

Chapter VI

Middle East

In 2003, the Middle East situation was marked by both hope and disappointment as the international community set in motion a process for a settlement of the Israeli-Palestinian conflict, only to be thwarted by the intensification of the Palestinian intifada (uprising) and the defensive countermeasures adopted by Israel, stalling the political process and creating an unprecedented humanitarian and socio-economic crisis in the Occupied Palestinian Territory.

The Quartet, a coordinating mechanism for international peace efforts, comprising the Russian Federation, the United States, the European Union and the United Nations, continued its efforts to mediate a ceasefire and to revive the peace process. It formally presented to both parties at Aqaba, Jordan, on 30 April, its plan for restarting peace negotiations, the so-called “road map”, which aimed to achieve progress through parallel and reciprocal steps by the two parties in the political, security, economic, humanitarian and institution-building areas, under an international monitoring system, reaching a permanent status solution by 2005. On 19 November, the Security Council endorsed the road map. In keeping with the terms of the road map, the Palestinian Authority (PA) initiated the reform of its institutions, including the creation of the post of Prime Minister, and Israel took measures to improve the lives of the Palestinian population. The two sides undertook to restart negotiations based on the road map. Also, a number of Palestinian groups declared a ceasefire in June. Those measures led to a significant reduction in the violence and a marked improvement in the security situation. A June summit meeting held at Aqaba, organized at the initiative of United States President George W. Bush, and attended by Israeli Prime Minister Ariel Sharon and Palestinian Prime Minister Mahmoud Abbas, gave new impetus to the implementation of the road map and fostered new hopes about a peace settlement. Those hopes were dashed by the outbreak of a renewed cycle of violence in August, with a heavy loss of civilian lives on both sides. The already critical situation was made worse by the continued expansion of Israeli settlements, Israel’s accelerated construction of a separation barrier to deter terrorist activities, with large parts of it cutting into Palestinian territory, with serious eco-

nomical consequences for over 200,000 Palestinians, and the September decision of the Israeli Security Cabinet to “remove” PA President Yasser Arafat, who remained under siege at his headquarters.

Concerned about the deteriorating situation in the region, the Security Council convened on a monthly basis during the year, and at times even more frequently, to discuss the situation in the Middle East, including the Palestinian question. On 16 September, a draft resolution, by which the Council would have called on Israel to desist from any act of deportation and cease any threat to the safety of President Arafat, was not adopted due to the negative vote of a permanent Council member, nor was a 14 October draft resolution on the legality of the Israeli separation barrier in the Occupied Palestinian Territory.

The General Assembly, at its resumed tenth emergency special session, convened in September, October and December to discuss the item “Illegal Israeli actions in Occupied East Jerusalem and the rest of the Occupied Palestinian Territory”, adopted three resolutions: one calling on Israel to desist from any act of deportation and cease any threat to the safety of President Arafat; another demanding that Israel stop and reverse the construction of the barrier and asking the Secretary-General to report on Israel’s compliance with the resolution; and the third requesting the International Court of Justice to render an advisory opinion on the legal consequences arising from the construction of the barrier. In November, the Secretary-General reported that Israel was not in compliance with the Assembly’s demands.

In southern Lebanon, Israeli forces and their main Lebanese opponents, the paramilitary group, Hizbullah, continued to face each other along the “Blue Line”, the provisional border drawn by the United Nations following the withdrawal of Israeli troops from south Lebanon in June 2000. An initial period of relative calm was replaced in the second half of the year by an escalation of violence in the Shab’a farmland area, which also strained relations between Israel and the Syrian Arab Republic.

Tensions escalated further in early October 2003, when, in retaliation for a suicide bombing attack carried out by the paramilitary group

Islamic Jihad in the city of Haifa, the Israeli air force bombed a target inside Syrian territory. The Security Council convened in emergency session to discuss the attack, though no action was taken on a draft resolution submitted by Syria.

The mandates of the United Nations Interim Force in Lebanon and of the United Nations Disengagement Observer Force in the Golan Heights were extended twice during the year, and the United Nations Truce Supervision Organization continued to assist both peacekeeping operations in their tasks.

The United Nations Relief and Works Agency for Palestine Refugees in the Near East continued to provide education and health and social services to nearly 4 million Palestinian refugees living both in and outside camps in the West Bank and the Gaza Strip, as well as in Jordan, Lebanon and Syria. An emergency appeal was launched in June 2003 to provide food, health services, shelter and short-term emergency employment opportunities for refugees.

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

By **decision 58/527** of 17 December, the General Assembly deferred consideration of the agenda item "Armed Israeli aggression against the Iraqi nuclear installations and its grave consequences for the established international system concerning the peaceful use of nuclear energy, the non-proliferation of nuclear weapons and international peace and security" and included it in the provisional agenda of its fifty-ninth (2004) session. The item had been inscribed yearly on the Assembly's agenda since 1981, following the bombing by Israel of a nuclear research centre near Baghdad [YUN 1981, p. 275].

Peace process

Overall situation

In his October report on the peaceful settlement of the question of Palestine [A/58/416-S/2003/947] (see also p. 496), the Secretary-General observed that the first half of 2003 witnessed the emergence of hope for a turning point in the Israeli-Palestinian conflict. For the

first time since September 2000, both parties, with the active assistance of the Quartet (the Russian Federation, the United States, the European Union and the United Nations), committed themselves to serious negotiations to halt the violence and reach a peaceful settlement. However, renewed violence in the latter half of August 2003 signalled the breakdown of the ceasefire declared by Palestinian groups in June (see p. 468) and a reversal in progress. In the renewed cycle of violence and counter-violence, suicide bombings by Palestinian militant groups and targeted assassinations of members of those groups by Israel resumed. Consequently, the implementation of the road map for resolving the conflict, formally submitted to the parties on 30 April (see p. 464), was frozen and some steps had actually been reversed.

The performance-based and goal-driven road map presented clear phases, time lines, target dates and benchmarks aimed at the progression by the two parties, through reciprocal steps in the political, security, economic, humanitarian and institution-building fields under the auspices of the Quartet, towards resolving the Israeli-Palestinian conflict and ending the occupation. A settlement would lead to the emergence of an independent, democratic and viable Palestinian State living side by side in peace and security with Israel and its other neighbours. At the beginning of June, at the Aqaba Peace Summit (see p. 465), organized by the United States President, George W. Bush, and hosted by Jordan, Israeli Prime Minister Ariel Sharon and Palestinian Prime Minister Mahmoud Abbas committed themselves to begin implementing the road map. On 22 June, the Quartet principals, meeting in Amman, Jordan, reviewed the steps needed to begin that implementation. They called on the Palestinian Authority (PA) to make all possible efforts to halt the activities of groups and individuals planning and conducting terror attacks against Israelis and called on Israel, while recognizing its right to self-defence, to respect international humanitarian law and to exert maximum efforts to avoid civilian casualties among the Palestinians. They also pointed out that steps had to be taken to improve the humanitarian situation and normalize the daily lives of the Palestinian people. Steps taken by the parties to start implementation of the road map included the withdrawal of Israeli forces from parts of the Gaza Strip and Bethlehem and the declaration of a ceasefire by various Palestinian groups, which was arranged with the active involvement of Egypt. President Bush deployed Ambassador John Wolf to lead the informal monitoring structure of the road map's phase one commit-

ments (see p. 464) on the ground, in full cooperation with other Quartet members.

In other developments, with the help of the international community, notable progress was achieved in reforming the PA. The United Kingdom hosted the Quartet's Task Force on Palestinian Reform in London on 20 February (see p. 461), which welcomed Israel's decision to resume monthly transfers of Palestinian tax revenues and the considerable progress made by the PA in its reform efforts, especially in the fiscal sector. On 18 March, President Yasser Arafat approved a bill of amendments to the PA Basic Law to create the post and define the powers of Prime Minister. On 29 April, the Palestinian Legislative Council confirmed Prime Minister Abbas and his new cabinet in office. In September, Ahmed Qurei was nominated to replace Mr. Abbas, following his resignation. Throughout that period, Israel persisted in its efforts to confine PA President Arafat to his headquarters in the West Bank. On 11 September, the Israeli security cabinet agreed in principle on the removal of Mr. Arafat from the West Bank and Gaza Strip, a decision which the Secretary-General strongly urged the Israeli security cabinet to reconsider, since, in his opinion, the action proposed would be dangerous and counterproductive given the instability in the region.

Throughout 2003, the situation in the Middle East remained the subject of extensive consultations and debates in the Security Council. The UN Secretariat continued to provide regular informal briefings to the Council on the latest developments in the region. The Secretary-General stressed his strong belief that the principle of parallelism, on which the road map was based, had to be maintained, since previous attempts had failed because of their reliance on sequentialism. A crucial role for the international community was to assist the parties to address security, economic, humanitarian and political issues at the same time.

Occupied Palestinian Territory

Communications (2-16 January). On 2 January [A/ES-10/210-S/2003/1], the Permanent Observer of Palestine to the United Nations informed the Secretary-General and the Security Council President that Israel continued to wage its military campaign throughout the Occupied Palestinian Territory. Since 26 December 2002, Israeli forces had killed 15 Palestinian civilians and raided a number of refugee camps.

On 6 January [A/57/703-S/2003/9], Israel informed the Secretary-General that on 5 January two Palestinian suicide bombers, in coordinated

attacks, blew themselves up in Tel Aviv, killing 23 civilians and wounding more than 100 others; it was one of the bloodiest attacks carried out since September 2000.

Israel, in a 16 January letter [A/57/710-S/2003/62] to the Secretary-General, detailed further Palestinian attacks against Israeli civilians and security forces that took place between 12 and 16 January.

Security Council consideration (16 January). The Security Council met on 16 January [meeting 4685] to discuss the situation in the Middle East, including the Palestinian question.

The Under-Secretary-General (USG) for Political Affairs, Kieran Prendergast, said that the Quartet, in December 2002 [YUN 2002, p. 441], had finalized the road map, which would realize the creation of two States—Israel and Palestine—living side by side in peace and security, and had agreed to present it to the parties following the Israeli general elections, scheduled to be held on 28 January. The road map set out a three-phase plan for achieving a negotiated settlement of the Israeli-Palestinian conflict, as part of an effort to achieve a just, lasting and comprehensive peace in the Middle East (see p. 464 for details).

With regard to the 5 January attack carried out in Tel Aviv (see above), the PA had condemned it and pledged to bring to justice those involved in its planning. The United Nations expected the PA to do everything in its power to fulfil that promise and called on all Palestinian groups to end such attacks. It also supported the efforts of Egypt and others to broker an end to them. The Secretary-General had also repeatedly emphasized that Israel had to act in compliance with international humanitarian law, for, almost on a daily basis, Palestinian civilians were killed and injured by Israel Defence Forces (IDF). As the occupying Power, Israel had particular responsibilities for protecting civilians, which were clearly defined in the 1949 Geneva Convention relative to the Protection of Civilian Persons in Time of War (Fourth Geneva Convention), and it should review its rules of engagement to ensure that Palestinian civilian deaths were investigated and that those guilty of misconduct were prosecuted. The Secretary-General was still awaiting a written account from Israel of the outcome of its investigation into the death of Iain Hook in November 2002 [YUN 2002, p. 440], a staff member of the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA). The USG said that Israel also had to stop carrying out extrajudicial killings (targeted assassinations) and home demolitions, which the Israeli cabinet had announced would, on the contrary, be intensified following the suicide attacks in Tel Aviv.

The USG also noted that there had been no appreciable improvement in the humanitarian situation in the Occupied Palestinian Territory. In addition to curfews, Israel had imposed new travel and other restrictions on Palestinians, which exacerbated the humanitarian crisis. The international community responded to the humanitarian aid emergency. The World Food Programme extended its emergency food assistance, the World Bank announced a programme expanding support for emergency social services to the Palestinians and UNRWA continued to provide food assistance to more than a million refugees. On account of the dire circumstances, it was important that Israel honoured its commitment to transfer monthly tax revenues owed to the PA and developed a schedule for remitting the hundreds of millions of dollars in arrears. Israel's announcement that it might reconsider its commitment on that issue was consequently very troubling.

The USG also expressed concern about Israel's construction of a security barrier in the West Bank, which would adversely affect thousands of Palestinians living in its vicinity. Communities were already being cut off from their agricultural lands and from health and education services in the West Bank, and the town of Qalqilya would be almost completely enveloped by the barrier. While he acknowledged Israel's need to defend itself against infiltration, it had to ensure that its security measures were not taken at the expense of the Palestinian civilian population.

Communications (21 January–10 February). In a series of letters dated between 21 January and 6 February [A/ES-10/211-S/2003/74, A/ES-10/212-S/2003/101, A/ES-10/213-S/2003/119, A/ES-10/215-S/2003/154], the Permanent Observer of Palestine informed the Secretary-General and the Council President that Israel continued to wage a military campaign against the Palestinian people. In particular, IDF's incursion on 26 January in Gaza City caused many civilian deaths and extensive property destruction.

Israel, in letters dated 27 January [A/57/719-S/2003/110] and 10 February [A/57/729-S/2003/171], detailed Palestinian terrorist attacks against IDF, which wounded a number of soldiers, in addition to missile attacks against Israeli towns and villages.

On 30 January [A/ES-10/214-S/2003/120], the Chairman of the Committee on the Exercise of the Inalienable Rights of the Palestinian People (Committee on Palestinian Rights) said that the situation in the Occupied Palestinian Territory continued to deteriorate. One disturbing aspect concerned IDF closure, on 15 January, of Hebron University and Palestine Polytechnic University

as a measure aimed at fighting terrorists and suicide bombers. The Committee viewed that closure as an illegal act of collective punishment, which deprived thousands of Palestinians of their right to education. The closures also added to the mistrust and suspicion between the two peoples and further exacerbated an already dangerous situation on the ground.

Security Council consideration (13 February). The Security Council, on 13 February [meeting 4704], discussed the situation in the Middle East, including the Palestinian question.

The USG for Political Affairs said that parliamentary elections were held in Israel on 28 January, resulting in a substantial increase in seats for the Likud party, led by Prime Minister Ariel Sharon. Meanwhile, the violence between Israelis and Palestinians continued unabated, causing further loss of life and destruction. Since 16 January, 65 Palestinians and 7 Israelis had been killed, bringing the death toll since the outbreak of the second intifada in September 2000 to more than 2,300 Palestinians and nearly 700 Israelis. On 25 January, after a number of rockets were fired by Palestinians on Israeli communities inside the Gaza Strip, IDF entered Gaza City in their biggest operation in that region since September 2000. The incursion left 13 Palestinians dead and scores injured. Egypt, through meetings it had hosted in Cairo, tried to encourage talks among Palestinian groups on adopting a ceasefire. At the same time, stringent closures and curfews continued to cause economic conditions in the West Bank and Gaza Strip to deteriorate and to hamper the work of the international donor community.

The Palestinian reform process continued to progress with active international support. The London conference on Palestinian reform, held on 14 January would be followed by a series of follow-up meetings in London between 18 and 20 February, including a meeting of Quartet envoys, a donor Ad Hoc Liaison Committee meeting on international assistance to the Palestinian people, and meetings of the Task Force on Palestinian Reform. The UN Special Coordinator for the Middle East Peace Process and Personal Representative of the Secretary-General to the PA, Terje Roed-Larsen, together with the ambassadors of the EU and the Russian Federation, met on 11 February with Chairman Arafat to discuss the upcoming London meetings and called on him to take bold and immediate steps to support and facilitate institutional and security reforms prior to those meetings.

Communications (18 February–19 March). In letters dated between 18 February and 17 March [A/ES-10/216-S/2003/194, A/ES-10/217-S/2003/201, A/ES-

10/219-S/2003/217, A/ES-10/220-S/2003/239, A/ES-10/221-S/2003/287, A/ES-10/222-S/2003/326], the Permanent Observer of Palestine informed the Secretary-General and the Council President of the killing and wounding of Palestinians by IDF, Israeli raids against civilian areas and the destruction of Palestinian homes; lists of the names of those killed and injured were annexed to the letters. Particular attention was devoted to Israeli military assaults in the Gaza Strip, especially in Gaza City. Refugee camps were also attacked, causing the death of many civilians.

Israel, in letters to the Secretary-General dated between 25 February and 10 March [A/57/741-S/2003/225, A/57/745-S/2003/252, A/57/750-S/2003/299], detailed Palestinian attacks against Israeli civilians and IDF. On 5 March, a Palestinian terrorist bombing in the city of Haifa killed at least 15 people and wounded more than 40 others. Between 6 and 9 March, Palestinians launched rocket attacks against southern Israeli towns and villages, including the Negev town of Sderot. Israeli security forces thwarted numerous other attacks.

On 20 February [A/ES-10/218-S/2003/202], the Chairman of the Committee on Palestinian Rights expressed concern over an IDF plan to evict Palestinian residents and seize land in northern Bethlehem in order to construct a separation wall. The wall would cause major disruption of the city's economic activity and restrict the freedom of movement of Palestinians. He called on the Secretary-General to use his good offices to prevent the planned division of the city and to stop implementation of the separation plan.

The Council of the League of Arab States (LAS), in the Final Declaration of its fifteenth regular session (Sharm el-Sheikh, Egypt, 1 March), transmitted to the Secretary-General by Bahrain and to the Council President by the LAS Permanent Observer to the United Nations on 3 March [A/57/743-S/2003/247, S/2003/254], decided, among other things, to provide as at 1 April financial support for the PA's budget for six months, renewable automatically under arrangements established at its 2002 Beirut Summit [YUN 2002, p. 419] as long as the Israeli aggression continued.

The Islamic Summit, at its second emergency session (Doha, Qatar, 5 March) [A/57/748-S/2003/288], in a declaration on Palestine transmitted to the Secretary-General on 6 March, called on the international community, particularly the Quartet, to take action, among other things, to stop Israeli aggression against the Palestinian people and Palestinian cities, including the construction of the separation wall, halt Israeli settlement action in the Occupied Palestinian Territory, ensure international protection of the Palestinian

people and resume negotiations. The statement of the Emir of Qatar [A/57/749-S/2003/289] to the special session, in his capacity as Chairman of the ninth Islamic Summit Conference, and his letter [S/2003/343] conveying the results of the Conference to the Secretary-General were transmitted on 6 and 19 March, respectively.

On 4 March [A/57/759-S/2003/332], Malaysia transmitted the documents adopted at the Thirteenth Conference of Heads of State or Government of the Non-Aligned Movement (Kuala Lumpur, 20-25 February), including a statement on Palestine. The heads of State or Government expressed their support for the efforts of the Quartet and encouraged it to proceed speedily with the implementation of the road map, which had been delayed. In that regard, they stressed the need for consultation between the Movement and the Quartet.

On 18 March, Portugal, Spain, the United Kingdom and the United States transmitted to the Council President a statement on Iraq (see p. 332) and a "Commitment to transatlantic solidarity" adopted at the Atlantic Summit (Azores, Portugal, 16 March) [S/2003/335]. Among other things, they reaffirmed a vision of a Middle East peace, with two States, Israel and Palestine, living side by side in peace and security. The leaders welcomed the fact that the road map would soon be delivered to the Palestinians and Israelis and that a Palestinian Prime Minister with sufficient authority to put an end to terrorism and consolidate reforms would be appointed. They looked to the parties to work together constructively.

Task Force on Palestinian Reform

The fourth meeting of the Quartet Task Force on Palestinian Reform, established in 2002 [YUN 2002, p. 432] to develop and implement a comprehensive action plan for reform, was held in London on 19 and 20 February to review the status of Palestinian civil reform efforts (see also p. 503). Those efforts were also reviewed with Israeli and Palestinian representatives.

The Task Force, in a statement issued on 20 February, recognized that the continued terror and violence, restrictions on the movement of persons and goods, deterioration of the humanitarian situation and destruction of local infrastructure and facilities significantly hindered reforms. However, the Task Force welcomed the progress in several areas of civil reform, in particular in fiscal transparency and accountability and the development of the public institutions and laws needed to promote a market economy. It welcomed the Palestinian decision to appoint a Prime Minister and underscored the importance of that position being credible and fully empow-

ered. It commended the commitment of the PA Ministerial Reform Committee and the establishment of a Reform Coordination Support Unit.

The Task Force noted that the 1 February approval by the Palestinian Legislative Council of the 2003 budget was a considerable accomplishment and looked forward to early implementation of the further reform measures announced by the Finance Minister on 31 December 2002 before the Legislative Council. The Task Force also noted the considerable progress made in public administration and civil service reform and looked forward to the early implementation of a detailed action plan in that area. Reforms in some areas, such as the judiciary, were much slower due to counterproductive steps by the Palestinian leadership. The Task Force emphasized the need to comply fully with the recently passed Basic and Judiciary Laws.

The Task Force welcomed the Israeli Government's decision to resume monthly transfers of Palestinian tax revenues and to begin clearing the arrearages. It was paramount that the revenue transfers and return of arrearages continued on a regular basis.

Other developments

Security Council consideration (19 March). The Security Council, on 19 March [meeting 4722], discussed the situation in the Middle East, including the Palestinian question.

The Special Coordinator for the Middle East Peace Process and Personal Representative of the Secretary-General, Mr. Roed-Larsen, said that, for the first time since 2000, there was a real opportunity not only to begin rebuilding the shattered Israeli and Palestinian relationship, but also to start implementing a process that could lead to peace and security in the region. To achieve that, the parties needed to get back to the negotiating table, and for that to happen three critical decisions had to be taken in parallel by the key actors in the process: the PA had to make fundamental decisions on reform in order to re-establish itself as a credible partner for Israel and the international community; the Quartet had to introduce the road map, as agreed in its final draft in 2002 [YUN 2002, p. 441]; and Israel had to sit down at the negotiating table and take immediate and serious steps to prevent harm to Palestinian civilians and to alleviate the widespread suffering caused by its security measures.

The decision on 18 March by the Palestinian Legislative Council and President Arafat to amend the PA Basic Law to create the post of a credible and empowered Prime Minister provided an opportunity to begin building a part-

nership of negotiations. Mahmoud Abbas was nominated to the new post. The amendments gave the Prime Minister a number of powers which had been held previously by the PA President, including appointing or removing cabinet ministers and supervising the work of PA ministries, especially the Ministry of the Interior. Other key areas of reform were discussed at the February meeting of the Quartet's Task Force on Palestinian Reform (see pp. 461 and 503), which agreed that the PA had made impressive progress in implementing reforms under difficult circumstances. Although the Task Force remained very critical of the lack of progress in the judicial sector, there was general consensus that financial accountability and market economy reforms continued to progress at a rapid pace.

The announcement by the United States President that the Quartet would present the road map to the parties as soon as a credible and empowered Palestinian Prime Minister was confirmed was an important step forward. Under the road map and under the auspices of the Quartet, progress would be monitored and assessed on the basis of the parties' compliance with specific performance benchmarks. The Israelis and the Palestinians had to implement in parallel a number of reciprocal obligations for implementation of the road map to be effective. The PA had to declare an unequivocal end to violence and terrorism and undertake efforts on the ground to prevent attacks on Israelis. At the same time, Israel had to end actions that undermined trust, such as proactive security operations, attacks on civilians, and confiscation and demolition of Palestinian homes and property. Israel also had to dismantle settlement outposts erected since March 2001 and, consistent with the Mitchell report [YUN 2001, p. 409], freeze all settlement activity. A second and critical feature of the road map was its clearly defined final destination. In accordance with Council resolution 1397(2002) [YUN 2002, p. 418], the final negotiated settlement would result in the emergence of an independent, democratic and viable Palestinian State living side by side in peace and security with Israel and its other neighbours. The settlement would resolve the Palestinian-Israeli conflict and end the occupation that began in 1967—a vital element of international efforts to promote comprehensive peace in the region.

Turning to the security and humanitarian situations, the Special Coordinator said that the new Palestinian Government had to do everything within its power to curb terrorism and all forms of violence and threats. Since the last briefing to the Council in February (see p. 460), 162 people had lost their lives: 135 Palestinians and 27 Israe-

lis. The PA security forces had to take action to confront those who murdered civilians in acts that could not be seen as political or justified by any means. Unless the PA exercised its monopoly on the use of force, it would have failed in its authority and leadership. During the past month, IDF conducted intensive operations in a number of Palestinian cities and refugee camps throughout the West Bank and Gaza Strip. Those operations caused high numbers of civilian casualties, particularly in Gaza, and reports indicated that IDF used excessive and at times indiscriminate force. The physical insecurity was also creating serious economic insecurity. The construction by Israel of the separation barrier in the West Bank, coupled with severe movement restrictions, had denied many communities access to their land and sources of livelihood. At the Ad Hoc Liaison Committee meeting of all major donors (London, 18 February), participants expressed their conviction that support to the PA remained the best short-term vehicle for addressing the dire economic and humanitarian situation. They also stressed that Israel had to do more to reduce the burden of security restrictions on civilians and facilitate the provision of international assistance to communities in need. More broadly, donors stressed the urgent need to re-establish a tripartite effort involving Palestinians, Israelis and the international community, working in partnership to address those problems, along with the security and political issues that had spawned them.

Communications (31 March-9 April). On 31 March [A/57/770-S/2003/395], Israel informed the Secretary-General that on the previous day a Palestinian suicide bomber wounded 58 people at a cafe in the city of Netanya.

In two letters dated 4 April [A/ES-10/223-S/2003/405] and 9 April [A/ES-10/224-S/2003/416], the Permanent Observer of Palestine informed the Secretary-General and the Council President that Israel continued to wage its military campaign against the Palestinian people. In particular, IDF continued to launch attacks in the Gaza Strip.

On 7 April [A/57/780-S/2003/410], Qatar transmitted to the Secretary-General the text of a statement made by the Emir of Qatar at the Forum on Islamic-Christian Dialogue (Doha, 7 April), in which he stated that the use of religious doctrines for political aims and the labelling of an entire nation based on the behaviour of a handful of extremists or ignorant people were the main obstacles to cooperation between the two faiths.

Security Council consideration (16 April). The Security Council, on 16 April [meeting 4741],

discussed the situation in the Middle East, including the Palestinian question.

The Assistant Secretary-General (ASG) for Political Affairs, Danilo Türk, said that, since the last briefing on 19 March (see p. 462), the attention of the international community had been focused on the war in Iraq (see p. 333). At the same time, there was a growing realization of the urgent need to address the Middle East conflict. The Quartet would present the road map to Israel and the PA following the confirmation by the Palestinian Legislative Council of the appointment of Prime Minister Abbas. The crucial period of implementation would then begin and the parties, with the help of the Quartet, would have to take the necessary steps to end the cycle of violence. The international community should be prepared to stay the course charted by the road map. Implementation would not be easy but its goal was too important for the parties to be deterred by early difficulties. Some of those obstacles were apparent. Some 64 Palestinians and 5 Israelis had been killed since 19 March. On 30 March, a suicide bomber struck in the Israeli city of Netanya (see above). Also in March, 103 Palestinians were killed, the highest monthly death toll in the preceding 12 months. The socio-economic situation in the West Bank continued to deteriorate and no amount of donor assistance would alleviate the crisis in the Occupied Palestinian Territory. The economy needed to operate normally and for that to happen Israel would have to change its security approach by removing internal roadblocks and lifting curfews. However, the damage done to Palestinian society would likely be more difficult to reverse, as over half of the children of the Gaza Strip were suffering from acute post-traumatic stress disorder, due to exposure to violence and destruction. Similar pain and trauma had also been inflicted on Israelis, especially children. The continued construction of the separation barrier in the West Bank might constrain the delivery of basic social services to Palestinian populations and inhibit commercial exchanges if there were not sufficient access points. The placement of the barrier inside the West Bank could also have a negative impact on the Quartet's efforts, through the road map, to establish a viable Palestinian State.

Those conditions highlighted the challenges facing the new Palestinian Prime Minister, who would have to build on the progress achieved in reforming the PA, especially bringing the judicial sector up to par with the financial sector, restoring law and order and bringing to justice those involved in carrying out terrorist acts. He would have to provide the Palestinian people with a transparent and effective Government and the

Israelis with the partner in peace. The Prime Minister would receive the active support of the international community, in particular the Quartet. Israel also had an important part to play in ensuring the success of the new Palestinian Government, particularly by helping to facilitate the reform process and acting to minimize the effects of its security measures. The terrorism that had beset Israel presented it with enormous challenges, but such steps could help empower the PA and its Prime Minister to take action against terrorists. Prime Minister Sharon's recent statements in support of a peace process, including his acknowledgement of the "painful concessions" Israel might need to make, were welcomed. The path ahead charted by the Quartet represented the only realistic hope for ending the current cycle of violence and counter-violence.

Communications (25 April–19 May). In letters dated between 25 April and 6 May [A/57/799-S/2003/502, A/57/804-S/2003/517, A/57/807-S/2003/527], Israel detailed a number of Palestinian attacks against Israeli civilians. The attacks included the detonation of explosives by Palestinian suicide bombers, such as the one on 24 April in the town of Kfar Saba, which wounded 14 Israelis, and the one on 30 April in Tel Aviv, which killed three civilians and wounded 60 others.

By a 1 May letter [A/ES-10/225-S/2003/518], the Permanent Observer of Palestine said that Israel, in a span of less than 24 hours, had killed at least 21 Palestinians, including 15 during an attack by IDF on the densely populated Shijaiyah neighbourhood of Gaza City.

In letters dated 12 and 19 May [A/57/810-S/2003/540, A/57/815-S/2003/557], Israel detailed Palestinian attacks against Israeli civilians and IDF. Five suicide bombing attacks occurred between 17 and 19 May, including one on 18 May inside a bus in Jerusalem, which resulted in the death of seven civilians and wounded 20 others, and another one on 19 May in the city of Afula, which killed three Israelis and wounded 47 others.

By a 16 May letter [A/ES-10/226-S/2003/548], the Permanent Observer of Palestine said that, since 1 May, IDF had killed 34 Palestinian civilians and wounded many others.

Road map

On 30 April, the "performance-based road map to a permanent two-State solution to the Israeli-Palestinian conflict", as affirmed in Security Council resolution 1397(2002) [YUN 2002, p. 418], was presented by the Quartet to the Israeli Government and the PA. The text of the road map, transmitted by the Secretary-General to the Council President on 7 May [S/2003/529], outlined a goal-driven plan, with clear phases, time lines,

target dates and benchmarks aimed at progress through reciprocal steps by the two parties in the political, security, economic, humanitarian and institution-building fields, under the auspices of the Quartet. The final goal was a comprehensive settlement of the Israeli-Palestinian conflict by 2005, consistent with a 24 June 2002 statement [YUN 2002, p. 431] by United States President George W. Bush, in which he called for two democratic States living side by side in peace and security.

A two-State solution would be achieved only through an end to violence and terrorism, with a Palestinian leadership acting decisively against terror and willing to build a practising democracy based on tolerance and liberty, and through Israel's readiness to do what was necessary for a democratic Palestinian State to be established, and a clear, unambiguous acceptance by both parties of the goal of a negotiated settlement. The Quartet would assist and facilitate implementation of the plan, including direct discussions between the parties as required. The initiative was a vital element of international efforts to promote a comprehensive peace on all tracks, including the Syrian-Israeli and Lebanese-Israeli tracks. The Quartet would meet regularly at senior levels to evaluate the parties' performance on implementation of the plan.

The road map was divided into three phases. Phase I, which was to be implemented by the end of May 2003, focused on ending terror and violence, normalizing Palestinian life and building Palestinian institutions. During that phase, the Palestinians had to call for and undertake an unconditional cessation of violence against Israelis anywhere. Likewise, Israel had to call for and undertake an unconditional cessation of violence against Palestinians everywhere. Both sides had to resume security cooperation to end violence, terrorism and incitement through restructured and effective Palestinian security services. The PA had to undertake political reform in preparation for statehood, including drafting a Palestinian constitution, and free, fair and open elections on the basis of those measures. Israel had to take all necessary steps to normalize Palestinian life, withdraw from Palestinian areas occupied from 28 September 2000, and freeze all settlement activity, consistent with the Mitchell report [YUN 2001, p. 409]. In phase II, from June to December 2003, efforts would focus on creating an independent Palestinian State with provisional borders and attributes of sovereignty, based on the new constitution, as a way station to a permanent status settlement. Its goals would be to further build on and sustain the goals outlined in phase I: ratification of a democratic Palestinian constitution, formal establishment of the office

of Prime Minister and consolidation of political reform. The objectives of phase III, (2004-2005), were consolidation of reform and stabilization of Palestinian institutions, sustained Palestinian security performance and Israeli-Palestinian negotiations aimed at a permanent status agreement in 2005. The Quartet would convene a second international conference in 2004 to endorse agreement on an independent Palestinian State, leading to a final status solution in 2005, including borders, Jerusalem, refugees, settlements, and progress towards a comprehensive Middle East settlement between Israel and Lebanon and Israel and the Syrian Arab Republic soon after.

On 30 April [S/2003/519], the Russian Federation, in a statement issued by its Ministry of Foreign Affairs regarding the official release of the road map, said that the agreed approach of the Quartet, which had presented the road map that day to Israel and the PA (see p. 464), was the best path towards peace, the point of departure for Palestinian-Israeli negotiations and a framework programme of action.

On 1 May [S/2003/520], the Russian Federation welcomed the approval by the Palestinian Legislative Council of the cabinet of Prime Minister Abbas, thus removing the existing obstacles impeding implementation of the road map for a Middle East settlement.

Security Council consideration (19 May). The Security Council, on 19 May [meeting 4757], discussed the situation in the Middle East, including the Palestinian question.

The Special Coordinator for the Middle East Peace Process and Personal Representative of the Secretary-General said that the success of the road map, and, consequently, of the new tentative peace process, would depend on the good faith and performance of the parties, key regional actors and the determination of the international community. The obstacles to peace in the region were numerous, especially since 79 Palestinians and 16 Israelis had been killed since the last briefing to the Council on 16 April (see p. 463). The PA had to bring to justice those involved in planning and carrying out suicide bombing attacks against Israelis. It needed assistance to rebuild and refocus its security forces, and Israel needed to support the new Palestinian Government in that regard so as to allow it to increase security for Palestinians and prevent terror attacks on Israelis. Reciprocal confidence-building measures were essential in order to create legitimacy and popular support for Prime Minister Abbas's anti-terror policies. Under the first phase of the road map, Israel was required to take no actions undermining trust, including attacks on civilians or confiscation and/or demolition of Palestinian

homes. However, only hours after the presentation of the road map, IDF operations in Gaza City resulted in the death of at least 13 Palestinians and injury to many more, in addition to the destruction of Palestinian property. The Special Coordinator said that, while taking into consideration Israel's right to self-defence, Israel had to abandon the use of excessive force in densely populated areas. He also pointed out that illegal armed elements in Palestinian areas were responsible for violence that affected Palestinian civilians by basing themselves in civilian areas, and noted that Prime Minister Abbas had made the disarming of such groups one of his Government's goals.

