel’s illegal actions that precluded the full implementation of resolution 62/83. Since the adoption of that resolution, Israel had not ceased its collective punishment, reprisals and military operations against the Palestinian civilian population, but instead pursued its settlement activities, particularly around East Jerusalem and the Jordan Valley. Continuation of that situation would make the establishment of a sovereign, contiguous, viable and independent Palestinian State, with East Jerusalem as its capital, and the realization of the two-State solution impossible.

The situation in the Gaza Strip remained critical, as Israel continued to close border crossings and the Gaza Strip was separated from the West Bank with no
functional territorial link. Consequently, poverty had increased, and health conditions had deteriorated. The majority of the more than 1.4 million Palestinians in Gaza lived in poverty and depended on food aid for survival.

The Secretary-General regretted the continued violence between Israelis and Palestinians, as well as among Palestinians, but noted that road map implementation saw some arguable progress. He welcomed the parties' diplomatic efforts, as well as those of the League of Arab States and several Arab countries to advance regional efforts for peace, and affirmed that the United Nations would continue to work towards the creation of an independent, democratic, contiguous and viable Palestinian State living side by side in peace with a secure Israel, within the framework of a comprehensive regional settlement, consistent with Security Council resolutions and in accordance with the road map, the Arab Peace Initiative and the principle of land for peace.

The situation on the ground, both in Gaza and the West Bank, including East Jerusalem, had deteriorated in many instances, the Secretary-General observed, and much more needed to be done to build the necessary foundations for a successful political process and for eventual and sustainable implementation of any agreement reached. Settlement activity had to stop completely and restrictions on movement and access lifted, while the PA needed to make further progress in imposing law and order.

**GENERAL ASSEMBLY ACTION**

On 26 November [meeting 60], the General Assembly adopted resolution 63/29 [draft: A/63/L.35 & Add.1] by recorded vote (164-7-3) [agenda item 16].

**Peaceful settlement of the question of Palestine**

_The General Assembly, recalling its relevant resolutions, including those adopted at its tenth emergency special session, recalling also its resolution 58/292 of 6 May 2004, recalling further relevant Security Council resolutions, including resolutions 242(1967) of 22 November 1967, 338(1973) of 22 October 1973, 1397(2002) of 12 March 2002, 1515(2003) of 19 November 2003 and 1544(2004) of 19 May 2004, 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 with concern that it has been more than sixty years since the adoption of resolution 181(II) of 29 November 1947 and forty-one 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 62/83 of 10 December 2007, reaffirming the permanent responsibility of the United Nations with regard to the question of Palestine until the question is resolved in all its aspects in accordance with international law, recalling the advisory opinion rendered on 9 July 2004 by the International Court of Justice on the Legal Consequences of the Construction of a Wall in the Occupied Palestinian Territory, and recalling also its resolutions ES-10/15 of 20 July 2004 and ES-10/17 of 15 December 2006, convinced that achieving a just, lasting and comprehensive settlement of the question of Palestine, the core of the Arab-Israeli conflict, is imperative for the attainment of comprehensive and lasting peace and stability 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, recalling its resolution 2625(XXV) of 24 October 1970, reaffirming the illegality of the Israeli settlements in the Palestinian territory occupied since 1967, including East Jerusalem, reaffirming also the illegality of Israeli actions aimed at changing the status of Jerusalem, including measures such as the so-called E-1 plan and all other unilateral measures aimed at altering the character, status and demographic composition of the city and the territory as a whole, reaffirming further that the construction by Israel, the occupying Power, of a wall in the Occupied Palestinian Territory, including in and around East Jerusalem, and its associated regime, are contrary to international law, expressing deep concern about the continuing Israeli policy of closures and severe restrictions on the movement of persons and goods, including medical and humanitarian personnel and goods, via the imposition of crossing closures as well as the continued establishment of checkpoints and the imposition of a permit regime throughout the Occupied Palestinian Territory, including East Jerusalem, and the consequent negative impact on the socio-economic situation of the Palestinian people, which remains that of a dire humanitarian crisis, as well as on efforts aimed at rehabilitating and developing the damaged Palestinian economy, and on the contiguity of the Territory, recalling the mutual recognition between the Government of the State of Israel and the Palestine Liberation Organization, the representative of the Palestinian people, and the need for full compliance with the agreements concluded between the two sides, recalling also the endorsement by the Security Council, in resolution 1515(2003), of the Quartet road map to a permanent two-State solution to the Israeli-Palestinian conflict, and stressing the urgent need for its implementation and compliance with its provisions, recalling further 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, recalling the convening of the international conference held at Annapolis, United States of America, on 27 November 2007, in particular the decision by the parties to launch meaningful, direct negotiations towards the achievement of...
a just, lasting and peaceful settlement of the Israeli-Palestinian conflict and ultimately the Arab-Israeli conflict as a whole for the realization of a comprehensive peace in the Middle East,

Noting the important contribution to the peace process 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, including in the framework of the activities of the Quartet,

Welcoming the reconvening of the Ad Hoc Liaison Committee for the Coordination of the International Assistance to Palestinians, under the chairmanship of Norway, at United Nations Headquarters on 22 September 2008, and affirming the importance of continued follow-up and fulfilment of pledges made at the Paris donors’ conference of 17 December 2007 to mobilize donors to provide financial support to the Palestinian Authority to enable it to build a prosperous and viable Palestinian State and, in the meantime, to also provide assistance to alleviate the socio-economic and humanitarian crisis being faced by the Palestinian people, and acknowledging the contribution of the Palestinian-European Mechanism for the Management of Socio-Economic Aid of the European Commission in this regard,

Welcoming also the convening of the Bethlehem Conference on Private-Sector Investment from 21 to 23 May 2008, aimed at promoting an enabling environment for Palestinian private-sector growth and development,

Recognizing the efforts being undertaken by the Palestinian Authority, with international support, to rebuild, reform and strengthen its damaged institutions, and emphasizing the need to preserve the Palestinian institutions and infrastructure,

Welcoming the outcome of the Berlin Conference in Support of Palestinian Civil Security and the Rule of Law, held on 24 June 2008, and calling for its speedy implementation,

Welcoming also the progress observed in Jenin, and calling upon the parties to continue cooperation benefiting both Palestinians and Israelis, in particular for promoting security and building confidence, and expressing the hope that such progress will be extended to other major population centres,

Expressing its concern over the negative developments that have continued to occur in the Occupied Palestinian Territory, including East Jerusalem, including the large number of deaths and injuries, mostly among Palestinian civilians, the acts of violence and brutality committed against Palestinian civilians by Israeli settlers in the West Bank, the widespread destruction of public and private Palestinian property and infrastructure, the internal displacement of civilians and the serious deterioration of the socio-economic and humanitarian conditions of the Palestinian people,

Expressing its grave concern over continuing military actions in the Occupied Palestinian Territory and the reoccupation of Palestinian population centres by the Israeli occupying forces, and emphasizing in this regard the need for the implementation by both sides of the Sharm el-Sheikh understandings,

Taking note of the calm prevailing between the Gaza Strip and southern Israel since June 2008, and calling for its continued respect by both sides,

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,

Expressing concern over the unlawful takeover of Palestinian Authority institutions in the Gaza Strip in June 2007, and calling for the restoration of the situation to that which existed prior to June 2007 and for the continuation of serious efforts for the resumption of dialogue and the restoration of Palestinian national unity,

Stressing the urgent need for sustained and active international involvement, including by the Quartet, to support both parties in advancing and accelerating the peace process negotiations between the parties for the achievement of a just, lasting and comprehensive peace settlement, on the basis of United Nations resolutions, the road map and the Arab Peace Initiative,

Acknowledging the efforts being undertaken by civil society to promote a peaceful settlement of the question of Palestine,

Taking note of the findings by the International Court of Justice, in its advisory opinion, including on the urgent necessity for the United Nations as a whole to redouble its efforts to bring the Israeli-Palestinian conflict, which continues to pose a threat to international peace and security, to a speedy conclusion, thereby establishing a just and lasting peace in the region,

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

1. Reaffirms the necessity of achieving a peaceful settlement of the question of Palestine, the core of the Arab-Israeli conflict, in all its aspects, and of intensifying all efforts towards that end;

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, stresses the necessity for the establishment of a comprehensive, just and lasting peace in the Middle East, and welcomes in this regard the ongoing efforts of the Quartet and of the League of Arab States;

3. Further reaffirms the importance of the Arab Peace Initiative, adopted by the Council of the League of Arab States at its fourteenth session, and encourages continued serious efforts to follow up and promote the Initiative, including by the Ministerial Committee formed at the Riyadh summit in March 2007;

4. Reaffirms the importance of the international conference convened at Annapolis, and urges the parties to undertake, with the support of the Quartet and the international community, immediate and concrete steps in follow-up to their joint understanding, including through active and serious resumed bilateral negotiations;

5. Calls upon both parties to fulfil their obligations in respect of the implementation of the road map by taking immediate parallel and reciprocal steps in this regard;

6. Calls upon the parties themselves, with the support of the Quartet and other interested parties, to exert all efforts necessary to halt the deterioration of the situation and
to reverse all measures taken on the ground since 28 September 2000;
7. Underscores the need for the parties to take confidence-building measures aimed at improving the situation on the ground, promoting stability and fostering the peace process, including the need for the further release of prisoners;
8. Stresses the need for a speedy end to the reoccupation of Palestinian population centres, inter alia, by easing movement and access, including by the removal of checkpoints and other obstructions to movement, and the need for respect and preservation of the territorial unity, contiguity and integrity of all of the Occupied Palestinian Territory, including East Jerusalem;
9. Also stresses the need for an immediate and complete cessation of all acts of violence, including military attacks, destruction and acts of terror;
10. Notes the Israeli withdrawal in 2005 from within the Gaza Strip and parts of the northern West Bank and the dismantlement of the settlements therein as a step towards the implementation of the road map, and the need for the parties to resolve all remaining issues in the Gaza Strip;
11. Reiterates the need for the full implementation by both parties of the Agreement on Movement and Access and the Agreed Principles for the Rafah Crossing, of 15 November 2005, and the need, in specific, to allow for the opening of all crossings into and out of the Gaza Strip for humanitarian supplies, movement and access as well as for commercial flows, which are essential for improving the living conditions of the Palestinian people and ensuring the viability of the Palestinian economy;
12. Calls upon Israel, the occupying Power, to comply strictly with its obligations under international law, including international humanitarian law, and to cease all of its measures that are contrary to international law and unilateral actions in the Occupied Palestinian Territory, including East Jerusalem, that are aimed at altering the character, status and demographic composition of the Territory, including via the de facto annexation of land, and thus at prejudging the final outcome of peace negotiations;
13. Demands, accordingly, that Israel, the occupying Power, comply with its legal obligations under international law, as mentioned in the advisory opinion and as demanded in resolutions ES-10/13 of 21 October 2003 and ES-10/15 and, inter alia, that it immediately cease its construction of the wall in the Occupied Palestinian Territory, including East Jerusalem, and calls upon all States Members of the United Nations to comply with their legal obligations, as mentioned in the advisory opinion;
14. Reiterates its demand for the complete cessation of all Israeli settlement activities in the Occupied Palestinian Territory, including East Jerusalem, and in the occupied Syrian Golan, and calls for the full implementation of the relevant Security Council resolutions;
15. Reaffirms its commitment, in accordance with international law, to the two-State solution of Israel and Palestine, living side by side in peace and security within recognized borders, based on the pre-1967 borders;
16. Stresses the need for:
(a) The withdrawal of Israel from the Palestinian territory occupied since 1967, including East Jerusalem;

(b) The realization of the inalienable rights of the Palestinian people, primarily the right to self-determination and the right to their independent State;
17. Also stresses the need for justly resolving the problem of Palestine refugees in conformity with its resolution 194(III) of 11 December 1948;
18. Calls upon the parties to accelerate direct peace negotiations towards the conclusion of a final peaceful settlement on the basis of relevant United Nations resolutions, especially of the Security Council, the terms of reference of the Madrid Conference, the road map and the Arab Peace Initiative;
19. 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 humanitarian crisis being faced by the Palestinian people, particularly in the Gaza Strip, to rehabilitate the Palestinian economy and infrastructure and to support the rebuilding, restructuring and reform of Palestinian institutions;
20. Welcomes, in this regard, the continuing efforts of the Quartet’s Special Representative, Tony Blair, to strengthen Palestinian institutions, promote Palestinian economic development and mobilize international donor support;
21. 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 sixty-fourth session a report on these efforts and on developments on this matter.

RECORDED VOTE ON RESOLUTION 63/29:

In favour: Afghanistan, Albania, Algeria, Andorra, Angola, Antigua and Barbuda, Argentina, Armenia, Austria, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belgium, Benin, Bhutan, Bolivia, Bosnia and Herzegovina, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burundi, Cambodia, Cape Verde, Central African Republic, Chile, China, Colombia, Comoros, Congo, Costa Rica, Côte d’Ivoire, Croatia, Cuba, Cyprus, Czech Republic, Democratic People’s Republic of Korea, Denmark, Djibouti, Dominica, Dominican Republic, Ecuador, Egypt, El Salvador, Eritrea, Estonia, Ethiopia, Fiji, Finland, France, Gabon, Gambia, Georgia, Germany, Ghana, Greece, Grenada, Guatemala, Guinea, Guinea-Bissau, 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, Liberia, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Malaysia, Malta, Mauritania, Mauritius, Mexico, Moldova, Monaco, Mongolia, Montenegro, Morocco, Mozambique, Myanmar, Namibia, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Romania, Russian Federation, Saint Lucia, Saint Vincent and the Grenadines, Sao Tome and Principe, Saudi Arabia, Senegal, Serbia, Singapore, Slovakia, Slovenia, Solomon Islands, Somalia, South Africa, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Switzerland, Syrian Arab Republic, Tajikistan, Thailand, The former Yugoslav Republic of Macedonia, Timor-Leste, Togo, Trinidad and Tobago, Tunisia, Turkey, Ukraine, Uganda, United Arab Emirates, United Kingdom, United States of America, Uruguay, Uzbekistan, Venezuela, Vietnam, Yemen, Zambia, Zimbabwe.


d Column on which the vote was recorded.

10. Votes recorded.

18. The following Member States voted in favour:

Afghanistan, Albania, Algeria, Andorra, Angola, Antigua and Barbuda, Argentina, Armenia, Austria, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belgium, Benin, Bhutan, Bolivia, Bosnia and Herzegovina, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burundi, Cambodia, Cape Verde, Central African Republic, Chile, China, Colombia, Comoros, Congo, Costa Rica, Côte d’Ivoire, Croatia, Cuba, Cyprus, Czech Republic, Democratic People’s Republic of Korea, Denmark, Djibouti, Dominica, Dominican Republic, Ecuador, Egypt, El Salvador, Eritrea, Estonia, Ethiopia, Fiji, Finland, France, Gabon, Gambia, Georgia, Germany, Ghana, Greece, Grenada, Guatemala, Guinea, Guinea-Bissau, 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, Liberia, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Malaysia, Malta, Mauritania, Mauritius, Mexico, Moldova, Monaco, Mongolia, Montenegro, Morocco, Mozambique, Myanmar, Namibia, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Romania, Russian Federation, Saint Lucia, Saint Vincent and the Grenadines, Sao Tome and Principe, Saudi Arabia, Senegal, Serbia, Singapore, Slovakia, Slovenia, Solomon Islands, Somalia, South Africa, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Switzerland, Syrian Arab Republic, Tajikistan, Thailand, The former Yugoslav Republic of Macedonia, Timor-Leste, Togo, Trinidad and Tobago, Tunisia, Turkey, Uganda, United Arab Emirates, United Kingdom, United States of America, Uruguay, Uzbekistan, Venezuela, Vietnam, Yemen, Zambia, Zimbabwe.

18. The following Member States voted against:

Austria, Belgium, Bulgaria, Canada, Czech Republic, Denmark, France, Germany, India, Italy, Japan, Korea, the former Yugoslav Republic of Macedonia, Norway, the Russian Federation, Spain, United Kingdom, United States of America.

18. The following Member States abstained:

Albania, Algeria, Andorra, Angola, Antigua and Barbuda, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belgium, Benin, Bhutan, Bolivia, Bosnia and Herzegovina, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burundi, Cambodia, Cape Verde, Central African Republic, Chile, China, Colombia, Comoros, Congo, Costa Rica, Côte d’Ivoire, Croatia, Cuba, Cyprus, Czech Republic, Democratic People’s Republic of Korea, Denmark, Djibouti, Dominica, Dominican Republic, Ecuador, Egypt, El Salvador, Eritrea, Estonia, Ethiopia, Fiji, Finland, France, Gabon, Gambia, Georgia, Georgia, Germany, Ghana, Greece, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, Hungary, Iceland, India, Indonesia, Iran, Iraq, Ireland, Italy, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lao People’s Democratic Republic, Latvia, Lebanon, Lesotho, Liberia, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Malaysia, Malta, Mauritania, Mauritius, Mexico, Moldova, Monaco, Mongolia, Montenegro, Morocco, Mozambique, Myanmar, Namibia, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Romania, Russian Federation, Saint Lucia, Saint Vincent and the Grenadines, Sao Tome and Principe, Saudi Arabia, Senegal, Serbia, Singapore, Slovakia, Slovenia, Solomon Islands, Somalia, South Africa, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Switzerland, Syrian Arab Republic, Tajikistan, Thailand, The former Yugoslav Republic of Macedonia, Timor-Leste, Togo, Trinidad and Tobago, Tunisia, Turkey, Uganda, United Arab Emirates, United Kingdom, United States of America, Uruguay, Uzbekistan, Venezuela, Vietnam, Yemen, Zambia, Zimbabwe.
United Arab Emirates, United Kingdom, Uruguay, Uzbekistan, Vene-

cuela, Viet Nam, Yemen, Zambia, Zimbabwe.

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

Abstaining: Cameroon, Canada, Tonga.

In resolution 63/26 (see p. 516) adopted on the same
day, the Assembly requested the Committee on
Palestinian Rights to support the Middle East peace
process, and in resolution 63/165 (see p. 790), the
Assembly reaffirmed the right of the Palestinian peo-
ple to self-determination, including the right to their
independent State of Palestine. By decision 63/552 of
24 December, the Assembly decided that the agenda
items on the situation in the Middle East and on the
Question of Palestine would remain for considera-
tion during its resumed (2009) sixty-third session.

Fatah–Hamas relations

Communication. On 25 March [S/2008/201],
Yemen informed the Security Council of its initiative
regarding the resumption of dialogue between the two
Palestinian movements, Fatah and Hamas, which had
signed, on 23 March, the Sana’a Declaration to restart
negotiations, in affirmation of the unity of the terri-
tory and the people of the Palestinian homeland and
of a single authority. Yemen’s initiative, the elements
of which were annexed to its letter, foresaw a restora-
tion of the status quo ante of 13 June 2007 in Gaza,
adherence to commitments made by the PLO, and the
holding of early presidential and parliamentary elec-
tions. The resumption of dialogue should be founded
on the 2005 Cairo Agreement and the Agreement on
Palestinian National Reconciliation (Mecca, Saudi
Arabia, February 2007) [YUN 2007, p. 437]; on the basis
that the Palestinian people were an indivisible whole,
and that the PA was composed of an elected President
and Parliament and an executive authority in the form
of a Government of national unity; and on a commit-
tment to Palestinian legitimacy in all its elements. All
parties were to affirm respect for and commitment
to the Palestinian constitution and law, and national
security services loyal to the Government. A coalition
Government of national unity would be formed,
in which all factions were represented according to
the number of seats each held in Parliament. Pales-
tinian institutions should include all factions without
distinction and be under the control of the supreme
authority and of the national unity Government. Las
would form a committee composed of Egypt, Jordan,
Saudi Arabia and the Syrian Arab Republic, whose
task would be to implement those points; Yemen was
ready to participate in that committee should it be
asked.

Security Council consideration. On 27 June
[meeting 5927], the Director of the Asia and Pacific Di-
vision in the Department of Political Affairs brought
the Security Council’s attention to President Abbas’
5 June statement, made after extensive internal con-
sultations, calling for a comprehensive national dia-
logue in order to implement the proposed initiative by
the President of Yemen on Palestinian reunification
(see above). It was hoped that such dialogue could
support the calm in Gaza and the sustained reopening
of the crossings, and make progress towards the goal
of reunifying Gaza and the West Bank within the
framework of the legitimate PA.

Briefing the Council on 20 August [meeting 5963],
the Under-Secretary-General for Political Affairs, Mr.
Pascoe, stated that there had been a major increase in
Palestinian internal violence, contributing to a total
of 43 Palestinians killed and 366 injured. The rise in
internal Palestinian violence stemmed from an inci-
dent on 25 July in which five Hamas members and
a child were killed in a beachside bombing in Gaza.
Hamas claimed that the Fatah-affiliated Hillis clan
was sheltering the perpetrators and attacked the clan’s
stronghold in eastern Gaza City, the last bastion of
the Fatah military presence in the Gaza Strip. The
ensuing violence left 10 members of the Hillis family
dead, with dozens of clan members fleeing to the West
Bank through Israel. Members of the Hillis family
were detained by Hamas along with dozens of Fatah
and other activists, and there had been allegations of
torture committed by Hamas.

Following the 25 July bombing, Hamas initiated a
campaign for total control of the Gaza Strip. It raided
and closed down over 200 community-based organi-
zations in Gaza, which disrupted activities involving
thousands of beneficiaries. Eighty organizations re-
opened following Hamas’s review of their operations.
Hamas also seized control of the last remaining PA
institutions within the Gaza Strip, notably the Gove-
nerorates, which continued to report to President Ab-
bas and which Hamas had previously recognized as
legitimate PA structures. Three Governors had been
detained by Hamas, and two of them were still in
prison. Those actions, Mr. Pascoe said, severely prej-
udiced the prospects for Palestinian reunification
within the framework of the legitimate PA and raised
concern at the potential consequences for UN opera-
tions in Gaza.

In reaction to Hamas’ actions in Gaza, Palestinian
security forces in the West Bank arrested dozens of
Hamas activists, most of whom were later freed on
President Abbas’ orders. They also closed a number of
Hamas-linked institutions in the West Bank. Mr.
Pascoe called on both Hamas and the PA to release
detainees seized as a result of the recent violence, as
a first step in a process leading to reconciliation and
the reunification of Gaza and the West Bank under
the PA.
Hamas’ actions compounded the problems facing Gazans, divorcing Palestinian institutions from the PA itself and interrupting basic service delivery. Mr. Serry, Special Coordinator for the Middle East Peace Process reported to the Council on 18 September [meeting 5974]. Following Hamas’ decision to replace head and deputy head teachers with Hamas-affiliated staff and to reallocate thousands of teachers to new schools, a teachers’ strike led to major disruptions in the education sector since the start of the new academic year on 24 August. On 30 August, health workers joined the strike after the dismissal of a number of employees, forcing hospitals to postpone elective surgery and many health centres to close or suspend services. There were reports of Hamas marching doctors to their hospitals at gunpoint to ensure continuity of critical services. Despite the efforts of Mr. Serry’s office to resolve the crisis for the sake of the welfare of the population, Hamas’ unwillingness to restore the status ante quo was blocking a resolution of the conflict.

On 25 November [meeting 6022], Mr. Pascoe told the Security Council that Palestinians remained divided. Further to its reconciliation proposal to the Palestinian factions, Egypt had invited them to a meeting in Cairo on 9 November, but Hamas did not attend. The Secretary-General called on Hamas and all Palestinian factions to work urgently to reunify the Gaza Strip and West Bank within the PA framework and in a manner that allowed the peace process to move forward. However, rhetoric between Hamas and Fatah intensified. The PLO Central Committee announced its election of Mahmoud Abbas as President of the State of Palestine, but the Hamas leadership rejected that move.

On 18 December [meeting 6049], Mr. Serry reported to the Council that Hamas leader Ismail Haniyeh continued to challenge the continuation in office of President Abbas pending a resolution of the internal divide. While calling for Palestinian reunification, he rejected agreements signed and commitments undertaken by the PLO. President Abbas publicly raised the possibility of calling elections if reconciliation was not achieved. Foreign Ministers of LAS, meeting in Cairo on 26 November, called on President Abbas to continue his mandate until such time as Palestinian reconciliation was possible and presidential and legislative elections could be held simultaneously in both the Gaza Strip and the West Bank. They affirmed basic terms for such reunification and their continued support for efforts to achieve it, so as to reunite Gaza and the West Bank. The Quartet noted that position, stressing that restoring Palestinian unity would be an important step forward. Mr. Serry urged Hamas to respond positively to those exhortations, as it could not be in the interests of the Palestinian people for essential cornerstones of Palestinian legitimacy and national aspirations to be challenged.

Aid shipment to Gaza

Communication. On 2 December [S/2008/754], the Libyan Arab Jamahiriya requested a Security Council emergency meeting to consider an incident on 1 December involving the Libyan ship Al-Marwa, which it said had been heading for Gaza to deliver humanitarian aid, when two Israeli gunboats forced it to turn back. Libya requested the Council to act urgently to allow the ship to enter the port of Gaza and unload its cargo. In a letter on the same date [S/2008/753], Libya provided details on its cargo which, it affirmed, contained only foodstuffs and medicines, and invited the United Nations and the International Red Cross to inspect the ship to verify that it was on a humanitarian mission.


Israel, on the other hand, charged that Libya, since its election to the Council, had prevented any initiative on Middle East issues that contradicted its own narrow agenda. If Libya were genuinely interested in supporting peace and security in the Middle East, it would have condemned Hamas when it brutally took control of the Gaza Strip in a violent coup against the moderate PA, as well as the constant barrage of thousands of rockets and mortars on Israeli towns and villages by terrorists, Iran and the Syrian Arab Republic for harbouring, supporting and training terrorists, and the ongoing transfer of sophisticated weapons and financial resources to terrorist groups.

The United States said that those seeking to provide assistance to the people of Gaza could work through existing institutions and UN programmes and non-provocative and non-confrontational mechanisms. Direct delivery by sea was neither appropriate nor responsible under the circumstances.

The Council did not take any action on Libya’s request.

Israeli settlements

The issue of Israeli settlements in the West Bank, including East Jerusalem, remained central to the question of the Occupied Palestinian Territory, as it did to the peace negotiations. The road map and the Annapolis joint statement committed Israel to dis-
mante all settlement outposts erected since 2001 and to freeze—in a manner consistent with the 2001 report of the Sharm el-Sheikh Fact-Finding Committee (Mitchell Report) [YUN 2001, p. 409]—all settlement activity including natural growth.


**Report of Secretary-General.** In response to General Assembly resolution 62/108 [YUN 2007, p. 458], the Secretary-General submitted a November report [A/63/519], prepared by the Office of the United Nations High Commissioner for Human Rights (OHCHR), on the implementation of that resolution, especially the continuation of Israeli settlements activities in the occupied territories, covering the period from January to August 2008.

According to the Israeli Ministry of the Interior, the settler population in the West Bank, excluding East Jerusalem, had increased by 5.1 per cent from 268,163 in January 2007 to 282,362 in January 2008. According to UN sources, almost 40 per cent of the West Bank was taken up by Israeli infrastructure associated with the settlements, including roads, barriers, buffer zones and military bases.

Construction in the settlements had increased in 2008 by a factor of 1.8, in comparison with the same period in 2007; from January to May 2008, 433 new housing units were initiated, compared to just 240 units from January to May 2007. As at August 2008, more than 1,000 new buildings with approximately 2,600 housing units were being constructed in the settlements, about 55 per cent of which were located to the east of the separation wall. The number of tenders for construction in the settlements increased by 540 per cent in 2008 (417 housing units, compared with 65 in 2007), and in East Jerusalem for the construction of 1,761 housing units, up from 46 in 2007. Furthermore, 125 new structures were added to existing outputs, including 30 permanent houses.

Settlements, including their municipal boundaries, took up some 9 per cent of the total West Bank territory. Additional areas for agricultural and industrial use, as well as for future settlement expansion and military purposes, were included within the settlement regional jurisdiction, all of which were prohibited to Palestinians. Despite Israel’s claim that the internal closure system within the West Bank was imposed on Palestinian residents for security purposes, most of those restrictions on movement were largely for the protection of Israeli settlers and settlements and to provide settlers with unobstructed travel between settlements and Israel itself; none of the restrictions on freedom of movement applied to Israeli settlers or Israeli citizens.

The Palestinians’ right to an adequate standard of living were negatively affected by the settlements and the associated security regime and repeated instances of settler violence, as was their right to own property, since the building of settlements entailed expropriation and destruction of private Palestinian lands. It was estimated that 33 per cent of settlement areas was private Palestinian land.

In view of the worsening human rights situation in the occupied territory, the protection of both Palestinian and Israeli civilians required action by all parties and the international community, according to the Secretary-General. Israel should abide by its commitments, as stated in the road map and reiterated in the Annapolis Joint Statement, to immediately dismantle settlement outposts erected since March 2001 and to freeze all settlement activity, including natural growth. It should also halt attacks by settlers and ensure proper investigation and redress for the victims of such violence. The General Assembly and the international community should promote implementation of its decisions, resolutions and recommendations and those of the Security Council, the ICJ and UN human rights mechanisms.

**GENERAL ASSEMBLY ACTION**

On 5 December [meeting 64], the General Assembly, on the recommendation of the Fourth (Special Political and Decolonization) Committee [A/63/401], adopted resolution 63/97 by recorded vote (171-6-2) [agenda item 30].

