

Chapter VI

Middle East

The conflict in the Middle East abated somewhat during the first months of 2005, as actions by Israeli and Palestinian leaders generated new hopes for peace. The summit meeting held at Sharm el-Sheikh, Egypt, on 8 February, produced a series of commitments, including a halt to violence and military activities, aimed at rebuilding trust and breaking the cycle of bloodshed. Although formal negotiations were not resumed, the two parties agreed to coordinate the Israeli withdrawal from the Gaza Strip and parts of the northern West Bank. Israel's disengagement from those areas, which took place between 15 August and 12 September, marked a watershed in that it constituted the first removal of Israeli settlements in the Occupied Palestinian Territory. However, the disengagement failed to revive the peace process due to a resurgence of violence during the last months of 2005. A November Agreement on Movement and Access between Israel and the Palestinian Authority (PA), which called, among other things, for the continuous operation of the border crossings between Gaza and Israel, was not fully implemented by the end of the year. Israel's ongoing construction of the separation wall in the occupied territories and restrictions on movement in the form of checkpoints, curfews and the permit system greatly contributed to the continuing humanitarian and socio-economic crisis in the Palestinian areas.

The Palestinian presidential election, the first to be held since 1996, took place, on 9 January, in the West Bank and Gaza Strip. Voters elected the Chairman of the Palestine Liberation Organization (PLO), Mahmoud Abbas, as the new President of the PA to replace Yasser Arafat, who died on 11 November 2004. Four rounds of municipal elections were also held throughout the year. President Abbas repeatedly called for an end to violence and promoted Palestinian reforms, especially in the security sector. He faced major fiscal and budgetary problems, which threatened to paralyze the PA's administration. In addition, a number of unintegrated Palestinian militia groups, clans and individual force commanders continued to wield undue influence. The political wing of the Islamic organization, Hamas, took part in the municipal elections, though it boycotted the presidential one. Legislative elections were scheduled to take place in January 2006.

In Israel, Prime Minister Ariel Sharon carried out the disengagement plan, originally announced in February 2004, despite strong domestic opposition. The international community commended the Israeli Government for the smooth and professional execution of the disengagement operation. Throughout 2005, Israel expressed concern over the inability by the PA to control Palestinian terrorist organizations and dismantle their infrastructure.

The Quartet, a coordinating mechanism for international peace efforts, comprising the Russian Federation, the United States, the European Union and the United Nations, continued to promote the road map initiative as the best solution to the conflict. The road map, which was endorsed by the Security Council in 2003, aimed to achieve progress through parallel and reciprocal steps by Israel and the PA in the political, security, economic, humanitarian and institution-building areas, under an international monitoring system. In April, the Quartet principals named James D. Wolfensohn as their Special Envoy for Gaza Disengagement, whose mandate focused on the non-security aspects of the Israeli withdrawal, including trade, and the revival of the Palestinian economy.

In March, the United Kingdom hosted a meeting on supporting the PA, which was attended by representatives of the Quartet, including the Secretary-General. The participants agreed to support the Palestinian leadership in its efforts to strengthen the PA's institutions.

During a visit to Israel and the Occupied Palestinian Territory in March, the Secretary-General urged the two sides to seek further progress through direct dialogue and negotiations. In May, he appointed Alvaro de Soto as the United Nations Special Coordinator for the Middle East Peace Process and his Personal Representative to the Palestine Liberation Organization and the PA.

In February, a bomb attack killed former Lebanese Prime Minister Rafik Hariri and 20 others in Beirut. The Secretary-General designated a Special Envoy for the implementation of Security Council resolution 1559(2004), which called, among other measures, for the withdrawal of foreign forces from the country and the disbanding and disarmament of militias. In addition, the Secretary-General dispatched a team of military

experts to Lebanon at the end of April to verify whether Syrian military assets, except in one disputed border area, had been withdrawn fully from Lebanon. He sent the team back in June to clarify allegations that Syrian intelligence operatives continued to operate in the country. The assassination of Mr. Hariri, occurring only months before planned parliamentary elections, raised fears that Lebanon would return to its violent past. In condemning the attack, the Security Council requested that the Secretary-General report on the causes, circumstances and consequences of the attack. A UN mission of inquiry, which was dispatched by the Secretary-General, concluded that an international commission should independently investigate the crime. The Council established the United Nations International Independent Investigation Commission (UNIIC). In resolution 1636(2005), it took note, with concern, of the Commission's conclusion that there was converging evidence pointing to the involvement of both Lebanese and Syrian officials in Mr. Hariri's assassination, and insisted that Syria should not interfere in Lebanese domestic affairs.

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 over four million Palestinian refugees living both in and outside camps in the West Bank and the Gaza Strip, as well as in Jordan.

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.

Peace process

Overall situation

The Secretary-General, in a November report on the peaceful settlement of the question of Palestine [A/60/539-S/2005/701] (see also p. 535), said

that, despite setbacks, 2005 witnessed the successful completion of the Israeli disengagement from the Gaza Strip and parts of the northern West Bank, first announced by prime Minister Ariel Sharon in February 2004 [YUN 2004, p. 455]. On 12 September, Israel withdrew the last of its military personnel and installations from the Gaza Strip, and by 20 September from four settlements in the northern West Bank, thereby putting an end to its permanent presence in the area. As Israel's first withdrawal from the Occupied Palestinian Territory since the occupation began in 1967, it was a landmark in Israeli-Palestinian relations, setting an important precedent for the eventual realization of the two-State solution.

In the aftermath of the Israeli withdrawal, the Quartet's Special Envoy for Gaza Disengagement, James D. Wolfensohn, who had helped to enhance crucial channels of coordination between the parties during the disengagement process, continued to follow up on a six-point agenda: border crossings and trade corridors; movement between the West Bank and Gaza; movement within the West Bank; the Gaza airport and seaport; the houses in the Israeli settlements; and their agricultural assets. Many of those issues remained unresolved. Mr. Wolfensohn identified three key areas for the Palestinian Authority (PA) to address: the PA's fiscal crisis and development of a fiscal stabilization plan to be included in the 2006 budget; the creation of a general development plan related to a fiscally sound financial plan for 2006-2008; and the design of quick-impact economic programmes for short-term employment generation. Those issues were important elements of the foundations for economic recovery, good governance and eventual statehood.

The Palestinian presidential election, held in January, was complicated by the continuing Israeli occupation and restrictions on freedom of movement imposed in the Occupied Palestinian Territory. However, voter turnout was high. Mahmoud Abbas, who won with 62.5 per cent of the votes, was elected President. Elections for the Palestinian Legislative Council were scheduled to be held in January 2006. The PA leadership sought to encourage groups engaged in terrorism to abandon that course and engage in the democratic process.

At the Sharm el-Sheikh summit in February 2005, convened by Egypt and with the participation of Jordan, the parties pledged to end all violence. Israel agreed to release a number of Palestinian prisoners and transfer control of five West Bank cities to the PA. However, while Israel released a number of prisoners, it transferred control of only two of the five cities agreed upon and

resumed its policy of extrajudicial killings. Nevertheless, the Israeli Defence Force (IDF) exercised restraint in its military activities in the period prior to disengagement, despite incidents of Palestinian violence and halted its policy of demolishing Palestinian houses.

The Palestinian security services remained divided, weak, overstuffed, badly motivated and under-armed. A number of unintegrated forces, Palestinian clans and individual force commanders continued to wield undue influence. They were also hampered by corruption, institutional hierarchies, cults of personality and lack of cohesive training. The security services were consolidated into three main branches—the national forces, the intelligence forces and the police—under the supervision of the Ministry of Interior. New heads of those services were appointed and the security retirement law implemented. President Abbas stressed his commitment to work towards the PA's monopoly on the use of force.

Israel, for its part, did not make progress in implementing its core commitments under the June 2003 road map [YUN 2003, p. 461]. Settlement expansion and lack of action on removing illegal settlement outposts erected since 2001 undermined trust in Israel's intentions. In early 2005, Israel announced plans to construct 3,500 new housing units in Ma'ale Adumim and two other settlement blocs in the West Bank.

On 6 May [S/2005/306], the Secretary-General informed the Security Council President of his intention to appoint Alvaro de Soto (Peru) as the United Nations Special Coordinator for the Middle East Peace Process and as his Personal Representative to the Palestinian Liberation Organization (PLO) and the PA. He succeeded Terje Roed-Larsen (Norway), who served in that position from 1 October 1999 to 31 December 2004. Mr. de Soto would coordinate all UN activities on the ground related to the Middle East peace process; ensure that the Organization's contribution was fully integrated and coordinated; represent the Secretary-General in all meetings and structures involving the parties and the international community and provide political guidance to the UN family. On 10 May [S/2005/307], the Council took note of the Secretary-General's intention.

Occupied Palestinian Territory

Presidential elections and related developments

Security Council consideration (January).

The Security Council met on 13 January [meeting 5111] to discuss the situation in the Middle East, including the Palestinian question.

The Under-Secretary-General for Political Affairs, Kieran Prendergast, said that a real opportunity existed to start implementing the road map and moving toward a settlement of the conflict. The election of a new PA President, Mahmoud Abbas, on 9 January, in a politically competitive, yet peaceful atmosphere, marked the successful completion by the Palestinians of another critical step in the democratic transition in the Occupied Palestinian Territory. Israel played a commendable part in facilitating the elections. Its forces generally allowed free movement and reduced their own activity inside the Palestinian areas on election day.