At the same time, the humanitarian and socio-economic conditions in the West Bank and Gaza Strip continued to deteriorate, due mainly to movement restrictions imposed by IDF. The situation in Gaza was exacerbated by a draconian closure regime recently instituted by Israeli authorities that had resulted in the closing of Gaza to all but those with diplomatic passports. Holders of valid UN laissez-passer and service visas for Israel were also barred from entering or leaving Gaza, with the result that a significant number of UN staff were stuck on either side of the boundary and unable to carry out their work. The United Nations would be unable to carry out its operations in Gaza if the closure situation continued. The humanitarian situation also significantly complicated the task ahead for Prime Minister Abbas. Nevertheless, he had made substantial progress in implementing the first phase of the road map, such as action towards a draft constitution for Palestinian statehood and the establishment of an independent Palestinian election commission. The fate and credibility of his Government would depend on a radical and credible change of policy in the security sector, an area in which the PA had failed over the past two years. Israel, on the other hand, had yet to endorse the road map and commit to its implementation. Prime Minister Abbas's work would be aided by Egypt's planned renewed attempt to induce all Palestinian groups to agree to a ceasefire.

Aqaba Peace Summit

At the initiative of the United States President, and hosted by King Abdullah of Jordan, the Middle East Peace Summit was held in Aqaba, Jordan, on 4 June. Both Israeli Prime Minister Sharon and Palestinian Prime Minister Abbas attended the meeting. It was preceded on 3 June by a meeting in Sharm el-Sheikh, which was attended by the United States President, King Abdullah, Egyptian President Hosni Mubarak,

King Hamad of Bahrain, Crown Prince Abdullah of Saudi Arabia and Prime Minister Abbas.

In his statement following the meeting, Prime Minister Sharon said that Israel supported the United States President's vision of two States—Israel and a Palestinian State—living side by side in peace and security and welcomed the opportunity to resume direct negotiations according to the road map, as adopted by the Israeli Government, to achieve that vision. It was not in Israel's interest to govern the Palestinians, but for the Palestinians to govern themselves in their own State. A democratic Palestinian State fully at peace with Israel would promote the long-term security and well-being of all Israelis. However, there could be no peace without the abandonment and elimination of terrorism, violence and incitement. Israel would work with the Palestinians to fight terrorism and would seek to restore normal Palestinian life, improve the humanitarian situation, rebuild trust and promote progress. Israel understood the importance of territorial contiguity in the West Bank for a viable Palestinian State and would begin to remove any unauthorized outposts. It accepted the principle that no unilateral actions by any party could prejudice the outcome of negotiations.

Prime Minister Abbas said that the PA had accepted the road map without any reservations and, like Israel, was prepared to meet its responsibilities. He stressed that there could be no military solution to the conflict and thus reaffirmed the Palestinians' renunciation of terror against Israelis anywhere. Such methods were inconsistent with Palestinian religious and moral traditions and were obstacles to the achievement of an independent, sovereign Palestinian State. The PA would exert all of its efforts to end the militarization of the intifada and establish a democratic Palestinian State based on the rule of law, with a single political authority and weapons only in the hands of official law enforcement officers.

United States President Bush said that pledges made by Prime Minister Sharon were meaningful signs of respect for the rights of the Palestinians and their hope for a viable, democratic, peaceful Palestinian State. The efforts pledged by Prime Minister Abbas demonstrated his leadership and commitment to building a better future for the Palestinian people. However, the two leaders alone could not bring about peace. It required the support of other nations in the region. In that regard, Arab leaders, at the meeting in Sharm el-Sheikh the previous day, promised to cut off assistance and the flow of money and weapons to terrorist groups and to help Prime Minister Abbas rid Palestinian areas of terrorism.

The United States would strive to see that the commitments made by both sides were fulfilled and would provide training and support for a new, restructured Palestinian security service. It would also place a mission on the ground, led by Ambassador John Wolf, to help the parties move towards peace, monitor their progress and state clearly who was fulfilling their responsibilities. President Bush had also asked Secretary of State Colin Powell and National Security Adviser Condoleezza Rice to give the matter the highest priority.

The Secretary-General, in a statement [SG/SM/8736] issued by his Spokesman, welcomed the impetus given to the Middle East peace process by the Aqaba Summit and believed that the statements made by Prime Ministers Sharon and Abbas opened the way for both parties to implement the Quartet's road map. The Secretary-General pledged through his personal efforts, together with the Quartet partners, to continue to assist the parties.

Further developments

Communications (3-13 June). By a 3 June letter to the Secretary-General [A/57/824-S/2003/619], Iran transmitted the texts of the final communiqué, the Tehran Declaration and the resolutions adopted by the Islamic Conference of Foreign Ministers at its thirtieth session (Tehran, Iran, 28-30 May). The Conference adopted eight resolutions on Palestinian affairs, with a focus on the Arab-Israeli conflict and Al-Quds Al-Sharif (Jerusalem), and on an Islamic boycott of Israel.

The Permanent Observer of Palestine, in two communications dated 10 and 12 June [A/ES-10/227-S/2003/638, A/ES-10/228-S/2003/643], informed the Secretary-General and the Council President that IDF had carried out three extrajudicial executions, using helicopter gunship missiles, killing at least 19 Palestinians and wounding many more.

On 13 June [A/57/839-S/2003/645], Israel informed the Secretary-General that, since the convening of the Middle East Peace Summit at Aqaba (see above), a new wave of Palestinian attacks had killed 25 Israelis. On 11 June alone, 16 Israelis were killed and 112 wounded in Jerusalem. Israel stated that on 23 May it had agreed to accept the steps set out in the road map (see p. 464), indicating the desire of the people of Israel to renew direct negotiations, and had already started to implement the commitments it made at the Summit, by releasing Palestinian detainees, dismantling unauthorized outposts and easing security restrictions. The PA, on the other hand, had yet to take a single step towards fulfilling its obligations to dismantle the terrorist in-

frastructure which it continued to sustain. By refusing to take real steps to confront terrorism, the Palestinian side was endangering any prospect for peace and compelling Israel to continue to take self-defence measures. Israel hoped that the new Palestinian leadership would prove its seriousness about ending violence, including confronting and eradicating terrorist organizations, such as Hamas.

Security Council consideration (13 June). The Security Council, on 13 June [meeting 4773], discussed the situation in the Middle East, including the Palestinian question.

The Under-Secretary-General for Political Affairs, Mr. Prendergast, said that President Bush's initiative to hold the Aqaba Summit gave an important impetus to the renewal of the peace process. However, the Summit was followed by a sharp rise in violence, re-igniting the familiar spiral of violence, counter-violence and revenge. The situation had reached a crossroads where either the promise of peace or a resumption of violence would define the course of the political process in the months ahead. Not unexpectedly, Prime Ministers Sharon and Abbas had each met resistance at home to the commitments they made at Aqaba. In the circumstances, the international community had to help the parties to remain on track and provide active support throughout the road map implementation process.

The circulation of Palestinians within the West Bank had been reduced since the suicide bomb attack in Afula on 19 May (see p. 464), while the movement of West Bank residents with permits to Jerusalem had been completely halted since 2 June. The movement of international personnel and goods into the Gaza Strip remained subject to a stringent Israeli security closure regime. Representatives of the United Nations and the broader international community had met on 27 and 29 May with the Israeli Government to discuss the movement restrictions imposed by IDF, particularly on the Gaza Strip (see p. 465), which continued to have a detrimental effect on their efforts to provide humanitarian assistance. The renewal of the closure regime, after assurances by the Israeli authorities that the situation would improve, was worrying. The United Nations would continue efforts to resolve the issue at the local level. However, the security of staff and goods remained a serious concern.

Communication (20 June). In a 20 June letter [A/57/842-S/2003/662], Israel detailed Palestinian attacks against Israelis, which included suicide bombers and rocket attacks. Israel reiterated that, since the Aqaba Summit, and in accordance with its acceptance of the steps set out in the road map, it had released Palestinian detainees, dis-

mantled unauthorized outposts, eased security restrictions and held security meetings with the Palestinian leadership. Failure on the part of the PA to take real and genuine steps to eliminate terrorism would prevent any progress in the peace process.

Quartet meeting (22 June)

Representatives of the Quartet—the UN Secretary-General, the Russian Foreign Minister, the Greek Foreign Minister, the United States Secretary of State, the High Representative for European Common Foreign and Security Policy and the European Commissioner for External Affairs—met at the Dead Sea in Jordan on 22 June to review developments since their last meeting [YUN 2002, p. 441]. In a statement issued following the meeting [S/2003/672], which was transmitted to the Security Council President by the Secretary-General on 25 June, the representatives welcomed the appointment of Prime Minister Abbas and the acceptance by Israel and the PA of the road map. They endorsed the results of the Red Sea Summit meetings (see p. 465) and pledged to support Prime Ministers Abbas and Sharon in carrying out the commitments made at those meetings. They also welcomed the decision by the United States President to place a mission on the ground to help the parties to move towards peace (see p. 466), and shared his expectation that both parties would meet their obligations in full.

The Quartet condemned the terror attacks against Israeli citizens carried out by Palestinian military groups and called on the Palestinian authorities to take all possible steps to halt immediately the activities of those groups. It supported immediate Palestinian action to restructure and consolidate under Prime Minister Abbas all security services and called on both sides to reach agreement as soon as possible on workable security arrangements. It expressed concern over Israeli military action that resulted in the killing of innocent Palestinians and other civilians, and, while recognizing Israel's right to self-defence, the Quartet called on the Israeli Government to respect international humanitarian law and to exert maximum efforts to avoid such civilian casualties, as well as to ease the plight of the Palestinian people by facilitating movement of people and goods, in addition to access by international humanitarian organizations. Recalling its position that settlement activity had to stop, the Quartet welcomed Prime Minister Sharon's undertaking at Aqaba (see p. 465) and the first steps taken by Israel on the ground to remove unauthorized outposts. The

Quartet reaffirmed its commitment to a just, comprehensive and lasting settlement of the Arab-Israeli conflict, including progress towards peace between Israel and Syria and Israel and Lebanon.

In comments made after the meeting, the Secretary-General said that in keeping with the approach laid out in the road map, the principle of parallelism should be maintained. Security, humanitarian and political issues had to be addressed at the same time. The Secretary-General called on Israel not to use disproportionate force in civilian areas, carry out house demolitions or engage in extrajudicial killings, for unless Palestinians felt that positive change in their daily lives, including ending movement restrictions, freezing settlement activities and re-establishing economic activity, there would not be sufficient public support to sustain peace. Simultaneously, the PA had to spare no effort to bring to an end all acts of terror against Israelis anywhere. Terror was counterproductive to the ultimate goals of ending occupation, establishing a Palestinian State, and the universal recognition of the State of Israel and the State of Palestine.

The Russian Minister for Foreign Affairs, in a 22 June statement regarding the outcome of the Quartet meeting, transmitted to the Secretary-General on 24 June [S/2003/666], said that the situation remained tense and the latest outbreak of violence testified to the fact that the forces opposed to a settlement had not abandoned their attempts to defeat the implementation of the road map. Everything possible, therefore, should be done to prevent a new cycle of confrontation and preserve the opportunity for resolving the crisis. The Russian Minister said that it was time to develop a programme for resuming the negotiating process on the Syrian and Lebanese tracks, as it could ensure greater stability in moving the road map forward.

Developments between 27 June and 19 August

Communications (27 June–10 July). On 27 June [A/ES-10/229-S/2003/677], the Permanent Observer of Palestine said IDF, on that day, had carried out a military attack on a civilian neighbourhood in Gaza City, killing four men and wounding more than 15 other Palestinians.

On 10 July [A/57/846-S/2003/699], Israel detailed Palestinian shooting and mortar attacks against Israeli civilians, which resulted in the death of two Israelis.

Security Council consideration (17 July). The Security Council, on 17 July [meeting 4788], discussed the situation in the Middle East, including the Palestinian question.

The Special Coordinator for the Middle East Peace Process and Personal Representative of the Secretary-General, Mr. Roed-Larsen, said that, since the last Council briefing on 13 June (see p. 467), the revived peace process based on the road map had made encouraging progress. Israelis and Palestinians were meeting regularly and working together at all levels, which had resulted in greater mobility for Palestinians in the Gaza Strip and Bethlehem and in greater security for Israelis. IDF had withdrawn from parts of Gaza and Bethlehem, enabling the PA to re-establish control over those areas. Announced on 30 June, a ceasefire that suspended attacks on Israelis was reached among Palestinian groups and was largely being honoured. The ceasefire was achieved through the efforts of the Palestinian leadership and with the support of Egypt. Regular meetings were occurring between the Palestinian and Israeli Prime Ministers, and both sides met frequently at the ministerial level to discuss such issues as security, prisoners, incitement, economic development, investment and health. Though the challenges to the peace process remained numerous, there had been a sharp decrease in violent attacks and incitement during the reporting period. IDF had largely ceased security activities in those areas in which the PA had re-established its authority. In addition, with the announcement of the Palestinian ceasefire, IDF had refrained from extrajudicial killings. The humanitarian situation had seen little improvement, despite the decrease in violent clashes following the declaration of a ceasefire by Palestinian groups. The withdrawal of IDF from parts of the Gaza Strip had been accompanied by some easing of restrictions on the movement of Palestinian workers and commodities. The movement of humanitarian agencies in entering and leaving the Gaza Strip had improved. However, closures, curfews and checkpoints had not been relaxed significantly in the West Bank and the construction of the separation barrier was continuing. In order to further the peace process, Prime Minister Sharon had to demonstrate to the Israeli people that participation in the road map process would lead to an end to violence and terror. Prime Minister Abbas had to continue to carry out the reform and consolidation of the Palestinian security forces, and in order to do so he needed the active support of Mr. Arafat, who was the Chairman of the Palestine Liberation Organization (PLO) and President of the PA.

Communications (17 July–12 August). On 17 July [A/ES-10/230-S/2003/730], the Chairman of the Committee on Palestinian Rights reported that IDF had ordered the closure of the Palestine Polytechnic University for an additional month. The

University had been closed by IDF since January 2003 (see p. 460).

On 12 August [A/57/858-S/2003/809], Israel said that on that day Palestinian suicide bombers killed two Israelis and wounded 13 others in two separate attacks. Israel said that it held the Palestinian leadership fully responsible for its failure to suppress the campaign of terror, and only when terrorism and incitement were fully and finally rejected would the peace process advance.

Security Council consideration (19 August). The Security Council, on 19 August [meeting 4810], discussed the situation in the Middle East, including the Palestinian question.

The ASG for Political Affairs, Mr. Türk, said that the situation in the Middle East remained fragile. However, the overall level of violence in the Israeli-Palestinian conflict, compared to previous months, had dropped considerably, even though lives continued to be lost. Despite setbacks, progress continued in the implementation of some areas of the road map. Since the PA resumed security responsibility in July for the Gaza Strip and Bethlehem, violence in those areas had significantly decreased. However, six weeks into the 30 June ceasefire, the parties had been unable to agree on the conditions under which the PA would resume security responsibility in the remaining seven West Bank Palestinian cities. Both parties needed to deepen their commitment to security cooperation, as it was at the heart of further progress.

Israel's settlement policy was one of the key challenges to the fulfilment of the road map's goal of a two-State solution. Israel had to recognize that that policy, as well as the construction of the separation barrier and its route in the West Bank, undermined the possibility of a future viable and contiguous Palestinian State. According to an Israeli monitoring group, some 60 settlement outposts were established between March 2001 and June 2003. Since the last briefing, new settlement expansion plans were being discussed by the Israeli Government, which had approved new bypass roads in three locations in the West Bank. On 31 July, the Israeli Defence Ministry approved the issuance of a tender to build new housing units at the Neveh Dekalim settlement in the Gaza Strip, in addition to significant expansion of the lands surrounding the Morag settlement. The building of the separation wall and the continued presence of settlement outposts had caused many Palestinians to question Israel's intent in the peace process.

There had been a marked improvement in July in the humanitarian situation in the Occupied Palestinian Territory, although the situation remained dire. The movement of UN staff into

and within Gaza had eased considerably and fewer access incidents had been reported by international organizations. IDF removed several key roadblocks in July, although some of them were replaced by manned checkpoints. However, most villages and towns continued to experience severe access problems. In fulfilment of Prime Minister Sharon's commitments made at the Aqaba Summit (see p. 465), Israel had released over 400 Palestinian prisoners as at 18 August; over 6,000 more remained in Israeli detention centres.

Escalation of violence

Communications (25 August–11 September). In a series of communications dated between 25 August and 10 September [A/ES-10/231-S/2003/834, A/ES-10/232-S/2003/843, A/ES-10/233-S/2003/848, A/ES-10/234-S/2003/853, A/ES-10/235-S/2003/865, A/ES-10/236-S/2003/874], the Permanent Observer of Palestine informed the Secretary-General and the Council President of the killing, including extrajudicial executions, and imprisonment of Palestinians by Israeli forces, and submitted lists of those killed and injured. On 21 August, IDF killed Ismail Abu Shanab, a political leader of Hamas; destroyed large areas of farmland in the Gaza Strip on 28 August; dropped a 550-pound bomb in Gaza City on 6 September in an attempt to kill the spiritual leader of Hamas, Sheikh Ahmed Yassin, which wounded 15 Palestinians; and dropped another bomb in Gaza City on 10 September, which killed two Palestinians and wounded 20 others.

On 10 September [A/57/862-S/2003/873], Israel informed the Secretary-General and the Council President of two terrorist attacks on 9 September by Palestinian suicide bombers, one of whom attacked a cafe in Jerusalem, killing at least seven civilians and wounding 40 others, while the other carried out an attack near a bus depot in Rishon Letzion in central Israel, killing seven Israelis and wounding 30 others. Those attacks were preceded by other acts of terrorism, including the one on 19 August by a Palestinian suicide bomber who detonated a bomb inside a bus in Jerusalem, killing 22 people and wounding 135. Israel expected the new Palestinian leadership to put an absolute end to terrorism by working to fulfil their obligations, which consisted of, among other things, completely dismantling terrorist networks, confiscating and destroying illegal weapons, and bringing terrorists to justice. In the light of the continuing rejection by the Palestinian leadership of those obligations, Israel was compelled to take the necessary measures to defend its citizens, while making every effort to minimize harm to innocent civilians.

On 11 September [S/2003/892], the European Union (EU) Presidency, in a statement condemning the 9 September attack, said that the resurgence of terrorist attacks was obstructing the international community's efforts to restore peace and was damaging the cause of the Palestinian people. In the context of the global fight against terrorism, the EU had decided (Riva del Garda, Spain, 5-6 September) to place the political branch of Hamas on the European list of terrorist organizations. Noting the resignation of Palestinian Prime Minister Abbas, it urged the new Prime Minister, Ahmed Qurei, to continue on the same path. It called on the PA to reorganize its security forces, re-establish public order and undertake visible efforts to dismantle the terrorist organizations. At the same time, it called on Israel, among other actions, to withdraw its army from the autonomous areas, put an end to targeted killings, and relieve the Palestinian people of roadblocks and other restrictions.

Security Council consideration (12-16 September). On 12 September, the Council met at the request of the Non-Aligned Movement caucus and the Arab Group to discuss the situation in the Middle East, and in particular Israel's decision in principle to expel Chairman Arafat. In a press statement [SC/7871] issued by its President, the Council expressed the view that such action would be unhelpful and should not be implemented. It also condemned the violence and urged both parties to act with maximum restraint.

At the request of the Sudan, on behalf of the Arab Group [S/2003/880], the Security Council, on 15 September [meeting 4824], considered the situation in the Middle East, including the Palestinian question. With the Council's consent, the President invited, among others, Israel, Syria [S/2003/887] and the Permanent Observer of Palestine [S/2003/886], at their request, to participate in the deliberations. The Special Coordinator for the Middle East Peace Process and Personal Representative of the Secretary-General said that, since the last Council briefing on 19 August (see p. 469), the Israeli-Palestinian peace process had stalled. The cycle of terror attacks and extrajudicial killings had broken the Palestinian ceasefire, bringing the process to a standstill. A combination of violence and slow implementation of the road map peace plan had brought the region to a potential turning point. Once again, the parties and the international community were confronted with the question whether the parties would recommit themselves to peace or whether the debilitating conflict would grind on. Without a major change in the situation on the ground, further deterioration would be inevitable. Since

19 August, violence had increased. On that day, a suicide bombing in Jerusalem killed 23 people, after IDF had carried out two military operations that resulted in the death of four Palestinians. Israel responded by declaring all-out war against Hamas and other terrorist elements in the Occupied Palestinian Territory, including a stepped-up campaign of attempted extrajudicial killings of Hamas leaders. After two more suicide bombings on 9 September, the Israeli Government announced that it had decided in principle to remove PA President Arafat "in a manner and at a time of its choosing".

The Special Coordinator said that the implementation of the road map never effectively began, as neither party actively addressed the core concerns of the other side. For Israelis, that concern was security and freedom from terrorist attacks. The PA failed again to grasp control of the security situation, and while the unilateral ceasefire declared by Palestinian militant groups was a useful step, other steps such as the consolidation of security forces and security reforms could have been taken. For Palestinians, the core concern was an assurance that the peace process would lead to the end of the occupation and the establishment of a viable, independent Palestinian State on the basis of the 1967 borders. The settlement activity and continued construction of the separation barrier caused Palestinians to wonder whether that goal was achievable. In addition, Israel had never fully endorsed the road map. Thus, the two key issues in the peace process were terrorism and occupation and real action had to be taken to end both. The very limited approach to implementing the road map never effectively tackled either issue. A core concept of the road map, the principle of parallelism, or reciprocal steps by both sides in all fields, was not emphasized during the preceding four months of half-hearted implementation of the road map, leading to the single issue of the Israelis' security from terrorism becoming its sole focus. As a result, violent groups were allowed to set the pace and the agenda for the process. The principle of parallelism should, therefore, be reasserted by taking steps to end both terrorism and occupation and regain control of the process.

Despite the setbacks, the Quartet needed to redouble its efforts. Its principals had agreed to meet in late September to address all relevant issues, including devising ways of putting the peace process back on track. Palestinian Prime Minister Abbas had resigned and the new nominee, Ahmed Qurei, had not been able to take up the reins of power. The rapid appointment and confirmation of a credible and fully empowered Prime Minister was an essential step in order for

the PA to disarm militant groups and establish law and order. For its part, Israel had to make significant concessions, for without them neither the peace process nor any peace-minded Palestinian leader would be credible in the eyes of the Palestinian people.

Given the current situation, the Special Coordinator said that it might be appropriate to speed up the road map process. Bold steps in the areas of settlements and security, and involving increased activity by the international community, might be necessary to jump-start a resumption of the process.

The Permanent Observer of Palestine said that Israel's threats reached a new level with its decision to remove President Arafat and to request the Israeli army to draw up a plan for his expulsion. Mr. Sharon and his Government represented a threat to the stability of the region, for they did not seek a permanent settlement but only long-term transitional arrangements. Mr. Sharon's vision was the imposition of a number of walled and separate enclaves, confining the Palestinians to less than half of the West Bank and to slightly more than half of the Gaza Strip. The Israeli Government had not accepted the road map, only the "steps" in the plan, and had attached 14 reservations, which effectively undermined most of it. The essential problem was Israel's policy of settlement building, its refusal to end the occupation of Palestinian land and its failure to accept an independent and sovereign Palestinian State with East Jerusalem as its capital. Without a change in that policy, there would be no peace process and no implementation of the road map. The revival of the road map would require new and serious implementation, with both sides facing up to their responsibilities. The Council could play an important role in that respect, by providing strong support to the road map and officially ordering the two sides to comply with its provisions and to implement them. The Quartet, with the help of the Council, should build the agreed-upon monitoring mechanism and have a real international presence, perhaps even international troops.

Israel said that it had come to the conclusion that Mr. Arafat had not been truthful about his intentions. His continuing rejection of Israel's right to exist and his support of terrorists and their tactics had brought suffering to the region and denied the promise of peace to Israelis and Palestinians alike. In addition, he had undermined the road map at every step of the way. In fact, he actively sought to prevent the Palestinian Prime Minister from fulfilling the Palestinian obligations under the road map and had sabotaged attempts to establish a new and different

leadership in the PA. Mr. Arafat had refused to allow the consolidation of security forces under the control of an empowered minister for internal security, who would have worked towards the dismantling of the terrorist infrastructure. In so doing, he had undermined former Prime Minister Abbas, forcing him to resign. Mr. Arafat had kept terrorist groups like the Tanzim under his direct control and prevented efforts to introduce accountability in the PA's finances, so that money could continue to be funnelled into his private accounts. The decision by the Israeli cabinet to remove him merely stated the obvious, namely, that Mr. Arafat was an obstacle to peace. Israel hoped that a new and different Palestinian leadership would be ready to implement its obligations to fight terrorism. If that did happen, the new Palestinian leadership would find in Israel a willing partner ready to make painful compromises.

The Russian Federation expressed concern about Israel's decision to expel Mr. Arafat, for such a step would erase any prospects for a peaceful settlement of the conflict. Russia condemned terrorism in all its forms and called on both sides to act with the utmost responsibility. Russia stressed that the road map provided the only chance of finding a way out of the crisis.

The United States said that, while all parties had responsibilities in bringing peace to the Middle East, ending terrorism had to be the highest priority. Those responsible for targeting civilians and obstructing the Quartet's efforts and Palestinian prospects for an independent State were known groups: Hamas, the Palestinian Islamic Jihad and the Al-Aqsa Martyrs Brigade. The Council had to take a clear stand against those terrorist groups and call for decisive action against them. Any Council resolution on the Middle East that the United States would support had to contain a robust condemnation of the acts of those Palestinian terrorist groups, and call for the dismantling of their support infrastructure, wherever located, consistent with Council resolution 1373(2001) [YUN 2001, p. 61]. The next Palestinian Prime Minister had to have real political authority to act against terrorist organizations, in addition to control over all the security organizations within the PA. For its part, Israel had to move forward and fulfil its obligations and commitments under the road map. The United States did not support either the elimination of Mr. Arafat or his forced exile and, accordingly, had cautioned Israel against that.

On 16 September [meeting 4828], the Council resumed discussion of the situation in the Middle East, including the Palestinian question. It had before it a draft resolution [S/2003/891] submitted

by Pakistan, South Africa, the Sudan and the Syrian Arab Republic, by which the Council would have reiterated its demand for the complete cessation of all acts of violence, including terrorism, demanded that Israel desist from any act of deportation and cease any threat to the safety of the PA President, and expressed full support for the Quartet and called for increased efforts to ensure implementation of the road map. The draft resolution was not adopted, owing to the negative vote of the United States, a permanent member of the Council.

Speaking after the vote, the United States said that the draft resolution was flawed, as it failed to include a robust condemnation of acts of terrorism, an explicit condemnation of Palestinian terrorist groups, and a call for the dismantlement of infrastructure that supported those terror operations wherever located. The United States, along with Quartet partners, would continue to work towards the implementation of President Bush's vision of a two-State solution to the conflict, as set forth in the road map.

The Syrian Arab Republic said that the United States veto of the draft resolution would only further complicate an already complex situation in the Middle East and would have a negative impact on the general situation in the region.

The Permanent Observer of Palestine regretted that the United States had accepted Israeli positions almost completely and to such an extent that it did not permit it to play an unbiased role in the Arab-Israeli conflict or to act as an honest sponsor of the peace process.

Israel said that the draft resolution was lopsided. It did not focus on terrorism that killed innocent people or on the legal responsibility of the Palestinian leadership to dismantle the terrorist infrastructure. Instead, it focused its criticism on the victims of terrorism and on the response to terrorists rather than on terrorism itself. To advance the cause of peace, both sides needed to commit themselves to resolving the dispute through dialogue in an atmosphere free from terrorism, violence and incitement.

Emergency special session

In accordance with General Assembly resolution ES-10/11 [YUN 2002, p. 435] and at the request of the Sudan [A/ES-10/237], on behalf of the Arab Group and LAS, as well as the request of Malaysia, in its capacity as Chairman of the Coordinating Bureau of the Non-Aligned Movement [A/ES-10/238], the tenth emergency special session of the Assembly resumed on 19 September to discuss "Illegal Israeli actions in Occupied East Jerusalem and the rest of the Occupied Palestinian Territory". The session was first convened in April

1997 [YUN 1997, p. 394] and resumed in July and November of that year, as well as in March 1998 [YUN 1998, p. 425], February 1999 [YUN 1999, p. 402], October 2000 [YUN 2000, p. 421], December 2001 [YUN 2001, p. 414], May 2002 [YUN 2002, p. 428] and resumed in August of that year [ibid., p. 435].

GENERAL ASSEMBLY ACTION

On 19 September [meeting 20], the General Assembly adopted **resolution ES-10/12** [draft: A/ES-10/L.12 & Add.1, as orally amended] by recorded vote (133-4-15) [agenda item 5].

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

The General Assembly,

Recalling the previous resolutions adopted at its tenth emergency special session,

Recalling also Security Council resolutions 242(1967) of 22 November 1967, 338(1973) of 22 October 1973, 1397(2002) of 12 March 2002, 1402(2002) of 30 March 2002, 1403(2002) of 4 April 2002, 1405(2002) of 19 April 2002 and 1435(2002) of 24 September 2002,

Reiterating its grave concern at the tragic and violent events that have taken place since September 2000 which have caused enormous suffering and many innocent victims throughout the Occupied Palestinian Territory, including East Jerusalem, and in Israel,

Condemning the suicide bombings and their recent intensification, and recalling in that regard that in the framework of the road map, the Palestinian Authority has to take all necessary measures to end violence and terror,

Deploring the extrajudicial killings and their recent escalation, and underlining that they are a violation of international law and international humanitarian law and compromise the efforts to relaunch the peace process and must be stopped,

Reaffirming the illegality of the deportation of any Palestinian by Israel, the occupying Power, and affirming its opposition to any such deportation,

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

1. *Reiterates its demand* for the complete cessation of all acts of violence, including all acts of terrorism, provocation, incitement and destruction;

2. *Demands* that Israel, the occupying Power, desist from any act of deportation and cease any threat to the safety of the elected President of the Palestinian Authority;

3. *Expresses its full support* for the efforts of the Quartet, and demands that the two sides fully implement their obligations in accordance with the road map, and emphasizes in this context the importance of the forthcoming meeting of the Quartet in New York;

4. *Decides* to adjourn the tenth emergency special session temporarily and to authorize the current President of the General Assembly to resume its meeting upon request from Member States.

RECORDED VOTE ON RESOLUTION ES-10/12:

In favour: Albania, Algeria, Andorra, Angola, Antigua and Barbuda, Argentina, Armenia, Austria, Azerbaijan, Bahrain, Bangladesh, Barbados, Belarus, Belgium, Belize, Benin, Bolivia, Bosnia and Herzegovina,

Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Cambodia, Cape Verde, Chad, Chile, China, Congo, Côte d'Ivoire, Croatia, Cuba, Cyprus, Czech Republic, Democratic People's Republic of Korea, Denmark, Djibouti, Dominica, Ecuador, Egypt, Estonia, Ethiopia, Finland, France, Gambia, Germany, Greece, Grenada, Guinea, Guyana, Haiti, Hungary, Iceland, India, Indonesia, Iran, Ireland, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kuwait, Lao People's Democratic Republic, Latvia, Lebanon, Lesotho, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Monaco, Morocco, Mozambique, Myanmar, Namibia, Nepal, Netherlands, New Zealand, Nigeria, Norway, Oman, Pakistan, Panama, Philippines, Poland, Portugal, Qatar, Republic of Korea, Romania, Russian Federation, Saint Lucia, Saint Vincent and the Grenadines, Samoa, San Marino, Saudi Arabia, Senegal, Serbia and Montenegro, Sierra Leone, Singapore, Slovakia, Slovenia, South Africa, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Switzerland, Syrian Arab Republic, Thailand, The former Yugoslav Republic of Macedonia, Togo, Trinidad and Tobago, Tunisia, Turkey, Uganda, Ukraine, United Arab Emirates, United Kingdom, United Republic of Tanzania, Uruguay, Venezuela, Viet Nam, Yemen.

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

Abstaining: Australia, Cameroon, Canada, Colombia, Fiji, Guatemala, Honduras, Kenya, Nauru, Nicaragua, Papua New Guinea, Paraguay, Peru, Tonga, Tuvalu.

The Permanent Observer of Palestine, speaking before the vote, said that threats by Israel against the Palestinian people and its leadership reached an unprecedented level on 11 September, with the decision by the Israeli security cabinet to remove and expel President Arafat from his land and country, proving once again the intentions of Mr. Sharon's Government to attack the PA and to destroy the Palestinians' socioeconomic conditions. Any implementation of those threats would be considered a terrorist act that would lead to the end of the PA and the demise of the peace process. Israel had carried out a military campaign against the Palestinians for almost three years, during which its military forces had committed war crimes. At the same time, Israel was trying to depict all that had happened and was happening in the region as a battle against terrorism. The PA had been very clear in its condemnation of actions committed by Palestinian groups in contravention of international law, specifically the suicide bombings that had targeted Israeli civilians. The main issue of contention remained Israel's occupation of Palestinian land, the settler population and Israel's rejection of the Palestinian right to national independence. If the occupation and Israeli violence continued, Palestinian violence would also go on. The road map should be revived and implemented in a real and honest way.

Israel said that the Assembly was convening to consider an initiative that relapsed into the familiar preoccupation with one-sided resolutions that had contributed little to the security and peace of Israelis and Palestinians. The Security Council had just rejected a draft resolution (see p. 472) that would have defended a man (Mr. Arafat) who had devoted all of his energies to scuttling a long list of peace efforts. Like so many other resolutions presented by the Palestinian side, the draft resolution imagined an alternate reality

where acts of terrorism garnered merely a passing mention. By focusing criticism on the response to terrorism and not on terrorism itself, the draft resolution was devoid of moral substance. The first clauses of the road map demanded the dismantling of Palestinian terrorist organizations. The failure of the Palestinian leadership to live up to that obligation should take a prominent role in any balanced assessment of the obstacles to peace. Israel continued to hold out hope for a new Palestinian leadership that would live up to its obligations, for it was committed to resolving the conflict through dialogue and to making compromises so as to realize the vision of two States living side by side in mutual dignity and security.