**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,

Recalling its relevant resolutions, including resolution 62/108 of 17 December 2007, as well as those resolutions adopted at its tenth emergency special session,

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,

Considering that the transfer by the occupying Power of parts of its own civilian population into the territory it occupies constitutes a breach of the Fourth Geneva Convention and relevant provisions of customary law, including those codified in Additional Protocol I to the four Geneva Conventions,

Recalling the advisory opinion rendered on 9 July 2004 by the International Court of Justice on the Legal Consequences of the Construction of a Wall in the Occupied Palestinian Territory, and recalling also General Assembly resolutions ES-10/15 of 20 July 2004 and ES-10/17 of 15 December 2006,

Noting that the International Court of Justice concluded that “the Israeli settlements in the Occupied Palestinian Territory (including East Jerusalem) have been established in breach of international law”;

Taking note of the recent report of the Special Rapporteur of the Human Rights Council on the situation of human rights in the Palestinian territories occupied by Israel since 1967,

Recalling the Declaration of Principles on Interim Self-Government Arrangements of 13 September 1993 and the subsequent implementation agreements between the Palestinian and Israeli sides,

Recalling also the Quartet road map to a permanent two-State solution to the Israeli-Palestinian conflict, and noting specifically its call for a freeze on all settlement activity,

Aware that Israeli settlement activities involve, inter alia, the transfer of nationals of the occupying Power into the occupied territories, the confiscation of land, the exploitation of natural resources and other actions against the Palestinian civilian population that are contrary to international law,

Bearing in mind the detrimental impact of Israeli settlement policies, decisions and activities on efforts to achieve peace in the Middle East,

Expressing grave concern about the continuation by Israel, the occupying Power, of settlement activities in the Occupied Palestinian Territory, in violation of international humanitarian law, relevant United Nations resolutions and the agreements reached between the parties, and concerned particularly about Israel’s construction and expansion of settlements in and around Occupied East Jerusalem, including its so-called E-1 plan that aims to connect its illegal settlements around and further isolate Occupied East Jerusalem, and in the Jordan Valley,

Expressing grave concern also about the continuing unlawful construction by Israel of the wall inside the Occupied Palestinian Territory, including in and around East Jerusalem, and expressing its concern in particular about the route of the wall in departure from the Armistice Line of 1949, which is causing humanitarian hardship and a serious decline of socio-economic conditions for the Palestinian people, is fragmenting the territorial contiguity of the Territory, and could prejudice future negotiations and make the two-State solution physically impossible to implement,

Deeply concerned that the wall’s route has been traced in such a way as to include the great majority of the Israeli settlements in the Occupied Palestinian Territory, including East Jerusalem,

Deploring settlement activities in the Occupied Palestinian Territory, including East Jerusalem, and in the occupied Syrian Golan and any activities involving the confiscation of land, the disruption of the livelihood of protected persons and the de facto annexation of land,

Recalling the need to end all acts of violence, including acts of terror, provocation, incitement and destruction,

Gravely concerned about the rising incidents of violence by illegal armed Israeli settlers in the Occupied Palestinian Territory against Palestinian civilians and their properties and agricultural lands,

Noting the Israeli withdrawal from within the Gaza Strip and parts of the northern West Bank and the importance of the dismantlement of the settlements therein as a step towards the implementation of the road map,

Taking note of the relevant reports of the Secretary-General,

Taking note also of the special meeting of the Security Council convened on 26 September 2008,

1. Reaffirms that the Israeli settlements in the Palestinian territory, including East Jerusalem, and in the occupied Syrian Golan are illegal and an obstacle to peace and economic and social development;

2. Calls upon Israel to accept the de jure 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. Notes the Israeli withdrawal from within the Gaza Strip and parts of the northern West Bank and the importance of the dismantlement of the settlements therein as a step towards the implementation of the road map and the need for the parties to speedily resolve all remaining issues in the Gaza Strip;

4. Calls upon Israel, the occupying Power, to comply strictly with its obligations under international law, including international humanitarian law, with respect to the alteration of the character, status and demographic composition of the Occupied Palestinian Territory, including East Jerusalem;

5. Reiterates its demand for the immediate and complete cessation of all Israeli settlement activities in all of the Occupied Palestinian Territory, including East Jerusalem, and in the occupied Syrian Golan, and calls in this regard for the full implementation of the relevant Security Council resolutions, including resolution 465(1980);

6. Demands that Israel, the occupying Power, comply with its legal obligations, as mentioned in the advisory opinion rendered on 9 July 2004 by the International Court of Justice;

7. Reiterates its calls for the prevention of all acts of violence and harassment by Israeli settlers, especially against
Palestinian civilians and their properties and agricultural lands, and stresses the need for the implementation of Security Council resolution 904 (1994), in which the Council called upon Israel, the occupying Power, to continue to take and implement measures, including confiscation of arms, aimed at preventing illegal acts of violence by Israeli settlers, and called for measures to be taken to guarantee the safety and protection of the Palestinian civilians in the occupied territory;

8. Requests the Secretary-General to report to the General Assembly at its sixty-fourth session on the implementation of the present resolution.

RECORDED VOTE ON RESOLUTION 63/97:

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, Central African Republic, Chile, China, Colombia, Comoros, Congo, Costa Rica, Croatia, Cuba, Cyprus, Czech Republic, Democratic People’s Republic of Korea, Denmark, Djibouti, Dominica, Dominican Republic, Ecuador, Egypt, El Salvador, Eritrea, Estonia, Ethiopia, Finland, France, Gabon, Georgia, Germany, Ghana, Greece, Grenada, Guatemala, Guinea, Guinea-Bissau, 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, Liberia, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Monaco, Mongolia, Montenegro, Morocco, Mozambique, Myanmar, Namibia, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Moldova, Romania, Russian Federation, Saint Lucia, Saint Vincent and the Grenadines, Samoa, San Marino, Sao Tome and Principe, Saudi Arabia, Senegal, Serbia, Singapore, Slovakia, Slovenia, Solomon Islands, South Africa, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Switzerland, Syrian Arab Republic, Tajikistan, Thailand, The former Yugoslav Republic of Macedonia, Timor-Leste, Togo, Trinidad and Tobago, Tunisia, Turkey, Turkmenistan, Tuvalu, Uganda, Ukraine, United Arab Emirates, United Kingdom, United Republic of Tanzania, Uruguay, Uzbekistan, Vanuatu, Venezuela, Viet Nam, Yemen, Zambia, Zimbabwe.

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

Abstaining: Cameroon, Côte d’Ivoire.

Communications. On 5 December [S/2008/765], Egypt, as Chair of the Arab Group, requested an urgent meeting of the Security Council to address the recent escalation of Israeli settler violence, harassment, intimidation and provocation against Palestinian civilians, their properties and agricultural lands. Of particular concern was the rise of tensions in Al-Khalil (Hebron). On the same date [A/ES-10/427-S/2008/768], Palestine reported that Israeli settler terrorism against Palestinian civilians had intensified during recent weeks, especially in Hebron.

Jerusalem

East Jerusalem, where most of the city’s Arab population lived, remained one of the most sensitive issues in the Middle East peace process and a focal point for the United Nations. Continued settlement activities in East Jerusalem, like those throughout the West Bank, raised the concern of the Secretary-General and the Human Rights Council, as well as others. The Human Rights Council, by resolution 7/18 of 27 March [A/HRC/7/778] (see p. 894), deplored Israel’s announcement of the construction of new housing units in East Jerusalem, as they undermined the peace process and the creation of a contiguous, sovereign and independent Palestinian State, and violated international law and pledges made by Israel at the Annapolis Conference. The Special Committee on Israeli Practices reported [A/63/273] (see p. 502) that it had heard detailed testimony, supported by maps and photographs, on an excavation project in the Arab neighbourhood of Silwan in East Jerusalem, a few hundred metres from Al-Haram Al-Sharif/Temple Mount, which troubled the Palestinian population and archaeological experts. The Special Rapporteur on the situation of human rights in the occupied Palestinian territories, in an August report [A/63/326] (see p. 896), stated that the expansion of settlements had been particularly notable in East Jerusalem, where 1,800 new housing units had been approved. That expansion, accompanied by expulsions of Palestinians, furthered the Israeli policy of making East Jerusalem into a place of majority Jewish residence. In addition, he said, the presence of 250,000 Jews living illegally in East Jerusalem was being overlooked.

Report of Secretary-General. On 29 October [A/63/361], the Secretary-General reported that four Member States (Colombia, Ecuador, Mexico, Syria) had replied to his request for information on steps taken or envisaged to implement General Assembly resolution 62/84 [YUN 2007, p. 447], 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].

GENERAL ASSEMBLY ACTION

On 26 November [meeting 60], the General Assembly adopted resolution 63/30 [draft: A/63/L.36 & Add.1] by recorded vote (163-6-6) [agenda item 15].

Jerusalem

The General Assembly,
Recalling its resolution 181 (II) of 29 November 1947, in particular its provisions regarding the City of Jerusalem,
Recalling also its resolution 36/120 E of 10 December 1981 and all subsequent resolutions, including resolution 56/31 of 3 December 2001, in which it, inter alia, deter-
minded that all legislative and administrative measures and actions taken by Israel, the occupying Power, which have altered or purported to alter the character and status of the Holy City of Jerusalem, in particular the so-called “Basic Law” on Jerusalem and the proclamation of Jerusalem as the capital of Israel, were null and void and must be rescinded forthwith,

Recalling further the Security Council resolutions relevant to Jerusalem, including resolution 478(1980) of 20 August 1980, in which the Council, inter alia, decided not to recognize the “Basic Law” on Jerusalem,

Recalling the advisory opinion rendered on 9 July 2004 by the International Court of Justice on the Legal Consequences of the Construction of a Wall in the Occupied Palestinian Territory, and recalling resolution ES-10/15 of 20 July 2004,

Expressing its grave concern about any action taken by anybody, governmental or non-governmental, in violation of the above-mentioned resolutions,

Expressing its grave concern in particular about the continuation by Israel, the occupying Power, of illegal settlement activities, including the so-called E-1 plan, its construction of the wall in and around East Jerusalem, its restrictions on access to and residence in East Jerusalem, and the further isolation of the city from the rest of the Occupied Palestinian Territory, which is having a detrimental effect on the lives of Palestinians and could prejudice a final status agreement on Jerusalem,

Reaffirming that the international community, through the United Nations, has a legitimate interest in the question of the City of Jerusalem and the protection of the unique spiritual, religious and cultural dimensions of the city, as foreseen in relevant United Nations resolutions on this matter,

Having considered the report of the Secretary-General,

1. Reiterates its determination that any actions taken by Israel, the occupying Power, to impose its laws, jurisdiction and administration on the Holy City of Jerusalem are illegal and therefore null and void and have no validity whatsoever, and calls upon Israel to cease all such illegal and unilateral measures;

2. Stresses that a comprehensive, just and lasting solution to the question of the City of Jerusalem should take into account the legitimate concerns of both the Palestinian and Israeli sides and should include internationally guaranteed provisions to ensure the freedom of religion and of conscience of its inhabitants, as well as permanent, free and unhindered access to the holy places by the people of all religions and nationalities;

3. Requests the Secretary-General to report to the General Assembly at its sixty-fourth session on the implementation of the present resolution.

RECORDED VOTE ON RESOLUTION 63/30:

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

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

Abstaining: Australia, Cameroon, Côte d’Ivoire, Fiji, Haiti, Tonga.

Other aspects

Special Committee to Investigate Israeli Practices Affecting Human Rights

In response to General Assembly resolution 62/106 [YUN 2007, p. 455], 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), established by Assembly resolution 2443(XXIII) [YUN 1968, p. 555], reported for the fortieth time on the human rights situation in the territories it considered occupied by Israel—the Syrian Arab Golan, and the occupied Palestinian territory of the West Bank, East Jerusalem and the Gaza Strip [A/63/273].

The report was based on information gathered during the Special Committee’s mission to the Middle East (23 June–5 July), visiting Egypt, Jordan and the Syrian Arab Republic, where it heard the testimony of 33 witnesses. As in previous years, the Committee was not authorized by Israel to visit the occupied territories, as had been the case since 1968.

The Special Committee noted once again the serious deterioration of the human rights situation in the occupied territories due to the Israeli occupation and the population’s despondency in view of the violations of their basic human rights. Palestinians continued to suffer from Israeli military action that resulted in considerable loss of life and injuries and damage to property and infrastructure. They were subjected to
collective punishment and had seen their rights violated with an ever-decreasing possibility to seek effective redress. The construction of the separation wall in the West Bank and East Jerusalem was ongoing in defiance of the 2004 ICJ Advisory Opinion [YUN 2004, p. 452]. Settlements and bypass roads continued to expand, while restrictions on the freedom of movement intensified, severely affecting the enjoyment of virtually all human rights by the Palestinian population. The situation in the Gaza Strip was particularly serious, despite the hope resulting from the 19 June ceasefire (see p. 484). The Committee also noted that the shift from development to humanitarian assistance had increased even further.

The deterioration of the human rights situation could be largely attributed to Israeli practices, the Committee concluded. Israel and the international community had an obligation to ensure the realization of the human rights of the Palestinian people—including the population of Gaza—not as a matter of humanitarian charity, but as an obligation.

The Special Committee reiterated some of its recommendations made in 2007 [YU 2007, p. 452], calling on the Assembly to urgently consider all means to fulfil its responsibilities regarding all aspects of the Palestine question until it was resolved in conformity with UN resolutions and norms of international law and until the inalienable rights of the Palestinians were fully realized. The Assembly should urge the Security Council to ensure implementation of the 2004 ICJ Advisory Opinion and Assembly resolution ES-10/15, adopted at the tenth emergency special session on Palestine [YUN 2004, p. 465], requesting Israel to dismantle the segments of the separation wall and make reparations for the damage arising from its construction. The Council should consider sanctions against Israel if it persisted in neglecting its international legal obligations, ensure that States were not assisting in the construction of the wall, and encourage Quartet members to fully implement the road map to achieve a comprehensive, just and lasting settlement.

Israel should recognize the applicability of the Fourth Geneva Convention in the Occupied Palestinian Territory, respect international law, cease its excessive use of force and the destruction of land, property, houses and infrastructure, and stop confiscating Palestinian land and expanding Jewish settlements. It should restore freedom of movement throughout the territory, end the closure and collective punishment of the people of Gaza, stop mass arrests and arbitrary detention, and guarantee those arrested a fair trial and detention conditions in keeping with international conventions. Israel should urgently implement its obligations set forth in the road map [YUN 2003, p. 464] and withdraw its military presence from the Occupied Palestinian Territory and its occupation of the Syrian Golan. Israel should also implement the recommendations of UN treaty bodies, the Special Representative of the Secretary-General for Children and Armed Conflict, and the High Commissioner for Human Rights. Furthermore, it should establish an independent and transparent system of accountability, ensuring prompt and impartial investigations.

For its part, the PA should abide by human rights law and international humanitarian law, aim to resolve the urgent human rights and humanitarian crisis in the territory, and fully restore the rule of law in areas under its control, as well as comply with the road map requirements.

The Special Committee urged civil society groups, and diplomatic, academic and research institutions to use their influence to make widely known the serious human rights and humanitarian situation of the Palestinians, as well as the human rights situation in the occupied Syrian Golan. It commended the efforts of Israeli NGOs made on behalf of Palestinian rights, and encouraged international and national media to provide broad and accurate coverage of the situation in the occupied territory, with a view to mobilizing international public opinion in favour of a just and lasting settlement.

**Report of Secretary-General.** On 5 November [A/63/518], the Secretary-General submitted a report by the Office of the United Nations High Commissioner for Human Rights (OHCHR) on the implementation of resolution 62/109 [YUN 2007, p. 453] on Israeli practices affecting the human rights of the Palestinian people in the Occupied Palestinian Territory, including East Jerusalem, covering the period from January to August 2008. The report addressed the policy of Israeli closures and severe restrictions, including their impact on the socio-economic situation in the Occupied Palestinian Territory, the separation wall and the destruction of property, and the conditions affecting Palestinian prisoners in Israel.

Claiming that it was necessary for its security, Israel continued to impose a comprehensive closure system, which consisted of a complex array of physical and administrative obstacles that had a severe and detrimental impact on the rights of the Palestinians, specifically the right to freedom of movement, to choose a residence, and to leave and re-enter the Occupied Territory. The restrictions also had serious economic consequences, impeded access to health care, education and employment and caused significant financial hardship and the interruption of essential social networks and communities. The permit system imposed on all Palestinian identification card holders remained active; permits for Palestinians to enter Israel, and hence travel to East Jerusalem and the West Bank were still difficult to obtain, and the rules as to whether a permit was required or would be granted...
were fluid and could change daily. The permit system was enforced by a web of checkpoints along the Green Line and in the West Bank and Jerusalem. In April, the United Nations Office for the Coordination of Humanitarian Affairs estimated that there were 88 manned obstacles out of a total of 607 closure obstacles in the West Bank. During the first half of 2008, 41 days of general closure were enforced in the West Bank, compared to 19 in 2007.

Israel had not met the conditions established under article 4 of the International Covenant on Civil and Political Rights [YUN 1996, p. 423] for derogation from the right to freedom of movement, requiring that, when imposed, a derogation had to be temporary, existing only during an officially proclaimed state of emergency that threatened the life of the nation. The restrictions imposed by Israel on the Palestinian population also infringed on its duties under international humanitarian law.

The construction of the wall, which fragmented the West Bank into non-contiguous enclaves, brought new restrictions on movement and access. In July, after years of deliberations by the Israeli High Court, Israel declared that it would demolish sections of the wall around the village of Bil’in, west of Ramallah, and near Qalqilia in the northern West Bank, moving the wall’s location in those two areas by 2.4 kilometres to allow Palestinian farmers access to 2,600 dunums of land. In areas where the wall had already been built, extensive rights violations of Palestinians living nearby were frequently reported. In areas located between the barrier and the 1949 Armistice Demarcation Line (Green Line) [YUN 1948–49, p. 184], representing 9.8 per cent of the West Bank, access by Palestinian farmers to their lands and water resources was severely limited and could be achieved only through restrictive permit and gate regimes.

A 168-kilometre-long section of the wall separated East Jerusalem from the rest of the West Bank, which, in conjunction with the identification card and permit system and the series of checkpoints, had weakened the social and economic connection between residents of East Jerusalem and the West Bank. By contrast, the wall encircled settlements around Jerusalem and within the West Bank and connected them to Israel, ensuring that Israeli settlers had unimpeded access to Jerusalem. Insecurity measures had an impact on access to religious sites in East Jerusalem, and traders and consumers no longer had access to its markets.

Since the 1993 Declaration of Principles on Interim Self-Government Arrangements (Oslo Agreement) [YUN 1993, p. 521], land in the West Bank had been divided into three areas. Area C, which accounted for around 61 per cent of West Bank territory, remained under Israeli military authority, including building and planning. During the first quarter of 2008, Israeli authorities demolished 124 structures for lack of permit; 61 of those were residential buildings that caused the displacement of 435 Palestinians, including 135 children.

On Palestinians in Israeli prisons, the report noted that more than 650,000 Palestinians had been detained since the beginning of Israeli occupation in 1967. As at 31 August 2008, there were 8,403 prisoners in Israeli jails and detention centres, 649 of whom were administrative detainees held without charge or trial. Serious concerns existed regarding the conditions of Palestinians during detention. Torture and other forms of ill treatment continued to be prevalent in the context of arrest and interrogation of persons suspected of being a security threat. Palestinian prisoners faced inadequate access to health care and food. Female prisoners were reportedly subjected to sexual harassment, frequent body searches and physical intimidation, and minors were not treated in accordance with international standards. Following the Hamas takeover of the Gaza Strip in June 2007 [YUN 2007, p. 441], Israel suspended visits from family members travelling from Gaza to Palestinian detainees in Israel, thus depriving more than 900 detainees of direct contact with their relatives for over one year.

The report recommended that, in view of the worsening human rights situation in the Territory, the United Nations should reiterate its commitment to ensuring strong advocacy for the needs and rights of civilians and remind the parties of their primary responsibility for protecting civilians.

Report of Special Rapporteur. By a 25 August note [A/63/326], the Secretary-General transmitted the report of the Special Rapporteur (Richard Falk) on the situation of human rights in the Palestinian territories occupied since 1967, covering the period from 1 January to 31 July 2008 (see p. 896).

UN Register of Damage. The UN Register of Damage Caused by the Construction of the Wall in the Occupied Palestinian Territory, established in Vienna in accordance with General Assembly resolution ES-10/17 [YUN 2006, p. 529], became operational in June, with a small team of 18 substantive and technical staff, following the appointment of a three-member Board in 2007 [YUN 2007, p. 461] and of the Executive Director in January 2008. The Board adopted provisional rules of procedure for claims registration and a claim form for registration of damage, and began the work of collecting claim forms and considering them for inclusion in the Register.

The Board reviewed the first 30 claim forms translated from Arabic into English, processed through the Register’s electronic database and reviewed by staff of the Office. It decided to include in the Register losses set out in each of those forms, signifying the beginning of the existence of the Register.
The Special Committee on Palestinian Rights [A/63/273] stated that the establishment of the Register had been a lengthy and—as considered by many—disappointing process owing to its lack of presence in the Occupied Palestinian Territory and narrow mandate.

GENERAL ASSEMBLY ACTION

On 5 December [meeting 64], on the recommendation of the Fourth Committee [A/63/401], the General Assembly adopted resolution 63/98 by recorded vote (165–8–4) [agenda item 30].

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

The General Assembly,

Recalling the Universal Declaration of Human Rights,

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

Reaffirming its relevant resolutions, including resolution 62/109 of 17 December 2007, as well as those adopted at its tenth emergency special session,

Recalling the relevant resolutions of the Commission on Human Rights and the Human Rights Council,

Reaffirming also the relevant resolutions of the Security Council, and stressing the need for their implementation,

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

Taking note of the recent reports of the Special Rapporteur of the Human Rights Council on the situation of human rights in the Palestinian territories occupied since 1967,

Recalling the advisory opinion rendered on 9 July 2004 by the International Court of Justice, and recalling also General Assembly resolutions ES-10/15 of 20 July 2004 and ES-10/17 of 15 December 2006,

Noting in particular the Court’s reply, including that the construction of the wall being built by Israel, the occupying Power, in the Occupied Palestinian Territory, including in and around East Jerusalem, and its associated regime are contrary to international law,

Aware of the responsibility of the international community to promote human rights and ensure respect for international law, and recalling in this regard its resolution 2625(XXV) of 24 October 1970,

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,

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

Stressing the need for full compliance with the Israeli-Palestinian agreements reached within the context of the Middle East peace process, including the Sharm el-Sheikh understandings, and the implementation of the Quartet road map to a permanent two-State solution to the Israeli-Palestinian conflict,

Stressing also the need for the full implementation of the Agreement on Movement and Access and the Agreed Principles for the Rafah Crossing, both of 15 November 2005, to allow for the freedom of movement of the Palestinian civilian population within and into and out of the Gaza Strip,

Expressing grave concern about the continuing systematic violation of the human rights of the Palestinian people by Israel, the occupying Power, including that arising from the excessive use of force, the use of collective punishment, the reoccupation and closure of areas, the confiscation of land, the establishment and expansion of settlements, the construction of a wall in the Occupied Palestinian Territory in departure from the Armistice Line of 1949, the destruction of property and infrastructure, 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 about the military actions that have been carried out since 28 September 2000 and that have led to thousands of deaths among Palestinian civilians, including hundreds of children, and tens of thousands of injuries,

Expressing deep concern about the continuing deterioration in the humanitarian and security situation in the Gaza Strip, including that resulting from the Israeli military actions against civilian areas, and the prolonged closure of crossings into and out of the Gaza Strip, as well as from the firing of rockets into Israel and the negative impact of the events of June 2007 leading to the unlawful takeover of Palestinian Authority institutions in the Gaza Strip,

Expressing deep concern also about the vast destruction caused by the Israeli occupying forces to Palestinian homes, properties, vital infrastructure, agricultural lands and institutions of the Palestinian Authority, and expressing deep concern about the short- and long-term detrimental impact of such destruction on the socio-economic and humanitarian conditions and human rights of the Palestinian civilian population,

Expressing deep concern further about the Israeli policy of closures, severe restrictions, and a permit regime that obstruct the freedom of movement of persons and goods, including medical and humanitarian personnel and goods, throughout the Occupied Palestinian Territory, including East Jerusalem, and about the consequent violation of the human rights of the Palestinian people and the negative impact on their socioeconomic situation, which remains
that of a dire humanitarian crisis, particularly in the Gaza Strip,

Concerned in particular about the continued establishment of Israeli checkpoints in the Occupied Palestinian Territory, including East Jerusalem, and the transformation of several of these checkpoints into structures akin to permanent border crossings inside the Occupied Palestinian Territory, which are severely impairing the territorial contiguity of the Territory and undermining efforts and aid aimed at rehabilitating and developing the Palestinian economy, adversely affecting other aspects of the socio-economic conditions of the Palestinian people,

Expressing deep concern that thousands of Palestinians, including hundreds of children and women, continue to be held in Israeli prisons or detention centres under harsh conditions that impair their well-being, and expressing concern about the ill treatment and harassment of any Palestinian prisoners and all reports of torture,

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

Emphasizing the right of all people in the region to the enjoyment of human rights as enshrined in the international human rights covenants,

1. Reiterates 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, cease all practices and actions that violate the human rights of the Palestinian people, including extrajudicial executions, and that it respect human rights law and comply with its legal obligations in this regard;

3. Also 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 and in breach of the Convention, including all of its settlement activities and the construction of the wall in the Occupied Palestinian Territory, including in and around East Jerusalem, which, inter alia, gravely and detrimentally impact the human rights of the Palestinian people;

4. Condemns all acts of violence, including all acts of terror, provocation, incitement and destruction, especially the excessive use of force by the Israeli occupying forces against Palestinian civilians, which have caused extensive loss of life and vast numbers of injuries, including among children, massive destruction of homes, properties, agricultural lands and vital infrastructure, and internal displacement of civilians;

5. Expresses grave concern at the firing of rockets against Israeli civilian areas resulting in loss of life and injury;

6. Notes the Israeli withdrawal in 2005 from within the Gaza Strip and parts of the northern West Bank and the dismantlement of the settlements therein as a step towards the implementation of the road map;

7. Calls upon Israel, the occupying Power, to comply strictly with its obligations under international law, including international humanitarian law, with respect to the alteration of the character, status and demographic composition of the Occupied Palestinian Territory, including East Jerusalem;

8. Demands that Israel, the occupying Power, comply with its legal obligations under international law, as mentioned in the advisory opinion rendered on 9 July 2004 by the International Court of Justice and as demanded in resolutions ES-10/15 of 20 July 2004 and ES-10/13 of 21 October 2003, and that it immediately cease the construction of the wall in the Occupied Palestinian Territory, including in and around East Jerusalem, dismantle forthwith the structure situated therein, repeal or render ineffective all legislative and regulatory acts relating thereto, and make reparation for all damage caused by the construction of the wall, which has gravely impacted the human rights and the socio-economic living conditions of the Palestinian people;

9. Reiterates the need for respect for the unity and territorial contiguity and integrity of all of the Occupied Palestinian Territory and for guarantees of the freedom of movement of persons and goods within the Palestinian territory, including movement into and from East Jerusalem, into and from the Gaza Strip, and to and from the outside world;

10. Calls upon Israel, the occupying Power, to cease its imposition of closures and restrictions on movement, and, in this regard, to implement the Agreement on Movement and Access and the Agreed Principles for the Rafah Crossing, both of 15 November 2005;

11. Urges Member States to continue to provide emergency assistance to the Palestinian people to alleviate the financial crisis and the dire humanitarian situation, particularly in the Gaza Strip;

12. Emphasizes the need to preserve the Palestinian institutions and infrastructure for the provision of vital public services to the Palestinian civilian population and the promotion of human rights, including civil, political, economic, social and cultural rights;

13. Requests the Secretary-General to report to the General Assembly at its sixty-fourth session on the implementation of the present resolution.

RECORDED VOTE ON RESOLUTION 63/98:

In favour: Afghanistan, Albania, Algeria, Andorra, Angola, Antigua and Barbuda, Argentina, Armenia, Austria, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belgium, Belize, Benin, Bhutan, Bolivia, Bosnia and Herzegovina, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burundi, Cambodia, Cape Verde, Central African Republic, Chile, China, Colombia, Comoros, Congo, Costa Rica, 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, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Hungary, Iceland, India, Indonesia, Iran, Iraq, Ireland, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lao People’s Democratic Republic, Latvia, Lebanon, Lesotho, Liberia, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Malawi, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Moldova, Monaco, Mongolia, Montenegro, Morocco,
Mozambique, Myanmar, Namibia, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Romania, Russian Federation, Saint Lucia, Saint Vincent and the Grenadines, San Marino, Sao Tome and Principe, Saudi Arabia, Senegal, Serbia, Singapore, Slovakia, Slovenia, Solomon Islands, South Africa, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Switzerland, Syrian Arab Republic, Tajikistan, Thailand, The former Yugoslav Republic of Macedonia, Timor-Leste, Togo, Trinidad and Tobago, Tunisia, Turkey, Turkmenistan, Tuvalu, Uganda, Ukraine, United Arab Emirates, United Kingdom, United Republic of Tanzania, Uruguay, Uzbekistan, Venezuela, Viet Nam, Yemen, Zambia, Zimbabwe.

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

Abstaining: Cameroon, Côte d’Ivoire, El Salvador, Honduras.

Work of Special Committee

Report of Secretary-General. On 15 October [A/63/483], the Secretary-General reported to the General Assembly on the implementation of resolution 62/106 [YUN 2007, p. 455] as it concerned the work of the Special Committee and that of the UN Department of Public Information (DPI) in support of the Committee’s efforts during the period from August 2007 to July 2008.

The Special Committee was supported by various UN agencies in the implementation of its mandate, specifically OHCHR and the offices of the United Nations Resident Coordinators in Egypt, Jordan and the Syrian Arab Republic in the organization of a mission and by offering in situ support. DPI continued to disseminate information on the Special Committee’s work through various means, ensuring that such information was available to global audiences in the six official UN languages. The Department held its annual training programme for Palestinian journalists, published a new version of the booklet *The United Nations and the Question of Palestine* and displayed a new exhibit on Palestine at UN Headquarters on the issue of human rights in the Occupied Palestinian Territory.

**GENERAL ASSEMBLY ACTION**

On 5 December [meeting 64], the General Assembly, on the recommendation of the Fourth Committee [A/63/401], adopted resolution 63/95 by recorded vote (94-8-73) [agenda item 30].

Work of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories

The General Assembly,

Guided by the purposes and principles of the Charter of the United Nations,

Convinced that the Israeli occupation will be brought to an early and complete end and that therefore the violation of the human rights of the Palestinian people will cease, and recalling in this regard its resolution 58/292 of 6 May 2004,

1. **Commends** the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories for its efforts in performing the tasks assigned to it by the General Assembly and for its impartiality;

2. **Reiterates its demand** that Israel, the occupying Power, cooperate, in accordance with its obligations as a State Member of the United Nations, with the Special Committee in implementing its mandate;

3. **Deplores** those policies and practices of Israel that violate the human rights of the Palestinian people and other Arabs of the occupied territories, as reflected in the report of the Special Committee covering the reporting period;

4. **Expresses grave concern** about the critical situation in the Occupied Palestinian Territory, including East Jerusalem, since 28 September 2000, as a result of unlawful Israeli practices and measures, and especially condemns all illegal Israeli settlement activities and the construction of the wall, as well as the excessive and indiscriminate use of force against the civilian population, including extrajudicial executions;
5. Requests the Special Committee, pending complete termination of the Israeli occupation, to continue 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 the thousands 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 the Israeli policies and practices referred to in the present resolution;
   (b) To continue to make available such 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 sixty-fourth session on the tasks entrusted to him in the present resolution;

9. Decides to include in the provisional agenda of its sixty-fourth 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”.

RECORDED VOTE ON RESOLUTION 63/95:

In favour: Afghanistan, Algeria, Angola, Antigua and Barbuda, Armenia, Azerbaijan, Bahrain, Bangladesh, Barbados, Belarus, Belize, Benin, Bhutan, Bolivia, Brazil, Brunei Darussalam, Cambodia, Central African Republic, Chile, China, Colombia, Congo, Cuba, Democratic People’s Republic of Korea, Djibouti, Dominica, Dominican Republic, Ecuador, Egypt, Eritrea, Gabon, Ghana, Grenada, Guatemala, Guinea-Bissau, Guyana, Haiti, India, Indonesia, Iran, Iraq, Jamaica, Jordan, Kenya, Kuwait, Kyrgyzstan, Lao People’s Democratic Republic, Lebanon, Lesotho, Libyan Arab Jamahiriya, Malawi, Malaysia, Maldives, Mali, Mauritania, Mauritius, Morocco, Mozambique, Myanmar, Namibia, Nepal, Nicaragua, Niger, Oman, Pakistan, Qatar, Saint Lucia, Saint Vincent and the Grenadines, Sao Tome and Principe, Saudi Arabia, Senegal, Singapore, South Africa, Sri Lanka, Sudan, Suriname, Swaziland, Syrian Arab Republic, Tajikistan, Togo, Trinidad and Tobago, Tunisia, Turkey, Turkmenistan, Tuvalu, Uganda, United Arab Emirates, United Republic of Tanzania, Uzbekistan, Venezuela, Viet Nam, Yemen, Zambia, Zimbabwe.