The United Nations continued to support the Palestinian Central Elections Commission and provided technical assistance for the preparation and conduct of the elections. The United Nations Liaison Support Unit facilitated contacts with Palestinian and Israeli authorities and assisted the international observers. UN technical support to the Palestinians would continue for the elections to the Palestinian Legislative Council. A new Israeli coalition Government was also in place to tackle the implementation of Prime Minister Ariel Sharon's 2004 withdrawal plan [YUN 2004, p. 455]. The new Cabinet was expected to decide in late January on the evacuation of settlements in the Gaza Strip and parts of the northern West Bank. Prime Minister Sharon's plan should be implemented as part of the road map [YUN 2003, p. 464] and in coordination with the new Israeli Government and the new Palestinian leadership.

In the period prior to the 9 January elections, Palestinian militants fired some 210 Qassam rockets and mortar shells against Israeli settlements in Gaza and civilian targets inside Israel. The marked increase in attacks came despite public calls by PLO Chairman Abbas to end rocket attacks against Israeli targets. During the same period, Israeli forces conducted 40 military incursions and bulldozing operations, causing death and injury to Palestinian civilians, as well as militants. On 4 January [A/ES-10/293-S/2005/2], eight Palestinian civilians were killed, including at least five children from the same family, when an Israeli tank shell hit an agricultural area in Beit Lahia.

As requested by the General Assembly in resolution ES-10/15 [YUN 2004, p. 465], the Secretary-General, on 11 January, sent a letter to the Assembly President setting out a framework for the establishment of a register of damage in connection with the barrier. It would consist of an independent board, legal and technical experts and a small secretariat—a registry. The board would have overall responsibility for the register and

would establish rules and regulations governing the registry's work. The registry would focus on the technical task of gathering claims of damage relating to the construction of the barrier.

The construction of the barrier and restrictions on movement in the form of checkpoints, curfews and the permit system were the chief reasons for the continuing socio-economic crisis in the Palestinian areas. Lifting those restrictions on freedom of movement was indispensable to economic recovery. The PA's stability—and with it, prospects for real and tangible reform and political progress—was crucially dependent on a sound fiscal base. Despite its strong 2004 revenue performance, the PA remained under pressure, owing to lower than expected disbursement of external budget support and a growing wage bill. December 2004 salaries could be paid only as a result of a \$20 million contribution from the United States and the release of arrears of tax remittances by Israel.

Both parties had important steps to take. Israeli settlement activity—including the natural growth of settlements—had not been frozen, as Israel was obliged to do under the road map. In 2004, the number of people living in the West Bank and Gaza strip settlements rose by 6 per cent. On the Palestinian side, there was the need to establish credible and reformed institutions and to put an end to the violence and terror. It was crucial that Palestinian reform efforts be supported, especially in the areas of security and governance, and that the PA was financially secure and able to meet the humanitarian needs of the population. In that context, the United Nations welcomed the initiative of United Kingdom Prime Minister, Tony Blair, to convene an international meeting (see p. 507) to discuss important issues on the agenda of the new Palestinian leadership. Coordination between the parties and active support from the international community were needed to achieve a successful disengagement plan that would lead to further steps in the implementation of the road map and the resumption of full peace negotiations.

SECURITY COUNCIL ACTION (January)

On 13 January [meeting 5111], following consultations among Security Council members, the President made statement **S/PRST/2005/2** on behalf of the Council:

The Security Council welcomes the Palestinian presidential election held on 9 January 2005. It commends the credible and fair character of the vote and congratulates the Palestinian people who demonstrated their commitment to democracy by participating in the election under challenging conditions. The Council pays tribute to the Central Elections

Commission which played a key role in ensuring the successful conclusion of the election, and expresses its appreciation for the contribution of international observers and for the support of the United Nations.

The Council congratulates the newly elected President of the Palestinian Authority on his election.

The Council looks forward to the convening of the Palestinian legislative elections in the near future, and affirms its continuing support for the Palestinian people in their democratic process.

The Council supports the Palestinian Authority and its efforts to pursue the process of strengthening institutions.

The Council underlines the importance of enhanced and expeditious international assistance to the Palestinian people and the Palestinian Authority.

The Council stresses the need for the full implementation of the Quartet Road map, as endorsed by the Council in its resolution 1515(2003), for the creation of an independent, viable, democratic and sovereign State of Palestine living side by side with Israel in peace and security.

The Council calls upon Israelis and Palestinians to relaunch a genuine political process and advance towards a just and lasting peace in the region.

Communications (18-26 January). The Permanent Observer of Palestine, in an 18 January letter to the Secretary-General and the Council President [A/ES-10/295-S/2005/38], said that the situation in the Occupied Palestinian Territory continued to be marred by instability, escalating tensions and violence. Israeli forces continued to raid and launch military attacks against civilian areas. The situation in the Gaza Strip, in particular, continued to be critical. On 15 and 16 January, four Palestinians were killed and two others wounded by Israeli forces in Gaza. IDF had also closed all border crossings into and out of Gaza. On 26 January [A/ES-10/296-S/2005/46], the Permanent Observer said that IDF, on that day, killed four Palestinian civilians. In addition, Israel had resumed construction of a section of the separation wall by the settlement of Ariel, located 12 miles into the West Bank, despite the 2004 advisory opinion by the International Court of Justice (ICJ) on its illegality [YUN 2004, p. 465]. Israel also continued to confiscate Palestinian land in Jerusalem and to enact unlawful measures in its drive to entrench its annexation of the city.

For its part, Israel said that between 9 and 18 January [A/59/678-S/2005/40], Palestinian gunmen killed eight Israelis and wounded some 15 others. The worst attack occurred on 13 January in northern Gaza, when six Israeli civilians were killed and five wounded. Israel said that there was little evidence that the new Palestinian leadership was serious about confronting Palestinian terrorism. The window of opportunity for progress in the peace process would close if the Pal-

estinian leaders continued to fail to abide by their road map's obligations.

Sharm el-Sheikh meeting

A summit meeting between President Abbas and Prime Minister Sharon took place in Sharm el-Sheikh, Egypt, on 8 February, hosted by Egyptian President Hosni Mubarak, in the presence of Jordan's King Abdullah II. At the meeting, President Abbas and Prime Minister Sharon reaffirmed their commitment to the road map and agreed that "all Palestinians [would] stop all acts of violence against Israelis everywhere" and that "Israel [would] cease all its military activity against all Palestinians everywhere".

SECURITY COUNCIL ACTION (February)

On 16 February [meeting 5126], following consultations among Security Council members, the President made statement **S/PRST/2005/6** on behalf of the Council:

The Security Council welcomes the summit held in Sharm El-Sheikh, Egypt, on 8 February 2005, and the resumption of direct talks between the Prime Minister of Israel, Mr. Ariel Sharon, and the President of the Palestinian Authority, Mr. Mahmoud Abbas. The Council expresses its appreciation to Mr. Hosni Mubarak, President of the Arab Republic of Egypt, for the invitation to both parties to the summit, and to King Abdullah II bin Al Hussein of Jordan for his participation.

The Council underlines the understandings reached by the Government of Israel and the Palestinian Authority, in particular that all Palestinians will stop all acts of violence against all Israelis everywhere and that Israel will cease all its military activities against all Palestinians everywhere. The Council calls for the full respect by the parties of their commitments in this regard.

The Council recognizes these understandings, along with other recent positive developments, as primary steps towards restoring confidence between the two parties and as a significant opportunity to enhance a new spirit of cooperation and to promote an atmosphere conducive to the establishment of peace and coexistence in the region.

The Council commends the role being played by Egypt and Jordan in facilitating a successful resumption of dialogue between the Government of Israel and the Palestinian Authority within the framework of the road map.

The Council welcomes the initiative of the Government of the United Kingdom of Great Britain and Northern Ireland in convening an international meeting in London on 1 March 2005 to support Palestinian efforts to prepare the ground for a viable Palestinian State. The Council also welcomes the upcoming meeting of the Quartet at the ministerial level which will convene in the margins of the London meeting.

The Council looks forward to further engagement by the Quartet with the two parties to ensure

continued progress in the peace process and the full implementation of the road map and relevant Council resolutions, including resolutions 242(1967), 338(1973), 1397(2002) and 1515(2003), towards the creation of an independent, viable, democratic and sovereign State of Palestine living side by side with Israel in peace and security.

The Council looks forward to the establishment of a just, lasting and comprehensive peace in the Middle East.

Post-electoral period.

Communication (22 February). In identical letters to the Secretary-General and the Security Council President [A/ES-10/297-S/2005/101], the Permanent Observer of Palestine said that, on 20 February, the Israeli Government approved the final route of the separation wall. If completed, the new route of the wall would result in the de facto annexation of at least seven per cent of the total area of the West Bank, not including the area of East Jerusalem. The wall was severing and isolating cities, towns and villages in the West bank, imprisoning thousands of civilians in walled enclaves and causing the complete encirclement of East Jerusalem, isolating it from the rest of the West Bank.

Security Council consideration (February). The Security Council, on 22 February [meeting 5128], discussed the situation in the Middle East, including the Palestinian question.