The Russian Federation said that the emergency special session was taking place against the backdrop of the tragic situation in the Palestinian territories. Despite diplomatic efforts, Palestinian and Israeli relations had been plunged into a vicious cycle of violence, including terrorism and acts of retribution. Russia called on the PA to undertake immediate measures to stop terrorist actions, and on Israel to implement its obligations under the road map. The Council's lack of readiness to adopt a resolution in connection with the exacerbation of Palestinian-Israeli confrontation reaffirmed the need for more active international efforts aimed at solving the crisis.

The United States said that the draft resolutions that had been considered that week by the Council and the Assembly were flawed in their lack of balance, because they singled out Israel and ignored those groups whose aim it was to sabotage the road map.

Quartet meeting (26 September)

The Quartet, meeting in New York on 26 September, issued a statement [S/2003/951], transmitted to the Security Council President by the Secretary-General on 6 October, in which it viewed with concern the stalled implementation of the road map. It reminded both parties of the need to take into account the long-term consequences of their actions and their obligation to make rapid progress towards full implementation of the road map. Condemning the terror attacks of August and September (see p. 469) carried out by Palestinian groups, they called on Palestinians to take immediate, decisive steps against those groups, and on all States to end harbouring and supporting any groups or individuals using terror and violence to advance their goals. The Quartet also affirmed that the PA security services had to be consolidated under the clear control of an empowered Prime Minis-

ter and Interior Minister, and made the sole armed authority in the West Bank and Gaza. The PA should ensure that its rebuilt security apparatus began effective operations to confront terror and dismantle terrorist capabilities and infrastructure. The Quartet called on Israel to take no action that undermined trust, including deportations, confiscation and/or demolition of Palestinian homes and property and destruction of Palestinian institutions, and to ease the humanitarian and economic plight of the Palestinians. It also called for a halt to settlement activity and expressed concern over the proposed and actual route of Israel's West Bank barrier, which could prejudice the final borders of a future Palestinian State.

Construction of separation barrier

Communications (1-13 October). On 1 October [A/58/399-S/2003/929], the Permanent Observer of Palestine said that Israel continued to plan and erect a separation wall in the Occupied Palestinian Territory. The first stage, approximately 150 kilometres in length, had already been built, beginning in the northern areas of the West Bank. The wall, which consisted of a complex system of concrete barriers, trenches, electric fences and barbed wire, cut deep inside Palestinian territory, at some points as deep as 6 kilometres. That construction had involved the destruction of extensive tracts of fertile Palestinian farmland, the separation of villages and cities, and the destruction of the livelihood of thousands of Palestinians, who were being cut off from their land, work, schools and institutions and even from each other. As the course of the wall expanded southward, parts of it were being built in and around East Jerusalem. The Israeli cabinet had approved plans for the construction of the wall's central section, which would go even deeper into Palestinian land and would begin with a segment at least 22 kilometres from the 1967 line. The Permanent Observer called on the Security Council to address that grave matter and bring a halt to the illegal actions.

On 2 October [A/58/420], Malaysia transmitted to the Secretary-General a declaration and statement on Palestine adopted by the Ministers for Foreign Affairs of the Non-Aligned Movement (New York, 26 September), expressing support for the idea that the General Assembly, during its fifty-eighth (2003) session, should focus on the expansionist Israeli wall, which had confiscated and destroyed Palestinian land and isolated Palestinian cities, towns and villages. They also supported the proposal for a comprehensive Council resolution in line with the road map, which

would set forth positions on the components of a final settlement of the conflict.

By a 3 October letter [A/58/411-S/2003/938], the Permanent Observer of Palestine said that, on the previous day, the Israeli Government had publicized its intention to build another 600 settlement housing units in the Occupied Palestinian Territory, a decision that should be viewed in the context of the building of the wall on Palestinian land.

On the same day [A/58/415-S/2003/952], Iran transmitted to the Secretary-General the final communiqué of the Annual Coordination Meeting of Ministers for Foreign Affairs of the Member States of the Organization of the Islamic Conference (OIC) (New York, 30 September), in which they condemned, among other things, the construction of the separation wall and the expansion of Israeli settlements in the Occupied Palestinian Territory.

On 6 October [S/2003/981], Italy, on behalf of the EU, condemned the 4 October Palestinian suicide bombing in Haifa, which killed 21 Israelis and wounded at least 60 others (see p. 523).

On 10 October [A/ES-10/239-S/2003/985] and 13 October [A/ES-10/241-S/2003/990], the Permanent Observer of Palestine informed the Secretary-General and the Council President that Israeli forces continued to carry out their military campaign against the Palestinian people and the PA. On 10 October, IDF carried out a raid inside the Rafah refugee camp in the Gaza Strip, which caused the death of seven Palestinians and injured 50 others. At least 120 homes were reported destroyed inside the camp.

Security Council consideration (14 October). At the request of the Syrian Arab Republic, on behalf of the Arab Group and LAS [S/2003/973], supported by Malaysia [S/2003/974] and Iran [S/2003/977], on behalf of the Non-Aligned Movement and OIC, respectively, the Security Council, on 14 October [meetings 4841 and 4842], discussed the situation in the Middle East, including the Palestinian question. Those countries had requested that the Council discuss, in particular, the construction by Israel of a separation wall in the Occupied Palestinian Territory and Israeli settlement activity. With the Council's consent, the President invited, among others, Israel, the Permanent Observer of Palestine [S/2003/988], the Permanent Observer of LAS [S/2003/975] and the Deputy Permanent Observer of OIC [S/2003/989], at their request, to participate in the discussion.

The Permanent Observer of Palestine said that, with the continuing extension of the separation wall, Israel would have effectively transferred large numbers of Palestinians, confined the others in several walled enclaves with

secondary walls inside them, effectively destroying the possibility of the existence of an independent, sovereign State of Palestine and the potential for achieving a political settlement of the Israeli-Palestinian conflict. The construction of the wall and the confiscation of Palestinian land had partially or completely separated those civilians from their land and water resources. Severe restrictions had been placed on the movement of Palestinians, including the complete walling of the city of Qalqilya and the control of entry and exit of the city through one gate for its 40,000 inhabitants. In East Jerusalem, Israel had built a separation wall up to 8 kilometres long and similar plans were in store for Bethlehem. The construction of the wall was illegal and violated the UN Charter, the Fourth Geneva Convention and relevant Security Council resolutions.

The construction of the wall complemented Israeli settlement activities. Israel had transferred more than 400,000 settlers to the Occupied Palestinian Territory, placing them in more than 200 settlements built on more than 8 per cent of Palestinian land, in addition to the land in their vicinity and the additional land they attempted to control. It had established a separate infrastructure and a complete network of roads for those settlers, enabling them to exploit Palestinian natural resources. With the building of the wall, Israel was attempting to annex the Palestinian land on which half of those settlers were living, while leaving enough room for the expansion of the rest of the settlements. Settlements and the wall had to be stopped in order to rescue the potential for achieving peace and a final settlement based on the existence of two States.

Israel said that the Assembly had gathered for yet another meeting to censure Israel for its measures to prevent terrorism, rather than to address the terrorism itself. Israel had decided to construct a security fence with great reluctance because of three factors, the most important of which was Yasser Arafat and the PA. Mr. Arafat had proved that he was incapable of and uninterested in making peace with Israel and unwilling to do so. He had chosen a partnership with Palestinian terrorist groups rather than with Israel, thereby flouting Council resolutions, the road map and undertakings in peace agreements between the two sides, which required the PA to dismantle terrorist infrastructure, prevent terrorism and incitement and bring those responsible to justice. In fact, he prevented the emergence of a Palestinian leadership that would do something other than sponsor terrorism or tolerate the smuggling of weapons into the hands of terrorist groups. The occasional half-hearted condemnations of terrorist activities by the Palestinian lead-

ership were just a tactic. In short, had there been any concerted action by the Palestinian leadership to confront and prevent the terrorists, the security fence might not have been necessary.

The fence was also constructed because there were no other options available. In a situation where terrorists were operating with impunity in the heart of civilian centres, there was no perfect way for Israel to obstruct them without having an impact on the lives of the Palestinians among whom they were hiding. The construction of the security fence, therefore, was one of the most effective non-violent methods of preventing the passage of terrorists and their armaments from Palestinian terrorist areas to civilian areas in Israel. That had been the case in the Gaza Strip, where, since the construction of a similar fence, under an Israeli-Palestinian agreement of 1994 [YUN 1994, p. 616], not a single terrorist had succeeded in penetrating into Israel from Gaza. Likewise, in those areas of the West Bank where a fence had been constructed, a reduction in terrorist attacks was already evident. The construction of the fence would also enable Israel to reduce its involvement in the daily lives of Palestinians. The net effect of the construction of the fence would be a reduction in terrorism and an overall improvement in the quality of life for both the Israelis and the Palestinians. Israel would also be able to significantly reduce the presence of its forces in Palestinian areas, further diminish the necessity for defensive action within Palestinian cities, including the removal of roadblocks and checkpoints, and help create an atmosphere conducive to peaceful negotiations. The fence was a crucial measure in taking terrorism out of the equation.

In determining the route of the fence, Israel had sought to create a barrier between those areas from which the terrorists originated and those that they sought to target. Constructing the fence along the so-called Green Line, as suggested by some, would create far greater humanitarian problems, arbitrarily dividing villages and separating others from access to water and other basic services on a large scale. Israel had taken into consideration humanitarian and environmental concerns, for the rights and interests of local populations had to be weighed against the rights of civilians to protection from terrorism. Local Palestinian residents had been engaged and consulted throughout that process, with a view to providing individual solutions and ensuring access to schools, health resources and other facilities. Dozens of agricultural gates had been established along the route of the fence to enable farmers to continue cultivating their lands. Any private land used in building the fence was requi-

sitioned for military purposes, in full conformity with international humanitarian law and local laws. Compensation matching the properties' value was provided, as well as for the full value of crop yield as long as the property was needed. Israel refuted the allegations that the fence was an act of de facto annexation and an attempt to prejudice final-status negotiations, for the fence had no political significance as it did not annex territories to the State of Israel nor did it change the status of the land, its ownership or the legal status of the residents in those areas. Israel was ready, at great cost, to adjust or dismantle the fence if so required as part of a political settlement. The fence was a response to Palestinian terror, designed not to establish a border, but to create a terror-free environment in which a border could be agreed through negotiations.

The Syrian Arab Republic said that Israel's statement was part of a campaign to distort reality and mislead international public opinion. Israel failed to mention that the wall had been built on the remains of Palestinian territories and under the logic of sheer force. By building the wall, Israel was in fact annexing vast expanses of the territories of the West Bank. Its aim was to put an end to the peace process and any real chance of implementing it.

The United Kingdom said that it had consistently condemned the intolerable suicide bombings that Israel had suffered, but stressed that the separation wall undermined the trust between the parties that was necessary for negotiations, had a negative impact on the daily lives of Palestinians and called into question the two-State solution. Facts on the ground created by Israeli settlement activity also threatened the viability of a Palestinian State and made the possibility of a negotiated settlement more difficult to reach.

The United States said that ending terrorism had to be the highest priority. Any Council resolution concerning the Middle East had to take into account the security situation, including the devastating suicide attacks that Israelis had had to endure over the last three years. The United States views on the construction of the Israeli fence had been made clear by its National Security Adviser, Condoleezza Rice, who had said that the fence was not really consistent with the United States view of what the Middle East would one day have to look like: two States living side by side in peace. It was extremely important, if the fence was going to be built, that it should not intrude on the lives of Palestinians and that it should not look as if it was trying to prejudice the outcome of a peace agreement. The United States had urged Israel to consider carefully the consequences of its actions. However, a Council

resolution focused on the fence did not further the goals of peace and security in the region. The United States urged both sides to avoid actions that exacerbated the situation.

Following discussion on the agenda item [meeting 4842], the Security Council voted (10-1-4) on a draft resolution [S/2003/980] submitted by Guinea, Malaysia, Pakistan and the Syrian Arab Republic. The draft resolution was not adopted owing to the negative vote of the United States, a permanent member of the Council.

Resumed emergency special session (October)

In accordance with General Assembly resolution ES-10/12 (see p. 472) and at the request of the Syrian Arab Republic [A/ES-10/242], on behalf of the Arab Group and LAS, of Malaysia [A/ES-10/243], in its capacity as Chairman of the Coordinating Bureau of the Non-Aligned Movement, and of Iran [A/ES-10/244], in its capacity as Chairman of the OIC Group at the United Nations, the tenth emergency special session of the Assembly resumed on 20 and 21 October. The Assembly had before it two draft resolutions [A/ES-10/L.13 and A/ES-10/L.14] on illegal Israeli actions in Occupied East Jerusalem and the rest of the Occupied Palestinian Territory.

The Permanent Observer of Palestine said that, on 14 October, the Security Council had failed to exercise its primary responsibility for the maintenance of international peace and security because of the exercise of veto by one of its permanent members, which prevented it from adopting a binding resolution declaring the separation wall illegal and from demanding that Israel cease its construction and dismantle the existing parts. The practical result of the veto was that the construction of the wall would continue with catastrophic consequences, unless the Assembly and the Council did something about it. The September report [E/CN.4/2004/6] (see p. 488) of the Special Rapporteur of the Commission on Human Rights on the situation of human rights in the Occupied Palestinian Territory highlighted the fact that the wall did not follow the Green Line, the de facto boundary between Israel and Palestine, but incorporated substantial areas of the West Bank into Israel, affecting over 210,000 Palestinians by its construction. Israel could build walls on its own land along the armistice line, which, while not being conducive to coexistence between the two sides, would not be illegal.

Israel had used the security pretext in the past to justify its illegal settlement activities throughout the territories occupied since 1967 and was currently doing that again with anti-terrorism measures. Israel should not be allowed to exploit

the battle against international terrorism and its own civilian casualties as a cover for its illegal policies and measures and for the continuation of its settlements, expansionism and obstruction of peace. To save hope and peace in the region, the Assembly had to formulate a unanimous international position against the wall, one that would help terminate its construction. It could also request an advisory opinion of the International Court of Justice (ICJ) on Israel's obligations regarding the wall, the cessation of its construction and the dismantling of its existing parts.

Israel said the only reason why the Security Council did not adopt the draft resolution on 14 October was because its sponsors had refused to negotiate a fair and balanced text that would have properly referred to Palestinian responsibilities to end support and encouragement of terrorism. Israel added that the Palestinian side had become all too confident in its ability to abuse the Assembly and push through one-sided resolutions, full of acrimony and blame. It turned to the Assembly each and every time to rubber-stamp what it failed to garner in the Council, and was currently relying on the Assembly to approve the exploitation of yet another UN organ in an ill-conceived and manipulative request for an advisory opinion. That request would not enhance the prospects for peace in the region, for it involved outstanding political issues that the parties had themselves agreed to resolve through negotiations. It could only undermine, complicate and further delay efforts to resolve the dispute. The request was another attempt by the Palestinians to divert attention from the one thing that continued to prevent a peaceful settlement and that had necessitated Israeli security measures, including the fence itself: the continuing refusal by the Palestinians to fight terrorism. In seeking to politicize the Court and to bring an issue that was the subject of dispute before the Court in its advisory capacity risked causing serious harm to the reputation, independence and authority of the UN's principal judicial organ.

The United States said that it opposed the call for an ICJ advisory opinion—a move that would only complicate the international community's efforts to realize a two-State solution.

On 21 October, with the consent of the sponsors of the two draft resolutions before the Assembly, Italy, on behalf of the EU, submitted a compromise replacement draft resolution (see below).

GENERAL ASSEMBLY ACTION

On 21 October [meeting 22], the General Assembly adopted **resolution ES-10/13** [draft: A/ES-

10/L.15, as orally corrected] by recorded vote (144-4-12) [agenda item 5].

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

The General Assembly,

Recalling its relevant resolutions, including resolutions of the tenth emergency special session,

Recalling also Security Council resolutions 242(1967) of 22 November 1967, 267(1969) of 3 July 1969, 298(1971) of 25 September 1971, 446(1979) of 22 March 1979, 452(1979) of 20 July 1979, 465(1980) of 1 March 1980, 476(1980) of 30 June 1980, 478(1980) of 20 August 1980, 904(1994) of 18 March 1994, 1073(1996) of 28 September 1996 and 1397(2002) of 12 March 2002,

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

Reaffirming also its vision of a region where two States, Israel and Palestine, live side by side within secure and recognized borders,

Condemning all acts of violence, terrorism and destruction,

Condemning in particular the suicide bombings and their recent intensification with the attack in Haifa,

Condemning the bomb attack in the Gaza Strip, which resulted in the death of three American security officers,

Deploring the extrajudicial killings and their recent intensification, in particular the attack on 20 October 2003 in Gaza,

Stressing the urgency of ending the current violent situation on the ground, the need to end the occupation that began in 1967, and the need to achieve peace based on the vision of two States mentioned above,

Particularly concerned that the route marked out for the wall under construction by Israel, the occupying Power, in the Occupied Palestinian Territory, including in and around East Jerusalem, could prejudice future negotiations and make the two-State solution physically impossible to implement and would cause further humanitarian hardship to the Palestinians,

Reiterating its call upon Israel, the occupying Power, to fully and effectively respect the Geneva Convention relative to the Protection of Civilian Persons in Time of War of 12 August 1949,

Reiterating its opposition to settlement activities in the Occupied Territories and to any activities involving the confiscation of land, disruption of the livelihood of protected persons and the de facto annexation of land,

1. *Demands* that Israel stop and reverse the construction of the wall in the Occupied Palestinian Territory, including in and around East Jerusalem, which is in departure of the Armistice Line of 1949 and is in contradiction to relevant provisions of international law;

2. *Calls upon* both parties to fulfil their obligations under relevant provisions of the road map, the Palestinian Authority to undertake visible efforts on the ground to arrest, disrupt and restrain individuals and groups conducting and planning violent attacks, and the Government of Israel to take no actions undermining trust, including deportations and attacks on civilians and extrajudicial killings;

3. *Requests* the Secretary-General to report on compliance with the present resolution periodically, with the first report on compliance with paragraph 1 above

to be submitted within one month and upon receipt of which further actions should be considered, if necessary, within the United Nations system;

4. *Decides* to adjourn the tenth emergency special session temporarily and to authorize the current President of the General Assembly to resume its meeting upon request from Member States.

RECORDED VOTE ON RESOLUTION ES-10/13

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

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

Abstaining: Australia, Burundi, Dominican Republic, Ecuador, Honduras, Malawi, Nauru, Nicaragua, Papua New Guinea, Rwanda, Tuvalu, Uruguay.

Communications (21 October–11 November).

On 21 October [A/ES-10/246-S/2003/1029], the Permanent Observer of Palestine informed the Secretary-General and the Security Council President that on 20 October IDF carried out air strikes in Gaza City, killing at least 10 Palestinians and wounding at least 90 other civilians.

On 22 October [A/ES-10/247-S/2003/1031], the Permanent Observer of Palestine said that Israel had declared its intention to continue building the separation wall in the Occupied Palestinian Territory, including East Jerusalem.

On 4 November [S/2003/1072], the Permanent Observer of LAS informed the Council President that the Head of the Auditing Bureau and Governor of the Islamic Development Bank in Palestine reported that the total losses and damage inflicted on the Palestinian people by Israel during the past three years had amounted to \$17,262,500,000.

On 11 November [S/2003/1079], the Secretary-General of LAS transmitted to the Council President a written plea from the Palestinian residents of the city of Qalqilya, which described the developments that were taking place in that city as a consequence of the construction of the Israeli separation wall. According to the plea, the 42,000 inhabitants were blocked on all four sides of the city, with only a single entrance controlled by IDF.

Compliance with resolution ES-10/13

In November [A/ES-10/248], the Secretary-General submitted a report pursuant to General Assembly resolution ES-10/13 (see p. 477), which required that he report on compliance with its request in paragraph 1 that Israel “stop and reverse the construction of the wall in the Occupied Palestinian Territory, including in and around East Jerusalem”. The report, which focused on the period from 14 April 2002, when the Israeli Government decided to build the barrier, to 20 November 2003, examined the route of the barrier and its economic and social impact. Annexed to the report were summaries of the legal positions of the Government of Israel and the PLO.

The Secretary-General stated that Israel was not in compliance with the Assembly's request, as UN field monitoring had shown ongoing construction in the Occupied Palestinian Territory along the north-east boundary of the West Bank and East Jerusalem; levelling of land for a section in the north-west of the West Bank; ongoing issuance of land requisition orders; and release of the first official map showing the planned route of the barrier and declaration of intent to complete it by 2005. The Secretary-General noted that, on 1 October 2003, after nearly a year of construction on various sections, the Israeli Government approved a full barrier route, which, according to the plan, would form one continuous line stretching 720 kilometres along the West Bank. The planned route, if constructed, would deviate up to 22 kilometres in places from the Green Line. Based on the Israeli Ministry of Defence's official map, approximately 975 square kilometres, or 16.6 per cent of the entire West Bank, would lie between the barrier and the Green Line, the home to about 17,000 Palestinians in the West Bank and 220,000 in East Jerusalem. The barrier complex consisted of a fence with electronic sensors designed to alert IDF of infiltration attempts; a ditch (up to 4 metres deep); an asphalt two-lane patrol road; a trace road (a strip of sand smoothed to detect footprints) parallel to the fence; and a stack of six coils of barbed wire marking the complex's perimeter. Various observation systems were being installed along the barrier. Concrete walls covered about 8.5 kilometres of the approximately 180 kilometres of the barrier completed or under construction. Those parts of the barrier were generally found where Palestinian population centres shared common boundaries with Israel, such as the towns of Qalqilya and parts of Jerusalem. Phase A of the barrier, which ran 123 kilometres from the Salem checkpoint north of Jenin to the settlement of Elkana in the central West Bank, was completed in July, although work con-

tinued in some parts. Much of Phase A construction, which deviated from the Green Line, incorporated Israeli settlements. Phase B was planned to run 45 kilometres east from the Salem checkpoint along the northern part of the Green Line to the Jordan Valley and was scheduled for completion in December. The existing barrier and planned route around Jerusalem was also beyond the Green Line. Completed sections included two parts totalling 19.5 kilometres that flanked Jerusalem and a 1.5-kilometre concrete wall in an eastern Jerusalem neighbourhood.

The barrier appeared likely to further deepen the fragmentation of the West Bank created by the closure system of checkpoints and blockades imposed by Israel after the outbreak of hostilities in September/October 2000 that restricted the movement of Palestinian people and goods and caused serious socio-economic harm. The construction of the barrier had increased such damage in communities along its route, primarily through the loss of, or severely limited access to, land, jobs and markets. Palestinians living in enclaves were facing some of the harshest consequences of the barrier's construction. Towns such as Qalqilya had only one entry and exit point controlled by IDF, which resulted in the isolation of the town from all its agricultural land.

The Secretary-General observed that the scope of construction and the amount of occupied West Bank land that was requisitioned for the barrier's route or that would end up between the barrier and the Green Line were of serious concern and had implications for the future. In the midst of the road map process, when each party should be making good-faith confidence-building gestures, the barrier's construction could not be seen as anything but a deeply counterproductive act. The placing of most of the structure on occupied Palestinian land could impair future negotiations. The Secretary-General acknowledged and recognized Israel's right and duty to protect its people against terrorist attacks. That duty, however, should not be carried out in a way that could damage the longer-term prospects of peace by making the creation of a viable and contiguous Palestinian State more difficult.

Resumed emergency special session (December)

Following a request [A/ES-10/249] from Kuwait, as Chairman of the Arab Group and on behalf of LAS, the General Assembly resumed its tenth emergency special session on 8 December. Support for the request to resume the session was voiced by Malaysia on behalf of the Non-Aligned Movement [A/ES-10/251]. The Assembly had before it the Secretary-General's November report (see p. 478).

Kuwait said that the draft resolution before the Assembly showed in clear terms the legal implication of the construction of the wall, reaffirmed the applicability of the Fourth Geneva Convention and its Additional Protocol to the Occupied Palestinian Territory, including East Jerusalem, and the need to end the conflict on the basis of the establishment of two States according to the 1949 Armistice Line, and underlined the fact that, with the passage of time, conditions on the ground would become more difficult because of the construction of the wall. It also called on ICJ to render an advisory opinion on what were the legal consequences arising from the construction of the wall in the Occupied Palestinian Territory, including in and around East Jerusalem—as described in the Secretary-General's report—bearing in mind the rules and principles of international law and relevant Security Council and General Assembly resolutions.

The Permanent Observer of Palestine said that Israel, as observed by the Secretary-General in his report, was not in compliance with Assembly resolution ES-10/13 and therefore further actions had to be taken. In the absence of any specific practical measures to compel Israel to stop building the wall and to dismantle the existing parts, there was a need to affirm, at a minimum, the legal aspects of the matter, such as the illegality of the wall and its non-recognition by the UN system. If Israel continued building the wall, it would be the end of the road map and resolution 1515(2003) (see p. 483) endorsing it. The Security Council had to react in the form of a comprehensive resolution, in which the form of a final settlement would be defined, while calling on the parties to negotiate the details.

Israel stated that it did not deny that, in exercising its right to self-defence against terrorism, it had to act within the limits of international law, but it rejected attempts to apply that law selectively to misrepresent the nature and purpose of the security fence and to ignore the context in which its actions were taken. Israel reiterated that the security fence was a temporary, proven, necessary and non-violent measure adopted in accordance with international and local laws to defend the people of Israel from a continuing terrorist campaign. As long as the Palestinian leadership continued to flout its obligations to fight terrorism, there was simply no alternative to the fence. Israel was ready to dismantle or alter the fence's route in accordance with any political settlement reached. That route was determined not by politics, but by a balance between security, humanitarianism and topographical considerations. The fence was not an obstacle to a two-State solution nor to the creation of a contiguous

and viable Palestinian State. Prompted by a clearly one-sided resolution, the Secretary-General's November report lacked fairness, balance and perspective. The silence of the report on the threat posed by Palestinian terrorism and the complicity of the Palestinian leadership was incomprehensible, given that the fence was a response to that threat. The question of whether Israel's defensive measures were permissible depended on whether they were proportionate to the threat faced by Israel and its citizens. The draft resolution presented for adoption was a politically biased text, rife with supposed legal conclusions, which made a mockery of ICJ and threatened to undermine its status.

Italy, speaking on behalf of the EU, said that it shared the concerns expressed by the Secretary-General in his report (see p. 478) and supported his observations. However, it believed that the proposed request for an advisory opinion from ICJ would not help the efforts of the two parties to relaunch a political dialogue and was therefore inappropriate. The EU stressed that the Palestinian leadership had to concretely demonstrate its determination in the fight against extremist violence in compliance with the road map, while Israel, in exercising its right of self-defence, had to respect international law, in particular human rights and international humanitarian law.

The United States said the Assembly's emergency special session did not contribute to the shared goal of implementing the road map. The path to peace was the Quartet plan for a permanent two-State solution to the conflict. Involving ICJ in that conflict could delay that solution and negatively impact the road map implementation. Furthermore, referral of that issue to ICJ risked politicizing the Court. The United States policy on Israel's fence was clear and consistent, for it opposed any activity by either party that prejudged final status negotiations. However, the Assembly's meeting and the draft resolution undermined rather than encouraged direct negotiations between the parties to resolve their differences.

GENERAL ASSEMBLY ACTION

On 8 December [meeting 23], the General Assembly adopted **resolution ES-10/14** [draft: A/ES-L.16] by recorded vote (90-8-74) [agenda item 5].

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

The General Assembly,

Reaffirming its resolution ES-10/13 of 21 October 2003,

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

Aware of the established principle of international law on the inadmissibility of the acquisition of territory by force,

Aware also that developing friendly relations among nations based on respect for the principle of equal rights and self-determination of peoples is among the purposes and principles of the Charter of the United Nations,

Recalling relevant General Assembly resolutions, including resolution 181(II) of 29 November 1947, which partitioned mandated Palestine into two States, one Arab and one Jewish,

Recalling also the resolutions of the tenth emergency special session of the General Assembly,

Recalling further relevant Security Council resolutions, including resolutions 242(1967) of 22 November 1967, 338(1973) of 22 October 1973, 267(1969) of 3 July 1969, 298(1971) of 25 September 1971, 446(1979) of 22 March 1979, 452(1979) of 20 July 1979, 465(1980) of 1 March 1980, 476(1980) of 30 June 1980, 478(1980) of 20 August 1980, 904(1994) of 18 March 1994, 1073(1996) of 28 September 1996, 1397(2002) of 12 March 2002 and 1515(2003) of 19 November 2003,

Reaffirming the applicability of the Fourth Geneva Convention as well as Additional Protocol I to the Geneva Conventions to the Occupied Palestinian Territory, including East Jerusalem,

Recalling the Regulations annexed to the Hague Convention Respecting the Laws and Customs of War on Land of 1907,

Welcoming the convening of the Conference of High Contracting Parties to the Fourth Geneva Convention on measures to enforce the Convention in the Occupied Palestinian Territory, including Jerusalem, at Geneva on 15 July 1999,

Expressing its support for the declaration adopted by the reconvened Conference of High Contracting Parties to the Fourth Geneva Convention at Geneva on 5 December 2001,

Recalling in particular relevant United Nations resolutions affirming that Israeli settlements in the Occupied Palestinian Territory, including East Jerusalem, are illegal and an obstacle to peace and to economic and social development as well as those demanding the complete cessation of settlement activities,

Recalling relevant United Nations resolutions affirming that actions taken by Israel, the occupying Power, to change the status and demographic composition of Occupied East Jerusalem have no legal validity and are null and void,

Noting the agreements reached between the Government of Israel and the Palestine Liberation Organization in the context of the Middle East peace process,

Gravely concerned at the commencement and continuation of construction by Israel, the occupying Power, of a wall in the Occupied Palestinian Territory, including in and around East Jerusalem, which is in departure from the Armistice Line of 1949 (Green Line) and which has involved the confiscation and destruction of Palestinian land and resources, the disruption of the lives of thousands of protected civilians and the de facto annexation of large areas of territory, and underlining the unanimous opposition by the international community to the construction of that wall,

Gravely concerned also at the even more devastating impact of the projected parts of the wall on the Palestinian civilian population and on the prospects for solving the Palestinian-Israeli conflict and establishing peace in the region,

Welcoming the report of 8 September 2003 of the Special Rapporteur of the Commission on Human Rights on the situation of human rights in the Palestinian territories occupied by Israel since 1967, in particular the section regarding the wall,

Affirming the necessity of ending the conflict on the basis of the two-State solution of Israel and Palestine living side by side in peace and security based on the Armistice Line of 1949, in accordance with relevant Security Council and General Assembly resolutions,

Having received with appreciation the report of the Secretary-General, submitted in accordance with resolution ES-10/13,

Bearing in mind that the passage of time further compounds the difficulties on the ground, as Israel, the occupying Power, continues to refuse to comply with international law vis-à-vis its construction of the above-mentioned wall, with all its detrimental implications and consequences,

Decides, in accordance with Article 96 of the Charter of the United Nations, to request the International Court of Justice, pursuant to Article 65 of the Statute of the Court, to urgently render an advisory opinion on the following question:

What are the legal consequences arising from the construction of the wall being built by Israel, the occupying Power, in the Occupied Palestinian Territory, including in and around East Jerusalem, as described in the report of the Secretary-General, considering the rules and principles of international law, including the Fourth Geneva Convention of 1949, and relevant Security Council and General Assembly resolutions?

RECORDED VOTE ON RESOLUTION ES-10/14:

In favour: Algeria, Antigua and Barbuda, Argentina, Armenia, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belize, Benin, Bhutan, Botswana, Brazil, Brunei Darussalam, Burkina Faso, Cambodia, Cape Verde, Central African Republic, Chad, China, Comoros, Côte d'Ivoire, Cuba, Democratic People's Republic of Korea, Djibouti, Egypt, Gambia, Ghana, Grenada, Guinea, Guinea-Bissau, Guyana, Haiti, India, Indonesia, Iran, Jamaica, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Lebanon, Lesotho, Libyan Arab Jamahiriya, Malaysia, Maldives, Mali, Mauritania, Mauritius, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Niger, Nigeria, Oman, Pakistan, Panama, Qatar, Saint Lucia, Saint Vincent and the Grenadines, Saudi Arabia, Senegal, Sierra Leone, Somalia, South Africa, Sri Lanka, Sudan, Suriname, Swaziland, Syrian Arab Republic, Timor-Leste, Togo, Trinidad and Tobago, Tunisia, Turkey, Turkmenistan, United Arab Emirates, United Republic of Tanzania, Viet Nam, Yemen, Zambia, Zimbabwe.

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

Abstaining: Albania, Andorra, Austria, Belgium, Bolivia, Bosnia and Herzegovina, Bulgaria, Burundi, Cameroon, Canada, Chile, Colombia, Costa Rica, Croatia, Cyprus, Czech Republic, Denmark, Dominican Republic, Ecuador, Estonia, Fiji, Finland, France, Georgia, Germany, Greece, Guatemala, Honduras, Hungary, Iceland, Ireland, Italy, Japan, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Monaco, Netherlands, New Zealand, Nicaragua, Norway, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Samoa, San Marino, Serbia and Montenegro, Singapore, Slovakia, Slovenia, Solomon Islands, Spain, Sweden, Switzerland, Tajikistan, Thailand, The former Yugoslav Republic of Macedonia, Tonga, Uganda, Ukraine, United Kingdom, Uruguay, Uzbekistan, Vanuatu, Venezuela.

Speaking after the vote, Israel said that over half of the UN Member States did not vote for the resolution, which it regarded as a moral victory. Most of the world's enlightened democracies had chosen to not support the resolution, while about 90 other States, mostly tyrannical dictatorships, corrupt and human rights-defying regimes, supported it.

Also on 8 December, the Assembly adopted **decision ES-10/22** [draft: A/ES-10/L.17 & Add.1] by recorded vote (111-7-55) [agenda item 5].

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

At its 23rd plenary meeting, on 8 December 2003, the General Assembly decided to adjourn the tenth emergency special session temporarily and to authorize the current President of the General Assembly to resume its meetings upon request from Member States.