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

Abstaining: Albania, Andorra, Argentina, Austria, Bahamas, Belgium, Bosnia and Herzegovina, Botswana, Bulgaria, Burundi, Cameroon, Colombia, Costa Rica, Côte d’Ivoire, Croatia, Cyprus, Czech Republic, Denmark, El Salvador, Estonia, Ethiopia, Fiji, Finland, France, Georgia, Germany, Greece, Guatemala, Honduras, Hungary, Iceland, Ireland, Italy, Japan, Kazakhstan, Latvia, Liberia, Liechtenstein, Lithuania, Luxembourg, Malta, Mexico, Moldova, Monaco, Mongolia, Montenegro, Netherlands, New Zealand, Norway, Panama, Paraguay, Peru, Philippines, Poland, Portugal, Republic of Korea, Romania, Russian Federation, Samoa, San Marino, Serbia, Slovakia, Slovenia, Spain, Sweden, Switzerland, Thailand, The former Yugoslav Republic of Macedonia, Timor-Leste, Tonga, Ukraine, United Kingdom, Uruguay.

Economic and social situation

ESCWA report. By a 6 May note [A/63/74-E/2008/13], the Secretary-General submitted a report on the economic and social repercussions of the Israeli occupation on the living conditions of the Palestinian people in the Occupied Palestinian Territory, including East Jerusalem, and of the Arab population in the occupied Syrian Golan, prepared by the Economic and Social Commission for Western Asia (ESCWA), in accordance with Economic and Social Council resolution 2007/26 [YUN 2007, p. 449] and General Assembly resolution 62/181 [ibid., p. 450].

The report concluded that a combination of intensified closures and sanctions imposed by Israel, as well as heightened Palestinian internal conflict, had led to a measurable deepening of the socio-economic crisis in the Occupied Palestinian Territory. Living conditions were declining and social and spatial dismemberment was occurring, as residents of the Gaza Strip had become almost completely isolated, with access only to basic commodities and humanitarian items.

The situation in the Occupied Territory prompted the UN country team to launch the 2008 consolidated appeal which, at $452.2 million, represented about an 8 per cent increase over 2007 (see p. 1005). The appeal focused on humanitarian aid; the protection of civilians and the implementation of international humanitarian law; humanitarian monitoring and reporting; and the strengthening of UN humanitarian coordination. While those measures were aimed at stabilizing socio-economic conditions, they were not expected to contribute to their long-term improvement.

The Secretary-General observed that the water supply and sanitation services for Palestinians were insuf-
sufficient and unreliable in terms of quality. The daily average of per capita water consumption was below the minimum recommended standard. In 2007, on average, 35.2 per cent in the West Bank and 36.3 per cent of households in the Gaza Strip had piped water. In the Gaza Strip, 15 per cent of the population was receiving water for only one or two hours per day, owing to the lack of electrical power due to fuel supply cuts and the ban on the importation of spare parts, water wells and pumping stations. As at 23 January 2008, about 30 per cent of Gazans had limited access to running water, and about 35 million litres of sewage daily were entering the sea.

**Special Committee on Israeli Practices.** The Special Committee on Israeli Practices, in its annual report [A/63/273], noted that one of the major issues in the Occupied Palestinian Territory was competition for resources, most significantly the control of water resources. According to testimony received, Palestinians suffered from acute water scarcity, resulting from the continuous expansion of settlements, with Israeli consumption reaching 4.3 times that of the average of the Occupied Territory and Israeli settlers’ consumption 5.3 times that of the West Bank average. Of available groundwater resources in the West Bank, 18 per cent was used by Palestinians, while 82 per cent was controlled and used by Israelis.

**ECONOMIC AND SOCIAL COUNCIL ACTION**

On 25 July [meeting 44], the Economic and Social Council adopted resolution 2008/31 [draft: E/2008/ L.26] as orally revised by roll-call vote (49-2-2) [agenda item 11].

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

The Economic and Social Council,

Recalling General Assembly resolution 62/181 of 19 December 2007,

Recalling also its resolution 2007/26 of 26 July 2007,


Recalling the resolutions of the tenth emergency special session of the General Assembly, including resolutions ES-10/13 of 21 October 2003, ES-10/14 of 8 December 2003, ES-10/15 of 20 July 2004 and ES-10/17 of 15 December 2006,

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 Ter-

rity, including East Jerusalem, and other Arab territories occupied by Israel since 1967,

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


Reaffirming the principle of the permanent sovereignty of peoples under foreign occupation over their natural resources, and expressing concern in this regard about the exploitation of natural resources by Israel, the occupying Power, in the Occupied Palestinian Territory, including East Jerusalem, and in the occupied Syrian Golan,

Convinced that the Israeli occupation has gravely impeded the efforts to achieve sustainable development and a sound economic environment in the Occupied Palestinian Territory, including East Jerusalem, and in the occupied Syrian Golan, and expressing grave concern about the consequent deterioration of economic and living conditions,

Gravely concerned, in this regard, about the continuation of settlement activities by Israel and other related measures in the Occupied Palestinian Territory, particularly in and around occupied East Jerusalem, as well as in the occupied Syrian Golan in violation of international humanitarian law and relevant United Nations resolutions,

Gravely concerned also by the serious repercussions on the economic and social conditions of the Palestinian people caused by Israel’s construction of the wall and its associated regime inside the Occupied Palestinian Territory, including in and around East Jerusalem, and the resulting violation of their economic and social rights, including the right to work, to health, to education and to an adequate standard of living,

Recalling, in this regard, the advisory opinion rendered on 9 July 2004 by the International Court of Justice on the Legal Consequences of the Construction of a Wall in the Occupied Palestinian Territory, recalling also Assembly resolution ES-10/15, and stressing the need to comply with the obligations mentioned therein,

Expressing grave concern at the extensive destruction by Israel, the occupying Power, of properties, agricultural land and orchards in the Occupied Palestinian Territory, including East Jerusalem, including, in particular, in connection with its construction of the wall, contrary to international law, in the Occupied Palestinian Territory, including in and around East Jerusalem,

Expressing deep concern about continuing Israeli military operations and the continuing Israeli policy of closures and severe restrictions on the movement of persons and goods, including humanitarian personnel and food, medical, fuel and other essential supplies, via the imposition of crossing
closures, checkpoints and a permit regime throughout the Occupied Palestinian Territory, including East Jerusalem, and the consequent negative impact on the socio-economic situation of the Palestinian people, which remains that of dire humanitarian crisis, in particular in the Gaza Strip.

Gravely concerned by various reports of the United Nations and the specialized agencies regarding the inordinate rates of unemployment, widespread poverty and severe humanitarian hardships, including food insecurity and rising health-related problems, including high levels of malnutrition, among the Palestinian people, especially children, in the Occupied Palestinian Territory, including East Jerusalem,

Expressing grave concern at the increasing number of deaths and injuries of civilians, including children and women,

Emphasizing the importance of the safety and well-being of all civilians, and calling for the cessation of all acts of violence, including all acts of terror, provocation, incitement and destruction, and all firing of rockets,

Conscious of the urgent need for the reconstruction and development of the economic and social infrastructure of the Occupied Palestinian Territory, including East Jerusalem, as well as the urgent need to address the dire humanitarian crisis facing the Palestinian people,

Commending the important work being done by the United Nations, the specialized agencies and the donor community in support of the economic and social development of the Palestinian people, as well as the assistance being provided in the humanitarian field,

Recognizing the efforts being undertaken by the Palestinian Authority, with international support, to rebuild, reform and strengthen its damaged institutions and promote good governance, and emphasizing the need to preserve the Palestinian institutions and infrastructure and to ameliorate economic and social conditions,

Stressing the importance of national unity among the Palestinian people, and emphasizing the need for the respect and preservation of the territorial integrity and unity of the Occupied Palestinian Territory, including East Jerusalem,

Calling upon both parties to fulfill their obligations under the road map in cooperation with the Quartet,

1. Calls for the lifting of the severe restrictions imposed on the Palestinian people, including those arising from ongoing Israeli military operations, and for other urgent measures to be taken to alleviate the desperate humanitarian situation in the Occupied Palestinian Territory, especially in the Gaza Strip;
2. Stresses the need to preserve the national unity and the territorial integrity of the Occupied Palestinian Territory, including East Jerusalem, and to guarantee the freedom of movement of persons and goods throughout the Occupied Palestinian Territory, including East Jerusalem, as well as to and from the outside world;
3. Demands that Israel comply with the Protocol on Economic Relations between the Government of Israel and the Palestine Liberation Organization signed in Paris on 29 April 1994;
4. Calls upon Israel to restore and replace civilian properties, vital infrastructure, agricultural lands and governmental institutions that have been damaged or destroyed as a result of its military operations in the Occupied Palestinian Territory;
5. Reiterates the call for the full implementation of the Agreement on Movement and Access of 15 November 2005, particularly the urgent and uninterrupted reopening of Rafah and Karni crossings, which is crucial to ensuring the passage of foodstuffs and essential supplies, including fuel, as well as the unhindered access of the United Nations agencies to and within the Occupied Palestinian Territory, and expresses deep concern at any actions that threaten the integrity of the border crossings and the distribution of fuel;
6. Calls upon all parties to respect the rules of international humanitarian law and to refrain from violence against the civilian population in accordance with the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949;
7. 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 those resources;
8. Calls upon Israel, the occupying Power, to cease its destruction of homes and properties, economic institutions and agricultural lands and orchards in the Occupied Palestinian Territory, including East Jerusalem, as well as in the occupied Syrian Golan;
9. Also calls upon Israel, the occupying Power, to cease the dumping of all kinds of waste materials in the Occupied Palestinian Territory, including East Jerusalem, and in the occupied Syrian Golan, which gravely threaten their natural resources, namely, the water and land resources, and pose an environmental hazard and health threat to the civilian populations, and calls for the further implementation of critical environmental projects, including the sewage treatment plant in the Gaza Strip;
10. Reaffirms that Israeli settlements in the Occupied Palestinian Territory, including East Jerusalem, and the occupied Syrian Golan, are illegal and constitute a major obstacle to economic and social development, and calls for the full implementation of the relevant Security Council resolutions and compliance by Israel, the occupying Power, with international law, including the Fourth Geneva Convention;
11. Also reaffirms that Israel’s ongoing construction of the wall in the Occupied Palestinian Territory, including in and around East Jerusalem, is contrary to international law and is isolating East Jerusalem, fragmenting the West Bank and seriously debilitating the economic and social development of the Palestinian people, and calls in this regard for full compliance with the legal obligations mentioned in the advisory opinion rendered on 9 July 2004 by the International Court of Justice and in Assembly resolution ES-10/15;
12. Calls upon Israel to comply with the provisions of the Fourth Geneva Convention, and to facilitate the visits of Syrian citizens of the occupied Syrian Golan whose family members reside in their mother homeland, the Syrian Arab Republic, via the Qunaitra entrance;
13. Emphasizes the importance of the work of the organizations and agencies of the United Nations system and of the United Nations Special Coordinator for the Mid-
dle East Peace Process and Personal Representative of the Secretary-General to the Palestine Liberation Organization and the Palestinian Authority;

14. Expresses its hope that the resumed peace process will speedily advance to pave the way for the establishment of the independent Palestinian State and the achievement of a just, lasting and comprehensive peace settlement in accordance with relevant United Nations resolutions, and stressing in this regard the importance of the Madrid Conference, the Arab Peace Initiative and the principle of land for peace;

15. Requests the Secretary-General to submit to the General Assembly at its sixty-third 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;

16. 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 East Jerusalem, and the Arab population in the occupied Syrian Golan” in the agenda of its substantive session of 2009.

ROLL-CALL VOTE ON RESOLUTION 2008/31:

In favour: Algeria, Angola, Austria, Barbados, Belarus, Benin, Bolivia, Brazil, Cape Verde, China, Congo, Cuba, Czech Republic, El Salvador, France, Greece, Guinea-Bissau, Guyana, Haiti, Iceland, Indonesia, Iraq, Kazakhstan, Liechtenstein, Luxembourg, Malawi, Malaysia, Mauritania, Moldova, Mozambique, Netherlands, New Zealand, Niger, Pakistan, Paraguay, Philippines, Poland, Portugal, Republic of Korea, Romania, Russian Federation, Saint Lucia, Saudi Arabia, Somalia, Sri Lanka, Sudan, Sweden, United Kingdom, Uruguay.

Against: Canada, United States.

Abstaining: Cameroon, Japan.

On 25 July (decision 2008/253), the Council took note of the ESCWA report.

GENERAL ASSEMBLY ACTION

On 19 December [meeting 72], the General Assembly, on the recommendation of the Second Committee [A/63/410], adopted resolution 63/201 by recorded vote (164-8-5) [agenda item 38].

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 62/181 of 19 December 2007, and taking note of Economic and Social Council resolution 2008/31 of 25 July 2008,
Recalling also its resolutions 58/292 of 6 May 2004 and 59/251 of 22 December 2004,
Reaffirming the principle of the permanent sovereignty of peoples under foreign occupation over their natural resources,

Recalling its resolution 2625(XXV) of 24 October 1970,
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,
Recalling, in this regard, the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights, and affirming that these human rights instruments must be respected in the Occupied Palestinian Territory, including East Jerusalem, as well as in the occupied Syrian Golan,
Recalling also the advisory opinion rendered on 9 July 2004 by the International Court of Justice on the Legal Consequences of the Construction of a Wall in the Occupied Palestinian Territory, and recalling further its resolutions ES-10/15 of 20 July 2004 and ES-10/17 of 15 December 2006,
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,
Expressing its grave concern at the extensive destruction by Israel, the occupying Power, of agricultural land and orchards in the Occupied Palestinian Territory, including the uprooting of a vast number of fruit-bearing trees,
Expressing its concern at the widespread destruction caused by Israel, the occupying Power, to vital infrastructure, including water pipelines and sewage networks, in the Occupied Palestinian Territory, which, inter alia, pollutes the environment and negatively affects the natural resources of the Palestinian people,
Aware of the detrimental impact of the Israeli settlements on Palestinian and other Arab natural resources, especially as a result of the confiscation of land and the forced diversion of water resources, and of the dire socio-economic consequences in this regard,
Aware also of the detrimental impact on Palestinian natural resources being caused by the unlawful construction of the wall by Israel, the occupying Power, in the Occupied Palestinian Territory, including in and around East Jerusalem, and of its grave effect as well on the economic and social conditions of the Palestinian people,
Noting the Israeli withdrawal from within the Gaza Strip and parts of the northern West Bank and the importance of
the dismantlement of settlements therein as a step towards the implementation of the road map.

Stressing the need for respect and preservation of the territorial unity, contiguity and integrity of all of the Occupied Palestinian Territory, including East Jerusalem,

Recalling the need to end all acts of violence, including acts of terror, provocation, incitement and destruction,

Taking note with appreciation of the note by the Secretary-General transmitting the report prepared by the Economic and Social Commission for Western Asia on the economic and social repercussions of the Israeli occupation on the living conditions of the Palestinian people in the Occupied Palestinian Territory, including East 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, damage, 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, damage, loss or depletion, or endangerment of their natural resources resulting from illegal measures taken by Israel, the occupying Power, in the Occupied Palestinian Territory, including East Jerusalem, 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. Stresses that the wall being constructed by Israel in the Occupied Palestinian Territory, including in and around East Jerusalem, is contrary to international law and is seriously depriving the Palestinian people of their natural resources, and calls in this regard for full compliance with the legal obligations mentioned in the 9 July 2004 advisory opinion of the International Court of Justice and in resolution ES-10/15;

5. Calls upon Israel, the occupying Power, to comply strictly with its obligations under international law, including international humanitarian law, with respect to the alteration of the character and status of the Occupied Palestinian Territory, including East Jerusalem;

6. Also calls upon Israel, the occupying Power, to cease the dumping of all kinds of waste materials in the Occupied Palestinian Territory, including East Jerusalem, and in the occupied Syrian Golan, which gravely threaten their natural resources, namely water and land resources, and pose an environmental hazard and health threat to the civilian populations;

7. Further calls upon Israel to cease its destruction of vital infrastructure, including water pipelines and sewage networks, which, inter alia, has a negative impact on the natural resources of the Palestinian people;

8. Requests the Secretary-General to report to it at its sixty-fourth session on the implementation of the present resolution, and decides to include in the provisional agenda of its sixty-fourth session the 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 63/201:

In favour: Afghanistan, Albania, Algeria, Andorra, Angola, Antigua and Barbuda, Argentina, Armenia, Austria, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belgium, Belize, Benin, Bhutan, Bolivia, Bosnia and Herzegovina, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Burundi, Cambodia, Cape Verde, Chile, China, Colombia, Comoros, Congo, Costa Rica, Croatia, Cuba, Cyprus, Czech Republic, Democratic People’s Republic of Korea, Denmark, Djibouti, Dominica, Dominican Republic, Ecuador, Egypt, El Salvador, Eritrea, Estonia, Ethiopia, 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, Kyrgyzstan, Lao People’s Democratic Republic, Latvia, Lebanon, Liberia, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Moldova, Monaco, Mongolia, Montenegro, Morocco, Mozambique, Myanmar, Namibia, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Romania, Russian Federation, Rwanda, Saint Lucia, Saint Vincent and the Grenadines, Samoa, San Marino, Sao Tome and Principe, Saudi Arabia, Senegal, Serbia, Singapore, Slovakia, Slovenia, Solomon Islands, South Africa, Spain, Sri Lanka, Sudan, Swaziland, Sweden, Switzerland, Syrian Arab Republic, Tajikistan, Thailand, The former Yugoslav Republic of Macedonia, Timor-Leste, Togo, Trinidad and Tobago, Tunisia, Turkey, Turkmenistan, Tuvalu, Uganda, Ukraine, United Arab Emirates, United Kingdom, United Republic of Tanzania, Uruguay, Uzbekistan, Venezuela, Viet Nam, Yemen, Zambia, Zimbabwe.

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

Abstaining: Cameroon, Côte d’Ivoire, Fiji, Tonga, Vanuatu.

Fourth Geneva Convention

The applicability of the 1949 Geneva Convention relative to the Protection of Civilian Persons in Time of War (Fourth Geneva Convention) to the Israeli-occupied territories was reaffirmed during the year by the General Assembly and several other UN bodies, including the Special Committee on Israeli Practices.

Report of Secretary-General. In a 15 October report [A/63/484], the Secretary-General informed the General Assembly that Israel had not replied to his September request for information on steps taken or envisaged to implement resolution 62/107 [YUN 2007, p. 457] demanding that Israel accept the de jure applicability of the Fourth Geneva Convention to the Occupied Palestinian Territory, including East Jerusalem, and other Arab territories occupied since 1967, and that it comply scrupulously with its provisions. The Secretary-General said that had drawn the attention of all High Contracting Parties to paragraph 3 of resolution 62/107, calling on them to ensure Israel’s respect for the Convention’s provisions, and to para-
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, including its resolution 62/107 of 17 December 2007,
Bearing in mind the relevant resolutions of the Security Council,
Recalling the Regulations annexed to the Hague Convention IV of 1907, the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, and relevant provisions of customary law, including those codified in Additional Protocol I, to the four Geneva Conventions,
Having considered the report of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories 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,
Recalling the advisory opinion rendered on 9 July 2004 by the International Court of Justice, and also recalling General Assembly resolution ES-10/15 of 20 July 2004,
Noting in particular the Court’s reply, including that the Fourth Geneva Convention is applicable in the Occupied Palestinian Territory, including East Jerusalem, and other Arab territories occupied by Israel since 1967;
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;
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 and as mentioned in the advisory opinion of the International Court of Justice of 9 July 2004, 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 by the General Assembly at its tenth emergency special session, including resolution ES-10/15, 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 sixty-fourth session on the implementation of the present resolution.

RECORDED VOTE ON RESOLUTION 63/96:
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, Central African Republic, Chile, China, Colombia, Comoros, Congo, Costa Rica, Côte d’Ivoire, Croatia, Cuba, Cyprus, Czech Republic, Democratic People’s Republic of Korea, Denmark, Djibouti, Dominica, Dominican Republic, Ecuador, Egypt, El Salvador, Eritrea, Estonia, Ethiopia, Fiji, Finland, France, Gabon, Georgia, Germany, Ghana, Greece, Guatemala, Guinea, Guinea-Bissau, 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, Liberia, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Malawi, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Moldova, Monaco, Mongolia, Montenegro, Morocco, Mozambique, Myanmar, Namibia, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Norway, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Romania, Russian Federation, Saint Lucia, Saint Vincent and the Grenadines, Samoa, San Marino, Sao Tome and Principe, Saudi Arabia, Senegal, Serbia, Singapore, Slovakia, Slovenia, Solomon Islands, South Africa, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Switzerland, Syrian Arab Republic, Tajikistan, Thailand, The former Yugoslav Republic of Macedonia, Timor-Leste, Togo, Tonga, Trinidad and Tobago, Tunisia, Turkey, Turkmenistan, Tuvalu, Uganda,
Palestinian women

**Report of Secretary-General.** In a report submitted to the Commission on the Status of Women [E/CN.6/2008/6], in accordance with Economic and Social Council resolution 2007/7 [YUN 2007, p. 460], the Secretary-General summarized the situation of Palestinian women and reviewed UN assistance to them during the period between October 2006 and September 2007, with particular reference to humanitarian assistance, economic activities, education and training, health and human rights.

As the crisis in the Occupied Palestinian Territory deepened, Palestinian women and girls experienced increased poverty and unemployment and a decline in living standards and food security, the Secretary-General said. Their movement and access to health care, employment and schools were further restricted by closures, checkpoints and roadblocks. Close to 30 per cent of pregnant women in the West Bank had difficulties accessing antenatal care and safe delivery. Declines in the education system led to high dropout and low graduation rates. Violence against women, especially domestic violence, remained widespread.

Women should be fully involved in conflict resolution and peacebuilding initiatives in the region. UN assistance focusing on the empowerment of women should be strengthened and women’s full participation in decision-making increased. A gender perspective should be fully integrated into international assistance programmes. UN studies and reports on the situation of the Palestinian people should incorporate gender perspectives, research on the situation of Palestinian women and girls should be encouraged, and assistance to them intensified.

**ECONOMIC AND SOCIAL COUNCIL ACTION**

On 23 July [meeting 40], the Economic and Social Council, on the recommendation of the Commission on the Status of Women [E/2008/27], adopted resolution 2008/11 by roll-call vote (25-2-17) [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 2007/7 of 24 July 2007 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,

Recalling the importance of the implementation of General Assembly resolution 57/337 of 5 July 2003 on the prevention of armed conflict, and Security Council resolution 1325(2000) of 31 October 2000 on women and peace and security,

Noting the resumption of bilateral negotiations within the Middle East peace process on its agreed basis, and expressing the need for the speedy achievement of a final and comprehensive peace settlement between the Palestinian and Israeli sides,

Reaffirming the important role of women in the prevention and resolution of conflicts and in peacebuilding, and stressing the importance of their equal participation and involvement in all efforts for the maintenance and promotion of peace and security and the need to increase their role in decision-making with regard to conflict prevention and resolution,

Concerned about the grave situation of Palestinian women resulting from the severe impact of ongoing illegal Israeli practices, including settlement activities and the unlawful construction of the wall in the Occupied Palestinian Territory, including in and around East Jerusalem, the continued imposition of closures and restrictions on the movement of persons and goods and the many severe consequences arising from Israeli military operations in and sieges of civilian areas, in particular in the Gaza Strip, which have impacted detrimentally their social and economic conditions and deepened the humanitarian crisis faced by Palestinian women and their families,

Stressing the importance of providing assistance, especially emergency assistance, to alleviate the dire socioeconomic and humanitarian situation being faced by Palestinian women and their families,

Taking note of the report of the United Nations High Commissioner for Human Rights of 31 August 2005 regarding the issue of Palestinian women giving birth at checkpoints, and expressing grave concern at the increasing difficulties faced by pregnant Palestinian women owing to a lack of appropriate and timely antenatal, delivery and post-natal care due to the obstruction of access to proper medical care,

Recalling the advisory opinion rendered on 9 July 2004 by the International Court of Justice on the Legal Consequences of the Construction of a Wall in the Occupied Palestinian Territory, and recalling also General Assembly resolution ES-10/15 of 20 July 2004,

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

Expressing its condemnation of all acts of violence, including all acts of terror, provocation, incitement and destruction, especially the excessive use of force against Palestinian civilians, many of them women and children, resulting in injury and loss of human life,

Expressing grave concern over the increased difficulties faced by Palestinian women, including the sharp increase in poverty, soaring unemployment, incidents of domestic violence, and declining health and education standards as a result of the deterioration in the economic and social conditions on the ground in the Occupied Palestinian Territory,

Emphasizing the importance of increasing the role of women in decision-making with regard to conflict prevention and the peaceful resolution of conflicts as part of efforts to ensure the safety and well-being of all women in the region,

1. Calls upon the concerned parties, as well as the international community, to exert all the efforts necessary to support the resumption of the peace process on its agreed basis, taking into account the common ground already gained, and calls for intensified measures to be taken for the tangible improvement of 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 in the development of their society, and encourages all women in the region to take an active role in supporting the peace process;

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. Calls upon the international community to continue to provide urgently needed assistance and services in an effort to alleviate the dire humanitarian crisis being faced by Palestinian women and their families, to promote their development in various fields and to help in the reconstruction of relevant Palestinian institutions;

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, to assist Palestinian women by all available means, including those set out in his report, and to submit to the Commission on the Status of Women, at its fifty-third session, a report, including information provided by the Economic and Social Commission for Western Asia, on the progress made in the implementation of the present resolution.

ROLL-CALL VOTE ON RESOLUTION 2008/11:

In favour: Algeria, Angola, Barbados, Belarus, Benin, Brazil, Cape Verde, China, Congo, Cuba, El Salvador, Haiti, Iceland, Indonesia, Iraq, Kazakhstan, Malaysia, Mozambique, New Zealand, Pakistan, Paraguay, Russian Federation, Saudi Arabia, Sri Lanka, Sudan.

Against: Canada, United States.

Abstaining: Austria, Czech Republic, France, Greece, Japan, Liechtenstein, Luxembourg, Madagascar, Moldova, Netherlands, Poland, Portugal, Republic of Korea, Romania, Saint Lucia, Sweden, United Kingdom.

Other issues related to Palestine

General aspects

The General Assembly again considered the question of Palestine in 2008, which took centre stage within the framework of the Annapolis process. Following its discussion of the annual report of the Committee on the Exercise of the Inalienable Rights of the Palestinian People (Committee on Palestinian Rights) [A/63/35], the Assembly adopted a resolution requesting the Committee to continue promoting the realization of the rights of the Palestinians, including their right to self-determination, to support the Middle East peace process, and to mobilize international support for and assistance to the Palestinians.

In observance of the International Day of Solidarity with the Palestinian People, celebrated annually on 29 November in accordance with Assembly resolution 32/40 B [YUN 1977, p. 304], the Committee held a solemn meeting. At a special meeting at UN Headquarters on 20 June, it marked 60 years of dispossession of Palestine refugees.

Communications. On 10 April [S/2008/243], the Chairman of the Committee on Palestinian Rights, referring to the Secretary-General’s summary statement [S/2008/10] concerning the list of items of which the Security Council was seized, reiterated the Committee’s continuing objection to deleting from that list the items relating to the exercise of the rights of the Palestinian people, the Palestine question and the situation in the Middle East. Those items, the Chairman stressed, should remain on the list since they continued to engage the Council’s primary responsibility with regard to the maintenance of international peace and security. Any decisions to delete them, especially at that critical point, would go well beyond procedural exercise and would have far-reaching political implications.
On 22 August [A/62/946-S/2008/584], Indonesia and South Africa submitted the statement of the co-chairs of the New Asian-African Strategic Partnership Ministerial Conference on Capacity-Building for Palestine (Jakarta, Indonesia, 14 July).


In a letter of 19 February [S/2008/110], Israel informed the Secretary-General and the Security Council of remarks made by two senior members of the Iranian leadership allegedly threatening Israel.

Committee on Palestinian Rights

As mandated by General Assembly resolution 62/80 [YUN 2007, p. 466], the Committee on the Exercise of the Inalienable Rights of the Palestinian People (Committee on Palestinian Rights) reviewed and reported on the Palestine question and made suggestions to the Assembly and the Security Council. By decision 62/553 of 11 September, the Assembly, on the Committee’s request [A/62/951], increased its membership to 23, following the appointment of Nicaragua to the Committee.

In pursuance of its mandate, the Committee continued to mobilize the international community in support of the Palestinian people, in cooperation with UN bodies, Governments, intergovernmental and civil society organizations.

Through international meetings and conferences, the Committee raised awareness of the various aspects of the Palestine question and garnered international support for the rights of the Palestinians and for a peaceful settlement. During the period under review, the following international events were held under the Committee’s auspices: UN Seminar on Assistance to the Palestinian People (Amman, Jordan, 19–20 February); UN International Conference on Palestine Refugees (Paris, 29–30 April); and UN International Meeting on the Question of Palestine (Qawra, Malta, 3–4 June).

The Committee’s annual report to the Assembly [A/63/35] covered the period from 5 October 2007 to 6 October 2008. The Committee noted that the year 2008 marked 60 years of Palestinian dispossession. It reiterated the permanent responsibility of the United Nations towards the Palestine question until it was resolved, and urged the international community to continue its support for the Middle East process.

The Committee considered that its programme of international meetings and conferences contributed to focusing attention on the need for advancing a peaceful settlement and mobilizing much-needed assistance to the Palestinians. Wishing to make its contribution to achieving a comprehensive, just and lasting settlement, and in view of the many difficulties facing the Palestinians and besetting the peace process, the Committee called on all States to join it in that endeavour and to extend their cooperation and support to the Committee. It invited the Assembly again to recognize the importance of its role and to reconfirm its mandate.

At a special meeting on 20 June marking 60 years since the dispossession of the Palestinian people, the Committee Chairman urged the international community to live up to its responsibility to bring about a just solution to the Palestine question, give support to advancing the political process and bolster it through real changes on the ground, thereby enabling the parties to make progress in negotiations on all the permanent status issues.

GENERAL ASSEMBLY ACTION

On 26 November [meeting 60], the General Assembly adopted resolution 63/26 [draft: A/63/L.32 & Add.1] by recorded vote (107-8-57) [agenda item 16].