The Under-Secretary-General for Political Affairs, Mr. Prendergast, said that the latest developments had rekindled hopes for progress towards peace between Israel and the Palestinians. Israel announced that it would release 900 prisoners and withdraw from five West Bank cities and the surrounding areas. On 21 February, 500 Palestinian prisoners were released. Israel also halted punitive house demolitions, reopened three crossing points into Gaza and issued more work permits. Most significantly, Prime Minister Sharon reiterated his readiness to coordinate with the Palestinians the disengagement plan from the Gaza Strip and parts of the northern West Bank. The first meetings to that effect had taken place between Israel's Vice Premier, Shimon Peres, and senior Palestinian officials to begin coordinating the civilian and economic aspects of Israel's withdrawal. On 20 February, the Israeli Cabinet approved in principle the evacuation of settlements under the disengagement plan. The Knesset (Parliament) also demonstrated support for the Prime Minister by passing, on 16 February, the Compensation and Evacuation Law, which represented an essential step in carrying out the withdrawal plan.

On the Palestinian side, the PA deployed 1,000 security officers along the Gaza Strip's northern

border with Israel, and hundreds more in the central and southern districts of Gaza. Fulfilling an important obligation under the road map, President Abbas restructured the security services into three main branches (see p. 504), all of which would report to the PA Minister of the Interior.

During the period under review, 54 Palestinians and 8 Israelis were killed, and 150 Palestinians and 46 Israelis injured. On 13 January, Hamas, the Popular Resistance Committees and the Al-Aqsa Martyrs Brigade attacked the Karni crossing between Israel and the Gaza Strip, killing six Israeli civilians (see above). In response, Israel announced that it would temporarily cut all ties with the PA, and renewed military incursions into Palestinian areas, which had been suspended since the Palestinian presidential elections.

On 20 February, the Israeli Cabinet approved the revised route of Israel's barrier in the West Bank, which, although it had been moved closer to the Green Line, still incorporated a large amount of Palestinian land. To the south of Jerusalem, the new route placed the Gush Etzion settlement block on the Israeli side of the barrier and surrounded four Palestinian villages, plus a sizeable amount of Palestinian agricultural land. Barrier construction restarted in the Salfit area of the northern West Bank around the settlement of Ariel, raising concerns that large amounts of Palestinian territory might end up being incorporated on the Israeli side. Barrier activity also intensified in the Jerusalem area, where a large number of confiscation orders were served to landowners.

The Under-Secretary-General stated that the United Nations recognized Israel's right and duty to protect its people against terrorist attacks, but urged it to address its legitimate security needs in ways that did not increase suffering among Palestinians, prejudge final status issues or threaten longer-term prospects for peace by making the creation of a viable and contiguous Palestinian state more difficult.

London meetings

On 1 March, the United Kingdom hosted the 2005 London Meeting on Supporting the PA, which was attended by representatives of the Quartet, including the Secretary-General. PA President Abbas presented his plans for building the institutions needed to underpin a future viable Palestinian State. The central aim of the Meeting was to help the Palestinian leadership strengthen PA institutions. The Quartet, the World Bank, the International Monetary Fund, the Arab League and 20 national delegations

agreed to, among other things, support the PA's plans on governance, security and economic development; address the PA's short-term economic priorities and hold an international donors' meeting to address the long-term challenges; galvanise international private sector involvement; and streamline the international structures for supporting Palestinian reform and economic development. The international community also agreed to support Palestinian efforts to prepare for Israeli withdrawal from Gaza and parts of the West Bank.

Quartet meeting (1 March). Following the London Meeting on Supporting the PA (see above), representatives of the Quartet met in London. They condemned the terrorist attack that occurred in Tel Aviv on 25 February (see above). The Quartet welcomed President Abbas' condemnation of that attack and his pledge to act against those responsible, and stressed the need for further action by the PA to prevent acts of terrorism. The Quartet recognized the importance of the Sharm el-Sheikh summit of 8 February (see p. 506) at which both parties called for a halt to violence and military activities. It commended the Israeli cabinet's decision to withdraw from Gaza and parts of the West Bank and reiterated that withdrawal from those areas should be full and complete and undertaken in a manner consistent with the road map. The Quartet reiterated its view that no party should undertake unilateral actions that could prejudice the resolution of final status issues. It welcomed the London Meeting and urged the international community to review and energize donor coordination structures, with a view to increasing their effectiveness.

SECURITY COUNCIL ACTION (9 March)

On 9 March [meeting 5136], following consultations among Security Council members, the President made statement **S/PRST/2005/12** on behalf of the Council:

The Security Council welcomes the conclusions of the London Meeting on Supporting the Palestinian Authority, held on 1 March 2005. The Council supports the objectives of the London Meeting to help the Palestinian leadership to strengthen the institutions needed for a viable and independent Palestinian State.

The Council hopes that the London Meeting will be part of the longer-term process of international support to the Palestinian people and the Palestinian Authority and a contribution to helping both sides to implement the road map endorsed by the Council in its resolution 1515(2003) and agreed to by the parties as the path towards a lasting comprehensive negotiated settlement to the Middle East conflict, based on Council resolutions 242(1967), 338(1973) and 1397(2002).

The Council stresses the crucial importance of security, good governance and development of the Palestinian economy. In this context, the Council welcomes President Abbas's comprehensive plan presented at the London Meeting for strengthening the institutions of the Palestinian Authority in these three areas.

The Council stresses the key role of the international community in assisting the Palestinian Authority in taking forward this plan. The Council welcomes the international community's commitments to respond to the plans of the Palestinian Authority by providing financial and political support. The Council recognizes the important role of the Quartet in international efforts aimed at providing assistance to the Palestinian Authority in the fields of security, economic development and governance.

The Council supports the proposals for follow-up to the London Meeting and looks forward to their early implementation.

The Council supports the Joint Statement of the Quartet issued following the meeting of the Quartet held in the margins of the London Meeting, and looks forward to the Quartet's active engagement over the forthcoming period, while recognizing also the important role of other interested parties.

The Council reiterates its call for full respect by the Government of Israel and the Palestinian Authority of understandings reached at the Sharm El-Sheikh summit on 8 February 2005, in particular that all Palestinians will stop all acts of violence against all Israelis everywhere and that Israel will cease all its military activities against all Palestinians everywhere.

The Council reiterates its call upon both Israel and the Palestinian Authority to ensure continued progress in the peace process towards full implementation of the road map in direct contact with the Quartet. It stresses the need for concerted and sustained action by the Palestinian Authority to fulfil its security-related commitments and welcomes in this context President Abbas' commitment to exert every effort towards that end. The Council stresses also the need for Israel to implement its road map commitments.

The Council reiterates its demand for immediate cessation of all acts of violence, including all acts of terror, provocation, incitement and destruction.

The Council reiterates its commitment to the vision of two States, Israel and Palestine, living side by side in peace and security.

Further political and security developments

Communication (23 March). On 23 March [A/ES-10/298-S/2005/202], the Permanent Observer of Palestine said that on 21 March, the Israeli Government confirmed its approval of plans to build 3,500 more housing units in the Ma'ale Adumim settlement, the largest Israeli settlement in the Occupied Palestinian Territory.

Security Council consideration (March). The Security Council, on 24 March [meeting 5149], met to discuss the situation in the Middle East, including the Palestinian question.

The Under-Secretary-General for Political Affairs reported that the Secretary-General visited Israel and the Occupied Palestinian Territory from 13 to 16 March, at the invitation of the Israeli Government, to attend the inauguration of the new Holocaust History Museum at Yad Vashem. The Secretary-General used the occasion to hold meetings with Israeli and Palestinian leaders, including Prime Minister Sharon and President Abbas. During those discussions, Israeli leaders emphasized that their overriding concern was for the PA to move from words to action and to take steps to bring to justice those who organized and perpetrated terrorist acts, noting that the dismantlement of terrorist organizations and infrastructure was a Palestinian obligation under the road map.

PA leaders expressed frustration over Israel's refusal to ease closures significantly or to release large numbers of prisoners, particularly those with significant influence among Palestinians, and over the delays in the full implementation of 8 February Sharm el-Sheikh commitments. Without such confidence-building steps, they would be unable to consolidate popular support for the peace process. Palestinian interlocutors were also concerned by what they described as continuing unilateral acts by Israel. The respective presentations by the parties impressed on the Secretary-General the immediate and urgent need to rebuild trust and restore confidence. He urged the parties to engage in direct dialogue and negotiations. The Secretary-General also said that the United Nations remained committed to supporting the PA in the areas of security reform and elections.

The Israeli disengagement plan was discussed extensively. The Secretary-General was left with a strong impression of Prime Minister Sharon's determination to proceed with the plan, even in the face of serious domestic opposition. The Secretary-General emphasized the importance of all aspects of the withdrawal being fully coordinated and that the withdrawal was an important step in a broader process and should be consistent with the road map and its goals. Prime Minister Sharon cautioned that the timely implementation of the withdrawal initiative could be jeopardized if the Knesset failed to approve the budget before the end of March, which would cause the Government to fall and new elections to be held automatically.

After his visit to Israel, the Secretary-General travelled to Algiers to attend the Arab Summit (see below). He welcomed the decision taken by Arab leaders to relaunch the Arab peace initiative, as approved at the 2002 Beirut Summit [YUN

2002, p. 419], as Arab involvement in the peace process was essential.