RECORDED VOTE ON DECISION ES-10/22:

In favour: Afghanistan, Algeria, 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, Chad, Chile, China, Comoros, Congo, Costa Rica, Côte d'Ivoire, Cuba, Cyprus, Democratic People's Republic of Korea, Djibouti, Ecuador, Egypt, Ethiopia, Gabon, Gambia, Ghana, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, India, Indonesia, Iran, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Lebanon, Lesotho, Libyan Arab Jamahiriya, Malaysia, Maldives, Mali, Mauritania, Mauritius, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Niger, Nigeria, Oman, Pakistan, Panama, Paraguay, Peru, Philippines, Qatar, Russian Federation, Saint Lucia, Saint Vincent and the Grenadines, Saudi Arabia, Senegal, Sierra Leone, Singapore, Somalia, South Africa, Sri Lanka, Sudan, Suriname, Swaziland, Syrian Arab Republic, Tajikistan, Thailand, Togo, Trinidad and Tobago, Tunisia, Turkey, Turkmenistan, Uganda, United Arab Emirates, United Republic of Tanzania, Uruguay, Uzbekistan, Venezuela, Viet Nam, Yemen, Zambia, Zimbabwe.

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

Abstaining: Albania, Andorra, Austria, Belgium, Bosnia and Herzegovina, Bulgaria, Burundi, Canada, Colombia, Croatia, Czech Republic, Denmark, Dominican Republic, Estonia, Fiji, Finland, France, Georgia, Germany, Greece, Honduras, Hungary, Iceland, Ireland, Italy, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Monaco, Netherlands, New Zealand, Nicaragua, Norway, Papua New Guinea, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, Samoa, San Marino, Serbia and Montenegro, Slovakia, Slovenia, Solomon Islands, Spain, Sweden, Switzerland, The former Yugoslav Republic of Macedonia, Tonga, Ukraine, United Kingdom, Vanuatu.

Communications (10-11 December). On 10 December [A/ES-10/253], South Africa, on behalf of the African Group, said that Israel used the forum of the General Assembly to make derogatory and offensive remarks specifically directed at the sponsors of the draft resolution, the majority of which were African Group members.

On 11 December [A/ES-10/252-S/2003/1168], the Permanent Observer of Palestine said that on that day, IDF carried out a raid inside the Rafah refugee camp, which killed at least six Palestinians and wounded 17 others. The raid followed other attacks carried out by IDF in and around the city of Ramallah during the previous week, which resulted in the death of four Palestinians.

Follow-up to resolution ES-10/14

On 19 December, further to the request by the Assembly for an advisory opinion on the question of the legal consequences of the construction of the wall in the Occupied Palestinian Territory, ICJ made an Order fixing 30 January 2004 as the time limit within which UN Member States could submit written statements on the question. It also decided that Palestine could submit to the Court a written statement on the question within the above time limit. The Court fixed 23 February 2004 as the date for the opening of the oral hearings. (For further information, see p. 1309.)

Communications (23-26 December). On 23 December [A/ES-10/254-S/2003/1202] and on 26 December [A/ES-10/255-S/2003/1206], the Permanent Observer of Palestine detailed Israeli attacks against Palestinians. IDF carried out an attack on the Rafah refugee camp on 23 December, killing eight Palestinians and wounding at least 40 others. On 25 December, IDF carried out an extrajudicial execution in the Gaza Strip, killing five Palestinians and wounding 14 others.

In a later communication [A/58/673-S/2004/7], Kuwait transmitted to the Secretary-General the texts of the closing statements and the Kuwait Declaration, adopted by the Supreme Council of the Gulf Cooperation Council at its twenty-fourth session (Kuwait, 21-22 December). The Council, among other things, took note of a speech made by Prime Minister Sharon indicating Israel's determination to take unilateral action to implement its so-called "disengagement plan", thereby rejecting any negotiations with the Palestinian side. It also expressed concern about the separation fence, which was viewed as designed to seize more Palestinian land and to abort the road map.

Further developments in the peace process

Security Council consideration (21 October). On 21 October [meeting 4846], the Security Council discussed the situation in the Middle East, including the Palestinian question.

The USG for Political Affairs said that the Council was meeting at a low point. It was urgent to re-establish momentum towards a lasting and comprehensive peace in the Middle East. Since the previous briefing on 15 September (see p. 470), there had been an escalation of violence that had crossed formerly respected lines, principles and borders. Events in the past month included a suicide bomb in Haifa (see p. 523); the first Israeli air strike into the Syrian Arab Republic in 30 years (see p. 522); serious and fatal violations of the Blue Line; Israeli incursions into Rafah in the Gaza Strip; increasingly tight closures in the West Bank and Gaza Strip that had

exacerbated the already dire humanitarian conditions of the Palestinians; and a terrorist attack on a United States diplomatic convoy that killed three American security officers. During the preceding three days alone, 21 Palestinians and three Israeli soldiers were killed. The parties were unable to return to the negotiating table on their own and there was a need for the international community, and the Quartet in particular, to assist them along the road map to peace. If Israelis and Palestinians were to re-engage with the negotiation process, they had to be in a position to send to the negotiating table representatives who could commit to credible confidence-building measures. Noteworthy were the PA's efforts to appoint a new Prime Minister, who should be empowered and to whom, together with the Minister of the Interior, the consolidated Palestinian security force should report. Israel, for its part, had to reverse its policy of settlement expansion, implement a settlement freeze and halt the construction of the security barrier and remove those sections already constructed in order to address Palestinian concerns about the viability of a future Palestinian State. A rare positive note amid the general gloom was the track-two effort, led by Israeli and Palestinian civil society leaders Yossi Beilin and Yasser Abed Rabbo and others, referred to as the Geneva Accord, which led Israelis and Palestinians through a process of imagining a future final status settlement that detailed possible solutions based on the same goals as those of the road map: a two-State solution and the end of the occupation. Though the Secretariat had yet to see the text of that plan, the United Nations welcomed any initiative that brought Israelis and Palestinians together to discuss their common future.

Security Council consideration (19 November). On 19 November [meeting 4861], the Security Council again discussed the situation in the Middle East, including the Palestinian question.

The USG for Political Affairs said that, though the situation on the ground had been relatively quiet, the period since his briefing of 21 October (see above) was marked by inaction. The Israeli Government had waited for the PA to form an empowered Government and for terrorism to end, while the PA had waited for Israel to halt military operations and take steps to ease the closures, for the international community to lead the parties towards peace, and for its own political wrangling to end. The international community had waited also for the parties to make progress on their own, despite evidence of their inability to make peace without international intervention. Progress towards Middle East peace could not just be contingent on the actions expected of oth-

ers. Even if Israelis and Palestinians were not at the negotiating table, there was much they could do to meet their road map obligations. Ahmed Qurei, whose appointment as Prime Minister was confirmed during the preceding week by the Palestinian Legislative Council, should take immediate steps to establish law and order, control violence and start operations to confront those who engaged in terror. Such steps would begin to address Israel's security concerns and build the confidence necessary to develop a partnership for peace. The United Nations would assist Mr. Qurei and his Government to implement the road map and pursue the path to peace.

The humanitarian situation continued to worsen, largely caused by Israeli security measures. The Israeli Government had given multiple assurances that donor activity and humanitarian aid would be fully facilitated. However, those assurances contrasted with the facts on the ground. In the absence of significant improvement of the conditions under which the international community operated, many donors were reviewing the basis on which their operations in the West Bank and Gaza could continue. The USG called on Israel to live up to its assurances and do all it could to facilitate humanitarian and emergency aid efforts.

The USG concluded that inertia, excuses and conditionality in Middle East peacemaking had to end. Advantage should be taken of the current conditions to make progress. The Geneva Accord (see p. 482) and the July 2002 Ayalon-Nusseibeh statement of principles (the "People's Voice") underlined the glaring vacuum in Middle East peacemaking.

SECURITY COUNCIL ACTION

On 19 November [meeting 4862], the Security Council unanimously adopted **resolution 1515 (2003)**. The draft [S/2003/1100] was submitted by Bulgaria, Chile, China, France, Germany, Guinea, Mexico, the Russian Federation, Spain and the United Kingdom. With the Council's consent, the President invited Israel and the Permanent Observer of Palestine [S/2003/1102], at their request, to participate in the meeting.

The Security Council,

Recalling all its previous relevant resolutions, in particular resolutions 242(1967) of 22 November 1967, 338(1973) of 22 October 1973, 1397(2002) of 12 March 2002, and the Madrid principles,

Expressing its grave concern at the continuation of the tragic and violent events in the Middle East,

Reiterating its demand for an immediate cessation of all acts of violence, including all acts of terrorism, provocation, incitement and destruction,

Reaffirming its vision of a region where two States, Israel and Palestine, live side by side within secure and recognized borders,

Emphasizing the need to achieve a comprehensive, just and lasting peace in the Middle East, including the Israeli-Syrian and Israeli-Lebanese tracks,

Welcoming and encouraging the diplomatic efforts of the international Quartet and others,

1. *Endorses* the Quartet performance-based road map to a permanent two-State solution to the Israeli-Palestinian conflict;

2. *Calls upon* the parties to fulfil their obligations under the road map in cooperation with the Quartet and to achieve the vision of two States living side by side in peace and security;

3. *Decides* to remain seized of the matter.

Security Council consideration (12 December). On 12 December [meeting 4879], the Security Council discussed the situation in the Middle East, including the Palestinian question.

The Special Coordinator for the Middle East Peace Process and Personal Representative of the Secretary-General, Mr. Roed-Larsen, said that, with no major terror attacks by Palestinians and a marked decline in Israeli military operations, there was a narrow window of opportunity, one in which the parties needed to take positive steps to put the peace process back on track. A number of factors were behind the opening of that window. The new Palestinian Prime Minister, Mr. Qurei, who had a long history of negotiating with Israel, had reiterated since assuming office in November the PA's full commitment to the road map and expressed a willingness to resume talks with Israeli authorities. Israeli Prime Minister Sharon had also made clear his desire to meet with his Palestinian counterpart and restart the peace process, based on the Quartet's road map. The Egyptian Government continued efforts to secure a new ceasefire, working with the PA and a variety of Palestinian groups. Civil society initiatives, such as the Geneva Accord and the People's Voice, showed that Israelis and Palestinians could work together to bridge their differences, and the Council's endorsement of the road map deepened the international community's support of the peace process.

The only viable route towards a renewal of the peace process was a step-by-step approach assisted by bold confidence-building measures, particularly bilateral negotiations based on the road map and facilitated by the international community. To that end, the Special Coordinator met with his Quartet counterparts in Rome, Italy, on 10 December, after a high-level donor meeting (see p. 484). The Quartet reaffirmed that it would assist the nascent bilateral efforts and guide the parties in their implementation of the road map. The issue was how to spark that pro-

cess. To do so, each of the parties would need to address the core concerns of the other side, and both parties and the international community would have to overcome the fundamental dilemmas facing them. For Israelis, the closure system in the Occupied Palestinian Territory was a catch-22 situation that developed as a response to terrorist attacks. If those closures were eased, the potential for new terrorist attacks would rise, but if they persisted, the living conditions of the Palestinians would only deteriorate. For Palestinians, the crisis was more than the hardship they were enduring; it was a struggle for their identity and national aspirations. The donor community also faced a dilemma, in that the more than \$1 billion provided annually, while helping to alleviate the suffering of the Palestinian people, in some eyes also helped to subsidize an Israeli occupation that increased the hardship for the average Palestinian. The peace process could proceed if those core issues and dilemmas were recognized and accepted as a reality by all interested parties, and addressed in parallel, not sequentially or with preconditions.

Since the last briefing to the Council, on 19 November (see p. 482), 27 people had lost their lives to the conflict—24 Palestinians and three Israelis, a relatively low number compared to previous periods. The overall death toll since September 2000 was 2,969 Palestinians and 863 Israelis. There had not been a completed suicide bombing since 4 October, due in part to attempts being thwarted by Israeli security forces. In Rome, the main donors that provided support to the PA met in the Ad Hoc Liaison Committee for the Coordination of International Assistance to Palestinians to review their assistance programmes. New proposals for assisting the Palestinian people included a possible new performance-based trust fund to help alleviate the estimated \$650 million shortfall in the PA budget and a proposed new tripartite framework for the donors, the PA and Israel to work together in a spirit of cooperation. Donors voiced concerns that the humanitarian crisis had forced them to redirect funding from development to emergency relief. That in turn was often hampered by Israeli security actions. Many donors would require a renewed peace process in order to sustain their levels of support. Those humanitarian and other concerns were exacerbated by the continuing construction of the barrier in the West Bank.

Jerusalem

East Jerusalem, where most of the city's Arab inhabitants lived, remained one of the most sensitive issues in the Middle East peace process and

a focal point of concern for the United Nations in 2003.

Committee on Palestinian Rights. In its annual report [A/58/35], the Committee on the Exercise of the Inalienable Rights of the Palestinian People (Committee on Palestinian Rights) said that Israel had stepped up the construction of a separation wall in the West Bank. In August, the Israeli authorities issued land expropriation orders for the "Jerusalem envelope" barrier, which could leave thousands of Palestinians isolated on the Israeli side. In September, Israel provided \$112 million to complete the separation barrier in the Jerusalem area, and, on 1 October, it approved the construction of the second phase of the wall, running from Elkana to Jerusalem, where a separate network of barriers was being built. The Committee stressed that the wall could prejudice the outcome of future permanent status negotiations and inhibit the establishment of a contiguous Palestinian State.

Transfer of diplomatic missions

Report of Secretary-General. On 13 August [A/58/278], the Secretary-General reported that eight Member States, including Israel, had replied to his request for information on steps taken or envisaged to implement General Assembly resolution 57/111 [YUN 2002, p. 444], which addressed the transfer by some States of their diplomatic missions to Jerusalem in violation of Security Council resolution 478(1980) [YUN 1980, p. 426] and called on them to abide by the relevant UN resolutions. Israel viewed those resolutions as unbalanced and said that they threatened to prejudice the outcome of the Middle East peace process. They undermined the principle that a lasting peace in the region was possible only through direct bilateral negotiations. The Syrian Arab Republic said that the resolution determined that all legislative and administrative measures enacted by Israel concerning Jerusalem were null and void and had to be rescinded forthwith.

GENERAL ASSEMBLY ACTION

On 3 December [meeting 68], the General Assembly adopted **resolution 58/22** [draft: A/58/L.27 & Add.1] by recorded vote (155-8-7) [agenda item 37].

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*, determined 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 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" and called upon those States which had established diplomatic missions in Jerusalem to withdraw such missions from the Holy City,

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

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 dimension 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 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;

2. *Deplores* the transfer by some States of their diplomatic missions to Jerusalem in violation of Security Council resolution 478(1980), and calls once more upon those States to abide by the provisions of the relevant United Nations resolutions, in conformity with the Charter of the United Nations;

3. *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;

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

RECORDED VOTE ON RESOLUTION 58/22:

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

Turkmenistan, Ukraine, United Arab Emirates, United Kingdom, United Republic of Tanzania, Uruguay, Venezuela, Viet Nam, Yemen, Zambia, Zimbabwe.

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

Abstaining: El Salvador, Guatemala, Honduras, Nicaragua, Rwanda, Solomon Islands, Tonga.

Economic and social situation

A June report on the economic and social repercussions of the Israeli occupation on the living conditions of Palestinians in the occupied territory, including Jerusalem, and of the Arab population in the occupied Syrian Golan [A/58/75-E/2003/21] was prepared by the Economic and Social Commission for Western Asia (ESCWA), in accordance with Economic and Social Council resolution 2002/31 [YUN 2002, p. 446] and General Assembly resolution 57/269 [ibid., p. 447]; it covered developments since the last ESCWA report [ibid., p. 445].

The report noted that the occupation of Palestinian territory by Israel continued to have a serious detrimental effect on all aspects of the living conditions of the Palestinian people. IDF continued to resort to excessive use of force, arbitrary detentions, house demolitions, increasingly severe mobility restrictions and closure policies, in addition to the confiscation and bulldozing of Palestinian agricultural land. The Palestinian economy accumulated losses and unemployment increased threefold, while two thirds of the population was living below the poverty line. Women and children bore a special and enduring burden resulting from the occupation. In particular, Palestinian children faced exposure to mounting violence, and their access to educational opportunities and health facilities had been reduced to extremely low levels. Educational levels were consistently declining, as were nutritional standards and public health conditions.

Israeli settlements in the Occupied Palestinian Territory remained one of the principal issues fuelling the conflict. The geographic distribution of Israeli settlements severely restricted the growth of Palestinian communities and was an obstacle to their economic and social development. Israel contended that the expansion of settlements was a function of the existing population's natural growth. Successive Israeli Governments had strongly encouraged migration from Israel to the settlements by offering financial benefits and incentives. The annual increase of 11 to 12 per cent in settler numbers far exceeded the 2 per cent population growth inside Israel. A critical factor affecting Palestinian life was the allotment of land resources for settlement. Though planning maps remained largely inaccessible to the public, available data indicated that Israeli authorities had allotted 41.9 per cent of all the West Bank to settle-

ments as building, planning and development zones. The Israeli-occupied Syrian Golan Heights continued to witness settlement expansion beyond the 33 settlements already in place. Social services such as schooling, higher education and medical facilities remained insufficient for the Arab population.

ECONOMIC AND SOCIAL COUNCIL ACTION

On 24 July [meeting 48], the Economic and Social Council adopted **resolution 2003/59** [draft: E/2003/L.26] by recorded vote (48-2-3) [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 Jerusalem, and the Arab population in the occupied Syrian Golan

The Economic and Social Council,

Recalling General Assembly resolution 57/269 of 20 December 2002,

Recalling also its resolution 2002/31 of 25 July 2002,

Guided by the principles of the Charter of the United Nations affirming the inadmissibility of the acquisition of territory by force, and recalling relevant Security Council resolutions, including resolutions 242(1967) of 22 November 1967, 465(1980) of 1 March 1980 and 497(1981) of 17 December 1981,

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,

Stressing the importance of the revival of the Middle East peace process on the basis of Security Council resolutions 242(1967), 338(1973) of 22 October 1973, 425(1978) of 19 March 1978 and 1397(2002) of 12 March 2002, and the principle of land for peace as well as compliance with the agreements reached between the Government of Israel and the Palestine Liberation Organization, the representative of the Palestinian people,

Reaffirming the principle of the permanent sovereignty of peoples under foreign occupation over their natural resources,

Convinced that the Israeli occupation impedes efforts to achieve sustainable development and a sound economic environment in the Occupied Palestinian Territory, including East Jerusalem, and the occupied Syrian Golan,

Gravely concerned about the deterioration of the economic and living conditions of the Palestinian people in the Occupied Palestinian Territory, including East Jerusalem, and of the Arab population of the occupied Syrian Golan and the exploitation by Israel, the occupying Power, of their natural resources,

Expressing grave concern over the continuation of the recent tragic and violent events since September 2000 that have led to many deaths and injuries,

Aware of the important work being done by the United Nations and the specialized agencies in support of the economic and social development of the Palestinian people,

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

Welcoming the acceptance of the Quartet road map for peace, presented by the Secretary-General, the United States of America, the Russian Federation and the European Union, as well as the Summit at Aqaba, Jordan, and stressing the importance of prompt and full implementation in good faith by the two sides of the road map and further steps to reduce the level of violence,

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

2. *Also stresses* the vital importance of the construction and operation of the seaport in Gaza and safe passage to the economic and social development of the Palestinian people;

3. *Demands* the complete cessation of all acts of violence, including all acts of terror, provocation, incitement and destruction;

4. *Calls upon* Israel, the occupying Power, to end its occupation of Palestinian cities and other populated centres, to end all kinds of closures and to cease destruction of homes and economic facilities and agricultural fields;

5. *Reaffirms* the inalienable right of the Palestinian people and the Arab population of the occupied Syrian Golan to all their natural and economic resources, and calls upon Israel, the occupying Power, not to exploit, endanger or cause loss or depletion of these resources;

6. *Also reaffirms* that Israeli settlements in the Occupied Palestinian Territory, including East Jerusalem, and the occupied Syrian Golan, are illegal and an obstacle to economic and social development;

7. *Stresses* the importance of the work of the organizations and agencies of the United Nations and of the United Nations Special Coordinator for the Middle East Peace Process and Personal Representative of the Secretary-General to the Palestine Liberation Organization and the Palestinian Authority;

8. *Urges* Member States to encourage private foreign investment in the Occupied Palestinian Territory, including East Jerusalem, in infrastructure, job-creation projects and social development in order to alleviate the hardship of the Palestinian people and improve living conditions;

9. *Requests* the Secretary-General to submit to the General Assembly at its fifty-ninth 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;

10. *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 2004.

RECORDED VOTE ON RESOLUTION 2003/59:

In favour: Andorra, Argentina, Azerbaijan, Benin, Bhutan, Brazil, Burundi, Chile, China, Congo, Cuba, Ecuador, Egypt, Ethiopia, Finland, France, Germany, Ghana, Greece, Hungary, India, Iran, Ireland, Italy, Jamaica, Japan, Kenya, Libyan Arab Jamahiriya, Malaysia, Mozambique, Nepal, Netherlands, Nigeria, Pakistan, Peru, Portugal, Qatar, Republic of Korea, Romania, Russian Federation, Saudi Arabia, Senegal, South Africa, Sweden, Uganda, Ukraine, United Kingdom, Zimbabwe.

Against: Georgia, United States.

Abstaining: Australia, Guatemala, Nicaragua.

On the same date, the Council took note of the note by the Secretary-General transmitting the report prepared by ESCWA on the economic and social repercussions of the Israeli occupation on the living conditions of the Palestinian people in the Occupied Palestinian Territory, including Jerusalem, and of the Arab population in the occupied Syrian Golan (**decision 2003/292**).

GENERAL ASSEMBLY ACTION

On 23 December [meeting 78], the General Assembly, on the recommendation of the Second (Economic and Financial) Committee [A/58/493], adopted **resolution 58/229** by recorded vote (157-4-10) [agenda item 103].

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 57/269 of 20 December 2002, and taking note of Economic and Social Council resolution 2003/59 of 24 July 2003,

Reaffirming the principle of the permanent sovereignty of peoples under foreign occupation over their natural resources,

Guided by the principles of the Charter of the United Nations, affirming the inadmissibility of the acquisition of territory by force, and recalling relevant Security Council resolutions, including resolutions 242(1967) of 22 November 1967, 465(1980) of 1 March 1980 and 497(1981) of 17 December 1981,

Reaffirming the applicability of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, to the Occupied Palestinian Territory, including East Jerusalem, and other Arab territories occupied by Israel since 1967,

Expressing its concern at the exploitation by Israel, the occupying Power, of the natural resources of the Occupied Palestinian Territory, including East Jerusalem, and other Arab territories occupied by Israel since 1967,

Expressing its concern also at the extensive destruction by Israel, the occupying Power, of agricultural land and orchards in the Occupied Palestinian Territory during the recent period, including the uprooting of a vast number of olive trees,

Aware of the detrimental impact of the Israeli settlements on Palestinian and other Arab natural resources, especially the confiscation of land and the

forced diversion of water resources, and of the dire economic and social consequences in this regard,

Aware also of the detrimental impact on Palestinian natural resources of the wall being constructed by Israel inside the Occupied Palestinian Territory, including in and around East Jerusalem, and of its grave effect on the economic and social conditions of the Palestinian people,

Reaffirming the need for the immediate resumption of negotiations within the Middle East peace process, on the basis of Security Council resolutions 242(1967), 338(1973) of 22 October 1973, 425(1978) of 19 March 1978 and 1397(2002) of 12 March 2002, the principle of land for peace and the Quartet performance-based road map to a permanent two-State solution to the Israeli-Palestinian conflict, as endorsed by the Security Council in its resolution 1515(2003) of 19 November 2003, and for the achievement of a final settlement on all tracks,

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

Taking note 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 Jerusalem, and of the Arab population in the occupied Syrian Golan,

1. *Reaffirms* the inalienable rights of the Palestinian people and the population of the occupied Syrian Golan over their natural resources, including land and water;

2. *Calls upon* Israel, the occupying Power, not to exploit, cause loss or depletion of or endanger the natural resources in the Occupied Palestinian Territory, including East Jerusalem, and in the occupied Syrian Golan;

3. *Recognizes* the right of the Palestinian people to claim restitution as a result of any exploitation, loss or depletion of, or danger to, their natural resources, and expresses the hope that this issue will be dealt with in the framework of the final status negotiations between the Palestinian and Israeli sides;

4. *Requests* the Secretary-General to report to it at its fifty-ninth session on the implementation of the present resolution, and decides to include in the provisional agenda of its fifty-ninth 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 58/229:

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, Burkina Faso, Burundi, Cambodia, Canada, Cape Verde, Central African Republic, Chile, China, Colombia, Comoros, Congo, Côte d'Ivoire, Croatia, Cuba, Cyprus, Czech Republic, Democratic People's Republic of Korea, Denmark, Djibouti, Dominica, Ecuador, Egypt, Eritrea, Estonia, Ethiopia, Fiji, Finland, France, Gabon, Germany, Ghana, Greece, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Hungary, Iceland, India, Indonesia, Iran, Ireland, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Latvia, Lebanon, Lesotho, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Monaco, Mongolia, Morocco, Mozam-

bique, Myanmar, Namibia, Nepal, Netherlands, New Zealand, Niger, Nigeria, Norway, Oman, Pakistan, Panama, Paraguay, Peru, Philippines, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Saint Lucia, Saint Vincent and the Grenadines, Samoa, San Marino, Saudi Arabia, Serbia and Montenegro, Seychelles, Singapore, Slovakia, Slovenia, Somalia, South Africa, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Switzerland, Syrian Arab Republic, Tajikistan, Thailand, The former Yugoslav Republic of Macedonia, Timor-Leste, Togo, Trinidad and Tobago, Tunisia, Turkey, Turkmenistan, Uganda, Ukraine, United Arab Emirates, United Kingdom, United Republic of Tanzania, Uruguay, Venezuela, Viet Nam, Yemen, Zambia, Zimbabwe.

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

Abstaining: Australia, Cameroon, Costa Rica, Dominican Republic, Honduras, Nauru, Nicaragua, Papua New Guinea, Solomon Islands, Tonga.

Other aspects

Special Committee on Israeli Practices. In response to General Assembly resolution 57/124 [YUN 2002, p. 450], the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories, in August, reported for the thirty-fifth time to the General Assembly on events and the human rights situation in the territories it considered occupied—the Golan Heights, the West Bank, including East Jerusalem, and the Gaza Strip [A/58/311]. The report contained information obtained from, among others, non-governmental organizations (NGOs), including Palestinian and Israeli NGOs; testimony from persons from the occupied territories; and communications and reports from regional Governments, organizations and individuals. As in the past, the Committee received no response from Israel to its request for cooperation and was unable to obtain access to the occupied territories, which had been the case since 1968, when the Committee was established [YUN 1968, p. 556].

The Committee's review of the human rights situation in the occupied territories focused on the right of self-determination; the right to liberty of movement; the right to an adequate standard of living, including adequate food, clothing and housing; the right to just and favourable conditions of work; the right to education; the right to health; the right to liberty and security of person; the rights to freedom of opinion and of association; and the right to life. The Committee stated that the human rights situation had drastically deteriorated since Israel's military incursions; despite some hopes generated by the official presentation and launching of the road map in April 2003 (see p. 464), the construction by Israel of a separation wall was perceived by the Palestinians as an annexation of parts of their homeland.

The Special Committee observed that the increased military occupation of the Palestinian territory and its related curfews, road closures and multiplication of checkpoints made the life

of the Palestinians and other Arabs unbearable. The legitimate security arguments used by Israel could not overlook the fact that many human rights were being ignored in non-combat situations. The Occupied Palestinian Territory and the Gaza Strip were on the verge of a major humanitarian collapse, with 60 per cent of the Palestinians living below the poverty line, given their inability to go to work and earn a living and their increased dependency on foreign food assistance.

The Special Committee visited the Syrian Arab Republic and reported on the Israeli-occupied Syrian Golan Heights (for details, see p. 523).

Report of Secretary-General. On 15 July [A/58/156], the Secretary-General informed the General Assembly that Israel had not replied to his June request for information on steps taken or envisaged to implement Assembly resolution 57/127 [YUN 2002, p. 448], demanding that Israel, among other things, cease all practices and actions that violated the human rights of the Palestinian people, and condemning all acts of terror, provocation, incitement and destruction, especially the excessive use of force by Israeli forces against Palestinian civilians.

Commission on Human Rights. In an 8 September report [E/CN.4/2004/6], the Special Rapporteur of the Commission on Human Rights, John Dugard (South Africa), described the situation of human rights in the Palestinian territories occupied by Israel since 1967. The Special Rapporteur observed that the occupation continued to result in the widespread violation of human rights, affecting both civil and socio-economic rights, and of international humanitarian law. Israel's justification for those actions was that they were necessary in the interests of its own national security. The lawfulness of Israel's response was to be measured in accordance with the principle of proportionality. The Special Rapporteur found it difficult to accept that the excessive use of force that disregarded the distinction between civilians and combatants, the creation of a humanitarian crisis by restrictions on the mobility of goods and people, the killing of children, the destruction of property and territorial expansion could be justified as a proportionate response to the violence and threats to which Israel was subjected. The construction of a separation wall and the continued expansion of settlements raised serious doubts about the good faith of Israel's justification in the name of security (for details, see p. 826).

GENERAL ASSEMBLY ACTION

On 9 December [meeting 72], following consideration of the Special Committee's annual report and five reports of the Secretary-General on specific aspects of the situation in the occupied territories [A/58/155, A/58/156, A/58/263, A/58/264, A/58/310], the General Assembly, on the recommendation of the Fourth (Special Political and Decolonization) Committee [A/58/473 & Corr.1], adopted **resolution 58/99** by recorded vote (150-6-19) [agenda item 84].

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

The General Assembly,

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

Bearing in mind the relevant resolutions of the Security Council,

Having considered the 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 reports of the Secretary-General,

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

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

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

Reaffirming also the applicability of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, to the Occupied Palestinian Territory, including East Jerusalem, and other Arab territories occupied by Israel since 1967,

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

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

Concerned about the continuing systematic violation of the human rights of the Palestinian people by Israel, the occupying Power, including the use of collective punishment, the reoccupation and closure of areas, the confiscation of land, the establishment and expansion of settlements, the construction of a wall inside the Occupied Palestinian Territory in departure from the Armistice Line of 1949, the destruction of property and all other actions by it designed to change the legal status, geographical nature and demographic composition of the Occupied Palestinian Territory, including East Jerusalem,

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

Gravely concerned also about the use of suicide bombing attacks against Israeli civilians resulting in extensive loss of life and injury,

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

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

Expressing concern that thousands of Palestinians continue to be held in Israeli prisons or detention centres, and also expressing concern about 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 civilians and to help the parties to implement agreements reached, and, in this regard, recalls the positive contribution of the Temporary International Presence in Hebron,

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

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

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

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

4. *Also condemns* the events that have occurred in the Jenin refugee camp in April 2002, including the loss of life, injury, destruction and displacement inflicted on many of its civilian inhabitants;

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

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

East Jerusalem, and the freedom of movement to and from the outside world;

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

RECORDED VOTE ON RESOLUTION 58/99:

In favour: Afghanistan, 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, Burkina Faso, Burundi, Cambodia, Canada, Cape Verde, Chile, China, Colombia, Comoros, Côte d'Ivoire, Croatia, Cuba, Cyprus, Democratic People's Republic of Korea, Denmark, Djibouti, Ecuador, Egypt, Equatorial Guinea, Eritrea, Estonia, Ethiopia, Fiji, Finland, France, Gabon, Gambia, Ghana, Greece, Grenada, Guinea, Guinea-Bissau, Guyana, Haiti, Hungary, Iceland, India, Indonesia, Iran, Ireland, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Latvia, Lebanon, Lesotho, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Monaco, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Netherlands, New Zealand, Niger, Nigeria, Norway, Oman, Pakistan, Panama, Paraguay, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Saint Lucia, Saint Vincent and the Grenadines, Samoa, San Marino, Saudi Arabia, Senegal, Serbia and Montenegro, Seychelles, Singapore, Slovakia, Slovenia, South Africa, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Switzerland, Syrian Arab Republic, Tajikistan, Thailand, The former Yugoslav Republic of Macedonia, Timor-Leste, Togo, Trinidad and Tobago, Tunisia, Turkey, Turkmenistan, Ukraine, United Arab Emirates, United Republic of Tanzania, Uruguay, Venezuela, Viet Nam, Yemen, Zambia, Zimbabwe.

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

Abstaining: Albania, Australia, Cameroon, Costa Rica, Czech Republic, Dominican Republic, El Salvador, Georgia, Germany, Guatemala, Honduras, Nicaragua, Papua New Guinea, Peru, Rwanda, Solomon Islands, Tonga, Tuvalu, United Kingdom.

By **resolution 58/163** of 22 December, the Assembly reaffirmed the right of the Palestinian people to self-determination, including their right to a State, and urged all States and UN specialized agencies and organizations to continue to support the Palestinian people in their quest for self-determination (see p. 721).

Work of Special Committee

In an August report [A/58/310], the Secretary-General stated that all necessary facilities were provided to the Special Committee on Israeli Practices, as requested in General Assembly resolution 57/124 [YUN 2002, p. 450]. Arrangements were made for it to meet in June, and a field mission was carried out to Egypt, Jordan and the Syrian Arab Republic from 13 to 24 June. Due to the restrictions imposed on the elaboration of Assembly reports, the Special Committee gave up the submitting of periodic reports during the period under review. The UN Department of Public Information continued to provide press coverage of Special Committee meetings and to disseminate information materials on its activities.

GENERAL ASSEMBLY ACTION

On 9 December [meeting 72], the General Assembly, on the recommendation of the Fourth

Committee [A/58/473 & Corr.1], adopted **resolution 58/96** by recorded vote (87-7-78) [agenda item 84].