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 10 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 62/80 of 10 December 2007,

Recalling also its resolution 58/292 of 6 May 2004,

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

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 between the two sides and the need for full compliance with those agreements,

Recalling also the Quartet road map to a permanent two-State solution to the Israeli-Palestinian conflict, endorsed by the Security Council in its resolution 1515(2003) of 19 November 2003,

Recalling further 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,

Recalling the advisory opinion rendered on 9 July 2004 by the International Court of Justice on the Legal Consequences of the Construction of a Wall in the Occupied Palestinian Territory, and recalling also its resolutions ES-10/15 of 20 July 2004 and ES-10/17 of 15 December 2006,
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 valuable 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, including their right to self-determination, 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 sixty-fourth 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 and to continue to involve additional civil society organizations in its work in order to mobilize international solidarity and support for the Palestinian people, particularly during this critical period of humanitarian hardship and financial crisis, with the overall aim of promoting the achievement by the Palestinian people of their inalienable rights and a peaceful settlement of the question of Palestine;

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. Invites all Governments and organizations to extend their cooperation to the Committee in the performance of its tasks;

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

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

RECORDED VOTE ON RESOLUTION 63/26:

In favour: Afghanistan, Algeria, Angola, Antigua and Barbuda, Argentina, Armenia, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Benin, Bhutan, Bolivia, Botswana, Brazil, Brunei Darussalam, Burkina Faso, Cambodia, Cape Verde, Central African Republic, Chile, China, Comoros, Congo, Costa Rica, Côte d’Ivoire, Cuba, Cyprus, Democratic People’s Republic of Korea, Djibouti, Dominica, Dominican Republic, Ecuador, Egypt, Eritrea, Ethiopia, Gabon, Ghana, Grenada, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, India, Indonesia, Iran, Iraq, Jamaica, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lao People’s Democratic Republic, Lebanon, Lesotho, Liberia, Libyan Arab Jamahiriya, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Morocco, Mozambique, Myanmar, Namibia, Nepal, Nicaragua, Nigeria, Oman, Pakistan, Paraguay, Philippines, Qatar, Saint Lucia, Saint Vincent and the Grenadines, Saudi Arabia, Senegal, Singapore, Solomon Islands, Somalia, South Africa, Sri Lanka, Sudan, Suriname, Swaziland, Syrian Arab Republic, Tajikistan, Timor-Leste, Togo, Trinidad and Tobago, Tunisia, Turkey, Uganda, United Arab Emirates, Uzbekistan, Venezuela, Viet Nam, Yemen, Zambia, Zimbabwe.

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

Abstaining: Albania, Andorra, Austria, Belgium, Bosnia and Herzegovina, Bulgaria, Cameroon, Colombia, Croatia, Czech Republic, Denmark, El Salvador, Estonia, Fiji, Finland, France, Georgia, Germany, Greece, Guatemala, Hungary, Iceland, Ireland, Italy, Japan, Latvia, Liechtenstein, Lithuania, Luxembourg, Moldova, Monaco, Montenegro, Netherlands, New Zealand, Norway, Panama, Papua New Guinea, Peru, Poland, Portugal, Republic of Korea, Romania, Russian Federation, Samoa, San Marino, Serbia, Slovakia, Slovenia, Spain, Sweden, Switzerland, Thailand, The former Yugoslav Republic of Macedonia, Tonga, Ukraine, United Kingdom, Uruguay.

Division for Palestinian Rights

Under the guidance of the Committee on Palestinian Rights, the Division for Palestinian Rights of the UN Secretariat continued to prepare studies and research, and monitor, collect and disseminate information related to the Palestine question. The Division responded to requests for information and issued a number of publications, such as reports of international meetings and conferences organized under the Committee’s auspices. It continued to administer, maintain and expand the United Nations Information System on the Question of Palestine (UNISPAL) and the “Question of Palestine” website on the UN home page. The Division also conducted the annual training programme for PA staff and organized the observance of the International Day of Solidarity with the Palestinian People (29 November).

The Committee, in its annual report [A/63/35], requested the Division to continue its work.

GENERAL ASSEMBLY ACTION

On 26 November [meeting 60], the General Assembly adopted resolution 63/27 [draft: A/63/L.33 & Add.1] by recorded vote (106–8–57) [agenda item 16].

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 62/81 of 10 December 2007,
1. Notes with appreciation the action taken by the Secretary-General in compliance with its resolution 62/81;
2. Considers that, by assisting the Committee on the Exercise of the Inalienable Rights of the Palestinian People in the implementation of its mandate, the Division for Palestinian Rights of the Secretariat continues to make a useful and constructive contribution to raising international awareness of the question of Palestine and generating international support for the rights of the Palestinian people and a peaceful settlement of the question of Palestine;
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 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 monitoring of developments relevant to the question of Palestine, the organization of international meetings and conferences in various regions with the participation of all sectors of the international community, liaison and cooperation with civil society, 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 conduct 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, and the conduct of the annual training programme for staff of the Palestinian Authority;
5. Invites all Governments and organizations to extend their cooperation to the Division in the performance of its tasks;
6. Requests the Division, as part of the observance of the International Day of Solidarity with the Palestinian People on 29 November, to continue to organize, under the guidance of the Committee on the Exercise of the Inalienable Rights of the Palestinian People, an annual exhibit on Palestinian rights or a cultural event 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 63/27:
In favour: Afghanistan, Algeria, Angola, Antigua and Barbuda, Argentina, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Benin, Bhutan, Bolivia, Botswana, Brazil, Brunei Darussalam, Burkina Faso, Cambodia, Cape Verde, Central African Republic, Chile, China, Comoros, Congo, Costa Rica, Côte d’Ivoire, Cuba, Cyprus, Democratic People’s Republic of Korea, Djibouti, Dominica, Dominican Republic, Ecuador, Egypt, Eritrea, Ethiopia, Gabon, Ghana, Grenada, Guinea, Guinea-Bissau, Guyana, Haiti, India, Indonesia, Iran, Iraq, Jamaica, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lao People’s Democratic Republic, Lebanon, Lesotho, Liberia, Libyan Arab Jamahiriya, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Morocco, Mozambique, Myanmar, Namibia, Nepal, Nicaragua, Nigeria, Oman, Pakistan, Panama, Paraguay, Philippines, Qatar, Saint Lucia, Saint Vincent and the Grenadines, Saudi Arabia, Senegal, Singapore, Solomon Islands, South Africa, Sri Lanka, Sudan, Suriname, Swaziland, Syrian Arab Republic, Tajikistan, Timor-Leste, Togo, Trinidad and Tobago, Tunisia, Turkey, Uganda, United Arab Emirates, Uruguay, Uzbekistan, Venezuela, Viet Nam, Yemen, Zambia, Zimbabwe.
Against: Australia, Canada, Israel, Marshall Islands, Micronesia, Nauru, Palau, United States.
Abstaining: Albania, Andorra, Armenia, Austria, Belgium, Bosnia and Herzegovina, Bulgaria, Cameroon, Colombia, Croatia, Czech Republic, Denmark, El Salvador, Estonia, Fiji, Finland, France, Georgia, Germany, Greece, Guatemala, Honduras, Hungary, Iceland, Ireland, Italy, Japan, Latvia, Liechtenstein, Lithuania, Luxembourg, Moldova, Monaco, Montenegro, Netherlands, New Zealand, Norway, Papua New Guinea, Peru, Poland, Portugal, Republic of Korea, Romania, Russian Federation, Samoa, San Marino, Serbia, Slovakia, Slovenia, Spain, Sweden, Switzerland, Thailand, The former Yugoslav Republic of Macedonia, Tonga, Ukraine, United Kingdom.

Special information programme
As requested by General Assembly resolution 62/82 [YUN 2007, p. 468], the UN Department of Public Information (DPI) continued its special information programme on the question of Palestine, which included the issuing of press releases and the preparation for the annual training programme for Palestinian journalists. The video news service UNifeed produced and distributed 11 packages on the Palestine question, and the UN News Centre Internet portal highlighted stories related to the question of Palestine in all six official UN languages.
As in previous years, the network of the United Nations Information Centres (UNICs) and other UN offices carried out activities in connection with the International Day of Solidarity with the Palestinian People on 29 November.

GENERAL ASSEMBLY ACTION
On 26 November [meeting 60], the General Assembly adopted resolution 63/28 [draft: A/63/L.34 & Add.1] by recorded vote (162-8-4) [agenda item 16].

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 62/82 of 10 December 2007, 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 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 between the two sides, recalling also the Quartet road map to a permanent two-State solution to the Israeli-Palestinian conflict, recalling further 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, recalling the advisory opinion rendered on 9 July 2004 by the International Court of Justice on the Legal Consequences of the Construction of a Wall in the Occupied Palestinian Territory, 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, expressing the hope that the Department of Public Information of the Secretariat, in its upcoming programme for 2009–2010, will continue to examine ways to foster and encourage the contribution of media in support of the peace process between the Palestinian and Israeli sides, 1. Notes with appreciation the action taken by the Department of Public Information in compliance with resolution 62/82; 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 2009–2010, in particular: (a) To disseminate information on all the activities of the United Nations system relating to the question of Palestine and the peace process, including reports on the work carried out by the relevant United Nations organizations, as well as on the efforts of the Secretary-General and his Special Envoy vis-à-vis the peace process; (b) To continue to issue and update publications on the various aspects of the question of Palestine in all fields, including materials concerning the relevant recent developments in that regard, in particular the efforts to achieve a peaceful settlement of the question of Palestine; (c) To expand its collection of audio-visual material on the question of Palestine, to continue the production and preservation of such material and to update, on a periodic basis, the public exhibit on the question of Palestine displayed in the General Assembly building; (d) To organize and promote fact-finding news missions for journalists to the Occupied Palestinian Territory, including East Jerusalem, and Israel; (e) To organize international, regional and national seminars or encounters for journalists, aiming in particular at sensitizing public opinion to the question of Palestine and the peace process and at enhancing dialogue and understanding between Palestinians and Israelis for the promotion of a peaceful settlement to the Israeli-Palestinian conflict; (f) To continue to provide assistance to the Palestinian people in the field of media development, in particular to strengthen the annual training programme for Palestinian broadcasters and journalists; 4. Encourages the Department to formulate ways for the media and representatives of civil society to engage in an open and positive discussion on means for encouraging people-to-people dialogue and promoting peace and mutual understanding in the region.

RECORDED VOTE ON RESOLUTION 63/28:

In favour: Afghanistan, Albania, Algeria, Andorra, Angola, Antigua and Barbuda, Argentina, Armenia, Austria, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belgium, Benin, Bhutan, Bolivia, Bosnia and Herzegovina, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Cambodia, Cape Verde, Central African Republic, Chile, China, Colombia, Comoros, Congo, Costa Rica, Côte d’Ivoire, Croatia, Cuba, Cyprus, Czech Republic, Democratic People’s Republic of Korea, Denmark, Djibouti, Dominica, Dominican Republic, Ecuador, Egypt, El Salvador, Eritrea, Estonia, Ethiopia, Finland, France, Gabon, Gambia, Georgia, Germany, Ghana, Greece, Grenada, Guatemala, Guinea, Guinea-Bissau, 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, Liberia, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Moldova, Monaco, Mongolia, Montenegro, Morocco, Mozambique, Myanmar, Namibia, Nepal, Netherlands, New Zealand, Nicaragua, Nigeria, Norway, Oman, Pakistan, Panama, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Romania, Russian Federation, Saint Lucia, Saint Vincent and the Grenadines, Samoa, San Marino, Saudi Arabia, Senegal, Serbia, Singapore, Slovakia, Slovenia, Solomon Islands, Somalia, South Africa, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Switzerland, Syrian Arab Republic, Tajikistan, Thailand, the former Yugoslav Republic of Macedonia, Timor-Leste, Togo, Trinidad and Tobago, Tunisia, Turkey, Uganda, Ukraine, United Arab Emirates, United Kingdom, Uruguay, Uzbekistan, Venezuela, Viet Nam, Yemen, Zambia, Zimbabwe.

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

Abstaining: Cameroon, Fiji, Papua New Guinea, Tonga.

Assistance to Palestinians

UN activities

In response to General Assembly resolution 62/93 [YUN 2007, p. 470], the Secretary-General, in a May report [A/63/35-E/2008/52], described UN and other
assistance to the Palestinian people from May 2007 to April 2008. The report provided an overview of the work of UN agencies, in cooperation with Palestinian and donor counterparts, to assist the Palestinian people and institutions with regard to economic and fiscal development, humanitarian and socio-economic development, human and social development, UN system support, private sector development, emergency assistance, and donor response and coordination.

UN agencies and programmes had to adjust to a situation in which priorities and activities with respect to the Gaza Strip and the West Bank diverged significantly under the impact of the de facto political split between the two constituent parts of the Occupied Palestinian Territory. In Gaza, UN entities faced severe restrictions and obstacles, which made the delivery of assistance more urgent, and more difficult.

The Palestinian economy continued to decline, especially in the Gaza Strip, where the private sector collapsed in the aftermath of Hamas' takeover in 2007 and the near-complete closure by Israel. The West Bank, however, witnessed some modest economic recovery under the new PA Government. There was significant progress in reform (YUN 2007, p. 441), including pledges from international donors of $7.7 billion for a three-year period to enable the implementation of the new Palestinian Reform and Development Plan. By April, half of the pledges targeting recurrent expenditures had been disbursed, in addition to $500 million towards budgetary support. The United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA) continued to ensure free education for over 250,000 pupils in 306 schools in the West Bank and Gaza through its network of vocational, technical and teacher training. In Gaza, a recovery plan was introduced to provide support to 50,000 pupils in UNRWA schools. Under the Palestinian Education programme, implemented in cooperation with the United Nations Development Programme (UNDP), five new schools were constructed in the West Bank and Gaza and 10 buildings rehabilitated, creating 1,880 new seats for students. The Programme also provided equipment, computer labs, libraries and other teaching aids to 190 schools, benefiting over 5,000 students. UNESCO provided technical assistance for the Ministry of Education and Higher Education in sectoral policy and planning efforts, supporting the preparation of the five-year Education Development Strategic Plan (2008-2012). The United Nations Children's Fund (UNICEF) provided technical and financial assistance for building capacity and establishing teacher-training centres in disadvantaged districts. It also provided equipment for the National Institute for Teacher Education in Ramallah and Gaza, supported informal learning and recreational activities for adolescents to improve literacy and vocational skills, and implemented short-term training for teachers and school administrators. The United Nations Population Fund (UNFPA) developed a national referral system for youth-friendly services, and continued to build the capacity of teachers, counsellors, health staff and school health committee coordinators for in-school information and counselling activities.

The World Health Organization (WHO) provided technical expertise to the Ministry of Health, training staff in child nutrition, safe water, hygiene, outbreaks and epidemics, and control and prevention of non-communicable diseases. It also supported the Ministry in procuring and delivering essential pharmaceutical supplies, substantially improving drug availability in the West Bank and Gaza. The Food and Agriculture Organization of the United Nations (FAO), together with the Ministry of Agriculture and other partners, implemented 19 projects focusing on the recovery of crop and animal production, the introduction of aquaculture, support for backyard farming, gardening and cottage industries for women, and emergency assistance for preparedness and response to avian influenza outbreaks. FAO also assisted in technical training in agricultural production and marketing, irrigation and greenhouse rehabilitation, land reclamation, water resource management and the improvement of livestock production, crops and orchards.

The Office of the United Nations Special Coordinator continued to coordinate UN assistance to the Palestinian people and to represent the UN system at donor forums, while OCHA continued humanitarian coordination through the 2008 consolidated appeal (see p. 1005) and its ongoing collection of data and reporting on closures, violence and other issues. With field offices throughout the Occupied Palestinian Territory, OCHA identified programming gaps, published monthly reports monitoring humanitarian indicators and facilitated NGO projects through the Humanitarian and Emergency Response Fund.

Those developments occurred against the backdrop of an escalation of conflict, which remained the single greatest challenge to economic revival and viability in the Occupied Palestinian Territory and compelled agencies to deliver increasing emergency and humanitarian assistance instead of longer-term development programming. The new Palestinian Reform and Development Plan challenged the United Nations and the international community to increase the predictability of funding and programming and to ensure that their programming met the objectives identified in the Plan. The process of establishing shared strategic objectives for UN programming, initiated in early 2008, would need to translate into a common UN programmatic response to the Plan.
The Economic and Social Council, by decision 2008/243 of 24 July, took note of the Secretary-General’s report.

**UNCTAD assistance to Palestinians**

At its fifty-fifth session (Geneva, 15 September–26 October), the Trade and Development Board of the United Nations Conference on Trade and Development (UNCTAD) considered its report on assistance to the Palestinian people [TD/B/55/2]. The report stated that the economy of the Occupied Palestinian Territory stagnated in 2007, as a result of which gross domestic product (GDP) per capita continued its downward trend and poverty deepened. If it were not for the resumption of foreign aid in the second half of 2007, the GDP would have contracted for the second year in a row. The construction of the separation barrier, the Israeli closure policy and the erosion of productive capacity continued to prevent recovery and entrenched “de-development”. The economic gap between the West Bank and Gaza widened as a result of political developments and the tight closure imposed on the Gaza Strip.

The report noted that the PA had announced significant reforms for achieving fiscal sustainability, but to put the economy on a path of sustainable development and self-sufficiency, those reforms needed to be complemented by empowering the PA with appropriate policy instruments. In addition, there was an urgent need to strengthen PA capacity to formulate and implement development policies and to provide sound economic management for their implementation.

UNCTAD responded to the emerging needs of the Palestinian economy through a programme of assistance designed to achieve specific national development objectives in four clusters: trade policies and strategies; trade facilitation and logistics; finance and development; and enterprise, investment and competition policy. In line with the UN Strategic Framework for 2008–2009 [YUN 2006, p. 1635], assistance to the Palestinian people had intensified in the past year, involving new research areas and technical assistance activities to mitigate the adverse economic and social conditions and to contribute to building the economic capacities of a sovereign and viable Palestinian State. However, progress towards those objectives continued to be affected by adverse conditions, especially the restrictions on the mobility of national project staff and access of UNCTAD experts to the Occupied Palestinian Territory. Political instability compelled the secretariat to suspend planned activities in the Gaza Strip, and several projects remained unfunded, despite the secretariat’s appeals to donors. Nonetheless, UNCTAD was able, through a selective and flexible mode of operation, to make significant progress.

**GENERAL ASSEMBLY ACTION**

On 11 December [meeting 68], the General Assembly adopted resolution 63/140 [draft: A/63/L.50 & Add.1] without vote [agenda item 65 (c)].

**Assistance to the Palestinian people**

The General Assembly,

Recalling its resolution 62/93 of 17 December 2007, 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,

Recalling further all relevant international law, including humanitarian and human rights law, and, in particular, the International Covenant on Civil and Political Rights, the International Covenant on Economic, Social and Cultural Rights, the Convention on the Rights of the Child, and the Convention on the Elimination of All Forms of Discrimination against Women,

Gravely concerned at the deterioration in the living conditions of the Palestinian people, in particular women and children, throughout the occupied Palestinian territory, which constitutes a mounting humanitarian crisis,

Conscious of the urgent need for improvement in the economic and social infrastructure of the occupied territory,

Welcoming, in this context, the development of projects, notably on infrastructure, to revive the Palestinian economy and improve the living conditions of the Palestinian people, stressing the need to create the appropriate conditions to facilitate the implementation of these projects, and noting the contribution of partners in the region and the international community,

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,

Emphasizing the importance of the safety and well-being of all people, in particular women and children, in the whole Middle East region,

Deeply concerned about the negative impact, including the health and psychological consequences, of violence on the present and future well-being of children in the region,

Conscious of the urgent necessity for international assistance to the Palestinian people, taking into account the Palestinian priorities,

Expressing grave concern about the humanitarian situation in Gaza, and underlining the importance of emergency and humanitarian assistance,

Welcoming the results of the Conference to Support Middle East Peace, convened in Washington, D.C., on 1 October 1993, the establishment of the Ad Hoc Liaison Committee for the Coordination of the International Assistance to Palestinians 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.

*Underlining* the importance of the International Donors’ Conference for the Palestinian State, held in Paris on 17 December 2007, in mobilizing donors to provide financial and political support for the Palestinian Authority and, in the meantime, also to provide assistance to alleviate the socio-economic and humanitarian situation being faced by the Palestinian people, and welcoming the meetings of the Ad Hoc Liaison Committee for the Coordination of the International Assistance to Palestinians, held in London on 2 May 2008 and in New York on 22 September 2008,

*Welcoming* the plan to resume the activities 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 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 support provided to the Palestinian Authority by the Task Force on Palestinian Reform, established by the Quartet in 2002,

*Welcoming* the outcome of the Berlin Conference in Support of Palestinian Civil Security and the Rule of Law, held on 24 June 2008, and calling for its speedy implementation,

*Welcoming also* the convening of the Palestine Investment Conference, held in Bethlehem from 21 to 23 May 2008, aimed at promoting an enabling environment for Palestinian private sector growth and development,

*Welcoming further* the action of the Special Representative of the Quartet, Tony Blair, charged with developing, with the Government of the Palestinian Authority, a multi-year agenda to strengthen institutions, promote economic development and mobilize international funds,

*Welcoming* the continuing calm between Gaza and southern Israel, and expressing hope that this calm will persist and result in further relief for the civilian population of Gaza, including the regular opening of the crossings for the movement of persons and goods, for both humanitarian and commercial flows,

*Noting* the active participation of the United Nations Special Coordinator for the Middle East Peace Process and Personal Representative of the Secretary-General to the Palestinian Liberation Organization and the Palestinian Authority in the activities of the Special Envoys of the Quartet,

*Welcoming* the endorsement by the Security Council, in its resolution 1515(2003) of 19 November 2003, of the performance-based road map to a permanent two-State solution to the Israeli-Palestinian conflict, and stressing the need for its implementation and compliance with its provisions,

*Noting* the Israeli withdrawal from the Gaza Strip in 2005 and parts of the northern West Bank as a step towards implementation of the road map,

*Commending* the continuous efforts made by both parties since the convening of the international conference in Annapolis, United States of America, on 27 November 2007, in order to reach an agreement as soon as possible, so as to ensure the establishment of an independent, democratic and viable Palestinian state, living in peace and security alongside Israel,

*Having considered* the report of the Secretary-General, *Expressing grave concern* about the continuation of the tragic and violent events that have led to many deaths and injuries, including among children and women,

1. *Takes note* of the report of the Secretary-General;

2. *Expresses its appreciation* to the Secretary-General for his rapid response and efforts regarding assistance to the Palestinian people;

3. *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;

4. *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;

5. *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;

6. *Welcomes* in this regard, the meeting of the Ad Hoc Liaison Committee for the Coordination of the International Assistance to Palestinians and the significant results of the Paris International Donors’ Conference for the Palestinian State which succeeded in mobilizing the international community and led to the disbursement of 1.36 billion United States dollars in budgetary support as of 22 September 2008;

7. *Stresses* the importance of following up on the results of the Paris Conference, including calls upon donors that have not yet converted their budget support pledges into disbursements to transfer funds as soon as possible, encourages all donors to increase their direct assistance to the Palestinian Authority in accordance with its government programme in order to enable it to build a viable and prosperous Palestinian state, underlines the need for equitable burden-sharing by donors in this effort, and encourages donors to consider aligning funding cycles with the Palestinian Authority’s national budget cycle;

8. *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 priorities set forth by the Palestinian side;

9. *Calls upon* the international community to provide urgently needed assistance and services in an effort to alleviate the dire humanitarian situation being faced by Palestinian women, children and their families and to help in the reconstruction of relevant Palestinian institutions;

10. *Stresses* the role that all funding instruments, including the European Commission’s Palestinian-European Mechanism for the Management of Socio-Economic Aid
and the World Bank trust fund, have been playing in directly assisting the Palestinian people;

11. 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;

12. Calls upon the international donor community to expedite the delivery of pledged assistance to the Palestinian people to meet their urgent needs;

13. Stresses, in this context, the importance of ensuring free humanitarian access to the Palestinian people and the free movement of persons and goods;

14. Also stresses the need for the full implementation by both parties of the Agreement on Movement and Access and of the Agreed Principles for the Rafah Crossing, of 15 November 2005, to allow for the freedom of movement of the Palestinian civilian population, as well as for imports and exports, within and into and out of the Gaza Strip;

15. Urges the international donor community, United Nations agencies and organizations and non-governmental organizations to extend to the Palestinian people, as rapidly as possible, emergency economic assistance and humanitarian assistance, particularly in the Gaza Strip, to counter the impact of the current crisis;

16. Stresses the need for the continued implementation of 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, including with regard to the full, prompt and regular transfer of Palestinian indirect tax revenues;

17. Requests the Secretary-General to submit a report to the General Assembly at its sixty-fourth 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;

18. Decides to include in the provisional agenda of its sixty-fourth session the sub-item entitled “Assistance to the Palestinian people”.

UNRWA

The United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA) continued to provide vital education, health, relief and social services, and micro-finance to an ever-growing refugee population in the Gaza Strip, the West Bank, Jordan, Lebanon and the Syrian Arab Republic.

Report of Commissioner-General. In his report on the work of the Agency in 2008 [A/64/13], the UNRWA Commissioner-General said that the Occupied Palestinian Territory continued to experience the most dramatic developments. In the Gaza Strip, the year began and ended with major conflicts. The blockade imposed by Israel in June 2007 after the Hamas takeover [YUN 2007, p. 441] and the dissolution of the Palestinian National Unity Government by President Abbas [ibid.] seriously affected all aspects of Palestinian life, even though it allowed for the exceptional importation of some essential humanitarian supplies, urgent medical evacuations and the passage of a small number of Palestinians. Unemployment rose as more private enterprises closed, depleting further the capacity of Palestinian society to support itself.

The Agency provided emergency food assistance to 190,000 refugee families and introduced a feeding programme for all 200,000 pupils in its schools in the Gaza Strip. Around $12 million was disbursed as cash grants to 30,000 poor refugee families and $6 million to cover back-to-school costs. In addition, UNRWA created 3 million job days for 56,000 refugees.

A lack of currency notes, due to the Gaza blockade, forced the Agency to suspend, effective 19 November, social welfare payments to 19,000 destitute families in the Gaza Strip. By December, UNRWA warehouses were almost empty and the Agency was unable to consolidate strategic reserves, despite the ceasefire, and was forced to delay emergency food aid to 135,000 families towards the end of the year.

During the Israeli offensive in December (see p. 492), UNRWA provided temporary shelter to over 50,000 Palestinians seeking refuge in 50 Agency installations. Critical operations, including food distributions, continued where possible.

In the West Bank, UNRWA faced increased difficulties in accessing refugee communities to meet their humanitarian needs. A total of 918 access incidents were reported, compared with 231 the previous year. In Lebanon, despite the tense political and security situation, UNRWA was able to operate with little interruption. However, tensions between Palestinian factions mounted during the second half of the year, leading to an unstable situation in the Ein el-Hilweh refugee camp, in particular. In Jordan and the Syrian Arab Republic, UNRWA and the refugees enjoyed a secure and stable environment, but the continued presence of Iraqi refugees in both countries contributed to inflation and strained services provided by the Government and by UNRWA.

The security of UNRWA staff remained a concern, especially in the Gaza Strip, as did obstructions to the Agency’s services and damage to its premises. An action plan was developed for mainstreaming security at all levels, as a step towards the adoption of an UNRWA security policy. Under its management reform programme, initiated in 2006 [YUN 2006, p. 557], UNRWA made significant progress in achieving best practice standards in programme cycle management. The basis for a medium-term strategy for 2010–2015 was developed. A needs assessment was undertaken and results-based planning commenced for the 2010–2011 biennium; the Agency’s performance indicator framework was revised accordingly.
Advisory Commission. In its comments on the Agency’s 2008 report, transmitted by its Chairman [A/64/13], the UNRWA Advisory Commission commended the Agency for continuing to deliver its programmes and services to all Palestinian refugees and its vital role in contributing to regional stability. The Commission was concerned about the loss of life and hardships endured by the majority of Palestinian refugees in the West Bank and Gaza, and that the separation barrier, closures, curfews and other movement restrictions were hindering economic development, as well as UNRWA’s ability to carry out its mandated tasks. The Commission reiterated the urgent need to remove restrictions regarding the movement of UNRWA staff and goods.

The Commission was also concerned about obstructions to the Agency’s services and damage to its premises. It called on the General Assembly to examine the direct taxation level and additional restrictions imposed by Israel on Agency containers passing through Gaza crossings and to consider calling for reimbursement of those charges by Israel. It called on all parties to fully respect international law and urged UNRWA to continue to report on the impact of international humanitarian law violations on its operations. It remained concerned about the lack of Agency access to, and information on, its staff held by both Israeli and Palestinian authorities.

The Commission restated its view that the enduring hardships of Palestinian refugees underscored UNRWA’s critical role. It noted the difficulties the Agency faced in reaching a funding level sufficient to maintain adequate service delivery, and urged the international donor community to mobilize the resources needed. Noting that UNRWA’s emergency appeal for $262 million in 2008 for the Occupied Palestinian Territory was its largest to date, the Commission expressed concern that only $176 million had been received.

The Commission emphasized its ongoing support for the Agency’s continuing reform to improve its effectiveness in service delivery, develop the medium-term strategy for 2010–2015 and establish a clearer link between the strategy and the three corresponding biennial budgets.

The Commission called for full support for the rebuilding of the Nahr El-Bared camp in Lebanon and for relief assistance to some 30,000 refugees displaced following its destruction in 2007 [YUN 2007, p. 472].

Report of Conciliation Commission. The United Nations Conciliation Commission for Palestine, established by General Assembly resolution 194(III) [YUN 1948–49, p. 203] to facilitate the repatriation, resettlement and economic and social rehabilitation of the refugees and the payment of compensation, in its sixty-second report, covering the period from 1 September 2007 to 31 August 2008 [A/63/317], submitted in accordance with General Assembly resolution 62/102 [YUN 2007, p. 473], noted the submission of its August 2007 report [ibid.] and observed that it had nothing further to report.

GENERAL ASSEMBLY ACTION

On 5 December [meeting 64], the General Assembly, having considered the UNRWA Commissioner-General’s report covering the period from 1 January to 31 December 2007 [YUN 2007, p. 471], on the recommendation of the Fourth Committee [A/63/400], adopted resolution 63/91 by recorded vote (173-1-6) [agenda item 29].

Assistance to Palestine refugees

The General Assembly,
Recalling its resolution 194(III) of 11 December 1948 and all its subsequent resolutions on the question, including resolution 62/102 of 17 December 2007,
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, for six decades, the Palestine refugees have suffered from the loss of 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 fifty-nine years since its establishment in ameliorating the plight of the Palestine refugees through its provision of education, health, relief and social services and emergency assistance,
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 January to 31 December 2007,
Aware of the continuing needs of the Palestine refugees throughout all the fields of operation, namely, Jordan, Lebanon, the Syrian Arab Republic and the Occupied Palestinian Territory,
Expressing grave concern at the especially difficult situation of the Palestine refugees under occupation, including with regard to their safety, well-being and socio-economic living conditions,
Expressing grave concern in particular at the humanitarian situation in the Gaza Strip, and underlining the importance of emergency and humanitarian assistance,
Noting the signing of the Declaration of Principles on Interim Self-Government Arrangements on 13 September 1993 by the Government of Israel and the Palestine Liberation Organization and the subsequent implementation agreements,
Aware of the role to be played by the Multilateral Working Group on Refugees of the Middle East peace process,
1. Notes with regret that repatriation or compensation of the refugees, as provided for in paragraph 11 of General Assembly resolution 194(III), has not yet been effected, and that, therefore, the situation of the Palestine refugees continues to be a matter of grave concern and the Palestine refugees continue to require assistance to meet basic health, education and living needs;

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 reiterates its request to the Conciliation Commission to continue exerting efforts towards the implementation of that paragraph and to report to the Assembly as appropriate, but no later than 1 September 2009;

3. Affirms the necessity for the continuation of the work of the United Nations Relief and Works Agency for Palestine Refugees in the Near East and the importance of its unimpeded operation and its provision of services for the well-being and human development of the Palestine refugees and for the stability of the region, pending the just 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 United Nations Relief and Works Agency for Palestine Refugees in the Near East, including with regard to increased expenditures arising from the continuing deterioration of the socio-economic and humanitarian situation in the region, particularly in the Occupied Palestinian Territory, and those mentioned in recent emergency appeals;

5. Decides to commemorate the work of the United Nations Relief and Works Agency for Palestine Refugees in the Near East on the occasion of the sixtieth anniversary of its establishment at a high-level meeting to be convened on 1 October 2009, during the sixty-fourth session of the General Assembly, and encourages the participation of Member States at the ministerial level;

6. Decides also to invite Finland and Ireland, in accordance with the criterion set forth in General Assembly decision 60/522 of 8 December 2005, to become members of the Advisory Commission of the United Nations Relief and Works Agency for Palestine Refugees in the Near East.