The Under-Secretary-General said that the United Nations continued to be concerned over Israel's failure to dismantle settlement outposts and freeze their expansion. The Israeli Government's report on outposts by former Chief State Prosecutor Talia Sasson found that various ministries, as well as IDF and the World Zionist Organization, had supported construction of unauthorized outposts. The Cabinet approved the report on 13 March, including the core recommendation that the Government should take responsibility for what was happening in the outposts in the territories. However, there were unofficial reports of a Government decision to approve the building of at least 3,500 new settlement housing units in 2005, linking the major Israeli settlement of Ma'ale Adumim to Jerusalem. A halt to such actions was needed to preserve hope of a viable future for the Palestinian people.

During the reporting period, implementation of the commitments made at the 8 February Sharm el-Sheikh summit continued, but not as quickly as expected. It was only on 16 March that outstanding issues related to the handover of Jericho—the first of five West Bank cities and their environs to be transferred to Palestinian control—were fully resolved. Tulkarem was handed over on 21 March after similar delays. Negotiations on the transfer of Bethlehem, Qalqiliya and Ramallah were under way, but difficulties remained. The transfer of three other major urban centres in the West Bank—Nablus, Jenin and Hebron—would be discussed by the parties at a later date. Meanwhile, the joint Israeli-Palestinian ministerial committee on Palestinian prisoners did not reach agreement on the release of an additional 400 Palestinian prisoners. Only 16 out of 60 Palestinian deportees were allowed to return to Bethlehem so far.

Communications. On 20 April [A/ES-10/301-S/2005/262], the Chairman of the Committee on the Exercise of the Inalienable Rights of the Palestinian People (Committee on Palestinian Rights) expressed deep concern at Israel's settlement activities in the Occupied Palestinian Territory. He said that, on 18 April, the Israel Lands Authority announced that tenders had been issued for the construction of 50 homes in the settlement of "Elkana" in the West Bank. In March, the Israeli Government had made public its intention to construct some 3,500 homes in the area between East Jerusalem and the Ma'ale Adumim settlement, effectively cutting off East Jerusalem from the rest of the West Bank. In mid-April, construction activity in Ma'ale Adumim continued, despite international criticism. Israel's pol-

icy precluded the possibility of establishing a viable and contiguous Palestinian State, prejudged the outcome of final status negotiations and undermined international efforts at achieving a comprehensive, just and lasting peace in the Middle East.

On 18 April [S/2005/274], the Permanent Observer of the League of Arab States (LAS) transmitted to the Council President the texts of the resolutions and the Algiers Declaration adopted by the LAS Council at its seventeenth session (Algiers, Algeria, 22-23 March), which the Secretary-General attended. The LAS Council reaffirmed that the 2002 Arab peace initiative was fundamental to a peaceful, just, comprehensive and lasting settlement in the region. The Council rejected all efforts to pre-empt the outcome of final status negotiations, and stressed that the Israeli withdrawal from the Gaza Strip and parts of the West Bank had to take place in the framework of the road map. The Council, among other things, invited all Arab States to support the PA's budget.

Security Council consideration (April). At the Security Council's 21 April meeting [meeting 5166] to discuss the situation in the Middle East, including the Palestinian question, the Under-Secretary-General for Political Affairs said that, on 14 April, the Quartet principals named James D. Wolfensohn (United States) as their Special Envoy to coordinate the international community's efforts in support of Israel's disengagement initiative. His task was to promote coordination and cooperation between Israel and the PA. (For further information on the Special Envoy, see p. 513.)

Meanwhile, Prime Minister Sharon had overcome the remaining official challenges to his withdrawal initiative. On 28 March, the Knesset rejected draft legislation to introduce a national referendum on disengagement and the next day passed the 2005 State budget, thereby averting the need for new elections. Israeli preparations for evacuating and relocating Israeli settlers went ahead, notwithstanding continued opposition from a militant minority.

On the Palestinian side, both President Abbas and Prime Minister Ahmed Qurei announced that the PA was prepared to coordinate the withdrawal with Israel, despite the PA's political concerns regarding the plan. President Abbas established a ministerial committee for coordination, headed by the Prime Minister, with ministers assigned to sectoral subcommittees tasked with preparing for the pullout and developing longer-term strategies for the post disengagement period. PA Prime Minister Qurei and Israeli Defence Minister Mofaz and Minister Dahlam

met on 21 April to discuss the economic and military aspects of the disengagement.

Despite the doubts and the difficult challenges ahead, the hope and optimism of the past months remained. That was confirmed by the continued overall decline in casualties, violence and military operations. However, there was an apparent failure to break the tendency towards retributive violence, so that even one incident carried with it the risk of escalation. Israel justified its military incursions, arrest campaigns, curfews and movement restrictions as necessary to confront and preempt security threats. Israel charged that the PA was not taking serious action against violence and militants. Palestinian leaders, for their part, claimed that they were taking action but acknowledged the slow and difficult nature of the process. They believed that Israeli military operations were counterproductive, in that they made it more difficult for the PA to disarm or arrest militants and threatened the viability of the ceasefire. At the same time, Al-Aqsa militants had become the main disrupters of law and order, threatening PA officials and ordinary citizens alike. In response, President Abbas declared a state of alert and reshuffled the security forces in the West Bank. He subsequently announced his intention to disarm those Fatah militants who were on Israel's wanted list and to integrate them into the PA's security agencies. In addition, President Abbas issued a presidential decree enforcing the security forces pension bill, which would lead to the retirement of some 2,000 security staff.

The Under-Secretary-General observed that, although those actions and announcements were positive, they were not enough. Security reform and a visible and sustained effort to stop all violent activity were basic requirements of the road map. As such, they could not be a matter for compromise and the will to act had to come from the PA. However, there was also much that Israel could do to support, rather than hinder, President Abbas' ability to take difficult steps. The joint Israeli-Palestinian committees dealing with fugitives, prisoners and the transfer of major urban centres in the West Bank did not meet in the past month. Security control was not transferred in any of the Palestinian cities during that period; nor were any prisoners released. The United Nations also noted with great concern that Prime Minister Sharon had publicly reiterated his commitment to implementing a plan aimed at connecting Jerusalem with Ma'ale Adumim, the largest West Bank settlement and the announcement (see p. 509) that bids were being invited for the construction of 50 housing units in the West Bank settlement of Elkan. In that connection, United States President George Bush, after a

meeting with Prime Minister Sharon, said that Israel should not undertake any activity that contravened road map obligations or prejudiced final status negotiations, and that Israel should meet its road map obligations regarding settlements in the West Bank and remove unauthorized outposts. The Under-Secretary-General said that President Bush's statement represented the position of all four members of the Quartet.

Quartet meeting (9 May). Representatives of the Quartet—the UN Secretary-General, the Russian Foreign Minister, the United States Secretary of State and the High Representative for European Common Foreign Policy and Security Policy—met in Moscow, the Russian Federation, on 9 May to review developments in the Middle East. The Quartet, in a statement issued at the end of its meeting [A/59/803-S/2005/314], urged Israel and the PA to renew efforts to fulfil the commitments they had agreed to at the Sharm el-Sheikh summit in order to maintain momentum. It reiterated its commitment to the two-state solution and to Israeli withdrawal as a way to re-energize the road map. The Quartet affirmed that a new Palestinian state had to be truly viable, with contiguity in the West Bank, that a state of scattered territories would not work and that no party should take unilateral actions that could prejudice final status issues. The Quartet also affirmed that the two-state vision and the road map were the best means of achieving a negotiated settlement leading to permanent peace and an end to the occupation.

The Quartet expressed its full support for James Wolfensohn, its Special Envoy for Gaza Disengagement, whose task was to focus on the non-security aspects of withdrawal, particularly disposition of assets; passages, access and trade; and revival of the Palestinian economy during and after the Israeli withdrawal. In that regard, both Israel and the Palestinians would have to cooperate closely to identify and implement actions and policies that would ensure a smooth and successful implementation of the Israeli initiative. The Palestinian side would have to demonstrate a strong commitment to security reform and performance, and to building transparent, accountable government institutions and an investor-friendly climate, with a view to restoring growth. The Israeli side would need to relieve the economic hardships faced by the Palestinian people, facilitate rehabilitation and reconstruction by easing the system of restrictions on the movement of Palestinian people and goods, and take further steps to respect the dignity of the Palestinian people and improve their quality of life, while not endangering Israeli security.

The Quartet recognized that economic development and progress on security went hand in hand, as security reforms and the re-establishment of the rule of law were necessary to creating an enabling environment for economic growth and political progress. The Quartet also recognized the need for continued efforts by the international community to assist the PA in accomplishing those tasks, including rebuilding the capabilities of the Palestinian security services. It expressed its full support for General William Ward, United States Security Coordinator, who was assisting the Palestinians in reforming and reconstructing their security forces and coordinating international assistance in that regard. The Quartet welcomed the steps taken by President Abbas to reform the Palestinian security services and stressed the need for continued implementation of those reforms in order to reinstate permanently law and order in Gaza and the West Bank.

Communication (17 May). On 17 May [A/ES-10/302-S/2005/321], the Permanent Observer of Palestine said that the Israeli Government had announced its intention to continue with its plans to extend the wall around the Ma'ale Adumim settlement and to begin construction of another section connecting the "Gush Etzion" settlement to Jerusalem from the South.