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,

Guided also by international humanitarian law, in particular the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, as well as international standards of human rights, in particular the Universal Declaration of Human Rights and the International Covenants on Human Rights,

Recalling its relevant resolutions, including resolutions 2443(XXIII) of 19 December 1968 and 57/124 of 11 December 2002, and the relevant resolutions of the Commission on Human Rights,

Recalling also relevant resolutions of the Security Council,

Convinced that occupation itself represents a gross and grave violation of human rights,

Gravely concerned about the continuation of the tragic events that have taken place since 28 September 2000, including the excessive use of force by the Israeli occupying forces against Palestinian civilians, resulting in thousands of deaths and injuries,

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,

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,

Expressing the hope that the Israeli occupation will be brought to an early end and that therefore the violation of the human rights of the Palestinian people will cease,

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 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 situation in the Occupied Palestinian Territory, including East Jerusalem, since 28 September 2000, as a result of Israeli practices and measures, and especially condemns the excessive and indiscriminate use of force against the civilian population, including extrajudicial executions, which has resulted in more than 2,600 Palestinian deaths and tens of thousands of injuries;

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 prisoners and detainees in the Occupied Palestinian Territory, including East Jerusalem, and other Arab territories occupied by Israel since 1967;

8. *Requests* the Secretary-General:

(a) To provide the Special Committee with all necessary facilities, including those required for its visits to the occupied territories, so that it may investigate Israeli policies and practices referred to in the present resolution;

(b) To continue to make available such additional staff as may be necessary to assist the Special Committee in the performance of its tasks;

(c) To circulate regularly to Member States the periodic reports mentioned in paragraph 6 above;

(d) To ensure the widest circulation of the reports of the Special Committee and of information regarding its activities and findings, by all means available, through the Department of Public Information of the Secretariat and, where necessary, to reprint those reports of the Special Committee that are no longer available;

(e) To report to the General Assembly at its fifty-ninth session on the tasks entrusted to him in the present resolution;

9. *Decides* to include in the provisional agenda of its fifty-ninth 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 58/96:

In favour: Afghanistan, Algeria, Angola, Armenia, Azerbaijan, Bahrain, Bangladesh, Belarus, Belize, Benin, Bolivia, Botswana, Brazil, Brunei Darussalam, Burkina Faso, Cambodia, Cape Verde, Chile, China, Colombia, Comoros, Côte d'Ivoire, Cuba, Democratic People's Republic of Korea, Djibouti, Ecuador, Egypt, Gabon, Gambia, Ghana, Grenada, Guinea, Guinea-Bissau, Guyana, Haiti, India, Indonesia, Iran, Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Lebanon, Lesotho, Libyan Arab Jamahiriya, Madagascar, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Morocco, Mozambique, Myanmar, Namibia, Nepal, Niger, Nigeria, Oman, Pakistan, Panama, Paraguay, Philippines, Qatar, Saint Lucia, Saudi Arabia, Senegal, Singapore, South Africa, Sri Lanka, Sudan, Suriname, Swaziland, Syrian Arab Republic, Togo, Trinidad and Tobago, Tunisia, Turkey, Turkmenistan, United Arab Emirates, United Republic of Tanzania, Venezuela, Viet Nam, Yemen, Zambia, Zimbabwe.

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

Abstaining: Albania, Andorra, Antigua and Barbuda, Argentina, Austria, Bahamas, Belgium, Bhutan, Bosnia and Herzegovina, Bulgaria, Burundi, Cameroon, Canada, Costa Rica, Croatia, Cyprus, Czech Republic, Denmark, Dominican Republic, El Salvador, Equatorial Guinea, Estonia,

Ethiopia, Fiji, Finland, France, Georgia, Germany, Greece, Guatemala, Honduras, Hungary, Iceland, Ireland, Italy, Jamaica, Japan, Kazakhstan, Kyrgyzstan, Latvia, Liechtenstein, Lithuania, Luxembourg, Mexico, Monaco, Mongolia, Netherlands, New Zealand, Nicaragua, Norway, Papua New Guinea, Peru, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Rwanda, Saint Vincent and the Grenadines, Samoa, San Marino, Serbia and Montenegro, Slovakia, Slovenia, Solomon Islands, Spain, Sweden, Switzerland, Tajikistan, Thailand, The former Yugoslav Republic of Macedonia, Tonga, Tuvalu, Ukraine, United Kingdom, Uruguay, Uzbekistan.

Fourth Geneva Convention

Report of Secretary-General. In July [A/58/155], the Secretary-General informed the General Assembly that Israel had not replied to his June request for information on steps taken or envisaged to implement Assembly resolution 57/125 [YUN 2002, p. 451] demanding that Israel accept the *de jure* applicability of the Fourth Geneva Convention in the Occupied Palestinian Territory, including East Jerusalem, and that it comply scrupulously with its provisions. The Secretary-General noted that he had drawn the attention of all States parties to the Convention to paragraph 3 of resolution 57/125 calling on them to exert all efforts to ensure respect by Israel for the Convention's provisions, and to paragraph 6 of resolution 57/128 [ibid., p. 482] calling on States not to recognize any legislative or administrative measures and actions taken by Israel in the occupied Syrian Golan.

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

GENERAL ASSEMBLY ACTION

On 9 December [meeting 72], the General Assembly, on the recommendation of the Fourth Committee [A/58/473 & Corr.1], adopted **resolution 58/97** by recorded vote (164-6-4) [agenda item 84].

Applicability of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, to the Occupied Palestinian Territory, including East Jerusalem, and the other occupied Arab territories

The General Assembly,

Recalling its relevant resolutions,

Bearing in mind the relevant resolutions of the Security Council,

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 1 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,

Noting the convening of the meeting of experts of High Contracting Parties to the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, at Geneva from 27 to 29 October 1998, at the initiative of the Government of Switzerland in its capacity as the depositary of the Convention, concerning problems of application of the Convention in general and, in particular, in occupied territories,

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

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

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

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

1. *Reaffirms* that the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, is applicable to the Occupied Palestinian Territory, including East Jerusalem, and other Arab territories occupied by Israel since 1967;

2. *Demands* that Israel accept the de jure applicability of the Convention in the Occupied Palestinian Territory, including East Jerusalem, and other Arab territories occupied by Israel since 1967, and that it comply scrupulously with the provisions of the Convention;

3. *Calls upon* all High Contracting Parties to the Convention, in accordance with article 1 common to the four Geneva Conventions, to continue to exert all efforts to ensure respect for its provisions by Israel, the occupying Power, in the Occupied Palestinian Territory, including East Jerusalem, and other Arab territories occupied by Israel since 1967;

4. *Reiterates* the need for speedy implementation of the relevant recommendations contained in its resolutions of the tenth emergency special session with regard to ensuring respect by Israel, the occupying Power, for the provisions of the Convention;

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

RECORDED VOTE ON RESOLUTION 58/97:

In favour: Afghanistan, Albania, Algeria, Andorra, Angola, Antigua and Barbuda, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahamas,

Bahrain, Bangladesh, Barbados, Belarus, Belgium, Belize, Benin, Bolivia, Bosnia and Herzegovina, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Burundi, Cambodia, Canada, Cape Verde, Chile, China, Colombia, Comoros, Costa Rica, Côte d'Ivoire, Croatia, Cuba, Cyprus, Czech Republic, Democratic People's Republic of Korea, Denmark, Djibouti, Dominican Republic, Ecuador, Egypt, El Salvador, Equatorial Guinea, Eritrea, Estonia, Ethiopia, Fiji, Finland, France, Gabon, Gambia, Georgia, Germany, Ghana, Greece, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Hungary, Iceland, India, Indonesia, Iran, Ireland, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Latvia, Lebanon, Lesotho, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Monaco, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Panama, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Saint Lucia, Saint Vincent and the Grenadines, Samoa, San Marino, Saudi Arabia, Senegal, Serbia and Montenegro, Seychelles, 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, Ukraine, United Arab Emirates, United Kingdom, United Republic of Tanzania, Uruguay, Venezuela, Viet Nam, Yemen, Zambia, Zimbabwe.

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

Abstaining: Cameroon, Honduras, Papua New Guinea, Rwanda.

Israeli settlements

Report of Secretary-General. On 8 August [A/58/263], the Secretary-General informed the General Assembly that Israel had not replied to his June request for information on steps taken or envisaged to implement the relevant provisions of resolution 57/126 [YUN 2002, p. 443], demanding that Israel, among other things, cease all construction of new settlements in the Occupied Palestinian Territory, including Jerusalem.

GENERAL ASSEMBLY ACTION

On 9 December [meeting 72], the General Assembly, on the recommendation of the Fourth Committee [A/58/473 & Corr.1], adopted **resolution 58/98** by recorded vote (156-6-13) [agenda item 84].

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 those adopted at its tenth emergency special session, as well as relevant Security Council resolutions, including resolutions 242(1967) of 22 November 1967, 446(1979) of 22 March 1979, 465(1980) of 1 March 1980, 476(1980) of 30 June 1980, 478(1980) of 20 August 1980, 497(1981) of 17 December 1981 and 904(1994) of 18 March 1994,

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,

Taking note of the report of the Special Rapporteur of the Commission on Human Rights 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,

Welcoming the presentation by the Quartet to the parties of the road map to a permanent two-State solution to the Israeli-Palestinian conflict, and noting its call for a freeze on all settlement activity,

Aware that Israeli settlement activities have involved, 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 illegal actions against the Palestinian civilian population,

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 of settlement activities in violation of international humanitarian law, relevant United Nations resolutions and the agreements reached between the parties, including the construction and expansion of the settlements in Jabal Abu-Ghneim and Ras Al-Amud in and around Occupied East Jerusalem,

Expressing grave concern also about the construction by Israel of a 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 could prejudice future negotiations and make the two-State solution physically impossible to implement and would cause the Palestinian people further humanitarian hardship,

Reiterating its opposition to settlement activities in the Occupied Palestinian Territory, including East Jerusalem, and to 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 dangerous situation resulting from actions taken by the illegal armed Israeli settlers in the occupied territory, as illustrated in the recent period,

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

1. *Reaffirms* that 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. *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;

4. *Demands* that Israel stop and reverse the construction of the wall in the Occupied Palestinian Terri-

tory, including in and around East Jerusalem, which is in departure from the Armistice Line of 1949 and is in contradiction to relevant provisions of international law;

5. *Stresses* the need for full implementation of Security Council resolution 904(1994), in which, among other things, the Council called upon Israel, the occupying Power, to continue to take and implement measures, including confiscation of arms, with the aim of 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;

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

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

RECORDED VOTE ON RESOLUTION 58/98:

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, Burkina Faso, Burundi, Cambodia, Canada, Cape Verde, Chile, China, Colombia, Comoros, Côte d'Ivoire, Croatia, Cuba, Cyprus, Czech Republic, Democratic People's Republic of Korea, Denmark, Djibouti, Ecuador, Egypt, Equatorial Guinea, Eritrea, Estonia, Ethiopia, Fiji, Finland, France, Gabon, Gambia, Georgia, Germany, Ghana, Greece, Grenada, Guinea, Guinea-Bissau, Guyana, Haiti, Hungary, Iceland, India, Indonesia, Iran, Ireland, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Latvia, Lebanon, Lesotho, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Monaco, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Netherlands, New Zealand, Niger, Nigeria, Norway, Oman, Pakistan, Panama, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Saint Lucia, Saint Vincent and the Grenadines, Samoa, San Marino, Saudi Arabia, Senegal, Serbia and Montenegro, Seychelles, Singapore, Slovakia, Slovenia, South Africa, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Switzerland, Syrian Arab Republic, Tajikistan, Thailand, The former Yugoslav Republic of Macedonia, Timor-Leste, Togo, Trinidad and Tobago, Tunisia, Turkey, Turkmenistan, Ukraine, United Arab Emirates, United Kingdom, United Republic of Tanzania, Uruguay, Venezuela, Viet Nam, Yemen, Zambia, Zimbabwe.

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

Abstaining: Australia, Cameroon, Costa Rica, Dominican Republic, El Salvador, Guatemala, Honduras, Nicaragua, Papua New Guinea, Rwanda, Solomon Islands, Tonga, Tuvalu.

Palestinian women

The Secretary-General, in a report [E/CN.6/2003/3] to the Commission on the Status of Women, reviewed, in response to Economic and Social Council resolution 2002/25 [YUN 2002, p. 453], the situation of Palestinian women and assistance provided by UN organizations from September 2001 to September 2002. He said that during the period under review, the situation in the Occupied Palestinian Territory was characterized by continued violence, which left hundreds of civilians dead and thousands of Palestinians, including women and children, wounded. Women were injured near or inside their homes or when attempting to cross checkpoints. They had also assumed the major responsibility as caregivers to the injured.

The expansion of Israeli settlements, the demolition of Palestinian homes, the destruction of land and the building of bypass roads in the occupied territory continued to create difficulties for the Palestinians, especially for women who carried household responsibilities. Lack of domestic economic activity had led to an almost 20 per cent contraction of employment. That decline had affected women's participation in the labour force, which had remained persistently low. Women had also been severely affected by the decline in the agriculture sector as they played a major role in agriculture production for the household economy, while loss of land, or of access to land, deprived them of a vital source of income. The conflict had an impact on the nutritional and health status of women and children, as border closures, curfews and checkpoints affected access to high-protein food and, in particular, to infant formula and powdered milk. The adverse impact of closures and prolonged curfews on Palestinian villages restricted the access of civilians, especially women, to life-saving services such as emergency obstetric care. The crisis affected the psychosocial well-being of Palestinians, particularly women and young people.

While the situation in the Occupied Palestinian Territory had made it difficult for international organizations to provide direct assistance to Palestinian women, the UN system continued to respond to their needs. In its 2002-2005 medium-term plan and its 2002-2003 programme of work and priorities [YUN 2002, p. 1020], ESCWA gave special attention to the socio-economic situation of Palestinian women. Likewise, the United Nations Development Programme continued to provide support and services to women-owned household economy projects. The United Nations Development Fund for Women launched and continued to support a regional resource network of women's small and microenterprises in the Gaza Strip, and UNRWA, among other things, granted almost 3,000 loans, valued at \$1.36 million, to women through its microfinance and micro-enterprise programme. It also provided maternal and child health care and family planning services as an integral part of its primary health care. The International Labour Organization developed several projects aimed at strengthening women's security and employability in the West Bank and Gaza Strip and women's participation in Palestinian trade unions. The World Bank, among other things, implemented its emergency services support project in order to improve the availability of basic services in the health sector. The World Food Programme (WFP) provided assistance to thousands of non-refugee vulnerable Palestinians who had no reliable source of income. Women were the primary recipients of WFP's food

aid in the Palestinian territories. They also participated in WFP's food-for-work schemes in the West Bank and Gaza Strip.

The Secretary-General observed that the situation of Palestinian women was inextricably linked to overall developments in the region and to progress in the peace process. There existed, however, important differences in the way that women and men, respectively, were affected by the socio-economic and political situation, particularly in such areas as basic social services, economic opportunities and means of livelihood, which required particular attention in terms of data collection and analysis, in addition to remedial action. Further opportunities should be sought to highlight the impact of the crisis on women so that targeted action could be taken to mitigate their specific condition. Continued support by UN system entities was critical to secure benefits for Palestinian women in the occupied territories and in the refugee camps. As the conflict exacerbated existing hardships and created new difficulties, continued assistance needed to focus on such areas as women's employment and economic empowerment, education, health, social welfare and violence against women. Further efforts had to be undertaken to identify and address gender perspectives in all international assistance programmes, in addition to implementing projects specifically targeted to women.

ECONOMIC AND SOCIAL COUNCIL ACTION

On 22 July [meeting 44], the Economic and Social Council, on the recommendation of the Commission on the Status of Women [E/2003/27], adopted **resolution 2003/42** by recorded vote (42-2-4) [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,

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 2002/25 of 24 July 2002 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,

Expressing the urgent need for the resumption of negotiations within the Middle East peace process on its agreed basis and towards the speedy achievement of a

final settlement between the Palestinian and Israeli sides,

Concerned about the grave deterioration of the situation of Palestinian women in the Occupied Palestinian Territory, including East Jerusalem, and about the severe consequences of continuous illegal Israeli settlement activities as well as the harsh economic conditions and other severe consequences of the continuing Israeli attacks and sieges on Palestinian cities, towns, villages and refugee camps, which has resulted in the dire humanitarian crisis being faced by Palestinian women and their families,

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,

1. *Calls upon* the concerned parties, as well as the international community, to exert all the necessary efforts to ensure the immediate resumption of the peace process on its agreed basis, taking into account the common ground already gained, and calls for measures for tangible 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 planning of their society;

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

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

5. *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 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 special session of the General Assembly, entitled "Women 2000: gender equality, development and peace for the twenty-first century";

7. *Requests* the Secretary-General to continue to review the situation and to assist Palestinian women by all available means, including those laid out in his report, and to submit to the Commission on the Status of Women at its forty-eighth 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.

RECORDED VOTE ON RESOLUTION 2003/42:

In favour: Andorra, Argentina, Benin, Bhutan, Brazil, Burundi, Chile, China, Congo, Cuba, Egypt, Ethiopia, Finland, France, Ghana, Greece, Hungary, India, Iran, Iceland, Italy, Jamaica, Japan, Libyan Arab Jamahiriya, Malaysia, Mozambique, Nepal, Netherlands, Nigeria, Pakistan, Portugal, Qatar, Republic of Korea, Romania, Russian Federation, Saudi Arabia, Senegal, South Africa, Sweden, Uganda, Ukraine, United Kingdom.

Against: Georgia, United States.

Abstaining: Australia, Germany, Nicaragua, Peru.

Palestinian children

On 22 December [meeting 77], the General Assembly, on the recommendation of the Third (Social, Humanitarian and Cultural) Committee [A/58/504], adopted **resolution 58/155** by recorded vote (106-5-65) [agenda item 113].

Situation of and assistance to Palestinian children

The General Assembly,

Recalling the Convention on the Rights of the Child,

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

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

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

Concerned also about the continued grave deterioration of the situation of Palestinian children in the Occupied Palestinian Territory, including East Jerusalem, and about the severe consequences of the continuing Israeli assaults and sieges on Palestinian cities, towns, villages and refugee camps, resulting in the dire humanitarian crisis,

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

Expressing its condemnation of all acts of violence, resulting in extensive loss of human life and injuries, including among Palestinian children,

Deeply concerned about the severe consequences, including psychological consequences, of the Israeli military actions for the present and future well-being of Palestinian children,

1. *Stresses* the urgent need for Palestinian children to live a normal life free from foreign occupation, destruction and fear in their own State;

2. *Demands*, in the meanwhile, that Israel, the occupying Power, respect relevant provisions of the Convention on the Rights of the Child and comply fully with the provisions of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, in order to ensure the well-being and protection of Palestinian children and their families;

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

RECORDED VOTE ON RESOLUTION 58/155:

In favour: Afghanistan, Algeria, Antigua and Barbuda, Argentina, Armenia, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belize, Benin, Bhutan, Bolivia, Bosnia and Herzegovina, Botswana, Brazil, Brunei Darussalam, Burkina Faso, Cambodia, Cape Verde, Chile, China, Comoros, Congo, Côte d'Ivoire, Cuba, Democratic People's Republic of Korea, Democratic Republic of the Congo, Djibouti, Dominica, Ecuador, Egypt, Eritrea, Ethiopia, Fiji, Gabon, Gambia, Ghana, Grenada, Guinea, Guinea-Bissau, Guyana, Haiti, India, Indonesia, Iran, Jamaica, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Lebanon, Lesotho, Libyan Arab Jamahiriya, Madagascar, Malawi, Malaysia, Maldives, Mali, Mauritania, Mauritius, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Niger, Nigeria, Oman, Pakistan, Panama, Paraguay, Philippines, Qatar, Russian Federation, Saint Lucia, Saint Vincent and the Grenadines, Saudi Arabia, Senegal, Seychelles, Sierra Leone, Singapore, Somalia, South Africa, Sri Lanka, Sudan, Syrian Arab Republic, Thailand, Togo, Tunisia, Turkey, Turkmenistan, Uganda, United Arab Emirates, United Republic of Tanzania, Venezuela, Viet Nam, Yemen, Zambia, Zimbabwe.

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

Abstaining: Albania, Andorra, Australia, Austria, Belgium, Bulgaria, Cameroon, Canada, Central African Republic, Colombia, Costa Rica, Croatia, Cyprus, Czech Republic, Denmark, Dominican Republic, El Salvador, Estonia, Finland, France, Georgia, Germany, Greece, Guatemala, Honduras, Hungary, Iceland, Ireland, Italy, Japan, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Monaco, Nauru, Netherlands, New Zealand, Norway, Papua New Guinea, Peru, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, Rwanda, Samoa, San Marino, Serbia and Montenegro, Slovakia, Slovenia, Solomon Islands, Spain, Suriname, Sweden, Switzerland, The former Yugoslav Republic of Macedonia, Tonga, Tuvalu, Ukraine, United Kingdom, Uruguay, Uzbekistan.

Issues related to Palestine

General aspects

The General Assembly continued to consider the question of Palestine in 2003. Having discussed the annual report of the Committee on the Exercise of the Inalienable Rights of the Palestinian People (Committee on Palestinian Rights) [A/58/35], the Assembly adopted four resolutions, reaffirming, among other things, the necessity of achieving a peaceful settlement of the Palestine question—the core of the Arab-Israeli conflict—and stressing the need for the realization of the inalienable rights of the Palestinians, primarily the right to self-determination, for Israeli withdrawal from the Palestinian territory occupied since 1967 and for resolving the problem of the Palestine refugees. The Assembly called on the Secretariat to continue its activities to promote and raise awareness of Palestinian rights.

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 and other activities on 1 December. In cooperation with the Permanent Observer Mission of Palestine, the Committee presented an exhibit entitled "Palestine: Reflections of Resilience and Hope".

Report of Secretary-General. In an October report on the peaceful settlement of the question

of Palestine [A/58/416-S/2003/947], submitted in response to Assembly resolution 57/110 [YUN 2002, p. 455], the Secretary-General made observations on the Middle East peace process. By notes verbales of 16 and 19 June, the Secretary-General had sought the positions of Egypt, Israel, Jordan, Lebanon, the Syrian Arab Republic and the PLO regarding steps taken by them to implement the resolution. As at 17 September, Israel, Jordan, Syria and the PLO had responded.

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

Jordan stated that it was committed to achieving a comprehensive, just and lasting peace in the Middle East on the basis of UN resolutions in implementation of the principle of land for security and recognition. Jordan had worked to create conditions conducive to the resumption of negotiations between the two sides, participated in the finalization of the road map and was working on its implementation after acceptance of it by both sides at the June Aqaba Summit. Jordan was convinced that the 30 June declaration of a truce by Palestinian groups (see p. 468) was a positive development and that all parties had to consolidate it by abiding by their obligations under the road map. Furthermore, Jordan had stressed the role of the United Nations and of the international community in bringing about a comprehensive peace in the region.

Syria affirmed that Israeli settlements in the territory occupied since 1967 and actions aimed at changing the status of Jerusalem represented obstacles to the conclusion of a peaceful settlement of the question of Palestine and that successive Israeli Governments had had no political will to conclude a lasting peace in the region based on UN resolutions.

The Permanent Observer of Palestine said that the resolution had been adopted by an overwhelming majority of Member States, reaffirming long-established convictions and positions of the international community on the issue. It was regrettable that Israel had chosen to vote against the resolution and had continued illegal actions and measures against the Palestinian people. In addition, Israel had yet to comply with any of its obligations under the road map, for, among other things, it continued its settlement activities,

including the building of a separation wall that isolated many Palestinian communities from one another, destroying their means of livelihood. The situation on the ground had calmed down as a result of the efforts made by the Palestinian Government to secure assurances from all Palestinian groups to a ceasefire agreement.

The Secretary-General said that, since September 2000, more than 2,800 Palestinians and more than 800 Israelis had been killed, while thousands had been injured. The overwhelming majority of casualties in Israel resulted from terrorist attacks by various Palestinian militant groups. Bombs had been set off in cafes and restaurants and attacks carried out against public transport, including school buses, creating a climate of fear and constant watchfulness. A large number of Palestinian civilian casualties had resulted from Israeli Defence Forces (IDF) operations, including incursions, pre-emptive strikes and targeted assassinations of suspected militants in Palestinian areas. The use of heavy weaponry in densely populated Palestinian areas had been of particular concern. Since the declaration of a ceasefire and redeployment at the end of June, there had been a marked decline in violence. The Secretary-General said that he had repeatedly stressed the obligation of the PA to assume full security responsibility in the areas under its control, and had urged Israel to refrain from the excessive and disproportionate use of deadly force in civilian areas.

Israel continued its policy of demolishing houses as a reaction to security incidents. From 1 January to 21 August, 158 homes of Palestinians who had carried out attacks against Israel or who were suspected of involvement in or of planning future attacks were destroyed. The confiscation of land and the levelling of agricultural land continued unabated, particularly in border areas, around settlements and settler roads and in connection with the construction of the separation wall. Continued Israeli settlement construction and the building of a separation wall were two key challenges to the fulfilment of the road map's goal of the two-State solution. Over time, they had made the creation of a viable and contiguous Palestinian State more difficult. Despite the obligation set out in phase I of the road map to dismantle settlement outposts and to freeze all settlement expansion, the Israeli Government had not taken decisive action in that direction.

The humanitarian and economic situation of the Palestinian people continued to deteriorate, a direct result of the impact of the policy of systematic closures and curfews on Palestinian social and economic life. According to the World Bank, two thirds of the population of the West Bank and

Gaza Strip lived on less than \$2 per day, and gross national income per capita had fallen to nearly half of its 2001 level. More than half of the workforce was unemployed and more than half of the population was receiving some form of donor-financed food assistance. The limited steps taken by Israel to lift closures, curfews and other restrictions were not sufficient to significantly ease the economic deterioration in the Occupied Palestinian Territory. The humanitarian situation had also worsened because of the unprecedented movement restrictions imposed on UN and NGO personnel, limiting their access into and out of the Gaza Strip.

The Secretary-General said that he would continue to press for the implementation of the road map, which he believed provided the best opportunity to move forward in the peace process. He called on the international community to provide the resources for UN programmes to address the deteriorating economic and humanitarian situation of the Palestinian people, and especially to UNRWA so that it could continue to deliver the necessary services to the Palestinian refugees.

GENERAL ASSEMBLY ACTION

On 3 December [meeting 68], the General Assembly adopted **resolution 58/21** [draft: A/58/L.26/Rev.1 & Add.1] by recorded vote (160-6-5) [agenda item 38].

Peaceful settlement of the question of Palestine

The General Assembly,

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

Recalling also the relevant Security Council resolutions, including resolutions 242(1967) of 22 November 1967, 338(1973) of 22 October 1973, 1397(2002) of 12 March 2002 and 1515(2003) of 19 November 2003,

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

Noting that it has been fifty-six years since the adoption of resolution 181(II) of 29 November 1947 and thirty-six 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 57/110 of 3 December 2002,

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

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

Reaffirming the illegality of the Israeli settlements in the territory occupied since 1967 and of Israeli actions aimed at changing the status of Jerusalem, and affirming that the construction by Israel of a wall inside the Occupied Palestinian Territory, including in and around East Jerusalem, is in contravention of relevant provisions of international law,

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

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

Welcoming the endorsement by the Security Council, in resolution 1515(2003), of the Quartet 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 with satisfaction the establishment of the Palestinian Authority, and recognizing the urgent need to rebuild, reform and strengthen its damaged institutions,

Welcoming the positive contribution 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 to the peace process, including in the framework of the activities of the Quartet,

Welcoming also the convening of international donor meetings, as well as the establishment of international mechanisms to provide assistance to the Palestinian people,

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

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

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

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

Aware of the urgent need for revitalized and active international involvement to support both parties in overcoming the current dangerous impasse in the peace process,

Affirming the urgent need for the parties to cooperate with all international efforts, including the efforts of the Quartet, to end the current tragic situation and to resume negotiations towards a final peace settlement,

Welcoming recent initiatives and efforts undertaken by civil society in pursuit of a peaceful settlement of the question of Palestine,

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 efforts of the Quartet;

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

4. *Calls upon* both parties to fulfil their obligations in implementation of the road map by taking parallel and reciprocal steps in this regard, and stresses the importance and urgency of establishing a credible and effective third-party monitoring mechanism including all members of the Quartet;

5. *Stresses* the necessity for a commitment to the vision of the two-State solution and the principle of land for peace, and the implementation of Security Council resolutions 242(1967), 338(1973), 1397(2002) and 1515(2003);

6. *Also stresses* the need for a speedy end to the re-occupation of Palestinian population centres and for the complete cessation of all acts of violence, including military attacks, destruction and acts of terror;

7. *Calls upon* the concerned parties, the Quartet and other interested parties to exert all efforts and undertake initiatives necessary to halt the deterioration of the situation and to reverse all measures taken on the ground since 28 September 2000, and to ensure a successful and speedy resumption of the peace process and the conclusion of a final peaceful settlement;

8. *Stresses* the need for:

(a) The withdrawal of Israel from the Palestinian territory occupied since 1967;

(b) The realization of the inalienable rights of the Palestinian people, primarily the right to self-determination and the right to their independent State;

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

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

11. *Requests* the Secretary-General to continue his efforts with the parties concerned, and in consultation with the Security Council, towards the attainment of a peaceful settlement of the question of Palestine and

the promotion of peace in the region and to submit to the General Assembly at its fifty-ninth session a report on these efforts and on developments on this matter.

RECORDED VOTE ON RESOLUTION 58/21:

In favour: Afghanistan, Albania, Algeria, Andorra, Antigua and Barbuda, Argentina, Armenia, Austria, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belgium, Belize, 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, Dominican Republic, Ecuador, Egypt, El Salvador, Eritrea, Estonia, Ethiopia, Fiji, Finland, France, Gabon, Germany, Ghana, Greece, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Hungary, Iceland, India, Indonesia, Iran, Ireland, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Latvia, Lebanon, Lesotho, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Monaco, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Panama, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Saint Lucia, Saint Vincent and the Grenadines, Samoa, San Marino, Saudi Arabia, Senegal, Serbia and Montenegro, Seychelles, Sierra Leone, 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, United Arab Emirates, United Kingdom, United Republic of Tanzania, Uruguay, Venezuela, Viet Nam, Yemen, Zambia, Zimbabwe.

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

Abstaining: Australia, Honduras, Nauru, Rwanda, Tonga.

Speaking before the vote, Israel said that the draft resolution went against the agreements already achieved between the parties and undermined the peace process it professed to support. As with other Assembly resolutions on Arab-Israeli issues, it pretended that Israel had responsibilities with no rights and that Palestinians had rights but no responsibilities. In addition, the draft resolution sought to predetermine issues that had to be resolved through negotiations and undermined the integrity and the foundations of the peace process.

Speaking after the vote, the United Kingdom said that it voted in favour of the resolution because it supported the need to find a just and peaceful solution to the Israeli-Palestine conflict, even though it regretted that the resolution was not better balanced. The United Kingdom condemned terrorism and stressed that both sides had obligations to fulfil in order to make progress on the road map.

By **decision 58/565** of 23 December, the Assembly decided that the agenda items entitled "Question of Palestine" and "The situation in the Middle East" would remain for consideration during its resumed fifty-eighth (2004) session.

Committee on Palestinian Rights

As mandated by General Assembly resolution 57/107 [YUN 2002, p. 458], the Committee on the Exercise of the Inalienable Rights of the Palestinian People continued to review the situation relat-

ing to the Palestine question, reported on it and made suggestions to the Assembly and the Security Council.

The Committee continued to follow the Palestine-related activities of intergovernmental bodies, such as the African Union and the Non-Aligned Movement, and, through its Chairman, participated in high-level meetings of those bodies. In September, the Committee's Bureau held consultations with EU representatives as part of the continuing effort to build a constructive relationship on issues of common concern. Throughout the year, the Committee held a number of international events, including the United Nations International Meeting in Support of Middle East Peace (Kyiv, Ukraine, 13-14 May); a Public Forum in Support of Middle East Peace (Kyiv, 15 May); the United Nations Seminar on Assistance to the Palestinian People (Geneva, 15-16 July); and the United Nations International Conference of Civil Society in Support of the Palestinian People (New York, 4-5 September).

In its annual report to the Assembly [A/58/35] covering the period from 11 October 2002 to 9 October 2003, the Committee welcomed the presentation of the road map, but expressed concern that, while the PA had accepted it without reservations, Israel had not fully endorsed it, putting forward a series of conditions for its acceptance that threatened to render most of the plan ineffective. During the year, IDF conducted regular military raids in the Occupied Palestinian Territory, reoccupied Palestinian cities, imposed closures and curfews and used disproportionate and indiscriminate force in civilian areas. The army operations were often backed by heavy armour, helicopters and fighter jets. IDF also continued to carry out extrajudicial executions of Palestinians and imposed restrictions on the movement of PA President Arafat, who had been confined to his headquarters in Ramallah. The situation with respect to Palestinian prisoners remained unresolved; an estimated 6,500 prisoners, including children, remained in Israeli detention facilities.

Israel continued its territorial expansion through the illegal construction of settlements and outposts, road networks and the demolition of Palestinian homes and property. The removal of some outposts by Israel, as required by the road map, was quickly followed by the construction of new ones by settlers; consequently there was no real improvement in the situation concerning the outposts. At the same time, Israel had stepped up the construction of a barrier in the West Bank.

Overall, the humanitarian situation in the Occupied Palestinian Territory remained dire.

The most significant impediment to recovery of the Palestinian economy and improvement in the humanitarian situation was the closure regime, which forced many Palestinians to use long detours to reach their jobs, medical facilities or schools. Although the movement of people and goods was eased in some areas, frequent incursions by IDF into Palestinian areas, the re-establishment of roadblocks and the imposition of curfews continued to stifle the Palestinian livelihood. Even though security responsibilities were transferred to the PA in the Gaza Strip, Palestinians were still unable to move around freely. Such restrictions, combined with Israeli military operations, had virtually paralysed the Palestinian economic life. Constant water shortages and the deteriorating hygiene situation affected health and living conditions of thousands of families. The problem had become even more acute with the construction of the separation barrier, for its route limited Palestinian access to water wells.

The Committee, in its conclusions and recommendations, expressed concern about the lack of serious headway in the political process and, consequently, the absence of any tangible improvement in the security area. The initial positive steps aimed at creating confidence between the parties had collapsed, stalling the political process. The Committee remained hopeful that the situation could be redressed through the efforts of the Quartet, its individual members and other regional and international players. It emphasized that the United Nations should maintain its responsibility with respect to all aspects of the question of Palestine until it was resolved in a satisfactory manner, in conformity with relevant UN resolutions, in accordance with international legitimacy and until the inalienable rights of the Palestinian people were fully realized.

The Committee intended to continue promoting support for the road map. It stressed its opposition to the construction by Israel of the barrier in the occupied West Bank and in areas close to East Jerusalem, which had devastating immediate and long-term implications for the livelihood of the Palestinian people and endangered international efforts aimed at resolving the conflict. The Committee called on the Security Council and the General Assembly to attach the necessary importance to that issue, with a view to stopping its construction and the de facto annexation of Palestinian land. In its programme of work for the following year, the Committee would address such issues as the status of the peace process and the implementation of the road map, the security situation, the construction of the separation barrier and its implications, the humanitarian and

socio-economic situation and the further involvement of civil society.