RECORDED VOTE ON RESOLUTION 63/91:

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, Central African Republic, Chile, China, Colombia, Comoros, Congo, Costa Rica, Côte d'Ivoire, Croatia, Cuba, Cyprus, Czech Republic, Democratic People's Republic of Korea, Denmark, Djibouti, Dominica, Dominican Republic, Ecuador, Egypt, El Salvador, Eritrea, Estonia, Ethiopia, Fiji, Finland, France, Gabon, Georgia, Germany, Ghana, Greece, Grenada, Guatemala, Guinea, Guinea-Bissau, 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, Liberia, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Moldova, Monaco, Mongolia, Montenegro, Morocco, Mozambique, Myanmar, Namibia, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Norway, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Romania, Russian Federation, Saint Lucia, Saint Vincent and the Grenadines, Samoa, San Marino, Sao Tome and Principe, Saudi Arabia, Senegal, Serbia, Singapore, Slovakia, Slovenia, Solomon Islands, South Africa, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Switzerland, Syrian Arab Republic, Tajikistan, Thailand, The former Yugoslav Republic of Macedonia, Timor-Leste, Togo, Tonga, Trinidad and Tobago, Tunisia, Turkey, Turkmenistan, Tuvalu, Uganda, Ukraine, United Arab Emirates, United Kingdom, United Republic of Tanzania, Uruguay, Uzbekistan, Venezuela, Viet Nam, Yemen, Zambia, Zimbabwe.

Against: Israel.

Abstaining: Cameroon, Marshall Islands, Micronesia, Nauru, Palau, United States.

The Assembly, also on 5 December [meeting 64], on the recommendation of the Fourth Committee [A/63/400], adopted resolution 63/93 by recorded vote (172-6-1) [agenda item 29].

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 its resolution 62/104 of 17 December 2007,

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 covering the period from 1 January to 31 December 2007,

Taking note of the letter dated 11 June 2008 from the Chairman of the Advisory Commission of the United Nations Relief and Works Agency for Palestine Refugees in the Near East addressed to the Commissioner-General,

Deeply concerned about the critical financial situation of the Agency, as well as about its rising expenditures resulting from the deterioration of the socio-economic and humanitarian conditions in the region and their significant negative impact on the provision of necessary Agency services to the Palestine refugees, including its emergency-related and development programmes,

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,

Recalling also the Convention on the Safety of United Nations and Associated Personnel,

Affirming 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 the Palestine refugees throughout the Occupied Palestinian Territory and in the other fields of operation, namely Jordan, Lebanon and the Syrian Arab Republic,
Gravely concerned about the extremely difficult living conditions being faced by the Palestine refugees in the Occupied Palestinian Territory, including East Jerusalem, particularly in the refugee camps in the Gaza Strip, resulting, inter alia, from the loss of life and injury, the extensive destruction of their shelters, properties and vital infrastructure, the displacement of the Palestine refugees, the prolonged closures and socio-economic decline.

Aware of the extraordinary efforts being undertaken by the Agency for the repair or rebuilding of thousands of damaged or destroyed refugee shelters and for the provision of shelter and emergency aid for those refugee families internally displaced as a result of Israeli military actions, as well as for those refugees affected and displaced by the crisis in the Nahr el-Bared refugee camp in northern Lebanon, and welcoming the efforts of the Government of Lebanon and the international community to support the rebuilding by the Agency of the Nahr el-Bared camp.

Welcoming, in this regard, the pledges made at the International Donor Conference for the Recovery and Reconstruction of the Nahr el-Bared Palestine Refugee Camp and Conflict-affected Areas of Northern Lebanon, held in Vienna on 23 June 2008, and urging the early fulfillment of pledges as well as a rapid response by donors to the additional relief and recovery appeal for the Nahr el-Bared camp launched by the Agency on 11 September 2008,

Aware of the valuable work done by the Agency in providing protection to the Palestinian people, in particular Palestine refugees,

Gravely concerned about the endangerment of the safety of the Agency’s staff and about the damage caused to the facilities of the Agency, in particular as a result of Israeli military operations during the reporting period,

Deploiring the killing of nineteen Agency staff members by the Israeli occupying forces in the Occupied Palestinian Territory since September 2000,

Also deploiring the killing and wounding of refugee children, including in the Agency’s schools, by the Israeli occupying forces,

Expressing deep concern about the gravely negative impact of the continuing closures, the imposition of severe restrictions on the movement of persons and goods, and the construction of the wall, contrary to international law, in the Occupied Palestinian Territory, including in and around East Jerusalem, on the socio-economic situation of the Palestine refugees,

Deeply concerned about the continuing imposition of restrictions on the freedom of movement and access of the Agency’s staff, vehicles and goods, and the injury, harassment and intimidation of the Agency’s staff, which undermine and obstruct the work of the Agency, including its ability to provide essential basic and emergency services,

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

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. Reaffirms that the functioning of the United Nations Relief and Works Agency for Palestine Refugees in the Near East remains essential in all fields of operation;

2. 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 difficult conditions during the past year;

3. Expresses its appreciation also to the Advisory Commission of the United Nations Relief and Works Agency for Palestine Refugees in the Near East of the Agency, and requests it to continue its efforts and to keep the General Assembly informed of its activities;

4. Takes note with appreciation of the report of the Working Group on the Financing of the United Nations Relief and Works Agency for Palestine Refugees in the Near East and the efforts of the Working Group to assist in ensuring the financial security of the Agency, and requests the Secretary-General to provide the necessary services and assistance to the Working Group for the conduct of its work;

5. Commends the continuing efforts of the Commissioner-General to increase the budgetary transparency and efficiency of the Agency, as reflected in the Agency’s programme budget for the biennium 2008–2009 and in its comprehensive, three-year organizational development plan;

6. Requests the Secretary-General to support the institutional strengthening of the Agency through the provision of sufficient financial resources from the regular budget of the United Nations;

7. Endorses, meanwhile, the efforts of the Commissioner-General 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 internally displaced and in serious need of continued assistance as a result of recent crises in the Occupied Palestinian Territory and Lebanon;

8. Acknowledges the important support provided by the host Governments to the Agency in the discharge of its duties;

9. Encourages the Agency, in close cooperation with other relevant United Nations entities, to continue making progress in addressing the needs and rights of children and women in its operations in accordance with the Convention on the Rights of the Child and the Convention on the Elimination of All Forms of Discrimination against Women, respectively;

10. Expresses concern about the continuing relocation of the international staff of the Agency from its headquarters in Gaza City and the disruption of operations at the headquarters due to the deterioration and instability of the situation on the ground;

11. 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;

12. 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 in order to ensure the safety of the personnel of the Agency, the protection of its institutions and the safeguarding of the security of its facilities in the Occupied Palestinian Territory, including East Jerusalem;

13. Urges the Government of Israel to speedily compensate the Agency for damage to its property and facili-
ties resulting from actions by the Israeli side and to ex- 
pedi tiously reimburse the Agency for all transit charges 
curred and other financial losses sustained by the Agency 
as a result of delays and restrictions on movement and ac-
cess imposed by Israel;
14. Calls upon Israel particularly to cease obstructing 
the movement and access of the staff, vehicles and supplies 
of the Agency and to cease the levying of extra fees and 
charges, which affect the Agency’s operations detriment-
ally;
15. Requests the Commissioner-General to proceed 
with the issuance of identification cards for Palestine refu-
dgees and their descendants in the Occupied Palestinian 
Territory;
16. Reiterates its request to the Commissioner-General 
to proceed with the modernization of the archives of the 
Agency through the Palestine Refugee Records Project, and 
to indicate progress in her report to the General Assembly 
at its sixty-fourth session;
17. Notes the success of the Agency’s microfinance and 
microenterprise programmes, and calls upon the Agency, 
in close cooperation with the relevant agencies, to con-
tinue to contribute to the development of the economic 
and social stability of the Palestine refugees in all fields 
of operation;
18. Reiterates its appeals to all States, specialized agen-
cies and non-governmental organizations to continue and 
to augment the special allocations for grants and scholar-
ships for higher education to Palestine refugees in addition 
to their contributions to the regular budget of the Agency 
and to contribute to the establishment of vocational train-
ing centres for Palestine refugees, and requests the Agency 
to act as the recipient and trustee for the special allocations 
for grants and scholarships;
19. Urges all States, specialized agencies and non-gov-
ernmental organizations to continue and to increase their 
contributions to the Agency so as to ease the ongoing finan-
cial constraints, exacerbated by the current humanitarian 
situation on the ground that has resulted in rising expen-
ditures, in particular with regard to emergency services, 
and to support the Agency’s valuable and necessary work 
in assisting the Palestine refugees in all fields of operation.

RECORDED VOTE ON RESOLUTION 63/93:

In favour: Afghanistan, Albania, Algeria, Andorra, An-
gola, Antigua and Barbuda, Argentina, Armenia, Australia, 
Austria, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barba-
dos, Belarus, Belgium, Belize, Benin, Bhutan, Bolivia, Bos-
nia and Herzegovina, Botswana, Brazil, Brunei Darussalam, 
Bulgaria, Burkina Faso, Burundi, Cambodia, Canada, Cape 
Verde, Central African Republic, Chile, China, Colombia, 
Comoros, Congo, Costa Rica, Côte d’Ivoire, Croatia, Cuba, 
Cyprus, Czech Republic, Democratic People’s Republic of 
Korea, Denmark, Djibouti, Dominica, Dominican Republic, 
Ecuador, Egypt, El Salvador, Eritrea, Estonia, Ethiopia, Fiji, 
Finland, France, Gabon, Georgia, Germany, Ghana, Greece, 
Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, 
Honduras, Hungary, Iceland, India, Indonesia, Iran, Iraq, Ire-
land, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Ku-
wait, Kyrgyzstan, Lao People’s Democratic Republic, Latvia, 
Lebanon, Lesotho, Liberia, Libyan Arab Jamahiriya, Liech-
tenstein, Lithuania, Luxembourg, Malawi, Malaysia, Mal-
dives, Mali, Malta, Mauritania, Mauritius, Mexico, Moldova, 
Monaco, Mongolia, Montenegro, Morocco, Mozambique, 
Myanmar, Namibia, Nepal, Netherlands, New Zealand, Nica-
ragua, Niger, Norway, Oman, Pakistan, Panama, Papua New 
Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, 
Republic of Korea, Romania, Russian Federation, Saint Lucia, 
Saint Vincent and the Grenadines, Samoa, San Marino, Sao 
Tome and Principe, Saudi Arabia, Senegal, Serbia, Singapore, 
Slovakia, Slovenia, Solomon Islands, South Africa, Spain, Sri 
Lanka, Sudan, Suriname, Swaziland, Sweden, Switzerland, Syr-
ian Arab Republic, Tajikistan, Thailand, The former Yugoslav 
Republic of Macedonia, Timor-Leste, Togo, Tonga, Trinidad 
and Tobago, Tunisia, Turkey, Turkmenistan, Tuvalu, Uganda, 
Ukraine, United Arab Emirates, United Kingdom, United 
Republic of Tanzania, Uruguay, Uzbekistan, Venezuela, Viet 
Nam, Yemen, Zambia, Zimbabwe.

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

Abstaining: Cameroon.

UNRWA financing

In 2008, UNRWA expended $807.1 million—against a 
budget of $897.1 million—on its regular budget, 
projects and emergency appeal activities. The largest 
component was an expenditure of $496 million under 
the regular budget, accounting for 61.5 per cent of to-
tal expenditure. Emergency activities and projects ac-
counted for 23 per cent and 15.4 per cent, respectively. 
The self-supporting microfinance department made 
up less than 1 per cent of total expenditure. Education 
remained the largest programme, accounting for 60 
per cent of the regular budget, followed by health (18 
per cent) and relief and social services (11 per cent). 
The unfunded portion of $48.4 million resulted from 
a difference between a needs-based budget and the 
donor contributions. The shortfall necessitated the 
adoption of stringent austerity measures throughout 
the Agency.

Working Group. The Working Group on the 
Financing of UNRWA held two meetings in 2008, on 
12 and 19 September. In its report to the General As-
sembly [A/63/375], the Working Group noted that the 
deficit against the 2008 project budget of $56.8 mil-
lion was expected to reach $38.1 million. The Work-
ing Group was particularly concerned that, in light of 
the constraints on the Agency’s ability to deliver quality 
services imposed by inadequate physical facilities, 
large recurrent project budget deficits could adversely 
aff ect the regular services for refugees.

The Working Group was informed by UNRWA that 
its $1,093 million budget for the 2008–2009 bifi-
nium, excluding projects, had been endorsed by the 
Advisory Committee on Administrative and Budg-
etary Questions (ACABQ) and subsequently approved 
by the Fifth Committee. Overall pledges to UNRWA’s 
2008 regular budget were anticipated to fall signifi-
cantly short of adjusted budget expenditure.
Displaced persons

In an August report [A/63/315], submitted in compliance with General Assembly resolution 62/103 [YUN 2007, p. 477], which called for the accelerated return of all persons displaced as a result of the June 1967 and subsequent hostilities to their homes in the territories occupied by Israel since then, the Secretary-General said that, based on information obtained from the UNRWA Commissioner-General during the period from 1 July 2007 to 30 June 2008, 1,171 refugees registered with the Agency had returned to the West Bank and 389 to the Gaza Strip from places outside the Occupied Palestinian Territory. The number of displaced registered refugees known by the Agency to have returned since June 1967 was about 30,563. The Agency was unable to estimate the total number of displaced inhabitants who had returned as it kept records only of registered refugees, and even those might be incomplete. It was not involved in any arrangements for the return of refugees or displaced persons who were not registered.

On 28 April, the Secretary-General sought information from Member States on action taken or envisaged to implement the relevant provisions of resolution 62/103. In a 7 August note verbate, Israel replied that it supported UNRWA’s humanitarian mission and its contribution to the welfare of Palestinians, but remained concerned about the political motivation of resolutions 62/102 to 62/105 on UNRWA [ibid, pp. 473 & 478], as they did not reflect the reality on the ground. Israel favoured consolidating UNRWA resolutions and removing extraneous political language. It looked forward to continuing its working relationship with UNRWA, and urged the Secretary-General and the Agency to consider ways in which the fulfilment of its mandate could be enhanced in an accountable and responsible manner.

The Working Group noted with regret that the 2006–2007 budget had been seriously underfunded and was concerned at the large funding gap anticipated for the Agency’s 2008 regular budget. It reiterated that it was the responsibility of the international community to ensure that UNRWA services were maintained at an acceptable level and that funding kept pace with the changing needs of the refugee population. It urged donors to fully fund the emergency appeal, since 70 per cent of registered refugees in the Gaza Strip were dependent on UNRWA for essential sustenance. The Working Group urged Governments to fully fund the 2008–2009 UNRWA budget and ensure that the real value of contributions to the Agency was maintained, as well as that donor support of emergency-related and special programmes did not decrease or divert contributions to its regular programme.

GENERAL ASSEMBLY ACTION

On 5 December [meeting 64], the General Assembly, on the recommendation of the Fourth Committee [A/63/400], adopted resolution 63/92 by recorded vote (172-6-2) [agenda item 29].

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

The General Assembly,
Recalling its resolution 2252(ES-V) of 4 July 1967, 2341(BXXII) of 19 December 1967 and all subsequent related resolutions,
Recalling also Security Council resolutions 237(1967) of 14 June 1967 and 259(1968) of 27 September 1968,
Taking note of the report of the Secretary-General submitted in pursuance of its resolution 62/103 of 17 December 2007,

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 January to 31 December 2007,

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 13 September 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 13 September 1993 on the return of displaced persons has not been complied with, 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 continued 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 sixty-fourth session on the progress made with regard to the implementation of the present resolution.
RECORDED VOTE ON RESOLUTION 63/92:

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, Cape Verde, Central African Republic, Chile, China, Colombia, Comoros, Congo, Costa Rica, Côte d’Ivoire, Croatia, Cuba, Cyprus, Czech Republic, Democratic People’s Republic of Korea, Denmark, Djibouti, Dominica, Dominican Republic, Ecuador, Egypt, El Salvador, Eritrea, Estonia, Ethiopia, Fiji, Finland, France, Gabon, Georgia, Germany, Ghana, Greece, Grenada, Guatemala, Guinea, Guinea-Bissau, 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, Liberia, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Moldova, Monaco, Mongolia, Montenegro, Morocco, Mozambique, Myanmar, Namibia, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Norway, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Romania, Russian Federation, Saint Lucia, Saint Vincent and the Grenadines, Samoa, San Marino, Sao Tome and Principe, Saudi Arabia, Senegal, Serbia, Singapore, Slovakia, Slovenia, Solomon Islands, South Africa, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Switzerland, Syrian Arab Republic, Tajikistan, Thailand, The former Yugoslav Republic of Macedonia, Timor-Leste, Togo, Tonga, Trinidad and Tobago, Tunisia, Turkey, Turkmenistan, Tuvalu, Uganda, Ukraine, United Arab Emirates, United Kingdom, United Republic of Tanzania, Uruguay, Uzbekistan, Venezuela, Viet Nam, Yemen, Zambia, Zimbabwe.

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

Abstaining: Cameroon, Canada.

Property rights

In response to General Assembly resolution 62/105 [YUN 2007, p. 478], the Secretary-General submitted an August report [A/63/269] on Palestine refugees’ properties and their revenues. Only one Member State (Mexico) had replied to his note requesting information from Israel and Member States on action taken or envisaged in relation to the implementation of the resolution.

GENERAL ASSEMBLY ACTION

On 5 December [meeting 64], the General Assembly, on the recommendation of the Fourth Committee [A/63/400], adopted resolution 63/94 by recorded vote (173–6–2) [agenda item 29].

Palestine refugees’ properties and their revenues

The General Assembly,

Recalling its resolutions 194(III) of 11 December 1948 and 36/146 C of 16 December 1981 and all its subsequent resolutions on the question,

Taking note of the report of the Secretary-General submitted pursuant to its resolution 62/105 of 17 December 2007, as well as that of the United Nations Conciliation Commission for Palestine for the period from 1 September 2007 to 31 August 2008,

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 Palestinian 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 a file of documents defining the location, area and other particulars of Arab property,

Expressing its appreciation for the preservation and modernization of 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 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 Palestine 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 Palestine refugees’ properties and their revenues within 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 sixty-fourth session on the implementation of the present resolution.

RECORDED VOTE ON RESOLUTION 63/94:

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, Central African Republic, Chile, China, Colombia, Comoros, Congo, Costa Rica, Côte d’Ivoire, Croatia, Cuba, Cyprus, Czech Republic, Democratic People’s Republic of Korea, Denmark, Djibouti, Dominica, Dominican Republic, Ecuador, Egypt, El Salvador, Eritrea, Estonia, Ethiopia, Fiji, Finland, France, Gabon, Georgia, Germany, Ghana, Greece, Grenada, Guatemala, Guinea, Guinea-Bissau, 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, Liberia, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Moldova, Monaco, Mongolia, Montenegro, Morocco, Mozambique, Myanmar, Namibia, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Norway, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Romania, Russian Federation, Saint Lucia, Saint Vincent and the Grenadines, Samoa, San Marino, Sao Tome and Principe, Saudi Arabia, Senegal, Serbia, Singapore, Slovakia, Slovenia, Solomon Islands, South Africa, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Switzerland, Syrian Arab Republic, Tajikistan, Thailand, The former Yugoslav Republic of Macedonia, Timor-Leste, Togo, Tonga, Trinidad and Tobago, Tunisia, Turkey, Turkmenistan, Tuvalu, Uganda, Ukraine, United Arab Emirates, United Kingdom, United Republic of Tanzania, Uruguay, Uzbekistan, Venezuela, Viet Nam, Yemen, Zambia, Zimbabwe.

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

Abstaining: Cameroon, Vanuatu.

Peacekeeping operations

In 2008, the United Nations Truce Supervision Organization (UNTSO), originally set up to monitor the ceasefire called for by Security Council resolution S/801 of 29 May 1948 [YUN 1947–48, p. 427] in the newly partitioned Palestine, continued its work. UNTSO unarmed military observers fulfilled evolving mandates—from supervising the four armistice agreements between Israel and its neighbours (Egypt, Jordan, Lebanon and the 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 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).

Lebanon

Lebanon remained in the focus of international attention and concern throughout 2008, as the country was taken to the brink of civil war. Terrorist attacks and assassinations targeting symbols of Lebanese sovereignty continued unabated until a reconciliation agreement among Lebanese political leaders was reached on 21 May, which led to the election of General Michel Sleiman as President of Lebanon, the formation of a Government of national unity and the launching of a national dialogue. The Secretary-General extended his good offices with a view to sustaining the relative calm that prevailed in the post-election period. However, despite the improved political climate, the country’s stability remained fragile and was threatened by a number of serious security incidents involving Lebanese and non-Lebanese militias.

The paramilitary group Hizbullah maintained a major armed component separate from the State, while Palestinian militias kept up significant paramilitary structures inside and outside refugee camps, and along the Lebanese-Syrian border. Hizbullah carried out further attacks against positions of the Israeli Defence Forces (IDF) inside Israel, while IDF continued attacks within Lebanon.

The Secretary-General reported during the year on the implementation of Security Council resolutions 1559 (2004) [YUN 2004, p. 506] and 1701 (2006) [YUN 2006, p. 583]. The election of President Sleiman and the establishment of diplomatic relations between Lebanon and the Syrian Arab Republic represented significant steps forward in the implementation of the former. Some progress was made with regard to the implementation of resolution 1701 (2006) as well, most notably the signing of a humanitarian agreement between Hizbullah and Israel in July. On 16 July, Israel swapped the bodies of some 200 Lebanese and Palestinian fighters and five Lebanese prisoners for the bodies of two Israeli soldiers captured in 2006—Ehud Goldwasser and Eldad Regev. Major challenges remained, however, including the activities of Lebanese and non-Lebanese militias, alleged breaches of the arms embargo, border violations and Israeli overflights of Lebanese territory, all of which hindered the establishment of a permanent ceasefire and a long-term solution between Israel and Lebanon as called for by the resolution.

In order to assist in enhancing border security between Lebanon and Syria, the Secretary-General dispatched the Lebanon Independent Border Assessment Team II to undertake a thorough follow-up assessment of the implementation of the recommendations of the first team of border security experts, which had conducted an initial assessment in 2007 [YUN 2007, p. 484].

The United Nations International Independent Investigation Commission (UNIIIC) continued to investigate the 14 February 2005 assassination of former Lebanese Prime Minister Rafik Hariri and 22 others [YUN 2005, p. 550].
The United Nations Interim Force in Lebanon (UNIFIL), whose mandate the Security Council renewed in August for another 12 months, continued to play a crucial role in ensuring peace and stability in southern Lebanon, as well as full respect for the Blue Line, the provisional border drawn by the United Nations following the withdrawal of Israeli troops from southern Lebanon in 2000 [YUN 2000, p. 465].

On 19 December, by resolution 63/211, the General Assembly, noting the environmental disaster caused by the destruction by the Israeli Air Force on 15 July 2006 of oil storage tanks near the el Jiyeh electric power plant in Lebanon, resulting in an oil slick that covered the entire Lebanese coastline [YUN 2006, p. 1215], requested Israel to compensate Lebanon and other affected countries for the costs of repairing the environmental damage (see p. 1150).

**Appointment of Special Coordinator.** On 8 April [S/2008/236], the Secretary-General informed the Security Council of his intention to appoint Johan Verbeke (Belgium) as his Special Coordinator for Lebanon, replacing Geir Pedersen, who had been appointed in 2007 [YUN 2007, p. 479]. The Council took note of the Secretary-General's intention on 11 April [S/2008/237]. On 30 July [S/2008/516], the Secretary-General informed the Council of his intention to appoint Michael C. Williams (United Kingdom) as Special Coordinator to succeed Mr. Verbeke. The Council, on 1 August [S/2008/517], took note of the Secretary-General's intention.


**Political situation.**

Lebanon continued to experience a severe political crisis due to its failure to elect a President, an office vacant since 24 November 2007 [YUN 2007, p. 501], when the extended term of President Émile Lahoud ended, as the Secretary-General reported in his semi-annual April report [S/2008/264] on the implementation of resolution 1559(2004) [YUN 2004, p. 506]. Despite the efforts of Lebanese, regional and international players, all attempts to elect a new President were fruitless. The electoral void fuelled political polarization and impeded the functioning of the country’s legitimate constitutional institutions, in particular the Government and the Parliament, and contributed to violent confrontations between the opposing parties. The absence of an agreement on the presidential elections threatened the very foundations of the Lebanese State and the sovereignty, independence and stability of the country.

Following a ministerial meeting convened by the Secretary-General in December 2007 on the sidelines of the Paris donor conference [YUN 2007, p. 446], the Foreign Ministers of the Arab States convened in 2008 (Cairo, Egypt, 6 January) and agreed unanimously on a three-point plan to end the constitutional crisis in Lebanon. At a further meeting on 27 January in Cairo, the Foreign Ministers noted the continuing impasse, as the majority and the opposition disagreed on the interpretation of the portion of the plan related to the composition of the Government of national unity. On 6 March, the Foreign Ministers added to their original plan a provision calling for the improvement of Syria-Lebanon relations. At the twentieth ordinary Arab League summit (Damascus, Syria, 29–30 March) [S/2008/296], several Arab delegations reduced the level of their representation in protest at the non-implementation of the plan, while Lebanon did not attend. In the final summit communiqué, the Arab leaders called for adherence to the Arab League initiative to settle the Lebanese crisis, and urged Lebanon’s leaders to elect consensus candidate Sleiman and agree on the basis for the formation of a national unity Government. They also stressed placing Lebanese-Syrian relations on the proper track and emphasized the importance of the formation of the international tribunal on the assassination of former Prime Minister Hariri [YUN 2005, p. 551].
In his observations, the Secretary-General stressed that the Lebanese people had a unique opportunity to open a new chapter in their difficult history. They and their political representatives had to rise to the occasion and elect a President without any conditions beyond those prescribed by the constitution. Such an election would signify a major milestone on the road towards full reassertion of Lebanon’s sovereignty, territorial integrity, unity and political independence. The Secretary-General regretted that despite the numerous calls of the Lebanese people and the international community, such an election had still not been held. He firmly believed that the Lebanese leaders first and foremost had to think about the future of their country and transcend sectarian and individual interests. Parliament, which had not met in more than a year, had to be allowed to convene urgently to fulfil its constitutional duties, without foreign interference or influence. The Secretary-General was concerned that further delay in electing a President would complicate the adoption of an electoral law and the holding of parliamentary elections on time, in the first quarter of 2009.

Security Council consideration. On 8 May [meeting 5888], Terje Roed-Larsen, Special Envoy for the implementation of Security Council resolution 1599(2004), told the Council that in the context of the prolonged electoral void in Lebanon, representatives of Egypt, France, Germany, Italy, Jordan, Kuwait, Qatar, Saudi Arabia, the United Arab Emirates, the United Kingdom and the United States; the Secretaries-General of the Council of the European Union, the United Nations and the Arab League; and Lebanon’s acting Foreign Minister met in Kuwait on 22 April. They expressed support to the legitimate Lebanese Government and called for the immediate election of the consensus candidate, General Sleiman, as president without prior conditions, the establishment of a national unity Government, and the holding of general elections in conformity with an electoral law agreed by all parties, in accordance with the Arab League Plan (see p. 531). Noting that the election of a president had been postponed for the eighteenth time, to 13 May, the Secretary-General urged the Parliament to convene on that date to fulfil its constitutional duties.

Doha Agreement. At a meeting in Doha, Qatar (16–21 May), rival Lebanese factions reached an agreement ending the 18-month political crisis and opening the way for the election of a President of the Republic. The Doha Agreement on the outcome of the meeting of the Lebanese National Dialogue (the Doha Agreement), signed on 21 May by all participating political leaders, was transmitted to the Security Council by LAS on 22 May [S/2008/392] and by Qatar on 22 August [S/2008/578]. The Agreement provided for the election of the consensus candidate General Michel Sleiman as President of the Republic; the formation of a national unity Government, comprising 30 ministers—16 of whom would be allocated to the majority, 11 to the opposition, and 3 to the President; the submission of the reform clauses of the draft electoral law, drafted by the National Electoral Law Drafting Commission, to Parliament for consideration; and the initiation of dialogue on the reinforcement of the authority of the State in accordance with paragraph 5 of the 15 May 2008 Beirut agreement.

All parties pledged by virtue of the Agreement not to resign or obstruct the Government’s work, to refrain from using weapons or violence to achieve political gains, as well as from using mutual recrimination or political and sectarian propaganda, and to commit themselves to security and military authority being the sole province of the State.

SECURITY COUNCIL ACTION

On 22 May [meeting 5896], following consultations among Security Council members, the President made statement S/PRST/2008/17 on behalf of the Council:

The Security Council congratulates the leaders and people of Lebanon and welcomes and strongly supports the agreement reached in Doha on May 21 under the auspices of the Arab League, which constitutes an essential step towards the resolution of the current crisis, the return to the normal functioning of Lebanese democratic institutions and the complete restoration of Lebanon’s unity and stability.

The Council commends the efforts of the League of Arab States, in particular of the committee of Ministers for Foreign Affairs, under the leadership of the Emir of the State of Qatar, Sheikh Hamad bin Khalifa Al-Thani, the Prime Minister and Minister for Foreign Affairs of Qatar, Sheikh Hamad bin Jassim bin Jabr Al-Thani, and the Secretary-General of the League of Arab States, Mr. Amre Moussa, in helping Lebanese leaders to reach an agreement.

The Security Council welcomes the agreement to elect a President of the Republic, to establish a national unity cabinet and to address Lebanon’s electoral law, in accordance with the League of Arab States initiative, as well as the decision to continue the national dialogue on ways to reinforce the authority of the State over all its territory, in such a way to guarantee the sovereignty and the safety of the State and the people of Lebanon. It welcomes the agreement to ban the use of weapons and violence as a means to settle disputes, irrespective of their nature and under any circumstances.

The Council calls for the implementation of this agreement in its entirety, in accordance with the League of Arab States initiative, and in conformity with the Taef agreement and all relevant Council resolutions and statements of its President on the situation in Lebanon.

The Council reaffirms its strong support for the territorial integrity, sovereignty, unity and political independence of Lebanon within its internationally recognized borders and under the sole and exclusive authority of the Government of Lebanon over all Lebanese territory.
New President and unity Government. In his eighth semi-annual report [S/2008/654] on the implementation of Security Council resolution 1559(2004), the Secretary-General reported in October that due to the tireless efforts of the Emir of Qatar, his Prime Minister and the LAS Secretary-General, the Lebanese Parliament convened on 25 May to elect a new President as part of the Doha Agreement. General Michel Sleiman, who received 118 out of 127 votes, was the first president to take office in Lebanon since the withdrawal of Syrian troops in 2005. On 11 July, following intense negotiations, President Sleiman issued a decree forming a national unity Government, headed by Fouad Siniora as Prime Minister. In accordance with the Doha Agreement, the 30-member cabinet included 16 seats allocated to the Parliamentary majority, 11 to the opposition and 3 to the President. On 12 August, by an overwhelming majority, the Parliament expressed confidence in the new cabinet and its policy. On 30 September, the Parliament adopted a new electoral law paving the way for parliamentary elections in 2009.