Security Council consideration (May). The Security Council, on 18 May [meeting 5181], heard a briefing by the Under-Secretary-General for Political Affairs. He said that, on 9 May, Prime Minister Sharon announced a three-week delay of the Gaza disengagement because of a traditional Jewish period of mourning. The practical preparations for the withdrawal, however, were progressing, as were the Israeli Government's efforts to find acceptable solutions for the relocation of settlers. Direct talks were renewed on 21 April between Israel and the PA on the disengagement plan.

The level of violence between Palestinians and Israelis remained far below that which prevailed before the Sharm el-Sheikh summit. However, there were reports of a slow but steady increase in violent incidents, including attacks by Palestinian militants against Israelis, clashes between Israeli security forces and Palestinian protestors and Israeli arrest operations against wanted militants.

As to the implementation of the Sharm el-Sheikh commitments, the Under-Secretary-General worried that further delays in handing over the remaining three Palestinian cities and in releasing prisoners threatened to undermine President Abbas. It would be difficult for the PA to undertake sustained and sustainable action on

security unless it was aided and supported in its efforts to rein in the militants. A significant step forward in that regard was Israel's reported approval of the deployment of hundreds of armed Palestinian police in all West Bank cities in order to strengthen the PA ahead of the transfer of further areas to Palestinian security control.

On 5 May, Palestinians held a second round of local elections in 84 municipalities in Gaza and the West Bank. Hamas won a substantial share of the vote and of the municipal councils, which was an indication of the support the militants enjoyed among the Palestinian population, partly as a result of their engagement in social welfare activities. At the same time, it also reflected popular frustration with the PA. As part of preparations for the 17 July legislative elections, the Palestinian Legislative Council approved a revised electoral law, which envisioned a mix of constituency-based and national representation.

The United Nations remained concerned about the continued construction of Israel's barrier in the West Bank. On Monday, 16 May, the Israeli High Court of Justice rescinded the temporary injunctions it had previously imposed on the construction of the barrier around the West Bank settlement of Ariel.

Communications (19 May–7 June). The fifteenth session of the Ministerial Meeting between the Gulf Cooperation Council States (GCC) and the EU (Manama, Bahrain, 5 April) [A/59/805-S/2005/327] welcomed, in a 19 May joint communiqué, the prospect of Israel's withdrawal from Gaza and from certain parts of the northern West Bank as an initial stage in the process towards achieving a lasting peace in the Middle East. They also welcomed the steps taken by the PA to address the security issue and called on it to continue in that regard. Both sides called on the Israeli Government to take further action to alleviate the suffering of the Palestinians by lifting prohibitions on movement, and reversing its settlement policy and the construction of the so-called security fence in the Palestinian territory, including in and around East Jerusalem.

On 6 June [A/ES-10/303-S/2005/372], in identical letters addressed to the Secretary-General and the Council President, the Permanent Observer of Palestine said that 5 June 2005 marked 38 years since the onset of Israel's occupation of Palestinian territory, including East Jerusalem. Israel continued to undertake unilateral and concrete measures that were altering the situation on the ground and would negatively influence the outcome of any final settlement between the two sides.

The ninety-fifth regular session of the Ministerial Council of GCC (Riyadh, Saudi Arabia, 11

June) [A/59/845-S/2005/386] noted that a just and comprehensive peace in the Middle East would not be achieved unless the principle of land for peace was applied and a lasting independent Palestinian State established with Jerusalem as its capital, existing alongside the State of Israel in peace and security, in addition to Israel's withdrawal from the occupied Syrian Golan to the line of 4 June 1967.

Security Council consideration (June). The Under-Secretary-General for Political Affairs, in his 17 June [meeting 5206] briefing to the Security Council, said that Israeli and Palestinian authorities were slowly, and not without difficulty, coordinating the implementation of Israel's withdrawal from Gaza and parts of the northern West Bank. Confidence-building measures were also being discussed. A variety of bilateral meetings were also held to discuss questions such as the assets of settlements and their eventual fate. Israelis and Palestinians agreed to continue their coordination on security matters at the ministerial, planning and operational levels. According to the United States Security Coordinator, an improved atmosphere and increased willingness to engage in coordination characterized the latest cooperative efforts between the parties. On the Palestinian side, an integrated team comprising top-level personnel from the three security services was set up, and planning was proceeding based on a timeline provided by the Israeli side. Some progress was also made on the implementation of the February Sharm el-Sheikh understandings. On 29 May, the Israeli cabinet approved the release of an additional 400 Palestinian prisoners, 398 of whom were released on 2 June.

In Israel, opponents to the disengagement were still vocal and resorted to protests, demonstrations and, in some cases, acts of sabotage and civil disobedience. The Government nevertheless pressed ahead with its plans to relocate the evacuated settlers and remained committed to the full and timely withdrawal. The PA also faced a number of serious internal challenges, partly as a result of its efforts to institute comprehensive security reform. On 2 June, Palestinian military intelligence forces went on a rampage in the Gaza Strip.

Against the backdrop of increased internal challenges and disorder, violence between Palestinians and Israelis continued to pose a serious threat to the safety and security of both peoples. Of particular concern, was the escalation in rocket and mortar attacks by Palestinian militants against Israeli targets. During the reporting period, IDF resumed the practice of targeting from the air Palestinian militants engaged in suspi-

cious activity. Despite the serious nature of those various incidents, there was evidence of a serious effort on the Palestinian side to maintain the calm and, on the Israeli side, of determination not to overreact to isolated incidents. The Under-Secretary-General expressed concern, however, over statements by some Palestinian factions that they no longer felt bound by their earlier pledge to maintain a ceasefire. He also repeated his concern that Israel was not living up to its road map obligations. In particular, Israel's construction of the barrier encroached upon Palestinian land and threatened to prejudice eventual bilateral negotiations between the parties.

Quartet meeting (23 June). Representatives of the Quartet, meeting in London on 23 June, reaffirmed their support for the Israeli withdrawal from Gaza and parts of the northern West Bank and an orderly Palestinian takeover in those areas. Noting that less than two months remained until the announced start of the disengagement, the Quartet called on Israelis and Palestinians to work together towards that end. It reiterated its full support for the Quartet's Special Envoy for Gaza Disengagement in his efforts to assist with the non-security aspects of disengagement and revival of the Palestinian economy: strengthening the overall capacity of the PA; facilitating legal and judicial reform; completing the reform of the financial system to establish a sound, transparent regulatory regime; and implementing anti-corruption efforts, a comprehensive budget strategy and wage and pension reform. Private sector job creation and a vibrant civil society sector were also critical. The Quartet urged Israel to take immediate steps, without endangering its security, to relieve the economic hardships faced by the Palestinian people and to facilitate rehabilitation and reconstruction by easing the flow of goods and people in and out of Gaza and the West Bank and between them.

The Quartet noted that peace and security were essential for political and economic revival and stressed that the Palestinians had to confront violence and terror in order for political and economic life to flourish. It urged both parties to avoid and prevent any escalation in violence so that the Israeli withdrawal could proceed peacefully. The Quartet condemned the upsurge in violence in Gaza, including the firing of mortars and Qassam rockets into Israeli towns and homes. In that regard, the Quartet welcomed the PA's full cooperation with General William Ward, the United States Security Coordinator, in assisting them to reform and restructure their security forces. Rapid reform of the security services and restructuring of the rule of law were essential for improving security for Palestinians

and Israelis alike. The Quartet also expressed its concern over settlement activity.

Quartet Special Envoy. On 28 June [S/2005/432], the Secretary-General requested the Security Council President to confirm support for the establishment of an office in Jerusalem for the Quartet's Special Envoy for Gaza Disengagement, Mr. Wolfensohn. He would also provide logistical, technical and financial assistance to support the office. The Envoy's mandate began on 1 June and was due to end on 31 December 2005. On 5 July [S/2005/433], the Council confirmed support for the arrangements proposed by the Secretary-General.

On 13 December [S/2005/797], the Secretary-General informed the Council President that the Quartet had decided to extend Mr. Wolfensohn's mandate for a further three months until 31 March 2006. The Quartet's Special Envoy would continue to work on issues related to disengagement and to coordinate the international community's efforts to ensure recovery of the economy in Gaza, in preparation for a Consultative Group meeting of donors scheduled for 21 March 2006. On 16 December [S/2005/798], the Council welcomed the proposed arrangements set out in the Secretary-General's letter.

Security situation

In communications dated between 28 February and 18 August [A/ES-10/293-S/2005/2, A/59/717-S/2005/130, A/ES-10/298-S/2005/202, A/ES-10/299-S/2005/237, A/59/829-S/2005/375, A/59/854-S/2005/410, A/59/870-S/2005/452, A/59/873-S/2005/457, A/ES-10/305-S/2005/530, A/59/905-S/2005/552], both Israel and Palestine brought to the attention of the Secretary-General and the Security Council President information on attacks committed by either side.