GENERAL ASSEMBLY ACTION

On 3 December [meeting 68], the General Assembly adopted **resolution 58/18** [draft: A/58/L.23 & Add.1] by recorded vote (97-7-60) [agenda item 38].

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 57/107 of 3 December 2002,

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,

Welcoming the official presentation by the Quartet of the performance-based road map to a permanent two-State solution to the Israeli-Palestinian conflict,

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

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

2. *Requests* the Committee to continue to exert all efforts to promote the realization of the inalienable rights of the Palestinian people, to support the Middle East peace process and to mobilize international support for and assistance to the Palestinian people, and authorizes the Committee to make such adjustments in its approved programme of work as it may consider appropriate and necessary in the light of developments and to report thereon to the General Assembly at its fifty-ninth session and thereafter;

3. *Also requests* the Committee to continue to keep under review the situation relating to the question of Palestine and to report and make suggestions to the General Assembly, the Security Council or the Secretary-General, as appropriate;

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

5. *Requests* the United Nations Conciliation Commission for Palestine, established under General Assembly resolution 194(III), and other United Nations bodies and entities working on various aspects of 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 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 necessary facilities for the performance of its tasks.

RECORDED VOTE ON RESOLUTION 58/18:

In favour: Afghanistan, Algeria, Antigua and Barbuda, Armenia, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belize, Bolivia, Botswana, Brazil, Brunei Darussalam, Burkina Faso, Burundi, Cambodia, Cape Verde, Central African Republic, Chile, China, Colombia, Comoros, Côte d'Ivoire, Cuba, Cyprus, Democratic People's Republic of Korea, Djibouti, Ecuador, Egypt, Eritrea, Ethiopia, Fiji, Gabon, Grenada, Guinea, Guinea-Bissau, Guyana, Haiti, India, Indonesia, Iran, Jamaica, Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Lebanon, Lesotho, Libyan Arab Jamahiriya, Madagascar, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Morocco, Mozambique, Myanmar, Namibia, Nepal, Niger, Nigeria, Oman, Pakistan, Panama, Paraguay, Philippines, Qatar, Saint Lucia, Saudi Arabia, Senegal, Seychelles, Sierra Leone, Singapore, Somalia, Sri Lanka, Sudan, Suriname, Swaziland, Syrian Arab Republic, Timor-Leste, Togo, Trinidad and Tobago, Tunisia, Turkey, Uganda, Ukraine, United Republic of Tanzania, Venezuela, Viet Nam, Yemen, Zambia, Zimbabwe.

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

Abstaining: Albania, Andorra, Argentina, Austria, Belgium, Bosnia and Herzegovina, Bulgaria, Canada, Costa Rica, Croatia, Czech Republic, Denmark, Dominican Republic, El Salvador, Estonia, Finland, France, Germany, Greece, Guatemala, Honduras, Hungary, Iceland, Ireland, Italy, Japan, Kazakhstan, Kyrgyzstan, Latvia, Liechtenstein, Lithuania, Luxembourg, Monaco, Netherlands, New Zealand, Nicaragua, Norway, Peru, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Rwanda, Samoa, San Marino, Serbia and Montenegro, Slovakia, Slovenia, Spain, Sweden, Switzerland, Tajikistan, Thailand, The former Yugoslav Republic of Macedonia, Tonga, United Kingdom, Uruguay, Uzbekistan.

Division for Palestinian Rights

Under the guidance of the Committee on Palestinian Rights, the Division for Palestinian Rights of the UN Secretariat continued to research, monitor, prepare studies, and collect and disseminate information on all issues related to the Palestine question. The Division responded to requests for information and issued the following publications: a monthly bulletin covering action by the United Nations and intergovernmental organizations concerned with the issue of Palestine; a monthly chronology of events relating to the question of Palestine, based on media reports and other sources; reports of meetings organized under the auspices of the Committee; a special bulletin on the observance of the International Day of Solidarity with the Palestinian People (29 November); periodic reviews of developments relating to Middle East peace efforts;

and an annual compilation of relevant General Assembly and Security Council action.

The Committee, in its annual report [A/58/35], stressed that the Division should continue its programme of publications and other informational activities, including further development of the electronic United Nations Information System on the Question of Palestine (UNISPAL) documents collection. It requested that the training programme for PA staff be continued.

GENERAL ASSEMBLY ACTION

On 3 December [meeting 68], the General Assembly adopted **resolution 58/19** [draft: A/58/L.24 & Add.1] by recorded vote (98-6-63) [agenda item 38].

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 57/108 of 3 December 2002,

1. *Notes with appreciation* the action taken by the Secretary-General in compliance with its resolution 57/108;

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

3. *Requests* the Secretary-General to continue to provide the Division with the necessary resources and to ensure that it continues to carry out its work as detailed in the relevant earlier resolutions, in consultation with the Committee on the Exercise of the Inalienable Rights of the Palestinian People and under its guidance, including, in particular, the organization of meetings and conferences in various regions with the participation of all sectors of the international community, the further development and expansion of the documents collection of the United Nations Information System on the Question of Palestine, the preparation and widest possible dissemination of publications and information materials on various aspects of the question of Palestine and the provision of the annual training programme for staff of the Palestinian Authority;

4. *Also requests* the Secretary-General to ensure the continued cooperation of the Department of Public Information and other units of the Secretariat in enabling the Division to perform its tasks and in covering adequately the various aspects of the question of Palestine;

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

6. *Requests* the Committee and the Division, as part of the observance of the International Day of Solidarity with the Palestinian People on 29 November, to continue to organize an annual exhibit on Palestinian rights in cooperation with the Permanent Observer Mission of Palestine to the United Nations, and encourages Member States to continue to give the widest

support and publicity to the observance of the Day of Solidarity.

RECORDED VOTE ON RESOLUTION 58/19:

In favour: Afghanistan, Algeria, Antigua and Barbuda, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belize, Bolivia, Botswana, Brazil, Brunei Darussalam, Burkina Faso, Burundi, Cambodia, Cape Verde, Central African Republic, Chile, China, Colombia, Comoros, Congo, Côte d'Ivoire, Cuba, Cyprus, Democratic People's Republic of Korea, Djibouti, Ecuador, Egypt, Eritrea, Ethiopia, Gabon, Ghana, Grenada, Guinea, Guinea-Bissau, Guyana, Haiti, India, Indonesia, Iran, Jamaica, Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Lebanon, Lesotho, Libyan Arab Jamahiriya, Madagascar, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Morocco, Mozambique, Myanmar, Namibia, Nepal, Niger, Nigeria, Oman, Pakistan, Panama, Paraguay, Philippines, Qatar, Saint Lucia, Saudi Arabia, Senegal, Seychelles, Sierra Leone, Singapore, Somalia, South Africa, Sri Lanka, Sudan, Suriname, Swaziland, Syrian Arab Republic, Togo, Trinidad and Tobago, Tunisia, Turkey, Uganda, United Arab Emirates, United Republic of Tanzania, Uruguay, Venezuela, Viet Nam, Yemen, Zambia, Zimbabwe.

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

Abstaining: Albania, Andorra, Argentina, Armenia, Australia, Austria, Belgium, Bosnia and Herzegovina, Bulgaria, Canada, Costa Rica, Croatia, Czech Republic, Denmark, Dominican Republic, El Salvador, Estonia, Fiji, Finland, France, Germany, Greece, Guatemala, Honduras, Hungary, Iceland, Ireland, Italy, Japan, Kazakhstan, Latvia, Liechtenstein, Lithuania, Luxembourg, Malawi, Monaco, Netherlands, New Zealand, Nicaragua, Norway, Peru, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Rwanda, Samoa, San Marino, Serbia and Montenegro, Slovakia, Slovenia, Spain, Sweden, Switzerland, Tajikistan, Thailand, The former Yugoslav Republic of Macedonia, Tonga, Ukraine, United Kingdom, Uzbekistan.

Special information programme

As requested in General Assembly resolution 57/109 [YUN 2002, p. 460], the UN Department of Public Information (DPI) in 2003 continued its special information programme on the question of Palestine, which included the organization of its annual training programme for Palestinian broadcasters and journalists, and the launching, in January, of the Arabic version of the United Nations News Centre web site (www.un.org/news). The Radio Section provided extensive coverage of various aspects of the question in its daily live broadcasts in all six UN official languages. The updated permanent exhibit "The United Nations and the Question of Palestine" was on display in the General Assembly Hall. The quarterly *UN Chronicle* continued to cover the Palestine question and reported on relevant UN action. DPI's Video Section produced a *World Chronicle* programme entitled "Palestine Refugees: Present and Future Challenges".

DPI, in cooperation with the Foundation of the Three Cultures of the Mediterranean, organized an international media seminar on peace in the Middle East (Seville, Spain, 21-22 October). With the overall theme "Towards a two-State solution", the seminar provided an opportunity for media representatives and international experts to discuss the status of the road map; the role of culture, literature and education in facilitating a dialogue for peace; and the media's coverage of the conflict.

As in previous years, the United Nations information centres (UNICs) and other UN offices carried out activities in connection with the Interna-

tional Day of Solidarity with the Palestinian People. Throughout the year, many UNICs dealt with the Palestine question and organized related outreach activities.

GENERAL ASSEMBLY ACTION

On 3 December [meeting 68], the General Assembly adopted **resolution 58/20** [draft: A/58/L.25 & Add.1] by recorded vote (159-6-6) [agenda item 38].

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 57/109 of 3 December 2002,

Convinced that the worldwide dissemination of accurate and comprehensive information and the role of vital 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 concluded between the two sides and the need for full compliance with those agreements,

Welcoming the official presentation by the Quartet of the road map to a permanent two-State solution to the Israeli-Palestinian conflict,

1. *Notes with appreciation* the action taken by the Department of Public Information of the Secretariat in compliance with resolution 56/35 of 3 December 2001;

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 2004-2005, in particular:

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

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

(c) To expand its collection of audio-visual material on the question of Palestine and to continue the pro-

duction and preservation of such material and the updating of the exhibit in the Secretariat;

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

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

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

RECORDED VOTE ON RESOLUTION 58/20:

In favour: Afghanistan, Albania, Algeria, Andorra, Antigua and Barbuda, Argentina, Armenia, Austria, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belgium, Belize, 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, Dominican Republic, Ecuador, Egypt, El Salvador, Eritrea, Estonia, Ethiopia, Fiji, Finland, France, Gabon, Germany, Ghana, Greece, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Hungary, Iceland, India, Indonesia, Iran, Ireland, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Latvia, Lebanon, Lesotho, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Monaco, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Panama, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Saint Lucia, Saint Vincent and the Grenadines, Samoa, San Marino, Saudi Arabia, Senegal, Serbia and Montenegro, Seychelles, Sierra Leone, Singapore, Slovakia, Slovenia, Somalia, South Africa, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Switzerland, Syrian Arab Republic, Tajikistan, Thailand, The former Yugoslav Republic of Macedonia, Timor-Leste, Togo, Trinidad and Tobago, Tunisia, Turkey, Ukraine, United Arab Emirates, United Kingdom, United Republic of Tanzania, Uruguay, Venezuela, Viet Nam, Yemen, Zambia, Zimbabwe.

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

Abstaining: Australia, Honduras, Rwanda, Tonga, Uganda, Uzbekistan.

Assistance to Palestinians

UN activities

In response to General Assembly resolution 57/147 [YUN 2002, p. 462], the Secretary-General submitted a May report [A/58/88-E/2003/84 & Corr.1] describing UN and other assistance to the Palestinian people between June 2002 and May 2003.

During the reporting period, the cycle of violence between Israelis and Palestinians continued, with hundreds of victims on both sides. Tight internal and external closures, widespread curfews, incursions and other measures taken by IDF led to a further deterioration of economic indicators and to an increase in poverty and unemployment levels among Palestinians. The PA's capacity was diminished just as needs increased. The UN system continued to work to maintain Palestinian capacities to provide essential services, to repair damage to infrastructure and to meet urgent needs. The United Nations Devel-

opment Programme (UNDP) continued its technical assistance and infrastructure support and played an important role in the PA's reform efforts, especially in the establishment of the Palestinian Central Elections Commission. Other UN agencies continued to carry out technical assistance projects and programmes. However, the planning, management and implementation of those projects were hampered by restrictions placed on UN staff, notably locally recruited Palestinian staff, a deteriorating security environment and problems of access, often requiring the re-scheduling of programme activities and a shift in emphasis from development to emergency activity.

Overall donor commitments increased by 57 per cent during the period under review. However, while emergency and budgetary assistance increased, development assistance declined by 70 per cent. International community support focused on the PA's institutional reform efforts, direct support to the PA budget and mitigating the impact of the economic and social crisis.

The Quartet's Task Force on Palestinian Reform, established in 2002 [YUN 2002, p. 432], continued to monitor and support implementation of Palestinian civil reforms and guided the international donor community in its support for the Palestinian reform agenda. At its meeting in London on 20 February 2003, the Task Force recognized that the conflict, continued restrictions on freedom of movement of persons and goods, deterioration of the humanitarian situation and destruction of local infrastructure and facilities constituted a significant hindrance to reforms. Noting the difficult security situation, it welcomed the considerable progress made in several areas of Palestinian civil reform, in particular the implementation of higher standards of fiscal transparency and accountability, as well as work towards development of the public institutions and laws needed to promote a market economy. It also welcomed Israel's decision to resume monthly transfers of Palestinian tax revenues, which permitted the Palestinian Ministry of Finance to submit a fully financed budget for 2003. The Task Force commended efforts to develop appropriate legislation and to coordinate economic policy with Palestinian business leaders, but noted that progress in some areas, such as judicial reform, had been much slower. While acknowledging Israel's legitimate security concerns, there was consensus in the Task Force that mobility restrictions constituted a major impediment to reform, slowing progress and undermining the credibility of the reform process in many areas.

The Secretary-General observed that the humanitarian and socio-economic crisis in the Occupied Palestinian Territory had reached unprecedented levels. The Palestinians' capacity to manage their own affairs had been dramatically reduced, making them dependent on budgetary, technical and humanitarian aid. The challenge ahead was how to meet urgent needs without undermining the prospects for a viable Palestinian State. The PA's depleted administrative, financial and service delivery capacities had to be restored, while efforts continued to meet emergency requirements. Both parties had to make every effort to facilitate the work of UN agencies and partners. The Secretary-General called especially on Israel to lift restrictions, revive the economy, restore Palestinian livelihood and facilitate the work of the assistance community, and on the international community to provide the resources for the assistance programmes to the Palestinian people.

The Economic and Social Council, on 24 July, took note of the Secretary-General's report (**decision 2003/273**).

UNCTAD assistance to Palestinians

At its fiftieth session (Geneva, 6-17 October) [A/58/15], the Trade and Development Board of the United Nations Conference on Trade and Development (UNCTAD) took note of the report on UNCTAD assistance to the Palestinian people [TD/B/50/4] and of the statements made by delegations during deliberations on that item. UNCTAD intensified its programme of assistance to the Palestinian people in close cooperation with the PA, focusing on building capacities for effective economic policy-making and management and strengthening the enabling environment for the private sector. Its technical cooperation was directed at trade policies and strategies, trade facilitation and logistics, finance and development, and enterprise, investment and competition policy. Despite the intensification of the conflict, which interrupted the development process and rendered the provision of technical assistance increasingly difficult, UNCTAD was able to make concrete progress in its technical assistance programmes. It contributed to an initiative to support the Palestinian olive oil industry through international trade and targeted markets, and provided advisory services, observations, a mission and reports on several areas of economic policy and trade, including proposals for "Israeli economic facilitation measures" submitted by the PA as part of confidence-building measures and a World Bank study on long-term policy options for the Palestinian economy.

GENERAL ASSEMBLY ACTION

On 17 December [meeting 75], the General Assembly adopted **resolution 58/113** [draft: A/58/L.33/Rev.1 & Add.1] by recorded vote (170-0-2) [agenda item 40 (e)].

Assistance to the Palestinian people

The General Assembly,

Recalling its resolution 57/147 of 16 December 2002, as well as previous resolutions on the question,

Recalling also the signing of the Declaration of Principles on Interim Self-Government Arrangements in Washington, D.C., on 13 September 1993, by the Government of the State of Israel and the Palestine Liberation Organization, the representative of the Palestinian people, and the subsequent implementation agreements concluded by the two sides,

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

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

Aware that development is difficult under occupation and is best promoted in circumstances of peace and stability,

Noting the great economic and social challenges facing the Palestinian people and their leadership,

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

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 and the work being done by the World Bank as its secretariat and the establishment of the Consultative Group, as well as all follow-up meetings and international mechanisms established to provide assistance to the Palestinian people,

Welcoming also the work of the Joint Liaison Committee, which provides a forum in which economic policy and practical matters related to donor assistance are discussed with the Palestinian Authority,

Stressing the continued importance of the work of the Ad Hoc Liaison Committee in the coordination of assistance to the Palestinian people,

Noting the convening of the Ad Hoc Liaison Committee meetings, held in London on 18 and 19 February 2003 and in Rome on 10 December 2003, to review the state of the Palestinian economy,

Stressing the need for the full engagement of the United Nations in the process of building Palestinian institutions and in providing broad assistance to the Palestinian people, and welcoming in this regard the support to the Palestinian Authority by the Task Force on Palestinian Reform established by the Quartet in 2002,

Noting, in this regard, the active participation 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 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,

Having considered the report of the Secretary-General,

Expressing grave concern at the continuation of the recent tragic and violent events that have led to many deaths and injuries,

1. *Takes note* of the report of the Secretary-General;
2. *Also takes note* of the report of the Personal Humanitarian Envoy of the Secretary-General on the humanitarian conditions and needs of the Palestinian people;
3. *Expresses its appreciation* to the Secretary-General for his rapid response and efforts regarding assistance to the Palestinian people;
4. *Also expresses its appreciation* to the Member States, United Nations bodies and intergovernmental, regional and non-governmental organizations that have provided and continue to provide assistance to the Palestinian people;
5. *Stresses* the importance of the work of the United Nations Special Coordinator for the Middle East Peace Process and Personal Representative of the Secretary-General to the Palestine Liberation Organization and the Palestinian Authority and of the steps taken under the auspices of the Secretary-General to ensure the achievement of a coordinated mechanism for United Nations activities throughout the occupied territories;
6. *Urges* Member States, international financial institutions of the United Nations system, intergovernmental and non-governmental organizations and regional and interregional organizations to extend, as rapidly and as generously as possible, economic and social assistance to the Palestinian people, in close cooperation with the Palestine Liberation Organization and through official Palestinian institutions;
7. *Calls upon* relevant organizations and agencies of the United Nations system to intensify their assistance in response to the urgent needs of the Palestinian people in accordance with Palestinian priorities set forth by the Palestinian Authority;
8. *Urges* Member States to open their markets to exports of Palestinian products on the most favourable terms, consistent with appropriate trading rules, and to implement fully existing trade and cooperation agreements;
9. *Calls upon* the international donor community to expedite the delivery of pledged assistance to the Palestinian people to meet their urgent needs;
10. *Stresses*, in this context, the importance of ensuring the free passage of aid to the Palestinian people and the free movement of persons and goods;
11. *Urges* the international donor community, United Nations agencies and organizations and non-governmental organizations to extend as rapidly as possible emergency economic and humanitarian assistance to the Palestinian people to counter the impact of the current crisis;
12. *Stresses* the need to implement the Paris Protocol on Economic Relations of 29 April 1994, fifth annex to the Israeli-Palestinian Interim Agreement on the West Bank and the Gaza Strip, signed in Washington, D.C., on 28 September 1995, in particular with regard to the full and prompt clearance of Palestinian

indirect tax revenues, and welcomes the progress made in this regard;

13. *Suggests* the convening in 2004 of a United Nations-sponsored seminar on assistance to the Palestinian people;

14. *Requests* the Secretary-General to submit a report to the General Assembly at its fifty-ninth session, through the Economic and Social Council, on the implementation of the present resolution, containing:

(a) An assessment of the assistance actually received by the Palestinian people;

(b) An assessment of the needs still unmet and specific proposals for responding effectively to them;

15. *Decides* to include in the provisional agenda of its fifty-ninth session the sub-item entitled "Assistance to the Palestinian people".

RECORDED VOTE ON RESOLUTION 58/113:

In favour: Afghanistan, Albania, Algeria, Andorra, Angola, Antigua and Barbuda, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahamas, Bahrain, Bangladesh, Belarus, Belgium, Belize, Bolivia, Bosnia and Herzegovina, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burundi, Cambodia, Canada, Central African Republic, Chile, China, Colombia, Comoros, Congo, Costa Rica, Côte d'Ivoire, Croatia, Cuba, Cyprus, Czech Republic, Democratic People's Republic of Korea, Democratic Republic of the Congo, Denmark, Djibouti, Dominica, Dominican Republic, Ecuador, Egypt, El Salvador, Eritrea, Estonia, Ethiopia, Fiji, Finland, France, Gabon, Gambia, Georgia, Germany, Ghana, Greece, Grenada, Guatemala, Guinea, Guyana, Honduras, Hungary, Iceland, India, Indonesia, Iran, Ireland, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Latvia, Lebanon, Lesotho, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malaysia, Maldives, Mali, Malta, Marshall Islands, Mauritania, Mauritius, Mexico, Micronesia, Monaco, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nauru, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Palau, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Rwanda, Saint Lucia, San Marino, Saudi Arabia, Senegal, Serbia and Montenegro, Sierra Leone, 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, Tonga, Trinidad and Tobago, Tunisia, Turkey, Turkmenistan, Tuvalu, Uganda, Ukraine, United Arab Emirates, United Kingdom, United Republic of Tanzania, United States, Uruguay, Uzbekistan, Vanuatu, Venezuela, Viet Nam, Yemen, Zambia, Zimbabwe.

Against: None.

Abstaining: Israel, Kenya.

Speaking before the vote, Israel said that it shared the concern of the international community over the deterioration in the humanitarian situation in the Middle East and that it had done its utmost to cooperate with international actors in an effort to facilitate their humanitarian work aimed at improving the Palestinians' living conditions in the West Bank and Gaza Strip. However, Palestinian terrorists had viewed measures intended to increase freedom of movement as opportunities to infiltrate Israeli cities, and had used the immunity granted to medical and humanitarian vehicles to smuggle weapons and explosives. It was therefore disingenuous to suggest that Israeli policies were the source of the hardships facing the Palestinian people. If the international community was serious about alleviating the Palestinian humanitarian plight, the single most important thing it could do was to insist that the Palestinian leadership end its campaign of violence, terror and incitement. Unlike

previous years, Israel would abstain on the resolution because it included new language unrelated to humanitarian assistance to the Palestinian people, including reference to Security Council resolution 1515(2003) (see p. 483). It expressed regret that the Assembly session had been used to further a partisan and political agenda, and had denied Israel the opportunity to present for a vote a draft resolution on the welfare of Israeli children, after adopting a similar draft resolution on Palestinian children.

Speaking after the vote, the Observer of Palestine said that he regretted the fact that Israel chose to break away from the consensus on the resolution and to depart from the only positive tradition regarding the Middle East which had been in effect for 10 years. Israel took that stand because of an added paragraph that welcomed the unanimous adoption of Council resolution 1515(2003) and, in its statement before the vote, tried to convince the international community that it had no responsibility for the humanitarian tragedy being endured by the Palestinian people.

UNRWA

In 2003, the United Nations Relief and Works Agency for Palestine Refugees in the Near East continued to provide vital education, health and relief and social services to an ever-growing refugee population, despite a severe budget deficit and cash flow crisis.

As at 30 June, 4.08 million refugees were registered with UNRWA, an increase of 2.7 per cent over the 2002 figure of 3.97 million. The largest refugee population was registered in Jordan (42.1 per cent of the Agency-wide total), followed by the Gaza Strip (22.2 per cent), the West Bank (16 per cent), the Syrian Arab Republic (10 per cent) and Lebanon (9.6 per cent). Of the registered population, 51 per cent were 18 years of age or under.

In his annual report on the work of the Agency from 1 July 2002 to 30 June 2003 [A/58/13 & Corr.1], the UNRWA Commissioner-General said that UNRWA was actively involved in the UN contingency planning efforts before the conflict in Iraq erupted (see p. 333) and had followed developments closely as they affected tens of thousands of Palestinians living in Iraq, many of them Palestine refugees. The Agency, among other things, participated in delivering emergency assistance to Palestinian families fleeing the conflict and temporarily accommodated them in tented camps on the Jordanian-Iraqi border. The Agency was also forced to relocate non-essential staff and their dependants between March and April 2003.

During the reporting period, the conditions of strife in the Occupied Palestinian Territory persisted. Suicide bombings inside Israel continued, causing heavy loss of life, while the reoccupation by IDF of almost all of the West Bank and Gaza Strip and ensuing large-scale military operations caused heavy loss of life and widespread damage to and destruction of Palestinian property. The incidence of large-scale military incursions into refugee camps, in particular in the Gaza Strip, increased significantly. The severe economic downturn in the Palestinian economy since September 2000 intensified, as closures and other measures kept large numbers of Palestinians unemployed. At the end of 2002, real gross national income had shrunk by 38 per cent from its 1999 level, while real per capita income fell by 46 per cent during the same period. As a result, approximately 60 per cent of the Palestinian population was living below the poverty line.

The environment in which UNRWA carried out its operations in the Occupied Palestinian Territory continued to affect negatively its ability to deliver services. Israeli military operations in the West Bank and the Gaza Strip and internal closures led to severe disruption in the delivery of UNRWA humanitarian supplies to distribution centres. Moreover, six UNRWA staff members were killed during the reporting period and 64 others were detained by the Israeli authorities. IDF also destroyed some UNRWA installations, such as schools, training centres and health-care facilities. Some UNRWA school buildings were taken over by IDF and used as bases and detention centres. Instances in which Palestinian militants entered UNRWA premises were also reported. The Agency took immediate steps to effect their removal from the installations and protested to the PA.

The Agency put into place an extensive emergency assistance programme for refugees affected by the strife in the Occupied Palestinian Territory, providing temporary accommodation and emergency assistance to refugees when their shelters were destroyed. It also launched several housing projects to afford the refugees new dwellings which conformed to standards of minimum human decency. In the West Bank, after a year of heavy destruction caused by Israeli military operations, UNRWA expanded its shelter rehabilitation and rehousing programmes, including the reconstruction of the destroyed area in the Jenin camp. To facilitate UNRWA's activities under its emergency programme, the Operational Support Officers programme was expanded in the West Bank and reintroduced in the Gaza Strip. The programme played a crucial role in facilitating the delivery of humanitarian

goods and safe passage of UNRWA staff through checkpoints, and enhanced the implementation of Agency programmes in accordance with UN norms. During the reporting period, emergency programme appeals were launched for 2002 (\$172.8 million) and for the first half of 2003 (\$93.7 million). By the end of 2002, only \$96.8 million had been pledged towards that year's appeals, and only 40 per cent (\$37.3 million) of the appeal for the first half of 2003. It was clear that other crises had to some extent diverted the attention of traditional donors from the Palestinian issue. In addition, the Agency feared that the construction of a separation barrier by Israel inside the West Bank, when completed, would impoverish and isolate thousands of refugee families and would constitute a new and formidable obstacle to the delivery of UNRWA services to refugees in its vicinity.

UNRWA's internal reforms during the reporting period focused, among other things, on improving the efficiency and effectiveness of its resource management, the cultivation of an open management culture, the strengthening of strategic planning capabilities, and expansion and improvement in the Agency's relations with donor countries, host countries and other UN agencies and programmes.

Advisory Commission. By a 25 September letter to the Commissioner-General, which was included in his annual report [A/58/13 & Corr.1], the Chairperson of the Advisory Commission of UNRWA noted with concern the continuing deteriorating political, economic and social situation in the region and the humanitarian crisis in the Occupied Palestinian Territory. The crisis was evidenced primarily by rising levels of malnutrition among children, high levels of poverty and unemployment, deteriorating health conditions, and the displacement of an increasing number of Palestinians following the destruction of their homes. He noted that the Agency had launched appeals totalling \$196.6 million for 2003, though the response of the international community to those appeals had been slow, with only \$76.8 million pledged as at mid-September. In addition, it was noted that, against planned regular budget expenditure of \$315.1 million during 2003, pledges of only \$293.3 million had been received as at the end of August.

Report of Conciliation Commission. The United Nations Conciliation Commission for Palestine, in its fifty-seventh report covering the period from 1 September 2002 to 31 August 2003 [A/58/256], submitted in response to General Assembly resolution 57/117 [YUN 2002, p. 466], noted its August 2002 report [ibid., p. 471] and observed

that it had nothing new to report since its submission.

Communication. In a 6 November response [A/58/557] to the Commissioner-General's report (see p. 506), Israel said that its officials had been continuously available to meet and coordinate matters with UNRWA officials regarding both general and practical issues arising out of UNRWA operations. Israel remained committed to its obligations to facilitate UNRWA humanitarian activities and would continue to explore pragmatic solutions to facilitate such activity. There was, however, little recognition by UNRWA in its report that the conditions under which it operated had been determined by the continuing violence in the region. That violence necessitated self-defence actions, including military operations. In addition, terrorist organizations used and exploited UNRWA installations as hideouts and places of refuge. While recognizing that UNRWA was not responsible for security in refugee camps, Israel did expect the organization to draw greater attention to the violent actions taking place in those camps. At least 16 Palestinian employees of UNRWA were in custody; the alleged crimes included involvement in a variety of security-related crimes, such as membership in terrorist organizations, and armed attacks against Israeli targets.

Projects

During the reporting period, project funding enabled UNRWA to complete, among other things, the construction of eight schools and the rehabilitation of shelters and health centres. In recognition of the fact that project funding had taken on an increasing financial and programmatic importance over the years, and in order to establish a more targeted fund-raising approach, UNRWA established Agency-wide project priorities that formed the basis for the projects component of its biennium budget. UNRWA received pledges in the amount of \$20.5 million towards its project budget, of which \$9.9 million was allocated to the health sector, \$4.1 million to education, \$3.9 million to the relief and social services sector and \$2.6 million to other projects. The Peace Implementation Programme, established in 1993 [YUN 1993, p. 569] to fund extrabudgetary activities within the Agency's major service areas, was merged under the projects budget following the adoption of the 2000-2001 programme-based biennium budget [YUN 2000, p. 450].

Lebanon appeal

Most of the over 389,000 registered Palestine refugees in Lebanon continued to face deplor-

able living conditions and depended almost entirely on UNRWA for basic services. By the end of June 2003, the Agency had received the \$11 million pledged under the special emergency appeal, launched in 1997 to support essential health, education, relief and social services activities for Palestine refugees in Lebanon, and had expended \$9.1 million of that amount. During the reporting period, UNRWA completed the mechanization of a solid waste collection and disposal system project and offered short-term vocational courses.

Emergency appeals

UNRWA continued its programme of emergency assistance, focusing on food aid, emergency employment creation, shelter repair and rebuilding, cash assistance, health and education. In December 2002, UNRWA launched a \$93.7 million appeal to cover emergency needs for the period January to June 2003. The appeal was developed under the Humanitarian Action Plan prepared by the United Nations Technical Assessment Mission which visited the region following the visit by the Secretary-General's Personal Humanitarian Envoy, Catherine Bertini, to the area [YUN 2002, p. 455]. As at 30 June, confirmed pledges amounted to \$38.4 million. Another appeal totalling \$102.9 million covering the period July to December 2003 was launched in June.

By the end of June 2003, UNRWA had provided 41,000 Palestine refugees in the West Bank and the Gaza Strip with short-term emergency employment, and more than 250,000 people had benefited from short-term jobs managed directly by the Agency. Many more benefited from work opportunities created through private sector construction projects contracted by UNRWA.

Major service areas

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

The Agency's education programme, its largest activity, operated 651 schools providing basic and preparatory education to approximately 490,000 pupils, as well as five secondary schools in Lebanon, eight vocational training centres and three teacher training colleges. It continued to be supported by the United Nations Educational, Scientific and Cultural Organization (UNESCO), which funded senior managerial and technical posts within UNRWA and provided it with technical assistance and general guidance. As the Agency's schools followed the national curricula

of the host countries, it was required to implement all improvements and enhancements to the curriculum introduced by the host country authorities, but had been struggling to keep pace with those enhancements because of its precarious financial situation. The Agency's university scholarship programme was being discontinued due to financial constraints, a decision which in time would affect UNRWA's capacity to attract trained medical staff to its health centres. Financial constraints had also hampered the modernization of the curriculum and the infrastructure of the Agency's vocational training centres. Despite the financial challenges, UNRWA's Education Department continued to reform and improve its internal processes within the framework of its five-year development plan, in addition to projects such as the initiative in computer information technology. In the reporting period, UNRWA continued to introduce limited secondary schooling in Lebanon, as a result of continued access restrictions for Palestine refugees to the Lebanese public education system. In the West Bank and Gaza Strip, because operations were severely hampered by the ongoing crisis, UNRWA's emergency programme included remedial and compensatory education for approximately 40,000 pupils.

Technical supervision of UNRWA's health programme was provided by the World Health Organization (WHO), which also supplied the services of senior management staff and short-term consultants, technical literature and publications. The Agency focused on sustaining adequate levels of investment in primary health care, enhancing institutional capacity-building and developing its human resources. Management reforms implemented led to the introduction of new health information, hospital management and drug supply management systems. UNRWA's health services continued to face abnormally high workloads, and studies also warned of breakdowns in preventive services to women and children. UNRWA incurred additional expenditure following the breakdown of cost-sharing arrangements in the West Bank regarding secondary care, while in Lebanon the Agency strengthened its cooperation with the Palestinian Red Crescent Society, providing cost-effective secondary health care to refugees unable to afford the cost of private hospitalization. UNRWA also continued its environmental health services in refugee camps, introducing and/or improving sewerage disposal, storm water drainage and the provision of safe drinking water. Major projects were under way in the Syrian Arab Republic and Lebanon for construction of water and sewerage systems in various refugee camps.