The Secretary-General said that the Lebanese had taken a step further towards strengthening their country’s sovereignty, stability, unity and political independence. It was important that the parties implement in full the provisions of the Doha Agreement, including their commitment to refrain from the use of weapons to settle internal political disputes. He welcomed the first session of the National Dialogue, held on 16 September to address the question of a national defence strategy and the status of armed groups. If Lebanon was to accomplish the process of consolidating its sovereignty and national unity, all parties had to fully engage in that national process in a spirit of genuine cooperation.

Security Council consideration. Reporting to the Security Council on 30 October [meeting 6008], Special Envoy Roed-Larsen said that the Secretary-General was concerned that the scars left by the clashes in spring might have prompted, if not accelerated, a process of rearmament in Lebanon. That activity and the continued presence of groups with military and paramilitary capacities threatened the holding of the free and fair parliamentary elections in 2009. The United Nations supported the Government’s efforts to ensure a stable security environment in which those elections could be held. The United Nations welcomed attempts by Lebanese leaders to normalize their relations in the interests of Lebanon’s security and political stability.


The Secretary-General submitted his seventh and eighth semi-annual reports on the implementation of Security Council resolution 1559(2004) [YUN 2004, p. 506], which called for strict respect of the sovereignty, territorial integrity, unity and political independence of Lebanon under the sole and exclusive authority of the Government, the withdrawal of all remaining foreign forces and the disbanding and disarmament of all Lebanese and non-Lebanese militias. He also declared the Council’s support for the extension of the Government’s control over all Lebanese territory, and for a free and fair electoral process in the presidential election.

Report of Secretary-General (April). In his seventh semi-annual report on the implementation of resolution 1559(2004) [S/2008/264], the Secretary-General stated that in the six months since his last report [YUN 2007, p. 499], Lebanon continued to experience a severe political crisis, centred on the failure to elect a President. It had also contributed, at times, to violent confrontations between the opposing parties, leading to casualties. The absence of an agreement on the presidential elections threatened the very foundations of the State, which confronted challenges of a magnitude unseen since the end of the civil war, with possible regional repercussions. The series of terrorist attacks and assassinations that had shaken Lebanon since October 2004, targeting symbols of its sovereignty, continued unabated. On 25 January, Major Wissam Eid, head of the technical section of the Information Branch of the Internal Security Forces, was killed along with five others, and 20 people were injured.

On 8 January, UNIFIL troops were attacked for the third time since the July/August 2006 war [YUN 2006, p. 574] outside the area of operations. On 15 January, in the first attack on a diplomatic target in Beirut since the civil war, an explosion apparently targeted a vehicle of the United States Embassy, leaving three people dead and dozens wounded. The climate of insecurity induced several countries to issue travel warnings to Lebanon and to reduce their Embassy staff.

Since the withdrawal of Syrian troops, military assets and the military intelligence apparatus from Lebanon in 2005 [YUN 2005, p. 560], the Secretary-General had encouraged the initiation by Lebanon and the Syrian Arab Republic of a process that would eventually lead to the establishment of full diplomatic relations, which would significantly contribute to the stability of the region. Regrettably, there had been no progress towards that goal. The delineation of the border between the two countries remained an element of crucial importance. The mandate in resolution 1559(2004) for Lebanon to extend its governmental authority over all of its territory could only be realized if the entirety of that territory was known by the Government and all other parties, with its exact boundaries determined and delineated. The imple-
momentation of measures towards that end would be an important step towards the extension of the Government’s control over all of its territory and to stability in the region. Preventing breaches of the arms embargo was also critical to achieving that objective. Lebanon continued to be concerned about smuggling activities along its eastern and northern land borders. A number of Member States had provided the Secretary-General with information that appeared to corroborate the allegation of the flow of weapons and fighters across the Syrian-Lebanese border. Syria continued to deny any involvement in those breaches and pointed to contacts between itself and Lebanon regarding the control of their common borders. It affirmed that it had increased the presence of its border guards.

Due to the ongoing political crisis, in particular the impasse in electing a President and the deteriorating security situation, the Government’s ability to extend its authority over all of Lebanese territory remained restricted and the opposition continued to question the Government’s legitimacy. The Government reiterated its interest in improving the monitoring of its land borders to prevent the unauthorized flow of weapons, munitions and personnel into the country. The armed forces helped to improve peace and stability in southern Lebanon, despite being overstretched as a result of competing security challenges. The existence of Lebanese and non-Lebanese militias and allegations of widespread rearming and paramilitary training across the spectrum constituted a challenge for the Government’s authority throughout its territory. The most significant militia was the armed component of Hizbullah. In addition, several Palestinian militias operated inside and outside of refugee camps. The existence of armed groups challenged the control of the legitimate Government. The Secretary-General regretted that in recent months, there had been no discussion among Lebanese leaders about a political process leading to the disbanding and disarming of the militias, as called for by the 1989 Taif Agreement [YUN 1989, p. 203] and resolution 1559(2004).

On 7 January, at the initiative of PA President Mahmoud Abbas, in cooperation with Lebanese Prime Minister Fouad Siniora, the PLO representative in Lebanon, Abbas Zaki, launched the Palestine Declaration for Lebanon, setting out for the first time since the end of the civil war in 1991 the PLO policy towards Lebanon. The Declaration addressed the two main concerns of resettlement and arms. It rejected any resettlement plan and emphasized Palestinian respect for Lebanon’s independence and sovereignty, and stipulated that all arms carried by various Palestinian factions, be they inside or outside refugee camps, had to be subject to Lebanese laws and not used in any inter-Lebanese conflict. The PLO offered an unconditional apology for any damage caused by the Palestinians to Lebanon, whether intentionally or not, since 1948. In the same spirit, the document urged the Lebanese to improve the living conditions of the refugees.

Palestinian refugee camps continued to pose a major challenge to Lebanon’s stability and security, owing in particular to the presence of a range of non-State actors. The Secretary-General was concerned over the threats from Al-Qaida-inspired militias in the camps and the emergence of new militant groups. On 21 March, clashes between Fatah and the extremist militant group Jund al-Sham, known to espouse Al-Qaida-oriented ideology, erupted in the Ain al-Hilweh camp, leading to one fatality. While the situation in most of the 12 Palestinian camps remained relatively stable, the threat of internal violence spilling over into surrounding areas existed in a number of them, particularly in southern Lebanon. Given the detrimental effects of living conditions in the camps on the wider security situation in Lebanon, it was imperative that progress be made towards disbanding and disarming Palestinian militias, as well as improving the living conditions of the refugees.

The Secretary-General was concerned also over the activities of the Popular Front for the Liberation of Palestine-General Command and Fatah al-Intifada, which maintained significant paramilitary infrastructures outside refugee camps and along the Lebanese-Syrian border. As both groups had their headquarters in Damascus, the Secretary-General reminded Syria that it bore responsibility for urging them to abide by Security Council resolutions and the decisions of the Lebanese Government. He took note of the public call on Syria by Prime Minister Siniora, on the eve of the Arab League summit on 28 March, to cooperate with Lebanon on disarming Palestinian militias headquartered in Damascus.

Hizbullah’s maintenance of an armed component and a paramilitary structure separate from the State had an adverse effect on the Government’s efforts to assert its exclusive control over the entire territory of Lebanon and constituted a threat to regional peace and security. In several public announcements, the leaders of Hizbullah claimed that it had rebuilt and increased its military capacity since the July/August 2006 war [YUN 2006, p. 574]. Hizbullah also reportedly continued to develop throughout the country a secure communication network separate from the State’s system. Those developments gave rise to a growing impression that parallel institutional structures were being built up.

The Secretary-General called on all Lebanese leaders to initiate discussions on the status of Hizbullah’s paramilitary arsenal. Mindful of the regional ramifications, the Secretary-General called on those parties with close ties to Hizbullah, in particular Iran and Syria, to support its transformation in the best interest of regional peace and stability.
Chapter VI: Middle East

The Secretary-General was alarmed by the consistent allegations that militias on all sides of the political spectrum were reappearing, in contravention of the Taif Agreement [YUN 1989, p. 203] and resolution 1559(2004). He called on the Lebanese parties to halt immediately all efforts to rearms and engage in weapons training, and to return instead to dialogue through the legitimate political institutions, in particular the Parliament, as the only viable method of settling issues and resolving the ongoing political crisis.

The disarming and disbanding of Lebanese and non-Lebanese militias was necessary to complete Lebanon's consolidation as a sovereign and democratic State, and should be carried out through an inclusive political dialogue that addressed the political and economic interests of all Lebanese. The Secretary-General urged renewed political dialogue to affirm the commitment of all parties to the disarmament of the militias, including Hizbullah, in fulfillment of resolution 1559(2004). In that context, he emphasized, Syria and Iran, which maintained close ties with the party, bore a significant responsibility in supporting such a process, for the sake of the security, stability and welfare of both Lebanon and the wider region.

Three years after Syria's military withdrawal from Lebanon, the Secretary-General said that the time had come for a redefinition and formalization of ties between the two historically close neighbours, in mutual respect for their sovereignty, territorial integrity and independence.

Conscious of the conditions in the Palestinian refugee camps in Lebanon and the challenges arising from them, the Secretary-General commended the Lebanese Government, working in close cooperation with the PLO and UNRWA, for its commitment to improving those conditions. The UN system stood ready to work with its Lebanese and Palestinian partners towards that goal, while helping to bring about an Israeli-Palestinian peace agreement. He called on Member States to contribute generously to the forthcoming appeal by Lebanon and UNRWA for the reconstruction of the Nahr al-Bared camp and the rehabilitation of the surrounding area affected by the previous year’s violence, at a donor conference to be held under World Bank auspices.

Communications. On 2 May [S/2008/293], Iran brought to the Security Council President’s attention allegedly unwarranted references against Iran contained in the Secretary-General’s April report (see p. 533).

On 4 May [S/2008/295], Syria said that the Secretary-General’s report went well beyond the mandate of the Special Envoy for the Implementation of Security Council resolution 1559(2004) and addressed issues unrelated to the resolution.

Report of Secretary-General (October). On 16 October, the Secretary-General, in his eighth semi-annual report [S/2008/654] on the implementation of Security Council resolution 1559(2004), stated that over the previous six months, Lebanon had experienced both the ruinous effects of sectarian violence, as well as hope and optimism. On 6 May, the Lebanese Cabinet declared Hizbullah’s secure communication network separate from the State’s system illegal and unconstitutional, and announced the dismissal of the chief of security of Beirut International Airport. In protest, Hizbullah closed all roads leading to and from the airport and other principal roads in parts of the capital, and threatened to continue its action until the Government rescinded both decisions. Later that day, there were exchanges of fire throughout several districts of Beirut between members of the opposition and pro-Government forces, which also closed the main border crossing between Lebanon and Syria. The violence, which included the use of heavy weaponry, escalated and spread to other parts of the country, bringing it to an effective standstill. Hostilities continued until 14 May, resulting in 69 fatalities and more than 180 wounded. During the clashes, many alleged human rights violations were registered, including illegal detention and ill-treatment, civilian deaths, instances of summary execution, destruction of private property, and attacks on the media and freedom of expression.

On 11 May, LAS condemned the use of armed violence to achieve political objectives, and at an emergency meeting, decided to dispatch a delegation to Beirut. On 14 May, a Ministerial Committee of Arab Foreign Ministers, headed by the Prime Minister of Qatar, Sheikh Hamad bin Jasseim Al-Thani, and by the Secretary-General of LAS, Amre Moussa, held discussions in Lebanon with the parties aimed at ending the crisis. The following day, the Cabinet rescinded its 6 May decision, and shortly afterwards, the Arab Committee announced an inter-Lebanese understanding that called for calm on the streets and the withdrawal of all armed elements. The agreement also called for a Lebanese national dialogue to begin the following day in Doha, Qatar, where Lebanese leaders reached a comprehensive political understanding on 21 May, leading to the election of General Sleiman as President of Lebanon on 25 May (see p. 533). On the eve of the election, the long-standing protests outside the Prime Minister’s Office were brought to an end. On 13 and 14 August, at the invitation of President Bashar Al-Assad, President Sleiman visited the Syrian Arab Republic, where a series of agreements were reached of significant relevance to the implementation of resolution 1559(2004).

Despite the reconciliation agreement reached in Doha, there were violent clashes leading to fatalities, especially in and around the northern city of Beiru...
Tripoli. In a particularly serious incident of 13 August, an improvised explosive device was detonated at a bus stop frequently used by Lebanese soldiers in Tripoli, killing 15 people, among them 10 soldiers. On 10 September, Saleh Aridi, a senior member of the Lebanese Democratic Party, was killed in a car bomb in Baysur. On 29 September, a new terrorist attack targeted the Lebanese Armed Forces (LAF) in Tripoli, killing six people, including four soldiers, and injuring 32, among them 18 soldiers. The clashes in May and the several security incidents emphasized the threats posed by the presence of militias to the stability of the country, and the need for the Government and LAF to exercise the monopoly on the use of force throughout Lebanon.

The Secretary-General encouraged the early initiation of a process for the establishment of full diplomatic relations between Lebanon and Syria. Following a meeting in Paris on 12 July, convened by French President Nicolas Sarkozy, and talks on 13 and 14 August, between the Presidents of Lebanon and Syria, the Foreign Ministers of both countries, on 15 October, signed in Damascus a memorandum announcing the establishment of diplomatic relations effective the same day. In that document, the two countries reaffirmed their determination to reinforce and consolidate their relations on the basis of mutual respect for their sovereignty and independence. They informed the Secretary-General that embassies would be established in both capitals by the end of the year.

No significant progress was made towards the full delineation of the common border between the two countries. However, noting that the parties on 14 August had announced the revival of the work of the joint committee for delineating the common borders, the Secretary-General welcomed their renewed intention to make progress on the matter.

Over the reporting period, there was no tangible progress towards the disbanding and disarming of militias, as called for in the Taif Agreement and resolution 1559(2004). Hizbullah’s parallel structures prevented exclusive government control over the entire Lebanese territory and threatened international peace and security. The Secretary-General called on Hizbullah to comply with all relevant Security Council resolutions and urged all parties with close ties to that organization, in particular Syria and Iran, to support its transformation into a political party.

At the conclusion of the national dialogue held in Doha (16–21 May), Lebanese leaders reaffirmed their commitment to the principles of the Lebanese Constitution and the Taif Agreement. They also committed themselves to prohibiting the use of weapons or violence in any internal conflict and pledged to pursue the national dialogue under the auspices of the Lebanese President, and to promote the Government’s authority throughout its territory and its relations with different groups in a way that would guarantee the security of the State and its citizens. No progress was made in disarming Palestinian militias.

While rejecting the permanent resettlement of Palestinians in Lebanon, the Government acknowledged their right to a dignified life and pledged to continue efforts to resolve their humanitarian and social concerns inside and outside the camps. It intended to work with Palestinians to implement the decisions of the 2006 national dialogue [YUN 2006, pp. 569–73], while assuming the responsibility of protecting the camps from any attack. During an historic visit to Lebanon on 28 and 29 August, President Nicolas Sarkozy reiterated his support for the decisions of the national dialogue and the need for Palestinians in Lebanon to respect the country’s sovereignty and political independence.

The Secretary-General urged Syria to ensure that the two Palestinian groups headquartered in Damascus, the Popular Front for the Liberation of Palestine-General Command and Fatah al-Intifada, abided by Lebanese Government’s decisions and Lebanese law, in line with relevant Security Council resolutions. Continuing security incidents in the Ain al-Hilweh camp and the precarious situation of the Al-Bedawee camp indicated that the restoration of law and order in the camps would be key to ensuring stability and security in Lebanon. The Secretary-General welcomed the Government’s commitment—negotiated with the Palestinian authorities and announced at the international donor conference held in Vienna on 23 June—to rebuild the Nahr al-Bared camp and to take joint responsibility for security therein. He hoped that it would serve as a model for Lebanon’s other Palestinian camps.

The Secretary-General called on Lebanese parties to halt immediately all efforts to acquire and build paramilitary capacities. He also welcomed the outcome of the Syrian-Lebanese summit held in Damascus in August, at which both Presidents announced important steps their countries would take to normalize their relations.

Communication. Commenting on the Secretary-General’s report, the Syrian Arab Republic, on 29 October [S/2008/680], stated that the resolutions adopted by the LAS Ministerial Council in March underlined support for Lebanon’s national reconciliation process and the sovereignty and integrity of its territory. Syria reaffirmed its denial of claims in the Secretary-General’s report that weapons and fighters continued to flow across the border. Syria reaffirmed that the delineation of the border with Lebanon was a bilateral issue, the real impediment to which was Israel’s continued occupation of the Syrian Golan, the Shab’a Farms and the northern part of the village of
Ghajar, and its refusal to comply with international resolutions.

**Security Council consideration.** On 30 October [meeting 6008], the Security Council considered the Secretary-General’s eighth semi-annual report on the implementation of resolution 1559(2004), which was introduced by his Special Envoy. The Council did not take any action on the report.

**Further developments.** In accordance with the 15 October memorandum establishing diplomatic relations between Lebanon and the Syrian Arab Republic, the Secretary-General indicated, in a later report [S/2009/218], that on 23 December, the Lebanese President issued a presidential decree naming the Lebanese members of the Lebanese-Syrian border committee tasked with delineating their common border, which was reactivated pursuant to the agreement reached in Damascus in August.

### Implementation of resolution 1701(2006) and UNIFIL activities

In three periodic reports submitted to the Security Council during the year, the Secretary-General updated the Security Council on the implementation of resolution 1701(2006) [YUN 2006, p. 583], highlighting progress made, as well as areas that continued to impede the establishment of a permanent ceasefire and a long-term solution between Israel and Lebanon. By the same resolution, the Council had expanded the mandate of the United Nations Interim Force in Lebanon (UNIFIL) to undertake substantial new tasks, in addition to those mandated under resolutions 425(1978) and 426(1978) [YUN 1978, p. 312], and authorized an increase in the Force strength from 2,000 to a maximum of 15,000 troops. In August, the Council extended UNIFIL’s mandate for another year.

**Communication.** On 15 February [A/62/698-S/2008/102], Lebanon transmitted to the Secretary-General and the Security Council a position paper, prepared in anticipation of the Secretary-General’s periodic report on the implementation of resolution 1701(2006). Lebanon declared its commitment to the resolution’s full implementation, and abided by its obligations thereunder. It looked forward to serious progress on the resolution’s remaining elements and to the full abiding by Israel.

**Report of Secretary-General (February).** On 28 February, the Secretary-General submitted his sixth report [S/2008/135] on the implementation of resolution 1701(2006). He noted that both Lebanon and Israel expressed continued commitment to implementing the resolution, and cooperation between UNIFIL and LAF had increased through the augmentation of coordinated operations, which contributed significantly to the general calm prevailing in the UNIFIL area.

In the UNIFIL area of operations, the military and security situation was generally stable. The deployment and activities of UNIFIL and LAF contributed to the longest period of relative stability in southern Lebanon in many years and helped to establish a new strategic environment south of the Litani River. Those efforts were also felt in northern Israel, as acknowledged by the Israeli authorities. However, a number of serious incidents raised tension, particularly along known points of friction along the Blue Line.

On 8 January, IDF informed UNIFIL that two rockets had hit the northern Israeli town of Shelomi, causing minor damage, but no injuries. No trace of the launching site was discovered, and no one had claimed responsibility. Lebanese civilians from around Ghajar village were involved in smuggling illegal substances and commercial goods into Israel. On 3 February, an IDF patrol opened fire and wounded two Lebanese civilians suspected of smuggling in the Israeli-occupied area around Ghajar village, north of the Blue Line. One of them subsequently died, and the other was in LAF custody. UNIFIL was investigating the incident.

During the reporting period, there were three instances of IDF soldiers pointing their weapons, including lasers, in the direction of UNIFIL patrols. UNIFIL, as well as IDF, were investigating an incident on 13 February, when small arms fire from the Israeli side hit a minefield warning sign in the vicinity of a UN mine clearance team operating close to the Blue Line. On 24 February, a UNIFIL vehicle patrol in the area of operations was blocked for a few hours by a group of Lebanese civilians. On two occasions in January, in the Shab’a Farms area and in the vicinity of Ghajar, IDF apprehended a Lebanese shepherd crossing the Blue Line. UNIFIL also reported a number of minor ground violations by local shepherds, which might be inadvertent, but could lead to incidents and unintended escalation of tension along the Blue Line. A pilot project was initiated by UNIFIL, with LAF and IDF, to visibly mark a six-kilometre stretch of the Blue Line in the western sector of the area of operations.

UNIFIL observed a significant number of Israeli violations of Lebanese airspace on an almost daily basis, particularly on 7 and 11 February, involving large numbers of fighter aircraft and unmanned aerial vehicles. Some of the aircraft flew at low altitude, including over UNIFIL headquarters in Naqora. On 17 February, UNIFIL recorded 36 air violations, mainly by unmanned aerial vehicles. Israeli overflights of Lebanese territory violated Lebanese sovereignty and resolution 1701(2006), escalated tensions and significantly increased the possibility of security incidents—as demonstrated on 21 January, when LAF opened fire on Israeli aircraft violating Lebanese airspace. Air violations caused unnecessary apprehension among the local population, particularly when con-
ducted at low altitude and in a provocative manner, and impeded UNIFIL’s ability to further stabilize the situation. Lebanon continued to protest those violations of its sovereignty and of resolution 1701(2006), while Israel maintained that overflights were a necessary security measure that would continue until its two soldiers, Ehud Goldwasser and Eldad Regev, abducted in 2006, were released and the measures set out in paragraphs 14 and 15 of resolution 1701(2006) concerning the arms embargo were implemented in full.

Concerning security and liaison arrangements, the UNIFIL Force Commander and senior representatives of LAF and IDF held regular tripartite meetings as a confidence-building mechanism, and addressed key security and military operational issues to help prevent incidents and violations, and enhance liaison and coordination. Despite intensive efforts, the impasse over the temporary security arrangements for the northern part of Ghajar village had not been overcome.

In the area of operations controlled by the combined presence of UNIFIL and LAF troops, UNIFIL maintained 61 permanent positions, 136 observation posts and six temporary checkpoints and observation posts. The Force conducted an average of 400 vehicle, foot and air patrols, day and night, in any 24-hour period throughout its area of operations in both rural and urban areas. LAF deployed four brigades of different sizes, operated more than 100 checkpoints and observation posts, and patrolled critical locations south of the Litani River. In maintaining that significant commitment of resources, LAF contributed to the improvement of peace and stability in southern Lebanon, despite being overstretched as a result of additional responsibilities, such as manning the border areas and providing security in main Lebanese urban centres, particularly Beirut. On occasion, LAF had to temporarily redeploy some troops from the UNIFIL area of operations to address such specific security requirements.

Coordination and liaison between UNIFIL and LAF strengthened during the reporting period to ensure that the area between the Blue Line and the Litani River was free of unauthorized armed personnel, assets and weapons. Coordinated operations, including temporary observation posts, co-located checkpoints and coordinated vehicle and foot patrols increased, resulting in enhanced monitoring and control over the UNIFIL area. Those operations resulted in 96 findings of abandoned arms, ammunition and explosive devices, and the discovery of rocket launchers, rockets, mortar bombs, explosive devices, and caves or bunkers. LAF destroyed or confiscated arms and ammunition found south of the Litani River. UNIFIL and LAF ensured that the area south of the Litani River was free of unauthorized armed personnel, assets and weapons. Rocket firings and attacks against UNIFIL indicated that there were still hostile elements and unauthorized arms, including in the area of operations, undermining joint efforts to implement resolution 1701(2006) and posing a direct threat to peace and security. It was therefore necessary for UNIFIL and LAF to intensify their coordinated efforts, through increased controls on the Litani River, to counter any movement of weapons and prevent hostile activities.

The UNIFIL Maritime Task Force continued to perform maritime interdiction operations along the Lebanese coast to prevent the entry into Lebanon of unauthorized arms and related materiel. Since the Task Force assumed its mission in 2006 [YUN 2006, p. 589], more than 12,500 ships had been hailed and queried, with close to 70 vessels identified as suspicious.

Overall coordination between UNIFIL and IDF was good, the Secretary-General stated, with UNIFIL maintaining a liaison office with two officers at the IDF Northern Command headquarters in Zefat. Progress was also made towards the establishment of a UNIFIL office in Tel Aviv.

The Secretary-General was concerned about the smuggling of weapons into Lebanon across the Lebanese-Syrian border. Also of concern were the heavily armed military positions of the Popular Front for the Liberation of Palestine-General Command and Fatah al-Intifada along the same border, whose existence challenged Lebanon’s sovereignty, owing to their de facto control of that stretch of the border. LAF maintained a defensive line around both of those military camps.

Lebanon continued to enhance its capacity to secure its borders. The Lebanese Common Border Force, which brought together about 800 personnel from the four main Lebanese security agencies (Army, Internal Security, General Security and Customs Authorities), began ground operations between December 2007 and January 2008, in an area of operations some 130 kilometres along Lebanon’s northern border with the Syrian Arab Republic and 20 kilometres into Lebanese territory. The Lebanese authorities also relocated the key northern border crossing of Aboudieh to a location along the Nahr al-Kabir river to reduce the possibility for diversionary routes and illicit cross-border activity. The customs authorities updated and enhanced the computerization of their tracking and control mechanisms with support from the international community.

Key aspects of the recommendations of the Lebanon Independent Border Assessment Team for enhancing security arrangements along the border remained to be implemented. As requested by the Security Council in statement S/PRST/2007/29 [YUN 2007, p. 487], the Secretary-General intended to dispatch a second
team to Lebanon to carry out an assessment, in coordination with the Lebanese Government.

UNIFIL’s total strength amounted to 12,707 military personnel as at 25 February. It was supported by 51 United Nations Truce Supervision Organization (UNTSO) military observers of the Observer Group Lebanon. In addition, 313 international and 612 national staff served with UNIFIL. The Maritime Task Force comprised four out of five required frigates and seven out of ten required corvettes/patrol boats. A ship-to-task analysis to ensure that the UNIFIL naval assets were optimally equipped to carry out their tasks was being finalized. At the end of February, Germany would hand over leadership of the Task Force to the European Maritime Force, a southern European naval initiative supported by France, Italy, Portugal and Spain. A comprehensive review of UNIFIL’s Strategic Military Cell was finalized, as requested by General Assembly resolution 61/250 B [ibid., p. 492].

The Secretary-General noted that since the adoption of resolution 1701(2006), the deployment and activities of both UNIFIL and LAF had contributed to the longest period of stability in southern Lebanon for many years and helped to establish a new strategic environment in the area south of the Litani River. Those effects were also felt in northern Israel and acknowledged by the Israeli authorities. However, a number of incidents occurring over the reporting period had raised tensions in the UNIFIL area of operations. The Secretary-General was concerned about the threats of open war against Israel uttered by the Secretary-General of Hizbullah on 14 and 22 February, following the funeral of Imad Mughniyeh, assassinated on 13 February in Damascus; such rhetoric was against the spirit and intentions of resolution 1701(2006), which aimed to achieve a permanent ceasefire.

SECURITY COUNCIL ACTION

On 15 April [meeting 5867], following consultations among Security Council members, the President made statement S/PRES/2008/8 on behalf of the Council:

The Security Council recalls its resolution 1773(2007) as well as the statements by its President on Lebanon and welcomes the reports of the Secretary-General of 30 October 2007 and of 28 February 2008.

It reiterates its commitment to the full implementation of all provisions of its resolution 1701(2006) and reaffirms its strong support for the efforts of the Secretary-General in this regard.

The Council takes note of the progress as well as of the concerns expressed by the Secretary-General regarding the implementation of resolution 1701(2006) and emphasizes the need for greater progress on all the key issues required for a permanent ceasefire and long-term solution, as referred to in the reports of the Secretary-General.

It also calls upon all concerned parties, in particular in the region, to intensify their efforts in implementing resolution 1701(2006), including by fully cooperating with the Secretary-General in this regard.

The Council reiterates its full support for the United Nations Interim Force in Lebanon and calls upon all parties to abide by their obligations to respect the safety of United Nations personnel. It welcomes the further enhancement of the cooperation between the Force and the Lebanese Armed Forces.

It 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.

Communications. In a 4 April letter [S/2008/223], Iran rejected allegations in the Secretary-General’s February report (see p. 537) concerning the transfer of sophisticated weaponry to Lebanon, which it claimed were based on false and misleading information provided by Israel.

On 18 April [S/2008/261], Israel welcomed the Council President’s statement, but stated it would have preferred specific reference made to the major aspects of the arms embargo, the rearming of Hizbullah and the abducted Israeli soldiers. A detailed list of Blue Line violations was annexed to Israel’s letter.

On 17 June [A/62/883-S/2008/399], Lebanon forwarded a position paper on the implementation of resolution 1701(2006), as well as lists of 633 air, 13 maritime and 143 land violations by Israel during the period from 11 February to 29 March. Lebanon declared that it looked forward to achieving serious progress on the outstanding elements of the resolution and to Israel’s full implementation of its articles.

Report of Secretary-General (June). On 27 June, the Secretary-General submitted his seventh report [S/2008/425] on the implementation of resolution 1701(2006). Following the efforts of LAS and the mediation by Qatar, Lebanon started to emerge from the crisis that had paralyzed the normal functioning of State institutions for the past year and a half. The Doha Agreement reached on 21 May (see p. 532) established the basis for resolving many long-standing issues.

There were no breaches of the cessation of hostilities, and UNIFIL continued, with the parties, to ensure full respect for the Blue Line. UNIFIL and LAF also continued to ensure that the area between the Blue Line and the Litani River was not utilized for hostile activities and was free of any unauthorized armed personnel, assets and weapons. Cooperation between UNIFIL and LAF continued to be good. The military and security situation in the UNIFIL area was generally quiet, although a number of incidents on occasion raised tensions. The Blue Line continued to be respected by the parties, although there were alle-
gations of violations that could, however, not be cor-
borated by UNIFIL. Some progress was made with
respect to the pilot project for visibly marking a 6-kil-
ometre stretch of the Blue Line, although the process
seemed to have slowed down. The pumping by Israel
of accumulated flood water to Lebanese territory in
the vicinity of Kafr Kila prompted demonstrations by
affected Lebanese farmers; UNIFIL defused tension by
pumping the water into trucks for dispersal elsewhere
and submitted a proposal to the parties to prevent a
recurrence of the problem.

During the reporting period, UNIFIL recorded and
protested unprecedented violations by Israeli of Leba-
nese airspace, at an average of more than 20 per day,
in March and April. Israel had not completed its with-
drawal from southern Lebanon in accordance with
its obligations under resolution 1701(2006), which,
according to the Secretary-General, was a continuous
source of tension. To break the impasse and facilitate
IDF withdrawal, UNIFIL submitted a new proposal and
was awaiting the parties’ response. Following shoot-
ing incidents the previous year and in February in
the vicinity of Ghajar, UNIFIL implemented security
measures to prevent violations of the Blue Line and
smuggling activities, in accordance with an agreement
reached with the parties during an April tripartite
meeting. UNIFIL and LAF also intensified patrolling
in the area.