Israel said that on 25 February a Palestinian suicide bomber blew himself up in Tel Aviv, killing five civilians and wounding 50 others. The terrorist organization Islamic Jihad announced responsibility for the attack from its headquarters in Damascus, Syria. Despite the toll in Israeli lives claimed by the attack, Israel continued to exercise restraint and hoped that the new Palestinian leadership would meet its obligations and adopt a zero tolerance policy for terrorism. On 19 May, Palestinian terrorists fired over 40 mortar shells at Israeli communities in the Gaza Strip. The PA was notified of those attacks, but did not successfully prevent further attacks, or arrest the terrorists involved. On 7 June, Hamas terrorists fired a volley of rockets at the Israeli town of Sderot, wounding three civilians. Several other attacks occurred on the same day, including the shelling of the Israeli community of Ganei

Tal by the Islamic Jihad terrorist organization, in which three workers were killed and six others wounded. On 20 June, IDF thwarted a planned Palestinian suicide bombing. That incident occurred on the same day that two Israelis were killed and three wounded in other Palestinian terrorist attacks. In the Gaza Strip, the average number of terrorist attacks per week had risen to between 50 and 80, as opposed to an average of 10 to 15 in early February. On 12 July, another Palestinian suicide bomber killed four Israeli civilians and wounded 90 others at a shopping mall in the Israeli town of Netanya. On 14 July, terrorists affiliated with the Hamas and Al-Aqsa Martyrs' Brigade organizations launched four rockets into an Israeli village, killing one civilian. On 29 August, Israel reported that the previous day, a suicide bombing carried out by a member of the Islamic Jihad organization wounded 48 civilians in the Israel city of Be'er Sheva. That attack was preceded by militants operating in the Gaza Strip launching rockets against Israel.

The Permanent Observer of Palestine said that on 4 January, Israeli forces killed at least seven Palestinian civilians and wounded eight more in an attack in the town of Beit Lahiya in the Gaza Strip. Between 25 February and 10 April, ten more Palestinian civilians were killed by IDF and dozens more injured.

On 14 April, IDF carried out an extrajudicial killing by assassinating Ibrahim Hashash El-Sumari in a refugee camp in the city of Nablus. Between 10 April and 16 May, 11 more Palestinians were killed by IDF. On 17 August, an Israeli settler killed four Palestinian civilians in the West Bank. In total, from 17 May to 18 August, Israeli forces killed 51 Palestinians.

Security Council consideration (July). On 21 July [meeting 5230], at the request of Kuwait [S/2005/469], in its capacity as Chairman of the Arab Group and on behalf of LAS, the Security Council met to discuss 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, Alvaro de Soto, said that the forthcoming Israeli withdrawal from Gaza and parts of the northern West Bank continued to overshadow all other issues. The Quartet's Special Envoy for Gaza Disengagement focused his effort on six key issues: border crossings and trade corridors; connecting Gaza with the West Bank; movement within the West Bank; the Gaza airport and seaport; the houses in Israeli settlements; and the greenhouses and dairy industry in the settlements. In addition, the Special Envoy pointed out three essential areas the Palestinians should address, with international community

support: the PA's fiscal crisis and development of a fiscal stabilization plan for incorporation into the 2006 budget; the creation of a broad development plan linked to a fiscally sound financial plan for 2006 to 2008; and the design of quick-impact economic programmes to respond to pressures and demands for short-term employment generation. UN agencies operating in the Occupied Palestinian Territory remained committed to supporting Mr. Wolfensohn's rapid action programme.

With respect to violence, there had been a gradual erosion of the informal quasi-ceasefire that had prevailed since the Sharm el-Sheikh summit. Palestinian militants attacked Israeli settlements and urban centres with mortar and Qassam rocket fire. Shooting incidents in the West Bank, in particular, claimed the lives of several Israeli settlers and the level of frequency of such incidents grew significantly. Partially in response to such incidents, Palestinian militants, as well as unarmed Palestinians, were killed by Israeli troops and security forces. On 14 July, in response to a Qassam rocket attack, Israel retaliated by firing missiles against targets in the Gaza Strip; the PA declared a state of emergency in Gaza and Palestinian security forces acted forcefully to prevent the launching of further rockets. In the following days, the violence escalated further, with Israel resuming its practice of targeted killings to prevent terrorist operations. Israel also began amassing military forces outside the Gaza Strip, but vowed to give the PA a last chance to prevent mortar and Qassam rocket fire against Israeli targets inside and outside the Gaza Strip.

The PA had been hard-pressed to establish law and order in both the West Bank and Gaza. President Abbas reiterated his commitment to working towards "one authority, one gun"—a pledge to assert the PA's monopoly on the use of force. Rejecting an offer by President Abbas to join with the PA, Hamas threatened open confrontation with the PA and the continuation of attacks against Israel. The PA demonstrated resolve in confronting challenges to its authority and in pursuing its obligations under the road map. On 23 June, a deal was reached involving the hand-over of weapons by more than 200 militants in Nablus; similar deals had been previously reached and were partially implemented in Tulkarem and Jericho. On 16 July, in a primetime radio and television address, President Abbas reiterated his commitment to asserting his authority vis-à-vis militants who were threatening to upset the fragile calm that had prevailed during the first months of 2005.

The Permanent Observer of Palestine said that, while the international community was di-

recting its efforts towards the success of Israel's withdrawal from Gaza and some areas in the northern West Bank, Israel was expanding settlements and speeding up the building of the wall. Because of its desire to see the success of Israeli disengagement from Gaza, the international community had been reluctant to exert pressure on the Israeli Government and had been condoning Israel's current settlement activities, its land confiscations, its isolation of Jerusalem and its work to complete the wall. The understandings reached at Sharm el-Sheikh were an encouraging beginning for a return to the negotiating table and for calming conditions on the ground. The PA had taken steps to meet its Sharm el-Sheikh commitments, while the Israeli Government had met none of its commitments, least of all with regard to withdrawal to the lines of September 2000, the freeing of prisoners and ending illegal extrajudicial assassinations, the closures and the siege imposed on the Palestinian people.

Israel said that more than 25,400 terrorist attacks had been launched against Israelis in less than five years. The situation in the Middle East was dire, given that, on the other side of Israel's northern border, the only force that was in control of the territory was a terrorist organization which was being helped, sponsored and guided by two UN Members States. The Israeli Government was preparing to implement an unprecedented initiative: the disengagement of all Israeli civilians and forces from the Gaza Strip and the dismantling of four settlements in the northern West Bank. The implementation of that plan, in the absence of any corresponding acts of good faith from the Palestinian side, had created divisions within Israeli society. The disengagement initiative was not Israel's first plan of choice, as the Government would have preferred a fully negotiated agreement with the PA. However, Israel was not going to waver in its intention to complete the disengagement plan. The PA had failed to fulfil its responsibility to prevent terror emanating from Palestinian areas. As a result, Israel was left with no choice but to find defensive measures to protect itself, such as the security fence. The security fence worked, as there had been a 90 per cent reduction in the number of successful terrorist attacks, 70 per cent in the number of citizens killed and 85 per cent in the number of wounded. Israel was, however, sensitive to the impact of the defensive measures it had been forced to take and was coordinating with PA officials to facilitate humanitarian passage to those areas. Israeli and UN experts were also examining the consequences of those measures on the freedom of movement of Palestinian civilians.

Communications. On 25 July [A/59/884-S/2005/522], Yemen transmitted to the Secretary-General the text of the final communiqué, the Sana'a Declaration and the resolutions adopted by OIC Foreign Ministers at its thirty-second session (Sana'a, Yemen, 28-30 June). The Conference, among other things, affirmed the illegality of Israeli practices in East Jerusalem, aimed at annexing and changing the demographic make-up of the city and condemned Israel for continuing to build the wall on Palestinian territories.

Disengagement

Security Council consideration (August). The Security Council, on 24 August [meeting 5250], discussed the situation in the Middle East, including the Palestinian question.

The Under-Secretary-General for Political Affairs, Ibrahim Gambari, said that the Israeli disengagement from Gaza and northern parts of the West Bank began on 15 August as announced. Despite the dramatic scenes of Israeli military and police personnel removing settlers from their houses in Gaza, the operation mostly proceeded smoothly, aided by the restraint generally observed by militant Palestinian factions. IDF and the Israeli police avoided the use of force and completed the evacuation of the settlements on 22 August, well in advance of the target date. Evacuation of settlers from the settlements in the northern West Bank was carried out on 23 August.

For its part, the PA renewed its commitment to a smooth and peaceful withdrawal and to cooperate and coordinate with the Israeli side towards that end. On 14 August, a large force of Palestinian police began to deploy in several areas of the Gaza Strip adjacent to Jewish settlements to provide buffer cordons and to deter the firing of homemade rockets and mortars.

However, the Under-Secretary-General said that, while Israel's bold first withdrawal from the Occupied Palestinian Territory was welcomed, the situation elsewhere in the occupied territory continued to fester, with many Palestinians fearing that Israel was consolidating its occupation in the West Bank, including East Jerusalem. In addition, non-governmental monitoring groups reported that settlement activity in the West Bank continued during the reporting period. In Jerusalem, on 25 July, the Israeli local planning committee of the Jerusalem municipality approved a Ministry of Housing scheme to construct a new Jewish settlement in the Muslim quarter of Jerusalem's Old City. Also in July, the Knesset approved a three-year aid plan to improve infrastructure, agriculture and settlement expansion in the Jordan Valley area. According to press re-

ports, Prime Minister Sharon confirmed his intention to continue building in the settlement blocs in the West Bank. Settlement expansion was linked to the construction of Israel's security barrier. In August, land expropriation orders for approximately 396 acres were issued in the Jerusalem governorate for the construction of a portion of the barrier around the Ma'ale Adumim settlement which would cut a reported 23 kilometres into the Occupied Palestinian Territory and separate the northern West Bank from the south.