UNRWA's relief and social services programme addressed the needs of the most vulnerable among the refugee population and applied a community development (self-help) approach in fostering community-based organizations with a focus on women, children and youth, and physically/mentally challenged refugees. The Agency's special hardship programme was in increasing demand due to the difficult socio-economic situation in Jordan, continuing restrictions on the employment of Palestine refugees in Lebanon, and the crisis in the Occupied Palestinian Territory. The number of refugees in households that met the programme's eligibility criteria—no male adult medically fit to earn an income and no other identifiable means of financial support above a defined threshold—increased by 1.6 per cent, from 229,404 in June 2002 to 233,044 in June 2003. The trends in the programme pointed to a feminization of poverty among the refugees, as the incidence of female-headed households increased. Shelter rehabilitation continued according to the availability of extrabudgetary funding, as the state of the General Fund did not allow such activities to be funded from the Agency's regular budget. During the reporting period, the provision of land by the host authority enabled UNRWA to launch rehousing projects in Gaza, following large-scale destruction of refugee shelters.

The Agency continued to promote income-generation activities within the context of its relief and social services programme and as a commercial, self-sustaining and market-oriented microfinance and microenterprise programme. The latter programme expanded its operations into Jordan and the Syrian Arab Republic, providing almost 9,000 loans worth \$6.01 million, with women entrepreneurs receiving 43 per cent of the loans. On account of the decline in economic conditions in the Occupied Palestinian Territory, the programme was unable to maintain its normal state of financial self-sufficiency for the second year in a row. By June 2003, the lending outreach in Gaza increased to 1,141 loans valued at \$806,175, compared to 923 in the previous period valued at \$655,276, but was still less than the 1,304 loans amounting to \$1.46 million in September 2000.

GENERAL ASSEMBLY ACTION

On 9 December [meeting 72], the General Assembly, on the recommendation of the Fourth Committee [A/58/472], adopted **resolution 58/91** by recorded vote (167-1-8) [agenda item 83].

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 57/117 of 11 December 2002,

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

Recalling further relevant Security Council resolutions,

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

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

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

Taking note of the report of the Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East covering the period from 1 July 2002 to 30 June 2003,

Aware of the continuing needs of 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 living conditions, and the continuous deterioration of those conditions during the recent period,

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

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

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

2. *Also notes with regret* that the United Nations Conciliation Commission for Palestine has been unable to find a means of achieving progress in the implementation of paragraph 11 of General Assembly resolution 194(III), and requests the Commission to exert continued efforts towards the implementation of that paragraph and to report to the Assembly as appropriate, but no later than 1 September 2004;

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 operation and services for the well-being of the Palestine refugees and for the stability of the region, pending the resolution of the question of the Palestine refugees;

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

RECORDED VOTE ON RESOLUTION 58/91:

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, Costa Rica, Côte d'Ivoire, Croatia, Cuba, Cyprus, Czech Republic, Democratic People's Republic of Korea, Denmark, Djibouti, Dominican Republic, Ecuador, Egypt, El Salvador, Equatorial Guinea, Eritrea, Estonia, Ethiopia, Fiji, Finland, France, Gabon, Gambia, Georgia, Germany, Ghana, Greece, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Hungary, Iceland, India, Indonesia, Iran, Ireland, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Latvia, Lebanon, Lesotho, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Monaco, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nauru, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Panama, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Rwanda, Saint Lucia, Saint Vincent and the Grenadines, Samoa, San Marino, Saudi Arabia, Senegal, Serbia and Montenegro, Seychelles, 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, Ukraine, United Arab Emirates, United Kingdom, United Republic of Tanzania, Uruguay, Venezuela, Viet Nam, Yemen, Zambia, Zimbabwe.

Against: Israel.

Abstaining: Cameroon, Honduras, Marshall Islands, Micronesia, Palau, Papua New Guinea, Tuvalu, United States.

The Assembly, also on 9 December [meeting 72] and on the Fourth Committee's recommendation [A/58/472], adopted **resolution 58/93** by recorded vote (162-5-8) [agenda item 83].

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

The General Assembly,

Recalling its resolutions 194(III) of 11 December 1948, 212(III) of 19 November 1948, 302(IV) of 8 December 1949 and all subsequent related resolutions, including resolution 57/121 of 11 December 2002,

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 July 2002 to 30 June 2003,

Taking note of the letter dated 25 September 2003 from the Chairperson 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 continuing critical financial situation of the Agency and its effect on the continuing provision of necessary Agency services to the Palestine refugees, including its emergency-related programmes and its 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,

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

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

Gravely concerned about the increased suffering of the Palestine refugees, including the loss of life, injury and destruction and damage to their shelters and properties, during the ongoing crisis in the Occupied Palestinian Territory, including East Jerusalem,

Expressing grave concern about the continuing impact of the events that occurred in the Jenin refugee camp in April 2002, including the loss of life, injury, destruction and displacement inflicted on many of its civilian inhabitants,

Aware of the extraordinary efforts being undertaken by the Agency for the repair and rebuilding of thousands of destroyed and damaged refugee shelters,

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

Deploring the killing of six Agency staff members by the Israeli occupying forces during the reporting period,

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

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

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

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

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

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

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

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

3. *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, for its efforts 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;

4. *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 2004-2005;

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

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

7. *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;

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

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

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

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

12. *Affirms* that the functioning of the Agency remains essential in all fields of operation;

13. *Notes* the success of the Agency's microfinance and microenterprise programme, and calls upon the Agency, in close cooperation with the relevant agencies, to continue to contribute towards the development of the economic and social stability of the Palestine refugees;

14. *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 his report to the General Assembly at its fifty-ninth session;

15. *Reiterates its previous appeals* to all States, specialized agencies and non-governmental organizations to continue and to augment the special allocations for grants and scholarships for higher education to Palestine refugees in addition to their contributions to the regular budget of the Agency and to contribute towards the establishment of vocational training centres for Palestine refugees, and requests the Agency to act

as the recipient and trustee for the special allocations for grants and scholarships;

16. *Urges* all States, specialized agencies and non-governmental organizations to continue and to increase their contributions to the Agency so as to ease the ongoing financial constraints, exacerbated by the current humanitarian situation on the ground, and to support the Agency's valuable work in assistance to the Palestine refugees.

RECORDED VOTE ON RESOLUTION 58/93:

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, Cambodia, Canada, Cape Verde, Chile, China, Colombia, Comoros, Côte d'Ivoire, Croatia, Cuba, Cyprus, Czech Republic, Democratic People's Republic of Korea, Denmark, Djibouti, Dominican Republic, Ecuador, Egypt, Equatorial Guinea, Eritrea, Estonia, Ethiopia, Fiji, Finland, France, Gabon, Gambia, Georgia, Germany, Ghana, Greece, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Hungary, Iceland, India, Indonesia, Iran, Ireland, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Latvia, Lebanon, Lesotho, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Monaco, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nauru, Nepal, Netherlands, New Zealand, Niger, Nigeria, Norway, Oman, Pakistan, Panama, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Saint Lucia, Saint Vincent and the Grenadines, Samoa, San Marino, Saudi Arabia, Senegal, Serbia and Montenegro, Seychelles, 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, Ukraine, United Arab Emirates, United Kingdom, United Republic of Tanzania, Uruguay, Venezuela, Viet Nam, Yemen, Zambia, Zimbabwe.

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

Abstaining: Burundi, Cameroon, Costa Rica, El Salvador, Honduras, Nicaragua, Papua New Guinea, Rwanda.

On 23 December, the Assembly decided that the agenda item on UNRWA would remain for consideration at its resumed fifty-eighth (2004) session (**decision 58/565**).

UNRWA financing

UNRWA ended 2002 with a positive working balance of \$18.7 million, despite the decreased level of donor contributions (\$282.4 million in 2001 and \$275.8 million in 2002). It also achieved a relatively favourable financial result due to the depreciation of the United States dollar against other currencies; the Agency made \$13 million in exchange rate gains in 2002, compared to a loss of \$3.5 million in 2001. The Agency's total working capital stood at \$18.7 million as at 31 December 2002.

The Agency's cash flow position remained critical owing to repeated funding shortfalls in previous years. As at mid-2003, expected cash expenditure in the regular programme was \$315.1 million, as against expected cash income of \$290.8 million. As at 31 December 2002, outstanding cash pledges under all accounts amounted to \$5.1 million, of which \$4.9 million pertained to the regular budget and \$0.2 million to the emergency appeal. In addition, UNRWA

had not yet been fully reimbursed by the PA in respect of payments made against value added tax (VAT) and related charges, although the Agency had made some progress in that regard. As at 30 June 2003, UNRWA had received from the PA a reimbursement of VAT charges of approximately \$7.7 million.

The Commissioner-General said that the Agency's 2004-2005 budget [A/58/13/Add.1], developed on the results-based format, was a programme-based budget structured around UNRWA's mandated service-providing role and programme plans. It was derived from a biennial programme of work specifying objectives, expected accomplishments, planned activities and key performance indicators to measure the performance of each programme; the budget preparation was guided by planning assumptions rather than budget ceilings. The Agency's budget requirements for 2004-2005 were estimated at \$805 million.

Working Group. The Working Group on the Financing of UNRWA held three meetings in 2003, on 10 September and 17 and 20 October. In its report to the General Assembly [A/58/450], the Working Group said that, by the end of September, UNRWA faced the prospect of a funding gap in its 2003 regular cash budget of \$8.3 million. Income for 2003 was expected to be \$306.8 million, against a net cash expenditure of \$315.1 million. Furthermore, of the \$303.8 million in income expected for the regular budget in 2003, \$279.4 million was received by the end of September, with \$24.4 million still outstanding. The Working Group expressed concern about the increasing shortfalls in funding for UNRWA's 2002-2003 emergency appeals. Against a total request of \$172.8 million for emergency appeals during 2002, the Agency had received \$95.9 million in pledges, and \$82.9 million against a total request of \$196.6 million for emergency appeals in 2003. The shortfalls in emergency appeal contributions had curtailed UNRWA's humanitarian activities, among others, its food distribution and emergency employment generation programmes.

The Working Group said that the austerity measures adopted in the previous years and continuing funding shortfalls had affected the Agency's ability to expand its programmes at a rate commensurate with the growth in the refugee population and, in some cases, had necessitated curtailments of programme activities. The Working Group appealed to the international community to do its utmost to meet the target of \$103 million for the emergency appeal issued in June. The services provided by UNRWA had to be viewed as the minimum required to enable the refugees to lead productive lives. Any further reduction in those services not only would deprive them

of the minimum level of support, but could have a destabilizing effect on the entire region.

GENERAL ASSEMBLY ACTION

On 9 December [meeting 72], the General Assembly, on the recommendation of the Fourth Committee [A/58/472], adopted **resolution 58/95** by recorded vote (133-0-35) [agenda item 83].

Assistance to Palestine refugees and support for the United Nations Relief and Works Agency for Palestine Refugees in the Near East

The General Assembly,

Recalling its resolutions 212(III) of 19 November 1948, on assistance to Palestine refugees, and 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 also all its subsequent resolutions on the question, including resolution 56/52 of 10 December 2001,

Recalling further relevant Security Council resolutions,

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

Aware of the continuing needs of Palestine refugees throughout all the fields of operation, namely the West Bank and the Gaza Strip, Jordan, Lebanon and the Syrian Arab Republic,

Gravely concerned about the increased suffering of the Palestine refugees, including the loss of life, injury and destruction and damage to refugee shelters and properties, as well as the safety of the staff and the damage to the facilities of the Agency,

Regretting the death of six Agency staff members during the reporting period,

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

Stressing the necessity for compliance with Articles 100, 104 and 105 of the Charter of the United Nations and the Convention on the Privileges and Immunities of the United Nations with regard to the safety of the personnel of the Agency, the protection of its institutions and the safeguarding of the security of its facilities, including throughout the occupied territories,

Stressing also the need for respect of international humanitarian law,

Emphasizing the obligations of all parties in accordance with the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949,

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 July 2002 to 30 June 2003, the report of the Working Group on the Financing of the United Nations Relief and Works Agency for Palestine Refugees in the Near East, the letter dated 25 Septem-

ber 2003 from the Chairperson of the Advisory Commission of the United Nations Relief and Works Agency for Palestine Refugees in the Near East addressed to the Commissioner-General, and the report of the United Nations Conciliation Commission for Palestine for the period from 1 September 2002 to 31 August 2003,

Deeply concerned about the continuing financial situation of the Agency, which has affected and affects the continuing provision of necessary Agency services to Palestine refugees, including the emergency-related and humanitarian programmes,

1. *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 operation and services for the well-being of the Palestine refugees and for the stability of the region, pending the resolution of the question of the Palestine refugees;

2. *Calls upon* all States to make the most generous efforts possible to meet the anticipated needs of the Agency, including those mentioned in recent emergency appeals, and to support the Agency's valuable work in providing assistance to the Palestine refugees;

3. *Takes note with approval* 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, for its efforts 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;

4. *Endorses* the efforts of the Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East to continue to provide humanitarian assistance, as far as practicable, on an emergency basis and as a temporary measure, to persons in the area who are currently displaced and in serious need of continuing assistance as a result of the June 1967 and subsequent hostilities;

5. *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;

6. *Reiterates its previous appeals* to all States, specialized agencies and non-governmental organizations to continue and to augment the special allocations for grants and scholarships to Palestine refugees, in addition to their contributions to the regular budget of the Agency;

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

8. *Expresses its appreciation* to the Commissioner-General of the Agency, as well as to all of the staff of the Agency, for their tireless efforts and valuable work, particularly in the light of the increasingly difficult conditions throughout the past year;

9. *Also expresses its appreciation* to the Advisory Commission of the Agency, and requests it to continue its efforts and to keep the General Assembly informed of

its activities, including the full implementation of Assembly decision 48/417 of 10 December 1993;

10. *Commends* the efforts of the Commissioner-General to increase the budgetary transparency and efficiency of the Agency, as well as the support of the host Governments for the Agency in the discharge of its duties;

11. *Calls upon* all relevant parties to take effective measures to ensure the safety of the personnel of the Agency, the protection of its institutions and the safeguarding of the security of its facilities;

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

RECORDED VOTE ON RESOLUTION 58/95:

In favour: Afghanistan, Albania, Algeria, Andorra, Angola, Antigua and Barbuda, Argentina, Armenia, Australia, Austria, Bahamas, Bangladesh, Barbados, Belarus, Belgium, Benin, Bhutan, Bolivia, Bosnia and Herzegovina, Botswana, Brazil, Bulgaria, Cambodia, Cameroon, Canada, Cape Verde, Central African Republic, Chile, Colombia, Costa Rica, Côte d'Ivoire, Croatia, Cyprus, Czech Republic, Democratic People's Republic of Korea, Denmark, Dominican Republic, Ecuador, Egypt, El Salvador, Equatorial Guinea, Eritrea, Estonia, Ethiopia, Fiji, Finland, France, Gabon, Georgia, Germany, Ghana, Greece, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Hungary, Iceland, Indonesia, Iran, Ireland, Israel, Italy, Jamaica, Japan, Kazakhstan, Lao People's Democratic Republic, Latvia, Lesotho, Liechtenstein, Lithuania, Luxembourg, Madagascar, Maldives, Mali, Malta, Marshall Islands, Mexico, Micronesia, Monaco, Mongolia, Mozambique, Namibia, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Palau, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Rwanda, Saint Kitts and Nevis, Saint Vincent and the Grenadines, Samoa, San Marino, Senegal, Serbia and Montenegro, Singapore, Slovakia, Slovenia, Solomon Islands, Spain, Sri Lanka, Swaziland, Sweden, Switzerland, Tajikistan, Thailand, The former Yugoslav Republic of Macedonia, Timor-Leste, Tonga, Trinidad and Tobago, Ukraine, United Kingdom, United States, Uruguay, Venezuela, Zambia, Zimbabwe.

Against: None.

Abstaining: Bahrain, Belize, Brunei Darussalam, Burkina Faso, Burundi, China, Comoros, Cuba, India, Jordan, Kenya, Kuwait, Lebanon, Libyan Arab Jamahiriya, Malaysia, Mauritania, Mauritius, Morocco, Myanmar, Nauru, Oman, Pakistan, Qatar, Saint Lucia, Saudi Arabia, South Africa, Sudan, Suriname, Syrian Arab Republic, Tunisia, Turkey, Tuvalu, United Arab Emirates, United Republic of Tanzania, Yemen.

Displaced persons

In a July report [A/58/119] on compliance with General Assembly resolution 57/119 [YUN 2002, p. 469], which called for accelerated return of all persons displaced as a result of the June 1967 and subsequent hostilities to their homes or former places of residence in the territories occupied by Israel since 1967, the Secretary-General said that, since UNRWA was not involved in arrangements for the return of either refugees or displaced persons not registered with it, the Agency's information was based on requests by returning registered refugees for the transfer of their entitlements to their areas of return. Displaced refugees known by UNRWA to have returned to the West Bank and Gaza Strip since 1967 totalled about 23,900. As far as UNRWA knew, between 1 July 2002 and 30 June 2003, 879 registered refugees had returned to the West Bank and 154 to Gaza. Some of those refugees might not have been displaced since 1967, but

were possibly family members of a displaced registered refugee.

GENERAL ASSEMBLY ACTION

On 9 December [meeting 72], the General Assembly, on the recommendation of the Fourth Committee [A/58/472], adopted **resolution 58/92** by recorded vote (168-5-3) [agenda item 83].

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

The General Assembly,

Recalling its resolutions 2252(ES-V) of 4 July 1967, 2341 B (XXII) of 19 December 1967 and all subsequent related resolutions,

Recalling also Security Council resolutions 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 57/119 of 11 December 2002,

Taking note also of the report of the Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East covering the period from 1 July 2002 to 30 June 2003,

Concerned about the continuing human suffering resulting from the June 1967 and subsequent hostilities,

Taking note of the relevant provisions of the Declaration of Principles on Interim Self-Government Arrangements of 1993 with regard to the modalities for the admission of persons displaced in 1967, and concerned that the process agreed upon has not yet been effected,

1. *Reaffirms* the right of all persons displaced as a result of the June 1967 and subsequent hostilities to return to their homes or former places of residence in the territories occupied by Israel since 1967;

2. *Expresses deep concern* that the mechanism agreed upon by the parties in article XII of the Declaration of Principles on Interim Self-Government Arrangements of 1993 on the return of displaced persons has not been effected, and stresses the necessity for an accelerated return of displaced persons;

3. *Endorses*, in the meanwhile, the efforts of the Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East to continue to provide humanitarian assistance, as far as practicable, on an emergency basis and as a temporary measure, to persons in the area who are currently displaced and in serious need of continuing assistance as a result of the June 1967 and subsequent hostilities;

4. *Strongly appeals* to all Governments and to organizations and individuals to contribute generously to the Agency and to the other intergovernmental and non-governmental organizations concerned for the above-mentioned purposes;

5. *Requests* the Secretary-General, after consulting with the Commissioner-General, to report to the General Assembly before its fifty-ninth session on the progress made with regard to the implementation of the present resolution.

RECORDED VOTE ON RESOLUTION 58/92:

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, Cameroon, Canada, Cape Verde, Central African Republic, Chile, China, Colombia, Comoros, Costa Rica, Côte d'Ivoire, Croatia, Cuba, Cyprus, Czech Republic, Democratic People's Republic of Korea, Denmark, Djibouti, Dominican Republic, Ecuador, Egypt, El Salvador, Equatorial Guinea, Eritrea, Estonia, Ethiopia, Fiji, Finland, France, Gabon, Gambia, Georgia, Germany, Ghana, Greece, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Hungary, Iceland, India, Indonesia, Iran, Ireland, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Latvia, Lebanon, Lesotho, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Monaco, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nauru, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Panama, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Saint Lucia, Saint Vincent and the Grenadines, Samoa, San Marino, Saudi Arabia, Senegal, Serbia and Montenegro, Seychelles, 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, Ukraine, United Arab Emirates, United Kingdom, United Republic of Tanzania, Uruguay, Venezuela, Viet Nam, Yemen, Zambia, Zimbabwe.

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

Abstaining: Honduras, Papua New Guinea, Rwanda.

Property rights

In response to General Assembly resolution 57/122 [YUN 2002, p. 472], the Secretary-General submitted an August report [A/58/206] on steps taken to protect and administer Arab property, assets and property rights in Israel, and establish a fund for income derived therefrom, on behalf of the rightful owners. He indicated that he had transmitted the resolution to Israel and all other Member States, requesting information on any steps taken or envisaged to implement it.

In a 1 July reply, reproduced in the report, Israel stated that its position on the resolutions on Palestine refugees had been set forth in successive annual replies, the latest of which had been included in the Secretary-General's 2002 report on the subject [YUN 2002, p. 471]. Israel regretted that the resolutions continued to be rife with irrelevant politicized rhetoric that detracted from important efforts at hand. Israel fully supported UNRWA's humanitarian mission and believed that the Agency contributed to the alleviation of the suffering of the Palestinian refugees. However, on several occasions, UNRWA had issued anti-Israeli statements that ignored the right and duty of Israel to defend its citizens from the campaign of terror being waged against them for close to three years.

GENERAL ASSEMBLY ACTION

On 9 December [meeting 72], the General Assembly, on the recommendation of the Fourth Committee [A/58/472], adopted **resolution 58/94** by recorded vote (164-5-4) [agenda item 83].

Palestine refugees' properties and their revenues

The General Assembly,

Recalling its resolutions 194(III) of 11 December 1948, 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 in pursuance of its resolution 57/122 of 11 December 2002,

Taking note also of the report of the United Nations Conciliation Commission for Palestine for the period from 1 September 2002 to 31 August 2003,

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

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

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

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

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

1. *Reaffirms* that the 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 in the framework of the final status negotiations of the Middle East peace process;

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

RECORDED VOTE ON RESOLUTION 58/94:

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, Cambodia, Canada, Cape Verde, Chile, China, Colombia, Comoros, Costa Rica, Côte d'Ivoire, Croatia, Cuba, Cyprus, Czech Republic, Democratic People's Republic of Korea, Denmark, Djibouti, Dominican Republic, Ecuador, Egypt, El Salvador, Equatorial Guinea, Eritrea, Estonia, Ethiopia, Fiji, Finland, France, Gabon, Gambia, Georgia, Germany, Ghana, Greece, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Hungary, Iceland, India, Indonesia, Iran, Ireland, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Latvia, Lebanon, Lesotho, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Monaco, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Panama, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Saint Lucia, Saint Vincent and the Grenadines, Samoa, San Marino, Saudi Arabia, Senegal, Serbia and Montenegro, Seychelles, 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, Ukraine, United Arab Emirates, United Kingdom, United Republic of Tanzania, Uruguay, Venezuela, Viet Nam, Yemen, Zambia, Zimbabwe.

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

Abstaining: Cameroon, Honduras, Papua New Guinea, Rwanda.

Education, training and scholarships

In a September report [A/58/339], the Secretary-General transmitted responses to the General Assembly's appeal in resolution 57/120 [YUN 2002, p. 470] for States, specialized agencies and NGOs to augment special allocations for scholarships and grants to Palestine refugees, for which UNRWA acted as recipient and trustee.

In 2002/03, Japan awarded 12 fellowships to Palestine refugees employed by UNRWA as vocational staff at the eight vocational training centres in the Agency's area of operations. During the 2002/03 academic year, owing to the cancellation in 1999 of the portion of the university scholarship fund for secondary school graduates financed from UNRWA's General Fund budget and the fact that financing was not forthcoming from donors to fund the subprogramme, UNRWA's Education Department used funds already available from contributions from Japan and Switzerland to finance the studies of some students until their graduation. WHO provided 15 fellowships/study tours for qualified Palestinian candidates in 2002/03 and UNESCO granted 10 scholarships during the 2001-2002 biennium. Through the Scholarship Fund for Palestine Refugee Women in Lebanon, financed by the International Development Research Centre, 90 students were enrolled in specializations at Lebanese universities in 2002/03. Other financing was pledged or received from private individuals and foundations.

Proposed University of Jerusalem "Al-Quds"

In response to General Assembly resolution 57/123 [YUN 2002, p. 471], the Secretary-General submitted an August report on the proposal to establish a university for Palestine refugees in Jerusalem [A/58/205]. First mentioned by the Assem-

bly in resolution 35/13 B [YUN 1980, p. 443], the issue had been the subject of annual reports by the Secretary-General.

To assist in the feasibility study and at the Secretary-General's request, the Rector of the United Nations University again asked expert Mihaly Simai to visit the area and meet with Israeli officials. In response to the Secretary-General's note verbale of 13 June, Israel, in a 26 June reply, stated that it had consistently voted against the resolution on the proposed university and that its position remained unchanged. It charged that the resolution's sponsors sought to exploit higher education for political purposes extraneous to genuine academic pursuit. Accordingly, Israel was of the opinion that the proposed visit would serve no useful purpose. The Secretary-General reported that it had not been possible to complete the study as planned.

In response to the Secretary-General's note verbale to Member States of 19 June concerning the implementation of Assembly resolutions 57/117 to 57/123 [YUN 2002, pp. 466-472], the Syrian Arab Republic, in a 3 July reply, expressed concern with the occupying Power's continued rejection of UN resolutions, its failure to cooperate with the international community and its obstruction of implementation of the UNRWA proposal regarding the need to establish the University of Jerusalem "Al-Quds".

Peacekeeping operations

In 2003, the United Nations Truce Supervision Organization (UNTSO), originally set up to monitor the ceasefire called for by the Security Council in resolution S/801 of 29 May 1948 [YUN 1947-48, p. 427] in newly partitioned Palestine, continued its work. UNTSO's unarmed military observers fulfilled changing mandates—from supervising the original four armistice agreements between Israel and its neighbours (Egypt, Jordan, Lebanon, Syrian Arab Republic) to observing and monitoring other ceasefires, as well as performing a number of additional tasks. During the year, UNTSO personnel worked with the two remaining UN peacekeeping forces in the Middle East—the United Nations Disengagement Observer Force (UNDOF) in the Golan Heights and the United Nations Interim Force in Lebanon (UNIFIL).

Lebanon

The relative calm that marked the first half of 2003 was replaced in the second half by a renewed escalation of violence in the Shab'a farmlands area on the Lebanese-Israeli border. The paramilitary group Hizbullah carried out attacks against positions of the Israel Defence Forces (IDF) in the farmlands and targets inside Israel, and IDF continued to carry out attacks within Lebanon. The Shab'a farmlands had been a source of contention since the withdrawal of Israeli forces from Lebanon in June 2000 [YUN 2000, p. 465]. According to the Lebanese Government, Israel's withdrawal from southern Lebanon was incomplete, as Israeli forces continued to occupy the Shab'a farms, while Israel held the view that the area was occupied Syrian territory and thus within the purview of Security Council resolution 242(1967) [YUN 1967, p. 257] on the Israeli-Syrian conflict, and not resolution 425 (1978) [YUN 1978, p. 312], which dealt with Israel's withdrawal from Lebanon. However, Lebanon and the Syrian Arab Republic maintained that the Shab'a farmlands were inside Lebanese territory.

In their monthly briefings to the Security Council on the Palestinian question, including East Jerusalem, the Special Coordinator for the Middle East Peace Process and Personal Representative of the Secretary-General, Terje Roed-Larsen, and the Under-Secretary-General for Political Affairs, Kieran Prendergast, also reported on developments in southern Lebanon.

Staffan de Mistura continued to act as the Secretary-General's Personal Representative for Southern Lebanon, responsible for coordinating UN activities in the area.

Communications. In a series of communications received throughout the year [A/57/713-S/2003/73, A/57/722-S/2003/148, A/57/755-S/2003/314, A/57-782-S/2003/414, A/57/844-S/2003/698, A/57/856-S/2003/804, A/58/405-S/2003/932, A/58/418-S/2003/966, A/58/442-S/2003/1020, A/58/443-S/2003/1021, A/58/551-S/2003/1068, A/58/624-S/2003/1166, A/58/668-S/2003/1220], Lebanon detailed Israel's violations of the Blue Line, the provisional border drawn by the United Nations following the withdrawal of Israeli troops from southern Lebanon in June 2000, and consequently, of Lebanese sovereignty and territorial integrity.

In communications throughout 2003 [A/57/717-S/2003/96, A/57/820-S/2003/603, A/57/851-S/2003/758, A/58/425-S/2003/976], Israel reported attacks carried out by Hizbullah against Israeli military and civilian targets across the Blue Line. Israel also alleged that Hizbullah was supported by the Governments of Iran, Lebanon and the Syrian Arab Republic.

By a 12 February letter [A/57/730-S/2003/178], the Syrian Arab Republic refuted Israel's allegations, stating that the Lebanese national resistance emerged as a response to Israel's policy of occupation.

UNIFIL

In 2003, the United Nations Interim Force in Lebanon continued to discharge its mandate by observing, monitoring and reporting on developments in its area of operation. The Security Council twice extended UNIFIL's mandate in 2003, in January and in July, each time for a six-month period.

UNIFIL, established by Council resolution 425(1978) following Israel's invasion of Lebanon [YUN 1978, p. 296], was originally entrusted with confirming the withdrawal of Israeli forces, restoring international peace and security, and assisting Lebanon in regaining authority in southern Lebanon. Following a second invasion of Lebanon in 1982 [YUN 1982, p. 428], the Council, in resolution 511(1982) [ibid., p. 450], authorized the Force to carry out the additional task of providing protection and humanitarian assistance to the local population. With the withdrawal of IDF from Lebanon in June 2000 [YUN 2000, p. 465], UNIFIL's operational role changed. A reinforcement was initiated to enable UNIFIL to monitor Israel's withdrawal, which included extending its operations into those territories previously occupied by IDF [ibid.]. In 2001, having fulfilled those responsibilities, UNIFIL began a reconfiguration and redeployment phase [YUN 2001, p. 453], which was completed in December 2002 [YUN 2002, p. 478].

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

Composition and deployment

As at 31 December 2003, UNIFIL comprised 2,000 troops from France (202), Ghana (650), India (650), Ireland (7), Italy (53), Poland (238) and Ukraine (200). The Force was assisted in its tasks by 52 UNTSO military observers. It employed 415 civilian staff, of whom 119 were recruited internationally and 296 locally. Major General Lalit Mohan Tewari (India) continued as Force Commander.

Since UNIFIL's establishment, 244 members had lost their lives: 78 as a result of firings or bomb explosions, 104 in accidents and 62 from other causes.

Activities

Report of Secretary-General (January). In a report on developments from 13 July 2002 to 14 January 2003 in the UNIFIL area of operations [S/2003/38], the Secretary-General said that the situation on the ground was one of general stability, despite some incidents in the Shab'a farms area and attacks across the Blue Line. UNIFIL completed its reconfiguration and redeployment in December 2002 and had stabilized at a strength of about 2,000 troops.

The Secretary-General observed that UNIFIL would continue to discharge its mandate by observing, monitoring and reporting on developments in its area of operations, liaising with parties to maintain peace and security. The Lebanese Government had further demonstrated its capacity to exercise its authority effectively throughout southern Lebanon, strengthening administrative structures and extending the reach of the Lebanese Army. The Secretary-General recommended that the Force's mandate be extended for another six months, until 31 July 2003.

Communication. By a 9 January letter [S/2003/36] to the Secretary-General, Lebanon requested that UNIFIL's mandate, due to expire at the end of the month, be extended for a further six-month period, especially in the light of Israel's violations of Lebanese sovereignty.

SECURITY COUNCIL ACTION (January)

On 30 January [meeting 4696], the Security Council unanimously adopted **resolution 1461(2003)**. The draft [S/2003/111] was submitted by France.

The Security Council,

Recalling all its resolutions on Lebanon, in particular resolutions 425(1978) and 426(1978) of 19 March 1978 and 1428(2002) of 30 July 2002 as well as the statements by its President on the situation in Lebanon, in particular the statement of 18 June 2000 (S/PRST/2000/21),

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

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

Emphasizing the interim nature of the Force,

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

Recalling also its resolution 1325(2000) of 31 October 2000,

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

Responding to the request of the Government of Lebanon, as stated in the letter dated 9 January 2003 from the Chargé d'affaires a.i. of the Permanent Mission of Lebanon to the United Nations addressed to the Secretary-General,

1. *Endorses* the report of the Secretary-General of 14 January 2003 on the United Nations Interim Force in Lebanon, and in particular its recommendation to renew the mandate of the Force for a further period of six months;

2. *Decides* to extend the present mandate until 31 July 2003;

3. *Takes note* of the completion of the reconfiguration of the Force as outlined in paragraph 26 of the report of the Secretary-General and in accordance with the letter dated 18 May 2001 from the President of the Security Council addressed to the Secretary-General;

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

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

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

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

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

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

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

11. *Requests* the Secretary-General to continue consultations with the Government of Lebanon and other parties directly concerned on the implementation of the present resolution and to report thereon to the Council before the end of the present mandate as well as on the activities of the Force and the tasks presently carried out by the United Nations Truce Supervision Organization;

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

13. *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.

Report of Secretary-General (July). In response to Security Council resolution 1461(2003) (see p. 517), the Secretary-General submitted a July report on UNIFIL covering 15 January to 23 July [S/2003/728]. He said that the situation on the ground remained generally quiet but tense through a reporting period marked by regional conflict. The most significant sources of tension were the persistent Israeli violations of Lebanese airspace and instances of Hizbullah anti-aircraft fire directed across the Blue Line towards Israeli villages. A ceasefire breach in the Shab'a farms area occurred on 21 January when Hizbullah fired 56 mortar rounds at an IDF position. Israeli forces retaliated with artillery and mortar fire and two aerial bombs directed at the area from which the Hizbullah fire had emanated. One Lebanese civilian was killed and at least two others injured by IDF fire.

The Lebanese Joint Security Forces and the Lebanese Army continued to operate in the areas vacated by Israel; their activities increased, with a more visible presence, including along the Blue Line. The Lebanese Government maintained its position that, so long as there was no comprehensive peace with Israel, the Lebanese armed forces would not be deployed along the Blue Line. Hizbullah maintained a visible presence near the line and reinforced some positions, but its interference with the freedom of movement of UNIFIL staff during the reporting period was negligible. Official local governing structures were extending their authority throughout the south at a steady pace. Communications, infrastructure, health and welfare systems and postal services continued their slow progress towards integration with the rest of the country.

UNIFIL provided assistance to the civilian population in the form of medical care, water projects, equipment or services for schools and orphanages, and supplies of social services to the needy. In southern Lebanon, collaboration between the United Nations, the Lebanese Government and various donors had led to dramatic pro-

gress in demining efforts, and advocacy efforts began emphasizing socio-economic needs to rehabilitate formerly mine-affected areas. The Secretary-General's Personal Representative continued to collaborate with UNDP and the World Bank to facilitate funding for and implementation of development projects.