In April, UNIFIL and LAF conducted the first session
of a strategic review of their military tasks and reached
agreement on measures to strengthen coordination
and liaison; increasing the number of daily counter-
rocket launching operations and expanding coverage
from areas adjacent to the Blue Line to other parts of
the area of operations; enhancing efforts to deter and
prevent hunting in the area of operations; intensifying
of surveillance in areas near the Blue Line; and
operating co-located checkpoints and increasing the
number of vehicle checks. They also agreed to im-
prove liaison and interaction at the operational and
tactical levels. As a result, coordinated operations
increased in frequency and complexity. During co-
ordinated operations, 92 items, including abandoned
arms, ammunitions and explosive devices from the
2006 conflict or before were discovered in the area
south of the Litani River.

To date, UNIFIL, working in cooperation with LAF,
had found no evidence of new military infrastructure
in the UNIFIL area of operations. However, UNIFIL
did encounter unauthorized armed personnel on one oc-
casion, and past attacks on UNIFIL and rocket attacks
against Israel demonstrated that there were unauthor-
ized arms and hostile groups prepared to use them.
Several incidents during the reporting period high-
lighted the challenges that UNIFIL faced in fulfilling
its mandated activities.

The UNIFIL Maritime Task Force continued to
perform maritime interdiction operations along the
Lebanese coast to prevent the entry of unauthorized
arms and related material. On 17 March, the Task
Force electronically detected a vessel entering the
UNIFIL area of maritime operations from Israeli waters
without following proper procedure, and on 22 and
23 May, LAF protested the alleged hailing by IDF navy
of two ships in Lebanese territorial waters.

During the reporting period, there were several
incidents in or around the camps, in particular the
Ein el-Hilweh camp in Sidon and the Nahr al-Bared
camp in northern Lebanon, as well as near the city
of Tripoli. Seven people were killed and 26 injured
as a result. In one of those incidents, which occurred
on 31 May near the entrance of Nahr al-Bared, a LAF
outpost was targeted by an explosion that killed one
soldier. Due to the deterioration of the security situa-
tion early in May and the resignation of the Govern-
ment later that month, it was not possible to dispatch
a team of experts to carry out a detailed assessment
of the implementation of the recommendations of the
2007 Lebanon Independent Border Assessment Team
[YUN 2007, p. 484].

There was no significant change in the border secu-
rity arrangements along the eastern frontier of Leba-
non with the Syrian Arab Republic. The Lebanese
Common Border Force, deployed along the northern
border with the Syrian Arab Republic, in the context
of a German-led pilot project, uncovered numerous
cases of smuggling, mostly involving fuel and other
consumer products, but no incidents of weapons
smuggling were observed. Measures were taken to
close the illegal smuggling routes and enhance pro-
cedures at official crossing points.

The Lebanese authorities, with international do-
nor support, worked to improve Lebanon’s capac-
ity to control its borders in other areas, such as the
Beirut International Airport, and Lebanese Customs
and General Security. Lebanon emphasized the need
for cooperation on border management with Syrian
counterparts.

During the period from the end of the 2006 con-

cflict through 19 June 2008, incidents involving unex-
ploded ordnance, including cluster munitions, led to
27 civilian fatalities and 231 civilian injuries, while
mine-clearance incidents resulted in 13 fatalities
and 38 injuries. The UN Mine Action Coordination
Centre-South Lebanon coordinated the clearance
and reduction of approximately 36.6 million square
metres of contaminated land, comprising 49 per cent
of the surface and 29 per cent of the sub-surface ar-

as, through a joint effort including LAF, the United
Nations, bilaterally funded clearance organizations
and UNIFIL. In total, 145,580 cluster munitions were
located and destroyed. The size of the affected area,
and an Iranian journalist, for which it held Israel responsible, and to help secure their release.

**Report of Secretary-General (November).** In his eighth report on the implementation of resolution 1701(2006), of 18 November [S/2008/715], the Secretary-General said that he was pleased to report that all parties continued to express their commitment to resolution 1701(2006). The political climate in Lebanon had improved in the past months, due to the implementation of the elements of the Doha Agreement, the election of President Sleiman, the formation of a national unity Government and the launching of a National Dialogue (see p. 533).

The cessation of hostilities between Israel and Lebanon continued to hold and the military and security situation in the UNIFIL area of operations remained generally quiet. The parties generally maintained respect for the Blue Line, apart from the Ghajar area, where IDF still occupied part of the village and an adjacent area north of the Blue Line, in violation of resolution 1701(2006). Incursions into Lebanese airspace by Israeli aircraft and unmanned aerial vehicles continued in high numbers, which UNIFIL and Lebanon protested. Control by IDF of northern Ghajar continued to be a source of tension. On 22 August, Lebanon informed the Force Commander of its readiness to accept the UNIFIL proposal (see p. 540) to facilitate the withdrawal of IDF from the area, on the condition that Israel agreed to the proposal within three months, and that a date for Israel’s eventual withdrawal be established. UNIFIL invested considerable efforts in mediating the proposal between the parties and the Secretary-General hoped that Israel would endorse it.

Progress on the pilot project to visibly mark a 6-kilometre stretch of the Blue Line was slow. After extensive field work and discussions at both the bilateral level and in the tripartite forum, the parties reached agreement on a further seven points to be marked, which brought the total number of points to 16. The parties also agreed on an additional 4-kilometre stretch to extend the pilot project. UNIFIL proposed a new plan to accelerate the process, which was accepted by both parties.

UNIFIL and the LAF Senior Command continued their strategic review sessions of military tasks carried out by the two Forces in implementing resolution 1701(2006) in order to intensify cooperation in operational activities and expand coordination and liaison procedures. At their 21 October meeting, the Senior Commands assessed the level of cooperation achieved and agreed, in an effort to mitigate potential effects of the reduced LAF presence due to temporary redeployment to the north, to conduct a joint review to enhance the effectiveness of the coordinated checkpoints. They also agreed to increase regular vehicle
checks, intensify efforts to curtail hunters, expand liaison arrangements, and review operating procedures between the UNIFIL Maritime Task Force and the Lebanese navy. The Maritime Task Force would assist in further institutionalizing naval training programmes at the Lebanese naval training institute. Continued material and technical support over the medium- to long-term to enable the Lebanese navy to gradually assume responsibilities currently undertaken by the Maritime Task Force was a high priority.

Coordination and liaison with IDF remained good and efficient. The UNIFIL Force Commander met with the Israeli Minister of Defense and the IDF Chief of Staff to discuss issues related to UNIFIL mandate. In late August, owing to the deterioration of the security situation elsewhere in the country, the Lebanese authorities temporarily redeployed troops from southern Lebanon to strengthen LAF presence in the north of the country. To ensure that the reduction did not negatively affect implementation of resolution 1701(2006), they assured the UNIFIL Force Commander that the redeployment would be limited in scope, of short duration and balanced by further enhancements of the coordinated activities.

LAF and UNIFIL continued to discover abandoned armed-element facilities, arms and ammunitions dating back to the 2006 conflict or before in the area between the Litani River and the Blue Line.

During the reporting period, a series of grave security incidents highlighted the threat posed by armed groups operating inside Lebanon but outside State control. President Suleiman conveyed to the Secretary-General his concern over the presence and activities of extremist groups. The continued risk that Hizbullah’s separate military capacity posed to Lebanon’s sovereignty was evidenced on 28 August, when armed elements opened fire on a LAF helicopter patrolling north of the Litani. The pilot died in the attack, for which Hizbullah later admitted responsibility, and one person was arrested. Palestinian arms inside and outside of the 12 registered refugee camps remained a serious threat to Lebanon’s stability and sovereignty, the Secretary-General stated. He welcomed the initiatives between the Lebanese Government and Palestinian authorities to take joint responsibility for security inside the Nahr al-Bared camp.

The Secretary-General, on 16 July, dispatched for the second time a team of independent border security experts to assess implementation by the Government of the 2007 recommendations of the Lebanon Independent Border Assessment Team (LIBAT I) [YUN 2007, p. 486] and gauge the impact of those measures on progress on the ground for Lebanon’s overall border management capacity. On 26 August, the Secretary-General conveyed the expert’s report, known as LIBAT II, to the Security Council, indicating his full support for its conclusions and recommendations, including the proposal that the Government develop a strategic plan for border security.

The deployment of Syrian troops along Lebanon’s northern border started in late September and continued. Syrian authorities stated, on 29 October, that the deployment, one of the outcomes of the August summit meeting between the Presidents, aimed to halt and prevent smuggling and sabotage. Both Lebanese and Syrian senior officials confirmed that the extension of the Syrian deployment to the eastern border in late October was conducted in close coordination.

The UN Mine Action Coordination Centre-South Lebanon conducted an operational reassessment to review new and existing data on the contaminated area in southern Lebanon. The review established that some previously known and recorded strikes might be bigger than originally estimated. Some 74 additional cluster bomb strike locations were identified, making a total of 1,058 locations recorded thus far. As a result, the estimated contaminated area increased to 48.1 million square metres. To date, the Centre had coordinated the clearance and reduction of 40.2 million square metres of the contaminated area and located and destroyed 150,255 cluster munitions.

On 3 September, one UNIFIL explosive ordnance disposal expert with the Belgian contingent was killed. In addition, three mine-clearance personnel were injured in separate incidents, bringing the totals to 14 killed and 41 injured.

The Mine Action Coordination Centre carried out a minefield clearance project in the Addaisseh area in Sector East. More than 70,000 square metres were cleared and 4,569 mines located and destroyed in areas adjacent to the Blue Line. That was the first such clearance project of minefields by the Centre in the sensitive areas near the Blue Line. The transfer of primary responsibility for managing humanitarian clearance operations to LAF, as at 1 January 2009, was under way. The remaining Mine Action Coordination Centre staff would work exclusively in support of UNIFIL clearance and explosive ordnance disposal assets.

Negotiations on the release of the abducted Israeli soldiers Ehud Goldwasser and Eldad Regev, and Lebanese prisoners detained in Israel, including Samir Quntar and Nassim Nisr, as well as the five Hizbullah combatants captured by Israel during the 2006 conflict, resumed in earnest in March. The Secretary-General’s facilitator submitted a modified draft formula to the sides, culminating in the development of a humanitarian agreement by late April. On 1 June, one of the Lebanese prisoners, Nassim Nisr, was released, having completed a six-year jail sentence, and was repatriated to Lebanon. At the same time, Hizbullah returned the remains of some Israeli soldiers killed in action.
Following further negotiations, the humanitarian agreement was signed by Hizbullah and Israel on 2 July, providing for an exchange of reports on humanitarian cases of particular sensitivity, including the case of Ron Arad, an Israeli airman missing in Lebanon since 1986, as well as on the fate of four Iranians abducted in Lebanon in 1982. The second phase of the agreement called for the two Israeli soldiers to be repatriated in exchange for the five Lebanese prisoners remaining in Israeli custody, the remains of eight Lebanese killed in action during the 2006 war, information on two Lebanese citizens, Yahya Skaff and Muhammad Farran, the remains of four members of the Dallal Mughrabi group, as well as up to 199 other Lebanese citizens, mostly of Palestinian origin. In a final phase, Israel would release Palestinian detainees in appreciation of successful UN facilitation and in anticipation of further UN-sponsored support for its endeavours to uncover the fate of Ron Arad and other persons missing in action.

Implementation of the agreement started shortly after it was signed, with the exchange of the bodies of the two Israeli soldiers for the bodies of some 200 Lebanese and Palestinian fighters and five Palestinian prisoners. After 18 months of intense efforts, the Secretary-General remarked, the humanitarian aspect of resolution 1701(2006) had been met. On 6 August, Israel freed five Palestinian prisoners in a move directly related to the agreement with Hizbullah, and Prime Minister Olmert announced that a large number of Palestinian prisoners would be released later in the month in a move designed to support the Annapolis peace process [YUN 2007, p. 445]. On 25 August, 198 Palestinian detainees were released.

Following their summit meeting in Damascus on 13 and 14 August, the Presidents of Lebanon and the Syrian Arab Republic announced the reactivation of the Lebanese-Syrian committee tasked with delineating their common border.

Concerning the key question of Shab'a Farms, in a meeting in Damascus on 6 November, the Syrian Foreign Minister categorically reiterated to the Special Coordinator for Lebanon that Shab’a Farms fell under Lebanon’s sovereignty. The Secretary-General still had not received any response from either Israel or the Syrian Arab Republic to the provisional geographical definition of the area.

The period under review was one of relative calm in the UNIFIL area of operations, albeit punctuated by specific threat warnings emanating from militant and extremist groups, including Al-Qaida. Joint efforts and cooperation with the Lebanese authorities and LAF continued to ensure that such threats were addressed appropriately. As at 11 November, UNIFIL total military strength was 12,770 personnel, with a civilian strength of 318 international and 656 national staff. The Force was supported by 51 UNTSO military observers of the Observer Group Lebanon.

In his concluding observations, the Secretary-General stated that, although there were no breaches of the cessation of hostilities between Lebanon and Israel and relative calm continued to prevail, greater progress should have been achieved since the adoption of resolution 1701(2006). The general improvement of the situation, together with the continued stability in the area of operations and encouraging prospects in the region, created a momentum that both Lebanon and Israel should seize to make bold strides towards a permanent ceasefire and long-term solution.

**Further developments.** According to the Secretary-General’s ninth report on the implementation of resolution 1701(2006) [S/2009/119], tension in the UNIFIL area of operations rose in late December, with the outbreak of the crisis in Gaza (see p. 492). On 25 December, LAF discovered, and with UNIFIL’s assistance, defused and dismantled eight rockets that were armed and ready to be launched in the direction of Israel. Several violations of the Blue Line by IDF, as well as Lebanese civilians, were registered. Regarding Israel’s claim that Hizbullah had held manoeuvres both north and south of the Litani River on 22 November, UNIFIL did not observe any activity that would substantiate that allegation.

**Lebanon Independent Border Assessment Team**

On 25 August [S/2008/582], the Secretary-General transmitted to the Security Council the report of the Lebanon Independent Border Assessment Team II (LIBAT II), dispatched, in coordination with the Lebanese Government, to undertake a thorough follow-up assessment of the implementation of the recommendations of the Lebanon Independent Border Assessment Team I, which, in accordance with resolution 1701(2006), had conducted a first assessment in 2007 [YUN 2007, p. 484].

Led by Lasse Christensen (Denmark), LIBAT II visited Lebanon from 15 to 31 July. It held talks with the Prime Minister, the Minister of Defence, the directors of the four border security agencies and regional military commanders, stakeholders in the German-led Northern Border Pilot Project and donor representatives. The Team visited all four operational border crossing points and one not yet open, as well as locations along the Green Border in the north and east of Lebanon, including locations of Lebanese-Syrian territorial dispute and cross-border areas under Palestinian control. It also visited the Beirut airport and the Beirut and Tripoli seaports.

Although the Northern Border Pilot Project was deemed to be in a consolidation phase, the Team believed that it had not yet reached the stage of full
implementation. Equipment for essential operations had yet to arrive, there were cases of incompatibility of equipment and power, vehicles were not being used as intended, and there did not appear to be any output, coordination or sharing of intelligence among agencies. Moreover, the level of operational integration between the four border security agencies was less than optimal. There was also concern over the manner in which the Project was planned and executed.

To a certain degree, the Northern Border Project incorporated a number of Team I recommendations. At the border crossing points, in particular along the Green Border in the east, little progress was observed, despite the fact that a number of recommendations could easily have been implemented without political, structural or financial implications. At the airport and seaports, some minor progress could be observed, but there still remained considerable room for improvement. It was the opinion of Team II that the lack of a strategic master plan was a primary cause for the inactivity, in particular along the eastern border. The lack of strategic planning and desired end state for border security had a negative impact on the Lebanese potential to uphold and enforce control of its borders.

Among the positive steps taken was the relocation of the Aboudieh border crossing point to the actual border, the installation of additional border security equipment such as scanners, and the computerization of passport control. However, the overall situation rendered Lebanon’s borders as penetrable as they had been during the first assessment in 2007. Libat II, therefore, reiterated the 2007 recommendations, especially those regarding the establishment of a multi-agency mobile force focusing on arms smuggling; the establishment of an intelligence and analysis component within that force; the deployment of international border security experts to it; the establishment of a dedicated border guard agency to streamline border security procedures and gather all expertise and intelligence in one agency; full and absolute control over border crossing points by creating standard operating procedures; measures to separate legal and illegal near-border or border-crossing activities; training programmes and the provision of border-specific equipment; and the establishment of cooperation with Syrian counterparts.

Libat II further suggested that the Lebanese Government instigate the formation of a strategic plan, which should include its desired end state and objectives, as well as ways of achieving them, and that donors enhance cooperation and coordination of their activities. The expansion of the Northern Border Pilot Project to include responsibility for the border crossing points should be considered, and the issue of delineation of the Lebanon’s border with the Syrian Arab Republic should be addressed vigorously.

In transmitting the report, the Secretary-General stated that he fully supported the conclusions and recommendations of the Team II.

The Secretary-General, in his November report on the implementation of resolution 1701(2006) [S/2008/715], said that the Libat II report was widely distributed among Lebanese and international officials and was well received by all key stakeholders. Following the recommendations in the report, the Government formed a steering committee to begin preparing a border strategy, through a process designed to include the views and expertise of the four security agencies, as well as key government ministries. A group of donor countries working on border management was also assembled to assist in the process. The steering committee, which held its first meeting on 31 October, under the chairmanship of Prime Minister Siniora, reaffirmed its commitment to improve border management along Lebanon’s northern and eastern borders and agreed on a mechanism and timeline to develop the strategy.

**UNIFIL**

The United Nations Interim Force in Lebanon (UNIFIL) continued to discharge its mandate by observing, monitoring and reporting on developments in its area of operation. Established by Security Council resolution 425(1978), following Israel’s invasion of Lebanon [YUN 1978, p. 312], UNIFIL was mandated to confirm the withdrawal of Israeli forces, restore international peace and security, and assist Lebanon in regaining authority in southern Lebanon. In 1982, the Council, by resolution 511(1982) [YUN 1982, p. 450], authorized the Force to provide protection and humanitarian assistance to the local population. Following the withdrawal of Israeli forces in June 2000 [YUN 2000, p. 465], UNIFIL was reinforced to monitor the territories previously occupied by Israeli forces, prevent the recurrence of fighting and create conditions for the restoration of Lebanese authority.

On 21 August [S/2008/568], the Secretary-General recommended that the Council renew the UNIFIL mandate for a further 12 months.

**SECURITY COUNCIL ACTION**

On 27 August [meeting 5967], the Security Council unanimously adopted resolution 1832(2008). The draft [S/2008/583] was prepared in consultations among Council members.

*The Security Council,
of 24 August 2007, as well as the statements by its President on the situation in Lebanon,

Responding to the request of the Government of Lebanon to extend the mandate of the United Nations Interim Force in Lebanon for a new period of one year, without amendment, presented in a letter dated 18 August 2008 from the Prime Minister of Lebanon to the Secretary-General, and welcoming the letter dated 21 August 2008 from the Secretary-General to the President of the Security Council recommending this extension,

Reaffirming its commitment to the full implementation of all provisions of resolution 1701(2006), and aware of its responsibilities to help to secure a permanent ceasefire and a long-term solution as envisioned in the resolution,

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

Commending the active role and dedication of the personnel of the Force, notably of its Commander, expressing its strong appreciation to Member States that contribute to the Force, and underlining the necessity that the Force have at its disposal all necessary means and equipment to carry out its mandate,

Determining that the situation in Lebanon continues to constitute a threat to international peace and security,

1. Decides to extend the present mandate of the United Nations Interim Force in Lebanon until 31 August 2009;

2. Commends the positive role of the Force, whose deployment together with the Lebanese Armed Forces has helped to establish a new strategic environment in southern Lebanon, welcomes the expansion of coordinated activities between the Force and the Lebanese Armed Forces, and encourages further enhancement of this cooperation;

3. Calls upon all parties concerned to respect the cessation of hostilities and the Blue Line in its entirety, to cooperate fully with the United Nations and the Force and to abide scrupulously by their obligation to respect the safety of the Force and other United Nations personnel, including by avoiding any course of action which endangers United Nations personnel and by ensuring that the Force is accorded full freedom of movement within its area of operation;

4. Calls upon all parties to cooperate fully with the Security Council and the Secretary-General to achieve a permanent ceasefire and a long-term solution as envisioned in resolution 1701(2006), and emphasizes the need for greater progress in this regard;

5. Welcomes the efforts being undertaken by the Force to implement the Secretary-General’s zero-tolerance policy on sexual exploitation and abuse and to ensure full compliance of its personnel with the United Nations code of conduct, requests the Secretary-General to continue to take all necessary action in this regard and to keep the Council informed, and urges troop-contributing countries to take preventive and disciplinary action to ensure that such acts are properly investigated and punished in cases involving their personnel;

6. Requests the Secretary-General to continue to report to the Council on the implementation of resolution 1701(2006) every four months, or at any time as he deems appropriate;

7. 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 1515(2003) of 19 November 2003;

8. Decides to remain actively seized of the matter.

Lebanon, speaking after the adoption of Security Council resolution 1832(2008), extending UNIFIL’s mandate until 31 August 2009, expressed appreciation for the technical support provided by the two Lebanon Independent Border Assessment Team (LIBAT) missions and assured the Council that it would give due consideration to the LIBAT reports.

Review of UNIFIL Strategic Military Cell

Report of Secretary-General. In response to the General Assembly request in resolution 61/250 B [YUN 2007, p. 492] for a comprehensive review of the Strategic Military Cell, created to ensure that UNIFIL’s expansion, deployment and additional mandated responsibilities were conducted with and supported by sufficiently dedicated capabilities, the Secretary-General, on 14 March, submitted a report [A/62/744] outlining its role, structure and functions, as well as options for its future phased reduction.

The General Assembly, by resolution 62/265 of 20 June (see p. 546), decided that the target date for the termination of the Strategic Military Cell should be no later than 30 June 2010.

UNIFIL financing

Reports of Secretary-General. In January [A/62/632], the Secretary-General submitted a performance report on the UNIFIL budget for the period from 1 July 2006 to 30 June 2007. Expenditures amounted to $495,735,600, out of an appropriation of $496,615,500, leaving an unencumbered balance of $879,900. In March [A/62/751], the Secretary-General submitted the budget for UNIFIL for the period from 1 July 2008 to 30 June 2009, totalling $688,813,300 and providing for the deployment of 15,000 military personnel, and 415 international and 842 national staff, including temporary positions.

Report of ACABQ. The Advisory Committee on Administrative and Budgetary Questions (ACABQ), in its April report [A/62/781/Add.5], recommended that the unencumbered balance of $879,900, as well as other income and adjustments in the amount of $7,372,800 for the period ended 30 June 2007, be credited to Member States in a manner to be determined by the General Assembly, and that the proposed UNIFIL budget for the period from 1 July 2008
to 30 June 2009, be reduced to $668,370,300, largely in view of a projected delayed deployment of troops, downsizing of the Strategic Military Cell and rationalization of expenditures for communication.

**GENERAL ASSEMBLY ACTION**

On 20 June [meeting 109], the General Assembly, on the recommendation of the Fifth (Administrative and Budgetary) Committee [A/62/878], adopted resolution 62/265 by recorded vote (142-2-1) [agenda item 153 (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, the report of the Secretary-General on the comprehensive review of the Strategic Military Cell and the related report 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 1773(2007) of 24 August 2007, by which the Council extended the mandate of the Force until 31 August 2008,

Recalling also its resolution S-8/2 of 21 April 1978 on the financing of the Force and its subsequent resolutions thereon, the latest of which was resolution 61/250 C of 29 June 2007,


Reaffirming also the general principles underlying the financing of United Nations peacekeeping operations, as stated in General Assembly resolutions 1874(S-IV) of 27 June 1963, 3101(XLVIII) 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 financial resources necessary to enable it to fulfill its responsibilities under the relevant resolutions of the Security Council,

1. Requests the Secretary-General to entrust the Head of the United Nations Interim Force in Lebanon with the task of formulating future budget proposals in full accordance with the provisions of General Assembly resolutions 59/296 of 22 June 2005, 60/266 of 30 June 2006 and 61/276 of 29 June 2007, as well as other relevant resolutions;

2. Takes note of the status of contributions to the Force as at 31 March 2008, including the contributions outstanding in the amount of 144.9 million United States dollars, representing some 3 per cent of the total assessed contributions, notes with concern that only seventy-four 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, and urges all other Member States to make every possible effort to ensure payment of their assessed contributions to the Force in full;


6. 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;

7. 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;

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

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

10. 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;

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

12. Takes note of paragraph 38 of the report of the Advisory Committee;

13. Requests the Secretary-General to ensure the full implementation of the relevant provisions of its resolutions 59/296, 60/266 and 61/276;

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

15. Further 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;

16. Notes the significant projected underexpenditure for the period from 1 July 2007 to 30 June 2008, as in-
dicated in the report of the Advisory Committee, and requests the Secretary-General, to the extent possible, to take measures to improve budget forecasting with respect to the Force, bearing in mind the unpredictable nature of peacekeeping operations;

17. Recalls paragraph 1, section XXI, of resolution 61/237, and welcomes the cooperation among the missions in the region and the efforts of the Secretary-General in this regard;

18. Notes with concern the high vacancy rate among international and national staff of the Force, and decides to apply a vacancy factor of 14 per cent for international staff and 15 per cent for national staff;

19. Notes paragraphs 16 and 17 of the report of the Advisory Committee, and decides to apply a delayed deployment factor of 8 per cent to the cost estimates for military contingents;

20. Requests the Secretary-General to keep the requirements for the Force under constant review and to report thereon in the context of his future budget proposals;

21. Reiterates its request to the Secretary-General to take the necessary measures to ensure the full implementation of paragraph 8 of its resolution 51/233, paragraph 5 of its resolution 52/237, 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 55/180 B, paragraph 13 of its resolution 56/214, paragraph 13 of its resolution 56/214 B, paragraph 14 of its resolution 57/325, paragraph 13 of its resolution 58/307, paragraph 13 of its resolution 59/307, paragraph 17 of its resolution 60/278, paragraph 21 of its resolution 61/250 A, paragraph 20 of its resolution 61/250 B and paragraph 20 of its resolution 61/250 C, stresses once again that Israel shall pay the amount of 1,117,005 dollars resulting from the incident at Qana on 18 April 1996, and requests the Secretary-General to report on this matter to the General Assembly at its sixty-third session;

22. Decides to approve the post of Chief of the Joint Mission Analysis Cell (P-5) and the post of Associate Political Affairs Officer (P-2) in the Office of Political and Civil Affairs;

23. Also decides to maintain a D-2 post for the leadership of the Strategic Military Cell and a General Service post;

24. Further decides that the target date of the termination of the Strategic Military Cell shall be no later than 30 June 2010;

25. Requests the Secretary-General to assess whether the strengthening of the Office of Military Affairs approved in its resolution 62/250 of 20 June 2008 has provided sufficient capacity and capability to meet the target date referred to above for the termination of the Strategic Military Cell and to report thereon in the context of the comprehensive report requested in resolution 62/250;

Financial performance report for the period from 1 July 2006 to 30 June 2007

26. Takes note of the report of the Secretary-General on the financial performance of the Force for the period from 1 July 2006 to 30 June 2007;

Budget estimates for the period from 1 July 2008 to 30 June 2009

27. Decides to appropriate to the Special Account for the United Nations Interim Force in Lebanon the amount of 680,932,600 dollars for the period from 1 July 2008 to 30 June 2009, inclusive of 650,755,600 dollars for the maintenance of the Force, 26,306,200 dollars for the support account for peacekeeping operations and 3,870,800 dollars for the United Nations Logistics Base;

Financing of the appropriation

28. Also decides to apportion among Member States the amount of 113,488,767 dollars for the period from 1 July to 31 August 2008, in accordance with the levels updated in General Assembly resolution 61/243 of 22 December 2006, and taking into account the scale of assessments for 2008, as set out in its resolution 61/237 of 22 December 2006;

29. Further decides 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 28 above, their respective share in the Tax Equalization Fund of the amount of 2,312,883 dollars, comprising the estimated staff assessment income of 1,840,633 dollars approved for the Force, the prorated share of 421,267 dollars of the estimated staff assessment income approved for the support account and the prorated share of 50,983 dollars of the estimated staff assessment income approved for the United Nations Logistics Base;

30. Decides to apportion among Member States the amount of 567,443,833 dollars for the period from 1 September 2008 to 30 June 2009 at a monthly rate of 56,744,383 dollars, in accordance with the levels updated in resolution 61/243, and taking into account the scale of assessments for 2008 and 2009, as set out in resolution 61/237, subject to a decision of the Security Council to extend the mandate of the Force;

31. Also decides that, in accordance with the provisions of its resolution 973(X), there shall be set off against the apportionment among Member States, as provided for in paragraph 30 above, their respective share in the Tax Equalization Fund of 11,564,417 dollars, comprising the estimated staff assessment income of 9,203,167 dollars approved for the Force, the prorated share of 509,833 dollars of the estimated staff assessment income approved for the support account and the prorated share of 11,927,417 dollars of the estimated staff assessment income approved for the United Nations Logistics Base;

32. Further 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 28 above, their respective share of the unencumbered balance and other income in the total amount of 8,252,700 dollars in respect of the financial period ended 30 June 2007, in accordance with the levels updated in resolution 61/243, and taking into account the scale of assessments for 2007, as set out in resolution 61/237;

33. Decides that, for Member States that have not fulfilled their financial obligations to the Force, there
shall be set off against their outstanding obligations
their respective share of the unencumbered balance and
other income in the total amount of $8,252,700 dollars
respect of the financial period ended 30 June 2007,
in accordance with the scheme set out in paragraph 32
above;

34. Also decides that the decrease of $370,300 dollars
in the estimated staff assessment income in respect of the
financial period ended 30 June 2007 shall be set off against
the credits from the amount of $8,252,700 dollars referred
to in paragraphs 32 and 33 above;

35. Emphasizes that no peacekeeping mission shall be
financed by borrowing funds from other active peacekeep-
ing missions;

36. Encourages the Secretary-General to continue to
take additional measures to ensure the safety and security
of all personnel participating in the Force under the aus-
spices of the United Nations, bearing in mind paragraphs
5 and 6 of Security Council resolution 1502(2003) of 26
August 2003;

37. 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;

38. Decides to include in the provisional agenda of
its sixty-third 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 62/265:

In favour: Afghanistan, Albania, Algeria, Andorra, Angola,
Antigua and Barbuda, Argentina, Armenia, Austria, Bahamas,
Bahrain, Bangladesh, Barbados, Belarus, Belgium, Benin,
Bolivia, Bosnia and Herzegovina, Brazil, Brunei Darussalam,
Bulgaria, Burkina Faso, Cambodia, Canada, Chile, China, Co-
lombia, Comoros, Congo, Costa Rica, Croatia, Cuba, Cyprus,
Czech Republic, Democratic People’s Republic of Korea, Den-
mark, Djibouti, Dominican Republic, Ecuador, Egypt, El Sal-
vador, Estonia, Fiji, Finland, France, Gabon, Germany, Ghana,
Greece, Guatemala, Guyana, Haiti, Honduras, Hungary, Ice-
land, India, Indonesia, Iran, Iraq, Israel, Italy, Jamaica, Japan,
Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lao People’s
Democratic Republic, Latvia, Lebanon, Lesotho, Libyan Arab
Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Malawi,
Malaysia, Maldives, Mali, Mauritania, Mauritius, Mexico,
Moldova, Monaco, Mongolia, Morocco, Mozambique, Myan-
mar, Namibia, Nepal, Netherlands, New Zealand, Nicaragua,
Niger, Nigeria, Norway, Oman, Pakistan, Panama, Paraguay,
Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea,
Romania, Russian Federation, Rwanda, San Marino, Saudi
Arabia, Senegal, Serbia, Singapore, Slovakia, Slovenia, South
Africa, Spain, Sri Lanka, Sudan, Suriname, Sweden, Switzer-
land, Syrian Arab Republic, Tajikistan, Thailand, The former
Yugoslav Republic of Macedonia, Togo, Tunisia, Turkey,
Uganda, Ukraine, United Arab Emirates, United Kingdom,
United Republic of Tanzania, Uruguay, Venezuela, Viet Nam,
Yemen, Zambia, Zimbabwe.