The Under-Secretary-General concluded that Israeli disengagement from Gaza and the northern West Bank marked a watershed in that it constituted the first removal by Israel of settlements on occupied Palestinian territory. Israeli policy demonstrated that it had the requisite maturity to do what was required in order to achieve lasting peace, and IDF the ability to discharge its mission with carefully calibrated restraint. Prime Minister Sharon was to be commended for his determination and courage to carry out the disengagement in the face of forceful and often strident internal opposition.

Communications. On 26 August [S/2005/559], the EU welcomed the historic progress made on Israel's withdrawal from Gaza and parts of the northern West Bank and commended the Israeli Government and the PA for their commitment to overcome the difficult challenges they faced.

On 30 August [A/ES-10/306-S/2005/556], the Chairman of the Committee on the Exercise of the Inalienable Rights of the Palestinian People expressed concern over Israel's decision to expand and consolidate its settlements in the West Bank, despite having removed its settlements in Gaza and parts of the northern West Bank. In particular, Israeli authorities had begun issuing orders to seize Palestinian-owned land for the construction of parts of the separation wall that would eventually surround the Ma'ale Adumim settlement.

The ninety-sixth regular session of the GCC Ministerial Council (Jeddah, Saudi Arabia, 6-7 September) [A/60/388-S/2005/612], among other things, expressed the hope that the evacuation of the Israeli settlements in the Gaza Strip would be followed by steps towards total withdrawal from all occupied Palestinian lands so as to enable the Palestinian people to build an independent State with Al-Quds al-Sharif as its capital.

Statement of Prime Minister Sharon (15 September). Israeli Prime Minister Sharon, speaking before the High-level Plenary Meeting of the General Assembly on 15 September [meeting 5], said that, in withdrawing from the Gaza Strip, Israel had proved that it was ready to make painful concessions to resolve the conflict with the

Palestinians, whose turn it was to prove their desire for peace. The end of Israeli control over the Gaza Strip would allow them to develop their economy and build a peaceful, free, law-abiding and democratic society. Their leadership would be tested to put an end to terror, as well as the terrorist infrastructure, eliminate the regime of armed guards and cease the incitement and indoctrination of hatred towards Israel. Successful implementation of the disengagement plan opened a window of opportunity for advancing peace in accordance with the road map and the Sharm el-Sheik understandings, to which Israel was committed.

Security Council consideration (September).

On 23 September [meeting 5270], the Special Coordinator for the Middle East Peace Process and Personal Representative of the Secretary-General reported to the Security Council that Israel withdrew the last of its military personnel and installation from the Gaza Strip on 12 September. Following the completion of the evacuation of civilian army infrastructure, Israeli forces put an end to their permanent presence in the four settlements in the northern West Bank as of 20 September. Facing vociferous opposition, the Israeli Government proved its ability to carry out democratic decisions in the general interest, while knowing that they would cause pain and disruption to a significant number of its citizens. The exemplary consideration shown by the Israeli armed forces towards those affected, on some of whom carefully measured force had to be employed, showed that they could be held to the highest standards in dealing with civilians.

The timing of Israel's disengagement was not the result of an agreement with the Palestinian side but of a unilateral Israeli decision. However, all relevant PA sectors worked constructively to coordinate with their Israeli counterparts and other international actors. Early fears that the operation might have to be conducted under fire were dissipated, for Palestinian armed groups, by and large, held back from violent action against settlers. The Israeli settlers, armed forces and police withdrew in peace.

The Special Coordinator observed that Israel's need for security had led them to install a barrier and set up a system of roadblocks and checkpoints to control the movement of persons and goods into and throughout much of the West Bank. Apart from impeding economic revival, to many Palestinians, the barrier and the closures, and the travails of traversing them, were a source of humiliation and a constant check on their aspiration to one day run their own affairs. The expense incurred in the building of the barrier raised doubts in some minds as to its stated

provisionality. Questions had also been posed as to whether the purpose was only to ensure security. While Israelis should understand those considerations and recognize that it was ultimately in their interest to address them, Palestinians, for their part, had to understand, accept and address Israel's need to be assured of the safety and security of its citizens. Countless innocent Israelis had fallen victim to terrorist acts and Israelis had a right to demand an end to those attacks. Those who carried out acts of terror or instigated them should understand that violence had rendered the achievement of the goal of a State in which Palestinians lived in freedom and dignity more distant. The Palestinian people at large also demanded that law and order be established in the streets, which meant not only an efficient police, but also a reliable court system and an end to impunity and corruption. The establishment of a State run by the rule of law, in which the Government held the monopoly over the instruments of violence went hand in hand with the strengthening of Israel's sense of security.

On 29 September [A/60/416-S/2005/619], the Libyan Arab Jamahiriya, on behalf of LAS, transmitted a letter to the Secretary-General from the Arab Group expressing concern at Mr. de Soto's 23 September remarks (see above). In particular, it noted that they referred to Israel's need for security as the reason behind the building of the wall in the Occupied Palestinian Territory, despite the fact that the International Court of Justice (ICJ) in its 2004 advisory opinion [YUN 2004,p.465] had rejected that argument.

On 17 October [A/60/440-S/2005/658/Corr.2], Ministers for Foreign Affairs of the States members of OIC (New York, 23 September), at their annual coordination meeting, noted with regret Israel's defiant response to ICJ's Advisory Opinion, its non-compliance with Assembly resolution ES-10/15 [YUN 2004, p. 465] and its continued construction of the wall in the Occupied Palestinian Territory. The ministers stressed that the Gaza withdrawal and the dismantling of the settlements were promising steps and emphasized that the withdrawal should be complete and irreversible, be accompanied by similar steps in the West bank and consistent with the road map.

Quartet 20 September statement

SECURITY COUNCIL ACTION

On 23 September [meeting 5270], following consultations among Security Council members, the President made statement **S/PRST/2005/44** on behalf of the Council:

The Security Council supports the Statement issued in New York on 20 September 2005 by the Quartet, which is annexed to the present statement.

The Council urges the Government of Israel and the Palestinian Authority to cooperate, along with other parties concerned, with the efforts to achieve the goals set out in the Quartet Statement.

The Council calls for renewed action in parallel by the Government of Israel and the Palestinian Authority on their obligations in accordance with the road map, to ensure continued progress towards the creation of an independent, sovereign, democratic and viable State of Palestine living side by side with Israel in peace and security.

The Council stresses the importance of, and the need to achieve, a just, comprehensive and lasting peace in the Middle East, based on all its relevant resolutions, including resolutions 242(1967), 338(1973), 1397(2002) and 1515(2003), the Madrid terms of reference and the principle of land for peace.

Annex

Quartet Statement

New York, 20 September 2005

Representatives of the Quartet—the Secretary General of the United Nations, Mr. Kofi Annan, the Minister for Foreign Affairs of the Russian Federation, Mr. Sergey Lavrov, the Secretary of State of the United States of America, Ms. Condoleezza Rice, the Secretary of State for Foreign and Commonwealth Affairs of the United Kingdom of Great Britain and Northern Ireland, Mr. Jack Straw, the High Representative for the Common Foreign and Security Policy of the European Union, Mr. Javier Solana, and the European Commissioner for External Relations, Ms. Benita Ferrero-Waldner—met today in New York to discuss the Gaza disengagement and the prospects for movement towards peace in the Middle East.

The Quartet recognizes and welcomes the successful conclusion of the Israeli withdrawal from Gaza and parts of the northern West Bank and the moment of opportunity that it brings to renew efforts on the road map. The Quartet reiterates its belief that this brave and historic decision should open a new chapter on the path to peace in the region. It paid tribute to the political courage of Prime Minister Sharon and commends the Government of Israel, its armed forces and its police for the smooth and professional execution of the operation. It also expresses its appreciation for the responsible behaviour of the Palestinian Authority and people for helping to maintain a peaceful environment during the evacuation. The Quartet applauds the close coordination between the Israeli and Palestinian security services during the process. These significant developments create new opportunities and call for renewed focus on the responsibilities of all parties. The conclusion of disengagement represents an important step toward achieving the vision of two democratic States, Israel and Palestine, living side by side in peace and security.

The Quartet commends continued cooperation between both parties and the United States Security Coordinator, General William Ward, on security issues related to the disengagement. The Quartet calls for an end to all violence and terror. While the

leadership of the Palestinian Authority has condemned violence and has sought to encourage Palestinian groups who have engaged in terrorism to abandon this course and engage in the democratic process, the Quartet further urges the Palestinian Authority to maintain law and order and dismantle terrorist capabilities and infrastructure. The Quartet reaffirms the continued importance of comprehensive reform of the Palestinian security services. The rule of law through authorized security institutions is fundamental to democratic practice. The Quartet expresses appreciation to those parties which have made contributions to the security reform effort, particularly Egypt, the European Union and the United States. Finally, the Quartet welcomes the agreement between the Governments of Israel and Egypt on security arrangements along the Gaza-Egypt border.