The Secretary-General observed that almost six months had passed since the January incidents across the Blue Line, the longest period of relative calm since Israel withdrew from Lebanon in 2000 after 22 years of occupation. However, despite encouraging trends, tensions between Israel and Lebanon remained high and the relative calm along the Blue Line was an uneasy one. The Secretary-General called on both parties to respect fully the withdrawal line identified by the United Nations and to refrain from any action that could destabilize the situation on the ground. As the Lebanese Government demonstrated its capacity to increase its authority throughout southern Lebanon, the relative improvement in terms of security in that area coupled with the achievements in demining pointed to the need for an increased focus on the economic development of the area.

Communication. By a 2 July letter to the Secretary-General [S/2003/685], Lebanon requested that UNIFIL's mandate be extended for a further six months, as a reaffirmation of the international community's commitment to the restoration of Lebanon's sovereignty over its entire territory.

SECURITY COUNCIL ACTION (July)

The Security Council, in a closed meeting on 25 July [meeting 4795], exchanged views with UNIFIL troop-contributing countries and heard a briefing from the Director of the Asia and Middle East Division of the Department of Peacekeeping Operations.

On 31 July [meeting 4802], the Council unanimously adopted **resolution 1496(2003)**. The draft [S/2003/778] was submitted by France.

The Security Council,

Recalling all its resolutions on Lebanon, in particular resolutions 425(1978) and 426(1978) of 19 March 1978 and 1461(2003) of 30 January 2003, as well as the statements by its President on the situation in Lebanon, in particular the statement of 18 June 2000 (S/PRST/2000/21),

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

Recalling further the conclusion of the Secretary-General that, as of 16 June 2000, Israel had withdrawn its forces from Lebanon in accordance with resolution 425(1978) and met the requirements defined in the report of the Secretary-General of 22 May 2000, as well as the conclusion of the Secretary-General that the United Nations Interim Force in Lebanon had essen-

tially completed two of the three parts of its mandate, focusing now on the remaining task of restoring international peace and security,

Emphasizing the interim nature of the Force,

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

Recalling also its resolution 1325(2000) of 31 October 2000,

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

Responding to the request of the Government of Lebanon, as stated in the letter dated 2 July 2003 from the Chargé d'affaires a.i. of the Permanent Mission of Lebanon to the United Nations addressed to the Secretary-General,

1. *Endorses* the report of the Secretary-General of 23 July 2003 on the United Nations Interim Force in Lebanon, and in particular its recommendation to renew the mandate of the Force for a further period of six months;

2. *Decides* to extend the present mandate until 31 January 2004;

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

4. *Welcomes* the steps already taken by the Government of Lebanon to ensure the return of its effective authority throughout the south, including the deployment of Lebanese armed forces, and calls upon it to continue to extend these measures and to do its utmost to ensure a calm environment throughout the south;

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

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

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

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

9. *Welcomes* the continued contribution of the Force to operational demining, applauds the progress in demining efforts noted by the Secretary-General in his report, encourages further assistance in mine action by the United Nations to the Government of Lebanon in support of both the continued development of its national mine action capacity and emergency demining activities in the south, commends donor countries for supporting these efforts through financial and in-kind contributions and encourages further international contributions, takes note of the communication to the Government of Lebanon and the Force

of maps and information on the location of mines, and stresses the necessity to provide the Government of Lebanon and the Force with any additional maps and records on the location of mines;

10. *Requests* the Secretary-General to continue consultations with the Government of Lebanon and other parties directly concerned on the implementation of the present resolution and to report thereon to the Council before the end of the present mandate, as well as on the activities of the Force and the tasks presently carried out by the United Nations Truce Supervision Organization;

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

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

Further developments. In a report on developments during the second half of 2003 [S/2004/50], the Secretary-General said that the situation in UNIFIL's area of operation was marked by numerous incidents threatening the fragile stability of southern Lebanon. The relative calm that had prevailed in the first half of the year gave way to renewed exchanges of fire in the Shab'a farms area. Air strikes and shooting incidents across the Blue Line resulted in the death of three Israelis, two soldiers and one civilian, and three Lebanese civilians. The persistent Israeli violations of Lebanese airspace and several instances of Hizbullah anti-aircraft fire directed towards Israeli villages contributed to the tension. Roadside explosive devices found on four occasions along the Blue Line adjacent to the IDF patrol route further strained relations between the parties. The Lebanese Joint Security Forces and the Lebanese Army continued to operate in the areas vacated by Israel in 2000. Their strength and activity remained the same, apart from a more visible presence in the first half of October, when regional and local tensions were heightened. Hizbullah maintained its visible presence near the border line through its network of mobile and fixed positions, as Lebanese armed forces were not deployed along the withdrawal line.

UNIFIL continued to provide assistance to the civilian population and cooperated on humanitarian matters with Lebanese authorities, UN agencies, the International Committee of the Red Cross (ICRC) and other organizations operating in Lebanon. The presence of a large number of minefields in UNIFIL's area of operation, which were largely concentrated along the Blue Line as other sectors had been cleared of mines, remained a matter of serious concern. Approximately 4.8 million square metres of land had been cleared of mines in other parts of southern

Lebanon. The Secretary-General's Personal Representative and UNDP continued to coordinate international assistance to the Lebanese Government in the framework of the International Support Group for Mine Action.

The Secretary-General said that the situation along the Blue Line was susceptible to volatile regional developments. That underscored the need to achieve a comprehensive, just and lasting peace in the Middle East, based on all the relevant Security Council resolutions.

Financing

Reports of Secretary-General and ACABQ. In June, the General Assembly considered the performance report on UNIFIL's budget for the period 1 July 2001 to 30 June 2002 [A/57/662 & Corr.1]. Total expenditures for the period amounted to \$131,112,200, compared with a total apportionment of \$136,816,100, resulting in an unencumbered balance of \$5,703,900.

The Assembly also had before it UNIFIL's proposed budget for the period from 1 July 2003 to 30 June 2004 in the amount of \$91,752,400 [A/57/663] and the overview of the financing of UN peacekeeping operations: budget performance for the period from 1 July 2001 to 30 June 2002 and budget for the period from 1 July 2003 to 30 June 2004 [A/57/723]. Also considered were the comments and recommendations of the Advisory Committee on Administrative and Budgetary Questions (ACABQ) [A/57/772/Add.6].

GENERAL ASSEMBLY ACTION

On 18 June [meeting 90], the General Assembly, on the recommendation of the Fifth (Administrative and Budgetary) Committee [A/57/829], adopted **resolution 57/325** by recorded vote (135-2) [agenda item 127 (b)].

Financing of the United Nations Interim Force in Lebanon

The General Assembly,

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

Recalling Security Council resolution 425(1978) of 19 March 1978 regarding the establishment of the United Nations Interim Force in Lebanon, and the subsequent resolutions by which the Council extended the mandate of the Force, the latest of which was resolution 1461(2003) of 30 January 2003,

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 56/214 B of 27 June 2002,

Reaffirming its resolutions 51/233 of 13 June 1997, 52/237 of 26 June 1998, 53/227 of 8 June 1999, 54/267 of 15 June 2000, 55/180 A of 19 December 2000,

55/180 B of 14 June 2001, 56/214 A of 21 December 2001 and 56/214 B,

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

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

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

1. *Takes note* of the status of contributions to the United Nations Interim Force in Lebanon as at 31 March 2003, including the contributions outstanding in the amount of 108.3 million United States dollars, representing some 4 per cent of the total assessed contributions, notes with concern that only twenty-three Member States have paid their assessed contributions in full, and urges all other Member States, in particular those in arrears, to ensure payment of their outstanding assessed contributions;

2. *Expresses its appreciation* to those Member States which have paid their assessed contributions in full, and urges all other Member States to make every possible effort to ensure payment of their assessed contributions to the Force in full;

3. *Expresses its deep concern* that Israel did not comply with General Assembly resolutions 51/233, 52/237, 53/227, 54/267, 55/180 A, 55/180 B, 56/214 A and 56/214 B;

4. *Stresses once again* that Israel should strictly abide by General Assembly resolutions 51/233, 52/237, 53/227, 54/267, 55/180 A, 55/180 B, 56/214 A and 56/214 B;

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

6. *Takes note* of the fact that indemnities have been paid to staff working on fixed-term contracts without a clear or detailed legislative basis, and requests the Secretary-General to ensure that similar cases do not occur in the future without previous specific authorization by the General Assembly;

7. *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, and requests the Secretary-General to ensure their full implementation without prejudice to a future discussion and decision on the proposal to create the post of Deputy Force Commander;

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

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

14. *Reiterates its request* to the Secretary-General to take the measures necessary to ensure the full implementation of paragraph 8 of its resolution 51/233, paragraph 5 of its resolution 52/237, 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 A and paragraph 13 of its resolution 56/214 B, 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 resumed fifty-eighth session;

Financial performance report for the period from 1 July 2001 to 30 June 2002

15. *Takes note* of the report of the Secretary-General on the financial performance of the Force for the period from 1 July 2001 to 30 June 2002;

Budget estimates for the period from 1 July 2003 to 30 June 2004

16. *Decides* to appropriate to the Special Account for the United Nations Interim Force in Lebanon the amount of 94,055,900 dollars for the period from 1 July 2003 to 30 June 2004, inclusive of 90 million dollars for the maintenance of the Force, 3,105,700 dollars for the support account for peacekeeping operations and 950,200 dollars for the United Nations Logistics Base;

Financing of the appropriation

17. *Also decides* to apportion among Member States the amount of 94,055,900 dollars at a monthly rate of 7,837,992 dollars, in accordance with the levels set out in resolution 55/235, as adjusted by the General Assembly in its resolutions 55/236 of 23 December 2000 and 57/290 A of 20 December 2002, and taking into account the scale of assessments for 2003 as set out in its resolutions 55/5 B of 23 December 2000 and 57/4 B of 20 December 2002, and for 2004, subject to a decision of the Security Council to extend the mandate of the Force;

18. *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 17 above, their respective share in the Tax Equalization Fund of 4,555,000 dollars at a monthly rate of 379,583 dollars, comprising the estimated staff assessment income of 3,799,100 dollars approved for the Force, the prorated share of 699,700 dollars of the estimated staff assessment income approved for the support account and the prorated share of 56,200 dollars of the estimated staff assessment income approved for the United Nations Logistics Base;

19. *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 17 above, their respective share of the unencumbered balance and other income in the total amount of 20,861,900 dollars in respect of the financial period ended 30 June 2002, in accordance with the levels set out in resolution 55/235, as adjusted by the General Assembly in its resolutions 55/236 and 57/290 A, and taking into account the scale of assessments for 2002, as set out in its resolutions 55/5 B and 57/4 B;

20. *Also decides* that, for Member States that have not fulfilled their financial obligations to the Force, their respective share of the unencumbered balance and other income in the total amount of 20,861,900 dollars in respect of the financial period ended 30 June 2002 shall be set off against their outstanding obligations in accordance with the scheme set out in paragraph 19 above;

21. *Further decides* that the increase of 398,800 dollars in the estimated staff assessment income in respect of the financial period ended 30 June 2002 shall be added to the credits from the amount referred to in paragraphs 19 and 20 above and that the respective shares of Member States therein shall be applied in accordance with the provisions of those paragraphs, as appropriate;

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

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

24. *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;

25. *Decides* to include in the provisional agenda of its fifty-eighth 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 57/325:

In favour: Albania, Algeria, Andorra, Antigua and Barbuda, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belgium, Belize, Benin, Bhutan, Bolivia, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Canada, Cape Verde, Chile, China, Colombia, Congo, Costa Rica, Croatia, Cuba, Cyprus, Czech Republic, Democratic People's Republic of Korea, Denmark, Dominica, Dominican Republic, Egypt, Ethiopia, Fiji, Finland, France, Gabon, Gambia, Germany, Ghana, Greece, Grenada, Guatemala, Guinea, Guyana, Hungary, Iceland, India, Indonesia, Ireland, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Lao People's Democratic Republic, Latvia, Lebanon, Lesotho, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Malaysia, Mali, Malta, Mauritania, Mexico, Monaco, Mongolia, Morocco, Mozambique, Myanmar, Nepal, Netherlands, New Zealand, Nicaragua, Nigeria, Oman, Pakistan, Panama, Paraguay, Peru, Philippines, Poland, Qatar, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Saint Lucia, Saudi Arabia, Senegal, Serbia and Montenegro, Sierra Leone, Singapore, Slovakia, Slovenia, Somalia, South Africa, Spain, Sri Lanka, Sudan, Sweden, Switzerland, Syrian Arab Republic, Thailand, The former Yugoslav Republic of Macedonia, Timor-Leste, Togo, Tonga, Trinidad and Tobago, Tunisia, Turkey, Uganda, Ukraine, United Arab Emirates, United Kingdom, United Republic of Tanzania, Uruguay, Venezuela, Viet Nam, Yemen, Zambia, Zimbabwe

Against: Israel, United States.

Subsequently, the delegations of Maldives, Mauritius and Portugal informed the Secretariat that they had intended to vote in favour.

The Assembly and the Committee each had adopted the fourth preambular paragraph and operative paragraphs 3, 4 and 14 by a single recorded vote of 85 to 2, with 45 abstentions, and 80 to 2, with 47 abstentions, respectively.

Syrian Arab Republic

In 2003, the General Assembly again called for Israel's withdrawal from the Golan Heights in the Syrian Arab Republic, which it had occupied since 1967. The area was effectively annexed by Israel when it extended its laws, jurisdiction and administration to the territory towards the end of 1981 [YUN 1981, p. 309].

Tension escalated in the region on 5 October, when, in retaliation to a suicide bombing attack carried out by Islamic Jihad in Haifa, Israeli military forces bombed a site inside Syrian territory. The Security Council convened on that same day in an emergency session to discuss the Israeli raid; no action was taken on a draft resolution submitted by Syria, though the Council decided to continue discussion of the subject in informal consultations.

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

Escalation of tension

Communications. On 5 October [S/2003/940], the Syrian Arab Republic informed the Secretary-General and the Security Council President that, on that day, the Israeli air force violated Syrian and Lebanese airspace and launched a missile attack in the village of Ain Al Sahib, north-west of the capital, Damascus, causing material damage. Syria invited the Council to convene an emergency meeting to consider the Israeli aggression.

Also on 5 October [S/2003/949], the League of Arab States (LAS) issued a statement, in which it declared that Israel's targeting of a civilian site in Syrian territory was a serious escalation that threatened regional security and a further defiance of all international charters and treaties and principles of international law. It called on the Council to bring an immediate and decisive end

to Israeli occupation practices against the Palestinians and against Syria and Lebanon.

Security Council consideration (5 October).

At the request of the Syrian Arab Republic [S/2003/939] and Lebanon [S/2003/943], the Security Council, on 5 October [meeting 4836], met to discuss the violations of Syrian and Lebanese airspace committed that day by the Israeli air force and the missile attack carried out by the latter against a civilian site situated inside Syrian territory. With the Council's consent, the President invited, among others, Israel and the Permanent Observers of LAS [S/2003/941] and Palestine [S/2003/942], at their request, to participate in the discussion without the right to vote.

Syria said that the act of aggression that Israel committed that day was part of the Israeli Government's strategic policy to escalate tension in the Middle East. Syria had exercised maximum self-restraint and had turned to the Council in order to condemn Israel's action. In that regard, it had officially submitted the text of a draft resolution that responded to the Israeli challenge, in accordance with the principles of the UN Charter.

Israel said that on 4 October a suicide bomber killed 19 Israelis and wounded at least 60 others inside a restaurant in the city of Haifa. According to Israel, Islamic Jihad, a terrorist organization that operated from PA territory, with its headquarters in Damascus, claimed responsibility for the attack. The attack in Haifa was the latest of over 40 atrocities committed by Islamic Jihad in the past few years. Among the many terrorist groups that operated and benefited from the auspices of Syria were Islamic Jihad, Hams, Hizbullah and the Popular Front for the Liberation of Palestine. Safe harbour and training facilities were provided throughout Syria for those terrorist organizations, both in separate facilities and in Syrian army bases. The Ein Saheb base, which was targeted on that day by Israel's measured defensive operation, was just one of those facilities sponsored by Syria and Iran. Recruits at camps such as Ein Saheb were taught how to assemble bombs, conduct kidnapping, prepare suicide belts and establish terrorist cells. Syria facilitated and directed acts of terrorism by coordination and briefings via phone and Internet and by calling activists to Damascus for consultations. Using the Syrian and Palestinian banking systems, Iran sustained a systematic money transfer system and large sums had been transferred to Islamic Jihad. Council resolution 1373(2001) [YUN 2001, p. 61] made clear that States were obligated to prevent acts of terrorism and refrain from any form of financing, support or toleration of terrorist groups. Israel's response to the suicide bombings

against a terrorist training facility in Syria was a clear act of self-defence.

The United States called on all sides to avoid heightening the tension in the Middle East and to think carefully about the consequences of their actions. It also called on Syria to stop harbouring and supporting the groups that perpetrated terrorist acts such as the one that occurred in Haifa on 4 October.

Lebanon said that Israel's violations of relevant UN resolutions and of international agreements were the cause of the pain and turbulence throughout the Middle East. Israel's actions would only further fuel the cycle of violence. Lebanon hoped that the Council would condemn Israel's aggression against a Syrian village.

Following the meeting, in accordance with the understanding reached in prior consultations, the Council President invited the members to continue discussion of the subject in informal consultations.

Committee on Israeli Practices. In its annual report [A/58/311], the Committee on Israeli Practices stated that it had visited Damascus and Quneitra province, which bordered the occupied area, where it met with Syrian authorities and received information from witnesses with personal knowledge of the occupied Syrian Arab Golan. Syrian government officials emphasized that the situation of human rights in the occupied Syrian Golan had further deteriorated and that Israel was still pursuing its policy of occupation. In addition, the Israeli Government was offering compensation and favourable loans to encourage additional settlers to move into the occupied Golan during the next 10 years. At the same time, Israeli authorities continued to confiscate a large portion of land. Syrian villagers were also compelled to buy allocated water supplies at a higher price than those paid by Jewish settlers. Life in general was becoming increasingly difficult for the 500,000 Syrian Arabs, many of whom were refugees from the occupied Golan. For the first time, several checkpoints had been set up on the border separating Syria from the occupied Syrian Golan, which was perceived by the Syrians as a provocative measure since there was hardly any population movement from both sides of the borders.

Reports of Secretary-General. On 8 August [A/58/264], the Secretary-General reported that no reply had been received from Israel to his June request for information on steps taken or envisaged to implement General Assembly resolution 57/128 [YUN 2002, p. 482], which called on Israel to desist from changing the physical character, demographic composition, institutional structure

and legal status of the Golan, and from its repressive measures against the population.

By a 13 August report [A/58/278], the Secretary-General transmitted replies received from eight Member States, including Israel, in response to his request for information on steps taken or envisaged to implement Assembly resolution 57/112 [YUN 2002, p. 481], which dealt with Israeli policies in the Syrian territory occupied since 1967, and resolution 57/111 [ibid., p. 444], on the transfer by some States of their diplomatic missions to Jerusalem (see p. 484).

GENERAL ASSEMBLY ACTION

On 3 December [meeting 68], the General Assembly adopted **resolution 58/23** [draft: A/58/L.28 & Add.1] by recorded vote (104-5-61) [agenda item 37].

The Syrian Golan

The General Assembly,
Having considered the item entitled "The situation in the Middle East",

Taking note of the report of the Secretary-General,
Recalling Security Council resolution 497(1981) of 17 December 1981,

Reaffirming the fundamental principle of the inadmissibility of the acquisition of territory by force, in accordance with international law and the Charter of the United Nations,

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

Deeply concerned that Israel has not withdrawn from the Syrian Golan, which has been under occupation since 1967, contrary to the relevant Security Council and General Assembly resolutions,

Stressing the illegality of the Israeli settlement construction and other activities in the occupied Syrian Golan since 1967,

Noting with satisfaction the convening in Madrid on 30 October 1991 of the Peace Conference on the Middle East, on the basis of Security Council resolutions 242(1967) of 22 November 1967, 338(1973) of 22 October 1973 and 425(1978) of 19 March 1978 and the formula of land for peace,

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, continue to apply to the Syrian territory occupied by Israel since 1967, and calls upon the parties thereto to respect

and ensure respect for their obligations under those instruments in all circumstances;

4. *Determines once more* that the continued occupation of the Syrian Golan and its de facto annexation constitute a stumbling block in the way of achieving a just, comprehensive and lasting peace in the region;

5. *Calls upon* Israel to resume the talks on the Syrian and Lebanese tracks and to respect the commitments and undertakings reached during the previous talks;

6. *Demands once more* that Israel withdraw from all the occupied Syrian Golan to the line of 4 June 1967 in implementation of the relevant Security Council resolutions;

7. *Calls upon* all the parties concerned, the co-sponsors of the peace process and the entire international community to exert all the necessary efforts to ensure the resumption of the peace process and its success by implementing Security Council resolutions 242(1967) and 338(1973);

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

RECORDED VOTE ON RESOLUTION 58/23:

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

Against: Israel, Marshall Islands, Micronesia, Palau, United States.
Abstaining: Albania, Andorra, Australia, Austria, Belgium, Bosnia and Herzegovina, Bulgaria, Canada, Costa Rica, Croatia, Czech Republic, Denmark, Dominican Republic, El Salvador, Estonia, Finland, France, Georgia, Germany, Greece, Guatemala, Honduras, Hungary, Iceland, Ireland, Italy, Japan, Kazakhstan, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Monaco, Nauru, Netherlands, New Zealand, Nicaragua, Norway, Peru, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, Rwanda, Samoa, San Marino, Serbia and Montenegro, Slovakia, Slovenia, Solomon Islands, Spain, Sweden, Switzerland, The former Yugoslav Republic of Macedonia, Tonga, Uganda, Ukraine, United Kingdom, Uruguay.

On 9 December [meeting 72], the Assembly, under the agenda item on the report of the Committee on Israeli Practices and on the Fourth Committee's recommendation [A/58/473 & Corr.1], adopted **resolution 58/100** by recorded vote (163-1-11) [agenda item 84].

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 last of which was resolution 57/128 of 11 December 2002,

Having considered the report of the Secretary-General submitted in pursuance of resolution 57/128,

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 fifty-ninth session on the implementation of the present resolution.

RECORDED VOTE ON RESOLUTION 58/100:

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, Chile, China, Colombia, Comoros, Costa Rica, Côte d'Ivoire, Croatia, Cuba, Cyprus, Czech Republic, Democratic People's Republic of Korea, Denmark, Djibouti, Dominican Republic, Ecuador, Egypt, El Salvador, Eritrea, Estonia, Ethiopia, Fiji, Finland, France, Gabon, Gambia, Georgia, Germany, Ghana, Greece, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Hungary, Iceland, India, Indonesia, Iran, Ireland, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Latvia, Lebanon, Lesotho, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Monaco, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Saint Lucia, Saint Vincent and the Grenadines, Samoa, San Marino, Saudi Arabia, Senegal, Serbia and Montenegro, Seychelles, Singapore, Slovakia, Slovenia, Somalia, South Africa, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Switzerland, Syrian Arab Republic, Tajikistan, Thailand, The former Yugoslav Republic of Macedonia, Timor-Leste, Togo, Trinidad and Tobago, Tunisia, Turkey, Turkmenistan, Ukraine, United Arab Emirates, United Kingdom, United Republic of Tanzania, Uruguay, Venezuela, Viet Nam, Yemen, Zambia, Zimbabwe.

Against: Israel.

Abstaining: Cameroon, Equatorial Guinea, Honduras, Marshall Islands, Micronesia, Nauru, Palau, Rwanda, Tonga, Tuvalu, United States.

UNDOF

The mandate of the United Nations Disengagement Observer Force, established by Security Council resolution 350(1974) [YUN 1974, p. 205] to supervise the observance of the ceasefire between Israel and the Syrian Arab Republic in the Golan Heights and ensure the separation of their forces, was renewed twice in 2003, in June and December, each time for a six-month period.

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

As at 30 November, UNDOF comprised 1,046 troops from Austria (365), Canada (188), Japan (45), Poland (353) and Slovakia (95). It was assisted by 78 UNTSO military observers. The Secretary-General appointed Major General Franciszek Gagor (Poland) as Force Commander from 13 August [S/2003/726] to succeed Major General Bo Wrangler (Sweden), who completed his tour of duty on 12 August. The Security Council took note of the Secretary-General's intention on 18 July [S/2003/727].

Reports of Secretary-General. The Secretary-General reported to the Security Council on UNDOF activities between 6 December 2002 and 18 June 2003 [S/2003/655] and between 19 June and 9 December 2003 [S/2003/1148]. Both reports noted that the UNDOF area of operation remained calm, except in the Shab'a farms area (see

p. 520). The ceasefire in the Israel-Syria sector remained generally quiet, with the exception of a 5 October Israeli air strike on a target north-west of Damascus (see p. 522). UNDOF continued in 2003 to supervise the area of separation between Israeli and Syrian troops in the Golan Heights, to ensure that no military forces of either party were deployed there, by means of fixed positions and patrols. The Force, accompanied by liaison officers from the party concerned, carried out fortnightly inspections of equipment and force levels in the area 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. Mines, especially in the area of separation, continued to pose a threat to UNDOF personnel and local inhabitants. The Force supported the United Nations Children's Fund in mine-awareness activities.

UNDOF assisted ICRC with facilities for mail and the passage of persons through the area of separation. Within the means available, medical treatment was provided to the local population on request.

The Secretary-General observed that tension in the Israel-Syria sector had been high since the Israeli air strike of 5 October. The overall situation in the Middle East was also very tense and was likely to remain so, unless and until a comprehensive settlement covering all aspects of the problem could be reached. He hoped that determined efforts would be made by all concerned to tackle the problem, with a view to arriving at a just and durable peace settlement, as called for by Security Council resolution 338(1973) [YUN 1973, p. 213]. Stating that he considered the Force's continued presence in the area to be essential, the Secretary-General, with the agreement of both Israel and Syria, recommended that UNDOF's mandate be extended until 31 December 2003 in the first instance and until 30 June 2004 in the second.

SECURITY COUNCIL ACTION

On 23 June [meeting 4778], the Security Council held a closed meeting and had a constructive exchange of views with UNDOF troop-contributing countries.

On 26 June [meeting 4779], the Council unanimously adopted **resolution 1488(2003)**. The draft [S/2003/668] was prepared in consultations among Council members.

The Security Council,

Having considered the report of the Secretary-General of 18 June 2003 on the United Nations Disengagement Observer Force, and reaffirming its resolution 1308(2000) of 17 July 2000,

1. *Calls upon* the parties concerned to implement immediately Security Council resolution 338(1973) of 22 October 1973;

2. *Decides* to renew the mandate of the United Nations Disengagement Observer Force for a period of six months, that is, until 31 December 2003;

3. *Requests* the Secretary-General to submit, at the end of this period, a report on the developments in the situation and the measures taken to implement resolution 338(1973).

On 11 December, the Council, in a closed meeting [meeting 4878], had an exchange of views with UNDOF troop-contributing countries and heard a briefing from the Director of the Asia and Middle East Division of the Department of Peacekeeping Operations.

On 22 December [meeting 4889], the Council unanimously adopted **resolution 1520(2003)**. The draft [S/2003/1176] was prepared during consultations among Council members.

The Security Council,

Having considered the report of the Secretary-General of 9 December 2003 on the United Nations Disengagement Observer Force, and reaffirming its resolution 1308(2000) of 17 July 2000,

1. *Calls upon* the parties concerned to implement immediately its resolution 338(1973) of 22 October 1973;

2. *Decides* to renew the mandate of the United Nations Disengagement Observer Force for a period of six months, that is, until 30 June 2004;

3. *Requests* the Secretary-General to submit, at the end of this period, a report on the developments in the situation and the measures taken to implement resolution 338(1973).

After the adoption of each resolution, the President, following consultations among Council members, made identical statements **S/PRST/2003/9** [meeting 4779] on 26 June and **S/PRST/2003/29** [meeting 4889] on 22 December, on behalf of the Council:

In connection with the resolution just adopted on the renewal of the mandate of the United Nations Disengagement Observer Force, I have been authorized to make the following complementary statement on behalf of the Security Council:

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

Financing

Reports of Secretary-General and ACABQ.

On 18 December 2002, the Secretary-General presented a performance report on UNDOF's budget for the period from 1 July 2001 to 30 June 2002

[A/57/668]. Expenditures totalled \$34,422,900 gross (\$33,464,700 net), resulting in an unencumbered balance of \$113,400. On 19 December, he submitted UNDOF's budget for the period from 1 July 2003 to 30 June 2004 [A/57/688], totalling \$40,212,900 gross (\$39,192,400 net). On 6 February 2003, he also submitted an overview report on the financing of UN peacekeeping operations: budget performance for the period from 1 July 2001 to 30 June 2002 and budget for the period from 1 July 2003 to 30 June 2004 [A/57/723].

ACABQ's comments and recommendations on the two December reports were contained in an April report to the Assembly [A/57/772/Add.7].

GENERAL ASSEMBLY ACTION

On 18 June [meeting 90], the General Assembly, on the recommendation of the Fifth Committee [A/57/837], adopted **resolution 57/324** without vote [agenda item 127 (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 reports of the Advisory Committee on Administrative and Budgetary Questions,

Recalling Security Council resolution 350(1974) of 31 May 1974 regarding the establishment of the United Nations Disengagement Observer Force and the subsequent resolutions by which the Council extended the mandate of the Force, the latest of which was resolution 1451(2002) of 17 December 2002,

Recalling also its resolution 3211 B (XXIX) of 29 November 1974 on the financing of the United Nations Emergency Force and of the United Nations Disengagement Observer Force, and its subsequent resolutions thereon, the latest of which was resolution 56/294 of 27 June 2002,

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 necessary financial resources to enable it to fulfil its responsibilities under the relevant resolutions of the Security Council,

1. *Takes note* of the status of contributions to the United Nations Disengagement Observer Force as at 31 March 2003, including the contributions outstanding in the amount of 25.7 million United States dollars, representing some 2 per cent of the total assessed contributions, notes with concern that only thirty-three Member States have paid their assessed contributions in full, and urges all other Member States, in particular those in arrears, to ensure payment of their outstanding assessed contributions;

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

3. *Expresses concern* at the financial situation with regard to peacekeeping activities, in particular as re-

gards the reimbursements to troop contributors that bear additional burdens owing to overdue payments by Member States of their assessments;

4. *Urges* all Member States to make every possible effort to ensure payment of their assessed contributions to the Force in full;

5. *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;

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. *Takes note* of the observation contained in paragraph 20 of the report of the Advisory Committee on Administrative and Budgetary Questions and endorses the remaining conclusions and recommendations, and requests the Secretary-General to ensure their full implementation, without prejudice to a future discussion and decision on the proposal to create the post of Deputy Force Commander, subject to the provisions of the present resolution;

10. *Authorizes* the Secretary-General to fill the three general staff posts referred to in paragraph 22 of the report of the Advisory Committee for a period not to exceed one year, and invites the Secretary-General to resubmit with full justification this request in connection with the budget request for the period from 1 July 2004 to 30 June 2005;

11. *Invites* the Secretary-General to resubmit with full justification his request concerning the proposed upgrade of the Chief Administrative Officer in connection with the budget proposal for the period from 1 July 2004 to 30 June 2005;

12. *Decides* to eliminate the vacant Field Service driver position in the Office of the Force Commander;

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

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

15. *Notes with appreciation* the implementation of paragraph 10 of its resolution 56/294 through making allowance for difficulties resulting from the relocation of the headquarters of the Force from Damascus to Camp Faouar;

16. *Welcomes* the Secretary-General's observation in paragraph 17 of his report that all outstanding issues have been satisfactorily resolved, and in this regard recognizes the need for continuing dialogue between staff and management, consistent with the existing mechanisms in all peacekeeping missions;

17. *Requests* the Secretary-General to ensure that the modernization programme should fully respect the relevant mandates of the United Nations Disengagement Observer Force and the United Nations Truce Supervision Organization;

Financial performance report for the period from 1 July 2001 to 30 June 2002

18. *Takes note* of the report of the Secretary-General on the financial performance of the Force for the period from 1 July 2001 to 30 June 2002;

Budget estimates for the period from 1 July 2003 to 30 June 2004

19. *Decides* to appropriate to the Special Account for the United Nations Disengagement Observer Force the amount of 41,812,200 dollars for the period from 1 July 2003 to 30 June 2004, inclusive of 40,009,200 dollars for the maintenance of the Force, 1,380,600 dollars for the support account for peacekeeping operations, and 422,400 dollars for the United Nations Logistics Base;

Financing of the appropriation

20. *Decides also* to apportion among Member States the amount of 41,812,200 dollars at a monthly rate of 3,484,350 dollars, in accordance with the levels set out in resolution 55/235, as adjusted by the General Assembly in its resolutions 55/236 of 23 December 2000 and 57/290 A of 20 December 2002, and taking into account the scale of assessments for 2003, as set out in its resolutions 55/5 B of 23 December 2000 and 57/4 B of 20 December 2002, and for 2004, subject to a decision of the Security Council to extend the mandate of the Force;

21. *Decides further* that, in accordance with the provisions of its resolution 973(X) of 15 December 1955, there shall be set off against the apportionment among Member States, as provided for in paragraph 20 above, their respective share in the Tax Equalization Fund of 1,318,100 dollars at a monthly rate of 109,842 dollars, comprising the estimated staff assessment income of 982,100 dollars approved for the Force, the prorated share of 311,000 dollars of the estimated staff assessment income approved for the support account, and the prorated share of 25,000 dollars of the estimated staff assessment income approved for the United Nations Logistics Base;

22. *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 20 above, their respective share of the unencumbered balance and other income in the total amount of 2,488,400 dollars in respect of the financial period ended 30 June 2002, in accordance with the levels set out in resolution 55/235, as adjusted by the General Assembly in its resolutions 55/236 and 57/290 A, and taking into account the scale of assessments for 2002, as set out in its resolutions 55/5 B and 57/4 B;

23. *Decides also* that for Member States that have not fulfilled their financial obligations to the Force, their respective share of the unencumbered balance and other income in the total amount of 2,488,400 dollars in respect of the financial period ended 30 June 2002 shall be set off against their outstanding obligations in accordance with the scheme set out in paragraph 22 above;

24. *Decides further* that the increase of 200,800 dollars in the estimated staff assessment income in respect of the financial period ended 30 June 2002 shall be added to the credits from the amount referred to in paragraphs 22 and 23 above, and that the respective shares of Member States therein shall be applied in accordance with the provisions of those paragraphs as appropriate;

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

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

27. *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;

28. *Decides* to include in the provisional agenda of its fifty-eighth 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".