Against: Israel, United States.
Abstaining: Australia.

Other security issues

Investigation of assassination
of former Prime Minister Rafik Hariri

UN International Independent Investigation
Commission

The United Nations International Independent
Investigation Commission (UNIIIC), established by
Security Council resolution 1595(2005) [YUN 2005,
p. 553], continued to assist Lebanese authorities in
their investigation of the assassination of former Prime
Minister Rafik Hariri and 22 others on 14 February
2005 [ibid., p. 551]. The Commission was headed by
Judge Daniel A. Bellemare (Canada), who was ap-
pointed Commissioner by the Secretary-General in
November 2007 [YUN 2007, p. 502], succeeding Serge
Brammertz (Belgium).

Communications. On 30 January [S/2008/60],
the Secretary-General transmitted to the Security
Council a letter from the Lebanese Prime Minister
requesting technical assistance for his Government’s
efforts to investigate the murder, in a 25 January ter-
rorist act, of Major Wissam Eid, head of the technical
department in the Intelligence Service of the Internal
Security Forces, and Adjutant Oussama Merheb and
other innocent civilians. Major Eid had played a cen-
tral role in uncovering the perpetrators of several of
the terrorist assassinations and attacks that Lebanon
had recently witnessed. The Prime Minister requested that
UNIIIC contact the Lebanese authorities for that
purpose. Replying on 31 January [S/2008/61], the
Council invited the Commission to extend appropri-
te technical assistance to the Lebanese authorities in
the investigation.

Report of UNIIIC (March). The tenth UNIIIC re-
port on progress in implementing the Commission’s
mandate, covering the period since its last report [YUN
2007, p. 505], was transmitted by the Secretary-General
to the Security Council on 28 March [S/2008/210]. The
Commission reported that it had evidence that a net-
work of individuals acted in concert to carry out the
assassination of former Prime Minister Hariri, and
that criminal network, or parts thereof, were linked
to some of the other cases within the Commission’s
mandate. The report also provided details of UNIIIC’s
assistance to the Lebanese authorities in their invest-
igation of 20 other bombings and assassinations in
Lebanon since October 2004, including recent at-
tacks targeting members of Lebanon’s security forces.
In carrying out its mandate, UNIIIC continued to work
closely with the Lebanese authorities. Its cooperation
with the Syrian Arab Republic was generally satisfac-
tory. The Commission implemented new working
practices to foster additional assistance from Mem-
ber States, as well as encourage the cooperation of
witnesses and other sources. Out of the 256 requests for assistance, 28 had been sent to 11 Member States other than Lebanon and the Syrian Arab Republic.

UNIIIC was also preparing for the transition to the Special Tribunal in Lebanon [YUN 2007, p. 505], scheduled for 1 March 2009.

**Security Council consideration.** Introducing **UNIIIC's tenth report **to the Security Council on 8 April [meeting 5863], Commissioner Bellemare noted that not only was the investigation very complex, but it was conducted in an extremely volatile environment. Unfortunately, **UNIIIC's establishment **did not have an immediate deterrent effect on terrorists as bombings continued, with two more deadly attacks added to the Commission's mandate since its November 2007 report [ibid.].

In order to give **UNIIIC the time to continue its investigation, Mr. Bellemare requested the Council to consider extending its mandate beyond 15 June. The Council did not take any action on the report at that meeting.

**Communication.** By a letter of 8 May, transmitted to the Council by the Secretary-General [S/2008/334], the Lebanese Prime Minister expressed the hope that the Council would respond favourably to Commissioner Bellemare's 8 April request to extend **UNIIIC's mandate **to 31 December.

**SECURITY COUNCIL ACTION**

On 2 June [meeting 5901], the Security Council unanimously adopted **resolution 1815(2008).** The draft [S/2008/349] was submitted by France.

The Security Council,


Reaffirming its strongest condemnation of the terrorist bombing of 14 February 2005, as well as of all other attacks in Lebanon since October 2004, and reaffirming also that those involved in these attacks must be held accountable for their crimes,

Having examined the report of the International Independent Investigation Commission (“the Commission”), submitted pursuant to resolutions 1595(2005), 1636(2005), 1644(2005), 1686(2006) and 1748(2007),

Commending the Commission for its outstanding professional work and the progress it continues to achieve under difficult circumstances in assisting the Lebanese authorities in their investigation into all aspects of this terrorist act,

Taking note of the request to extend the mandate of the Commission, expressed by the Commissioner in his briefing to the Security Council on 8 April 2008, in order to ensure stability and continuity in the investigative process, taking note also of the letter dated 8 May 2008 from the Prime Minister of Lebanon to the Secretary-General expressing the hope that the Council will respond favourably to the request of the Commissioner by extending the mandate of the Commission until 31 December 2008, and noting the concurrent recommendation of the Secretary-General in this regard,

Willing to continue to assist Lebanon in the search for the truth and in holding all those involved in this terrorist attack accountable,

1. Welcomes the report of the Commission;
2. Decides to extend the mandate of the Commission until 31 December 2008, and declares its readiness to terminate the mandate earlier if the Commission reports that it has completed the implementation of its mandate;
3. Requests the Commission to report to the Security Council on the progress of the investigation in six months at the latest, and at any other earlier time if it deems it appropriate;
4. Decides to remain seized of the matter.

**Report of UNIIIC (December).** On 2 December [S/2008/752], the Secretary-General transmitted to the Security Council **UNIIIC's eleventh report, **which gave an overview of progress made since the Commission's March report. The Commission reported that it had acquired new information that might allow it to link additional individuals to the network that had carried out the assassination of former Prime Minister Hariri. It provided details of its assistance to the Lebanese authorities in their investigation of 20 other bombings and assassinations in Lebanon since October 2004, as well as an update on the links between those attacks and the Hariri case.

As to progress achieved, the Commission found that members of the Hariri network were also associated with other attacks. A review of financial transactions revealed other leads that were being pursued. The inventory of exhibits, which consisted of over 10,000 forensic items, including more than 7,000 related to the Hariri case, had been completed and reviewed. The results of recently conducted forensic examinations revealed information regarding the explosives used in certain of the targeted attacks and their placements in the vehicles used during the attacks. Moreover, forensic examinations in five of the targeted attacks revealed new DNA profiles and fingerprints from the vehicles and other items used in the attacks. The Commission had also been provided with a weapon allegedly used in the attack on former Minister Pierre Gemayel [YUN 2006, p. 596]; reports of a ballistics analysis to determine whether it had indeed been used were expected in the coming weeks.

Since March, 29 persons had been indicted in connection with the 13 February 2007 twin bus bombing in Ain Alaq, which left three people dead and 20 others injured [YUN 2007, p. 502]. **UNIIIC provided**
technical assistance in analysing the explosive devices used and DNA profiles.

A significant amount of investigative work related to all the cases within UNIIIC's mandate remained to be done and the Prosecutor would need to continue investigating them to establish which ones were connected with the Hariri case in the manner required under the statute of the Tribunal.

Since its March report, UNIIIC had submitted 24 assistance requests to the Syrian Arab Republic, which provided responses within the specified deadlines. The Syrian authorities had also facilitated nine missions to the country. Out of the 619 assistance requests issued by the Commission during the reporting period, 96 were sent to 40 Member States other than Lebanon and Syria.

Following the Secretary-General’s announcement that the Special Tribunal for Lebanon was on track to commence functioning on 1 March 2009, the Commission requested an extension of its mandate to 28 February 2009, to enable it to continue its investigation without interruption and gradually transfer its operations, staff and assets to The Hague. Once the Office of the Prosecutor of the Tribunal was operational, it would need to continue investigating all the cases within the Commission’s current mandate in order to establish which of them were connected to the Hariri case in the manner required under the Tribunal’s statute. The Office would require the full cooperation and support of the Lebanese authorities, as well as other Member States, in order to conduct effective investigations and prosecutions.

Communication. On 4 December [S/2008/764], Lebanon submitted to the Secretary-General a letter from its Prime Minister supporting the Commissioner’s request for an extension of UNIIIC’s mandate until 28 February 2009.

SECURITY COUNCIL ACTION


The Security Council,
Reaffirming its strongest condemnation of the terrorist bombing of 14 February 2005, as well as of all other attacks in Lebanon since October 2004, and reaffirming also that those involved in these attacks must be held accountable for their crimes,

Having examined the report of the International Independent Investigation Commission ("the Commission"), submitted pursuant to resolutions 1595(2005), 1636(2005), 1644(2005), 1686(2006), 1748(2007) and 1815(2008),
Taking note of the announcement by the Secretary-General that the Special Tribunal for Lebanon ("the Tribunal") is fully on track to commence functioning on 1 March 2009,
Taking note also of the request of the Commission to extend its mandate until 28 February 2009 so that it can continue its investigation without interruption and gradually transfer operations, staff and assets to The Hague with a view to completing the transition by the time the Tribunal starts functioning,
Taking note further of the letter dated 4 December 2008 from the Prime Minister of Lebanon to the Secretary-General expressing the hope that the Council will respond favourably to the request of the Commission,
Commending the Commission for its extensive work and the progress it continues to achieve in the investigation of all cases within its mandate, and looking forward to further progress in this regard by the Commission as well as by the Office of the Prosecutor, once it begins to operate and takes over the continuation of the investigation into the death of former Prime Minister Rafiq Hariri and other cases which may be connected with the attack of 14 February 2005, in conformity with the statute of the Tribunal,
Recognizing the commitment of Member States to the work of the Commission, and underlining the importance of the continuation of their full cooperation with the Commission and, once it begins to operate, with the Office of the Prosecutor, in accordance with resolution 1757(2007), in order to enable effective investigations and prosecutions,

1. Welcomes the report of the Commission;
2. Decides to extend the mandate of the Commission until 28 February 2009;
3. Decides also to remain seized of the matter.

Special Tribunal for Lebanon

During the year, progress was made in establishing the Special Tribunal for Lebanon which, pursuant to Security Council resolution 1757(2007) [YUN 2007, p. 506], was created with a dual mandate to investigate and prosecute the perpetrators of the Hariri assassination and related attacks.

On 30 November, the Secretary-General announced that the Special Tribunal was on track to commence functioning on 1 March 2009. To ensure continuity of the investigations and a smooth and coordinated transition from UNIIIC to the Tribunal, the Council extended the Commission’s mandate until 28 February 2009. Judge Daniel A. Bellemare, the UNIIIC Commissioner since 1 January 2008, was appointed Prosecutor of the Tribunal and was to take up his office on 1 March 2009.

Reports of Secretary-General. On 12 March [S/2008/173], the Secretary-General submitted his sec-
ord report, pursuant to resolution 1757(2007), under which he had been mandated to establish the Special Tribunal for Lebanon, in coordination with the Government of Lebanon.

Since his first progress report [YUN 2007, p. 515], substantial progress had been made in a number of areas. All actions relating to the preparatory phase had been undertaken, if not completed. The United Nations and the Netherlands had signed the agreement concerning the Tribunal headquarters [YUN 2007, p. 516], and premises for the Tribunal had been identified. The judges, Prosecutor and Registrar had been selected, the Management Committee established and the recruitment process for the Head of the Defence Office had begun. A draft budget, including a staffing table, would be submitted to the Management Committee, and communication and outreach policies had been prepared.

The start-up phase had commenced, as work on the preparation of the premises and on a coordinated transition between UNHIC and the Tribunal was being conducted. Once the Registrar started operating, a core unit of Registry personnel would be established in The Hague to assist the Registrar in his functions.

The Tribunal would commence functioning in successive phases. It was anticipated that early informal consultations among the judges would facilitate the drafting of the rules of procedure and evidence and other necessary documents. In addition to the Registrar, the Prosecutor, followed by the pre-trial judge, would start their duties earlier than the other senior officials. The Tribunal President would also take up duties on a full-time basis at an earlier date to ensure the Tribunal’s efficient management and functioning, and the judges of the Trial and Appeals Chambers would do so on a date to be determined.

The Secretary-General assured the Council that the Secretariat was dedicated to establishing the Tribunal in a timely manner, with the generosity and support of Member States.

In his third report [S/2008/734] pursuant to resolution 1757(2007), submitted on 26 November, the Secretary-General said that on the basis of the progress reported so far, and following consultations by the UN Legal Counsel with the Lebanese Prime Minister and the UNHIC Commissioner, it was envisaged that the Tribunal would commence functioning on 1 March 2009. The transition period should begin on 1 January and extend to 28 February 2009. All practical arrangements would be in place for the Prosecutor to arrive on 1 March and continue the investigation with minimum disruption. The Trust Fund created for the Tribunal’s establishment and activities had received approximately $55.1 million in contributions. In November, the Legal Counsel invited Member States to make further pledges and called for assurances of the donors’ continuing commitment to the Tribunal’s financial viability. Given the current budget proposal totalling $51 million, the contributions received were sufficient for the commencement and first year of operation. The Legal Counsel was engaged in efforts to increase the pledges of financing for the subsequent two years. Against that background, the Secretary-General would be taking a decision regarding the commencement of the Tribunal on 1 March 2009, after a transition period starting on 1 January.

The Secretary-General believed that the impending start of the Tribunal would send a strong signal that the Lebanese Government and the United Nations remained committed to ending impunity in Lebanon.

In a later report [S/2009/106], the Secretary-General stated that on 12 December, the Management Committee approved the Special Tribunal’s budget of $51.4 million for its first year of operation starting on 1 January 2009. The budget was adopted on the understanding that the Registrar could propose a supplementary budget if activities not anticipated in the budget arose. Arrangements between the United Nations and the Special Tribunal were being made to close the United Nations Trust Fund and to transfer the amount remaining in the Fund to the Special Tribunal before its commencement date. On 30 December, the first transfer of $10 million was made from the Trust Fund to the Special Tribunal.

Communications. On 18 December [S/2008/824], the Secretary-General informed the Security Council that following adoption of resolution 1852(2008) extending UNHIC’s mandate to the end of February 2009, he had decided that the Special Tribunal should commence on 1 March 2009. The Council took note of that decision on 29 December [S/2008/825].

Syrian Arab Republic

The Golan Heights in the Syrian Arab Republic, occupied since 1967, was effectively annexed when Israel extended its laws, jurisdiction and administration to the territory at the end of 1981 [YUN 1981, p. 309]. The General Assembly again demanded that Israel withdraw from all the occupied Syrian Golan to the line of 4 June 1967, in implementation of the relevant Security Council resolutions, and called upon the two countries to resume talks. The United Nations Disengagement Observer Force (UNDOF) continued to supervise the ceasefire between Israel and Syria in the Golan Heights and to ensure the separation of forces. The Mission’s mandate was extended twice during the year. In May 2008, indirect talks were launched between Israel and Syria, facilitated by Turkey.

Communications. In a 3 March letter [A/62/723-S/2008/161], Syria charged Israel with uprooting tree
seedlings on 23 February belonging to a Syrian citizen and resident of the village of Buq’ata in the occupied Golan, in an attempt to alter the demographic character of the Golan.

In a 31 December letter [A/63/669] to the Secretary-General and the General Assembly President, Syria requested that the international community prevent Israel from continuing any behaviour that exploited, damaged, caused loss or depletion of or endangered the Golan’s natural resources.

Special Committee on Israeli Practices. In its annual report [A/63/273], 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) summarized the views contained in the fortieth annual report of the Syrian Arab Republic on Israeli practices affecting the human rights of Syrian citizens in the occupied Golan in the occupied Golan Heights, covering the period from 31 July 2007 to 1 July 2008. The report noted a deteriorating human rights situation in the occupied Golan, with an increasing number of Israeli settlers and expansion of settlements, which numbered 45. Syrian citizens were denied access to water resources and permission to dig artesian wells or build cisterns, whereas numerous wells had been dug for the nearby settlements, lowering the groundwater level in the Arab villages. The waters of Mas’adah Lake had been diverted to the settlements, whereas the inhabitants of the occupied villages were prevented from using them. In general, Syrian citizens in the Golan received only 20 per cent of their annual needs, while settlers in the same area received 120 per cent.

According to Syria’s report, prisoners from the Golan were subjected to the harshest forms of physical and mental torture and denied their most basic rights. Israeli authorities repeatedly refused requests from international institutions, including the ICRC, to visit Syrian prisoners. Women were subjected to repeated arrest. There were an estimated 2 million landmines and 76 minefields in the occupied Golan, posing a constant threat to the local people and their livestock. The five occupied Arab villages in the Golan suffered from a chronic shortage of health centres and clinics, and schools were overcrowded and unsanitary. Discrimination existed also with regard to wages and taxes. Syria reiterated its demand for the resumption of family visits through the Quneitra crossing point, under ICRC supervision. President Bashar al-Assad had issued instructions that Syrian citizens in the occupied Golan had to be issued a national identity number and identity card, to make it clear that they belonged to the Syrian homeland.

Human Rights Council action. By resolution 7/30 of 28 March [A/HRC/7/78] (see p. 895) on human rights in the occupied Syrian Golan, the Human Rights Council reaffirmed the illegality of Israel’s decision to impose its laws, jurisdiction and administration on the Golan, and called on Israel to comply with General Assembly and Security Council resolutions declaring that decision null and void.

Reports of Secretary-General. On 15 October [A/63/482], responding to General Assembly resolution 62/110 [YUN 2007, p. 518], the Secretary-General reported that no reply had been received in response to his request for information from Israel on its implementation of that resolution. Two Member States had responded.

In his 29 October report on the situation in the Middle East [A/63/361], the Secretary-General stated that four Member States had replied to his request for information on steps taken or envisaged to implement Assembly resolution 62/85 [YUN 2007, p. 518], which dealt with Israeli policies in the occupied Syrian territory.

A 5 November report [A/63/519] of the Secretary-General, prepared by OHCHR, described the continued Israeli settlements activities in the occupied territories, including the Syrian Golan Heights, covering the period from January to August 2008. At the end of June, some 18,000 Israelis were estimated to be living in 32 settlements in the occupied Syrian Golan. Construction of infrastructure and housing was pursued actively in early 2008, notwithstanding calls by the international community to halt construction in the occupied territories and despite the fact that the Golan Height were on the agenda of recent peace talks between Syria and Israel. The detrimental impact of the Israeli occupation on the livelihood of the population of the Golan related to the restrictions on land cultivation and farming. Such practices were contrary to the standards and principles set out by the International Labour Organization concerning equality of opportunity and treatment in employment and occupation, which included the right to equal access to water and other resources.

GENERAL ASSEMBLY ACTION

On 26 November [meeting 60], the General Assembly adopted resolution 63/31[draft: A/63/L.37 & Add.1] by recorded vote (116-6-52) [agenda item 15].

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 occupied 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 other activities in the occupied Syrian Golan since 1967,


Expressing grave concern over 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);
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, to the occupied Syrian Golan, which has been under occupation 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 sixty-fourth session on the implementation of the present resolution.

RECORDED VOTE ON RESOLUTION 63/31:

In favour: Afghanistan, Algeria, Angola, Antigua and Barbuda, Argentina, Armenia, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belize, Benin, Bhutan, Bolivia, Botswana, Brazil, Brunei Darussalam, Burkina Faso, Cambodia, Cape Verde, Central African Republic, Chile, China, Colombia, Comoros, Congo, Costa Rica, Cuba, Cyprus, Democratic People’s Republic of Korea, Djibouti, Dominica, Dominican Republic, Ecuador, Egypt, El Salvador, Eritrea, Ethiopia, Gabon, Gambia, Ghana, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Honduras, India, Indonesia, Iran, Iraq, Jamaica, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lao People’s Democratic Republic, Lebanon, Lesotho, Liberia, Libyan Arab Jamahiriya, Malaysia, Maldives, Mali, Mauritania, Mauritius, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Nicaragua, Nigeria, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Qatar, Russian Federation, Saint Lucia, Saint Vincent and the Grenadines, Saudi Arabia, Senegal, Singapore, Solomon Islands, Somalia, South Africa, Sri Lanka, Sudan, Suriname, Swaziland, Syrian Arab Republic, Tajikistan, Thailand, Timor-Leste, Togo, Trinidad and Tobago, Tunisia, Turkey, Uganda, United Arab Emirates, Uruguay, Uzbekistan, Venezuela, Viet Nam, Yemen, Zambia, Zimbabwe.

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

Abstaining: Albania, Andorra, Australia, Austria, Belgium, Bulgaria, Cameroon, Côte d’Ivoire, Croatia, Czech Republic, Denmark, Estonia, Fiji, Finland, France, Georgia, Germany, Greece, Haiti, Hungary, Iceland, Ireland, Italy, Japan, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Moldova, Monaco, Montenegro, Nauru, Netherlands, New Zealand, Norway, Poland, Portugal, Republic of Korea, Romania, Samoa, San Marino, Serbia, Slovakia, Slovenia, Spain, Sweden, Switzerland, The former Yugoslav Republic of Macedonia, Tonga, Ukraine, United Kingdom.

On 5 December [meeting 64], the Assembly, on the recommendation of the Fourth Committee [A/63/401], adopted resolution 63/99 by recorded vote (171-1-7) [agenda item 30].

The occupied Syrian Golan

The General Assembly,

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

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 most recent of which was resolution 62/110 of 17 December 2007,

Having considered the report of the Secretary-General submitted in pursuance of resolution 62/110,

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 237(1967) of 14 June 1967,

Welcoming the convening at 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 its 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 sixty-fourth session on the implementation of the present resolution.

RECORDED VOTE ON RESOLUTION 63/99:

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, Central African Republic, Chile, China, Colombia, Comoros, Congo, Costa Rica, Croatia, Cuba, Cyprus, Czech Republic, Democratic People’s Republic of Korea, Denmark, Djibouti, Dominica, Dominican Republic, Ecuador, Egypt, El Salvador, Eritrea, Estonia, Ethiopia, Fiji, Finland, France, Gabon, Georgia, Germany, Ghana, Greece, Grenada, Guatemala, Guinea, Guinea-Bissau, 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, Liberia, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Malawi, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Moldova, Monaco, Mongolia, Montenegro, Morocco, Mozambique, Myanmar, Namibia, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Romania, Russian Federation, Saint Lucia, Saint Vincent and the Grenadines, San Marino, Sao Tome and Principe, Saudi Arabia, Senegal, Serbia, Singapore, Slovakia, Slovenia, Solomon Islands, South Africa, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Switzerland, Syrian Arab Republic, Tajikistan, Thailand, The former Yugoslav Republic of Macedonia, Timor-Leste, Togo, Trinidad and Tobago, Tunisia, Turkey, Turkmenistan, Tuvalu, Uganda, Ukraine, United Arab Emirates, United Kingdom, United Republic of Tanzania, Uruguay, Uzbekistan, Vanuatu, Venezuela, Viet Nam, Yemen, Zambia, Zimbabwe.

Against: Israel.

Abstaining: Cameroon, Côte d’Ivoire, Marshall Islands, Micronesia, Nauru, Palau, United States.

UNDOF

The mandate of the United Nations Disengagement Observer Force (UNDOF), 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 2008: in June and December, each time for a six-month period.

UNDOF maintained an area of separation, some 75 kilometres long and varying in width between 12.5 kilometres in the centre to less than 200 metres 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.

As at 15 November, UNDOF comprised 1,039 troops from six member States. It was assisted by 75 UNTSO military observers.

Reports of Secretary-General. The Secretary-General reported to the Security Council on UNDOF activities between 1 January and 30 June [S/2008/390] and 1 July and 31 December 2008 [S/2008/737]. Both reports noted that the UNDOF area of operations remained generally quiet. The Force supervised the area of separation by means of fixed positions and patrols and carried out inspections of equipment and force levels in the areas of limitation. As in the past, both sides denied inspection teams access to some of their positions and imposed restrictions on the Force’s freedom of movement. UNDOF continued to adapt its operation posture to the ongoing IDF training in the area
of limitation on the Alpha side and Syrian civilian settlement growth in the proximity to the ceasefire line in the area of separation. Both sides continued to construct new and renovate existing defensive positions in the respective areas of limitations, and the security forces of both sides undertook anti-smuggling actions. Israeli national customs officials continued to operate periodically at the IDF post at the UNDOF crossing gate between the Israeli-occupied Golan and the Syrian Arab Republic. Both parties took steps to ease limitations on the movement of UNDOF supplies. The Force also assisted the ICRC with the passage of persons through the area of separation and carried out operational mine clearance. The Force Commander and his staff maintained close contact with the military authorities of both sides, and both parties generally cooperated with UNDOF in the execution of its tasks.

The Secretary-General observed that the situation in the Middle East was tense and likely to remain so, unless and until a comprehensive settlement could be reached. Stating that he considered UNDOF’s continued presence in the area to be essential, the Secretary-General, with the agreement of both Israel and Syria, recommended in June that its mandate be extended until 31 December 2008, and in December, until 30 June 2009.

SECURITY COUNCIL ACTION


The Security Council,
Having considered the report of the Secretary-General of 16 June 2008 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. Welcomes the efforts being undertaken by the United Nations Disengagement Observer Force to implement the Secretary-General’s zero-tolerance policy on sexual exploitation and abuse and to ensure full compliance of its personnel with the United Nations code of conduct, requests the Secretary-General to continue to take all necessary action in this regard and to keep the Security Council informed, and urges troop-contributing countries to take preventive and disciplinary action to ensure that such acts are properly investigated and punished in cases involving their personnel;
3. Decides to renew the mandate of the Force for a period of six months, that is, until 30 June 2009;
4. Requests the Secretary-General to submit, at the end of this period, a report on developments in the situation and the measures taken to implement resolution 338(1973).

After the adoption of each resolution, the President made identical statements, S/PRST/2008/25 on 27 June, and S/PRST/2008/46 on 12 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 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.

UNDOF financing

Reports of Secretary-General. The General Assembly had before it the performance report on the UNDOF budget for the period from 1 July 2006 to 30 June 2007 [A/62/562], which showed expenditures totalling $39,549,000 against an apportionment of $39,865,200.

It also had the UNDOF budget for the period from 1 July 2008 to 30 June 2009 [A/62/719 & Corr.1] in the amount of $45,726,000, which provided for the deployment of 1,047 military contingent personnel, and 45 international and 108 national staff. The comments of ACABQ on both reports were contained in its April report [A/62/781/Add.7 & Corr.1].
GENERAL ASSEMBLY ACTION

On 20 June [meeting 109], the General Assembly, on the recommendation of the Fifth Committee [A/62/877], adopted resolution 62/264 without vote [agenda item 153 (a)].

Financing of the United Nations Disengagement Observer Force

The General Assembly,

Having considered the reports of the Secretary-General on the financing of the United Nations Disengagement Observer Force and the related report 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 1788(2007) of 14 December 2007,

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 61/287 of 29 June 2007,

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, 3101(XXVIII) of 11 December 1973 and 55/235 of 23 December 2000,

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

1. Requests the Secretary-General to entrust the Head of Mission with the task of formulating future budget proposals in full accordance with the provisions of General Assembly resolutions 59/296 of 22 June 2005, 60/266 of 30 June 2006 and 61/276 of 29 June 2007, as well as other relevant resolutions;
2. Takes note of the status of contributions to the United Nations Disengagement Observer Force as at 31 March 2008, including the contributions outstanding in the amount of 15 million United States dollars, representing some 1 per cent of the total assessed contributions, notes with concern that only forty-nine 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, and urges all other Member States to make every possible effort to ensure payment of their assessed contributions to the Force 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. Also expresses concern at the delay experienced by the Secretary-General in deploying and providing adequate re-
sources to some recent peacekeeping missions, in particular those in Africa;
6. Emphasizes that all future and existing peacekeeping missions shall be given equal and non-discriminatory treatment in respect of financial and administrative arrangements;
7. Also emphasizes that all peacekeeping missions shall be provided with adequate resources for the effective and efficient discharge of their respective mandates;
8. 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;
9. Endorses the conclusions and recommendations contained in the report of the Advisory Committee on Administrative and Budgetary Questions, subject to the provisions of the present resolution, and requests the Secretary-General to ensure their full implementation;
10. Takes note of paragraph 30 of the report of the Advisory Committee;
11. Requests the Secretary-General to ensure the full implementation of the relevant provisions of its resolutions 59/296, 60/266 and 61/276;
12. Also requests the Secretary-General to take all necessary action to ensure that the Force is administered with a maximum of efficiency and economy;
13. Further 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 2006 to 30 June 2007

14. Takes note of the report of the Secretary-General on the financial performance of the Force for the period from 1 July 2006 to 30 June 2007;

Budget estimates for the period from 1 July 2008 to 30 June 2009

15. Decides to appropriate to the Special Account for the United Nations Disengagement Observer Force the amount of 47,859,100 dollars for the period from 1 July 2008 to 30 June 2009, inclusive of 45,726,000 dollars for the maintenance of the Force, 1,859,500 dollars for the support account for peacekeeping operations and 273,600 dollars for the United Nations Logistics Base;

Financing of the appropriation

16. Also decides to apportion among Member States the amount of 47,859,100 dollars at a monthly rate of 3,988,258 dollars, in accordance with the levels updated in General Assembly resolution 61/243 of 22 December 2006, and taking into account the scale of assessments for 2008 and 2009, as set out in its resolution 61/237 of 22 December 2006, subject to a decision of the Security Council to extend the mandate of the Force;

17. Further decides 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 1,448,000 dollars, comprising the estimated staff assess-
ment income of 1,247,700 dollars approved for the Force for the period from 1 July 2008 to 30 June 2009, the prorated share of 178,700 dollars of the estimated staff assessment income approved for the support account and the prorated share of 21,600 dollars of the estimated staff assessment income approved for the United Nations Logistics Base;

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 and other income in the total amount of 2,728,700 dollars in respect of the financial period ended 30 June 2007, in accordance with the levels updated in resolution 61/243, and taking into account the scale of assessments for 2007, as set out in resolution 61/237;

19. Also decides that, for Member States that have not fulfilled their financial obligations to the Force, there shall be set off against their outstanding obligations their respective share of the unencumbered balance and other income in the total amount of 2,728,700 dollars in respect of the financial period ended 30 June 2007, in accordance with the scheme set out in paragraph 18 above;

20. Further decides that the increase of 72,600 dollars in the estimated staff assessment income in respect of the financial period ended 30 June 2007 shall be added to the credits from the amount of 2,728,700 dollars 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 participating in the Force under the auspices of the United Nations, bearing in mind paragraphs 5 and 6 of Security Council resolution 1502(2003) of 26 August 2003;

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 sixty-third 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”.

Chapter VI: Middle East