At today's meeting, Quartet Special Envoy Wolfensohn's report on his current efforts and initiatives was discussed. The Quartet encourages his further work to facilitate continued discussion between the parties to build on the success of disengagement. The Palestinian Authority should demonstrate its ability to govern, and all members of the international community should look for ways to support these efforts. The Quartet will continue to lead international efforts to support sustainable growth of the Palestinian economy and to strengthen the overall capacity of the Palestinian Authority to assume its responsibilities through an aggressive pursuit of state-building and democratic reform efforts. Given the critical importance of free movement in the West Bank to the viability of the Palestinian economy, the Quartet urges an easing of the system of movement restrictions, consistent with Israel's security needs. The Quartet reaffirms that coordinated action by the international donor community is crucial for the success of the Quartet Special Envoy's Quick-Impact Economic Programme, as well as for the longer-term three-year plan for Palestinian development. In this regard, it notes the importance of the \$750 million in assistance which will be disbursed to the Palestinian Authority during the remainder of this year. The Quartet urges Arab States to implement existing commitments and to engage fully and positively in response to the Special Envoy's initiatives. To ensure the success of this effort, the Quartet views continued progress on institutional reform of the Palestinian Authority, as well as progress in combating corruption, as essential. The Quartet also welcomes the announcement of Palestinian Legislative Council elections and upcoming municipal elections.

Looking beyond disengagement, the Quartet reviewed progress on implementation of the road map. The Quartet calls for renewed action in parallel by both parties on their obligations in accordance with the sequence of the Road map. As part of the confidence-building process the Quartet urged both sides to return to the cooperative agenda reached at Sharm el-Sheikh, Egypt. Contacts between the parties should be intensified at all levels. The Quartet charges the Envoys to keep progress under review.

Both parties are reminded of their obligations under the road map to avoid unilateral actions which

prejudice final status issues. The Quartet reaffirms that any final agreement must be reached through negotiation between the parties and that a new Palestinian State must be truly viable with contiguity in the West Bank and connectivity to Gaza. On settlements, the Quartet welcomed the fact that, in areas covered by disengagement, Israel has gone beyond its obligations under the first phase of the Road map. The Quartet expresses its concern that settlement expansion elsewhere must stop, and Israel must remove unauthorized outposts. The Quartet continues to note with concern the route of the Israeli separation barrier, particularly as it results in the confiscation of Palestinian land, cuts off the movement of people and goods, and undermines Palestinians' trust in the road map process as it appears to prejudice the final borders of a Palestinian State.

The Quartet members exchanged views on the Russian proposal to hold an international meeting of experts in Moscow. Contacts on this matter will continue, taking into consideration the need to give attention to the various aspects of the Middle East situation, including multilateral matters.

The Quartet reiterates its commitment to the principles outlined in previous statements, including those of 4 May 2004, and 9 May and 23 June 2005, and reaffirms its commitment to a just, comprehensive and lasting settlement to the Arab-Israeli conflict based upon Security Council resolutions 242(1967) and 338(1973).

Post-disengagement period

Communications. On 26 September [A/ES-10/307-S/2005/608], the Permanent Observer of Palestine said that Israel had intensified its military campaign in the Occupied Palestinian Territory, escalating overnight air raids and attacks in the Gaza Strip, which resulted in the extrajudicial killing of four Palestinians. At least 15 more Palestinian civilians were wounded during Israeli air raids and more than 200 arrested and detained.

On the same day [A/60/382-S/2005/609], Israel said that, from 23 to 25 September, Hamas had launched more than 40 artillery rockets onto the Israeli town of Sderot, wounding five persons and causing extensive damage. In response to those attacks, Israel deployed forces around the Gaza Strip to prevent further assaults, targeted the terrorist infrastructure in Gaza and arrested wanted terrorists. Subsequently, Hamas issued a ceasefire, which it later abrogated by firing additional rockets onto Israeli towns. In a separate incident, some 20 Palestinians were killed on 23 September because of a Hamas explosion in a neighbourhood in Gaza, for which Hamas blamed Israel. Israel also reported that, on 21 September [A/60/385-S/2005/610], Hamas admitted abducting and killing an Israeli civilian.

Security incidents

On 29 September [A/ES-10/308-S/2005/617], the Permanent Observer of Palestine stated that, between 24 August and 28 September, Israeli military forces killed 24 Palestinians. IDF carried out air and artillery raids and attacks in Gaza leading to extensive infrastructure damage.

On 10 October [A/ES-10/309-S/2005/640], the Permanent Observer of Palestine said that, between 3 and 9 October, IDF killed six Palestinians and wounded dozens of others.

On 17 October [A/60/435-S/2005/655], Israel reported that, on 16 October, Palestinian terrorists associated with the Al-Aqsa Martyrs' Brigade killed three Israeli civilians and wounded another one in two separate drive-by shootings.

On 25 October [A/ES-10/310-S/2005/674], the Permanent Observer of Palestine said that, between 16 and 23 October, IDF killed four Palestinians. Israeli forces also continued with their campaign of arresting and detaining Palestinian civilians.

Israel said that, on 26 October [A/60/448-S/2005/680], a terrorist affiliated with the Islamic Jihad organization carried out a suicide-bombing attack in the city of Hadera, killing five people and wounding 55 others. Despite the increased activity of Islamic Jihad and other terrorist organizations, Palestinian security officers remained inert in the face of that growing threat.

Representatives of the Quartet, in a 28 October statement, condemned the 26 October terrorist attack in Haderat, responsibility for which was claimed by Palestinian Islamic Jihad headquarters in Damascus, Syria. The Quartet urged the Syrian Government to close the offices of the Islamic Jihad and to prevent the use of its territory by armed groups engaged in terrorist acts. The Quartet also encouraged and supported the PA in its effort to prevent armed groups from acting against law and order and the policy of the Authority itself.

Also on 26 October, [A/60/449-S/2005/681], Israel said that the President of Iran, Mahmoud Ahmadinejad, had called for the destruction of the State of Israel. The EU condemned the statement attributed to President Ahmadinejad [S/2005/683] and noted that calls for the destruction of any State were inconsistent with any claim to be a mature and responsible member of the international community.

The Permanent Observer of Palestine said that, on 28 October [A/ES-10/311-S/2005/685], seven Palestinians were killed after an Israeli warplane fired three missiles at a car near a refugee camp in Gaza.

Security Council consideration (October). On 20 October [meeting 5287], the Under-Secretary-

General for Political Affairs said that disengagement had yet to revive the peace process, due to a resurgence of violence on the ground. The security situation had deteriorated significantly during the last week of September and the first week of October. The situation improved somewhat during the second week of October, but on 16 October, militants from the Al-Aqsa Martyrs' Brigade shot dead three Israelis as they travelled to settlements in the West Bank. Israel responded by imposing tight restrictions on Palestinian movement in the West Bank. The Palestinian leadership announced a decision to confiscate illegally held weapons and nominated three officials who would bear overall responsibility for security sector reform. Such steps could contribute significantly to the control of internal violence and to progress towards the fulfilment of Palestinian security related road map commitments. Further progress in that area was absolutely critical during the coming weeks and months.

The Quartet's Special Envoy returned to the region on 7 October to push forward the Quartet's agenda in relation to disengagement. Mr. Wolfensohn sought to conclude agreements on the six-plus-three issues relating to movement, security and reform, which formed the basis of his work since June. The first of the six issues were border crossings and trade corridors. Re-opening the Rafah border crossing between Egypt and Gaza was of immediate social and political importance, because it would restore a measure of Palestinian access to the world outside Gaza and pave the way for agreements on border crossing with Israel, the link between Gaza and the West Bank and the reopening of Gaza's air and sea ports. Since 17 September, the Rafah crossing was open for only five days, pending agreement between the parties on the administration of the crossing. According to the Special Envoy, agreement on the crossing regime was close: the parties had reached consensus on the main technical elements of its administration and on a third-party presence along the border with Egypt. The EU had offered to consider such a role in that connection, although a formal invitation had not yet been issued. The flow of people and goods between Israel and Gaza and between Israel and the West Bank needed to be improved. It was the judgement of the Special Envoy that the parties were close to an agreement on a management system for those borders but Israel had, since 5 September, declined to meet with the PA in order to take the negotiations forward. Meanwhile, the Quartet was implementing a major programme of assistance aimed at creating jobs and at boosting Palestinian recovery after the disengagement. The EU proposed in-

creasing assistance to the Palestinians by 250 million euros, on the condition that security and the situation regarding the movement of people improved. Other donors had provided additional assistance, and according to an early estimate, overall disbursements for 2005 would reach between \$1.1 billion to \$1.3 billion, a 25 to 35 per cent increase over the annual average of the past four years. At least 35 per cent of that international assistance to the Palestinians would be channelled through UN agencies.

The increase in violence played a role in derailing the plans for bilateral talks between the Israeli and Palestinian leaders and also made their domestic positions even more difficult. Prime Minister Sharon carried out disengagement in the face of vocal domestic pressure; that pressure revived following the 24 September rocket attacks on the town of Sderot. On the Palestinian side, on 3 October, the Palestinian Legislative Council called on the President to dissolve the Government and to form another within two weeks. That call was precipitated by heavy armed clashes in Gaza between Palestinian police and militants.

The Palestinians held a third round of municipal elections in the West Bank on 29 September. Elections in Gaza were postponed due to security concerns. Participation in the poll was high and Fatah won over 53 per cent of seats in the municipal councils, compared to 26 per cent won by Hamas. Technical preparations were under way for the forthcoming Palestinian legislative elections, which were scheduled for 25 January 2006.

Communication (15 November). On 15 November [A/ES-10/312-S/2005/720], the Permanent Observer of Palestine said that Israel had escalated its military aggression against the Palestinian people, in particular its campaign of extrajudicial killings. Between 27 October and 14 November, IDF killed 18 Palestinians. Israeli officials had also been making highly inflammatory statements against the Palestinian leadership and the future of peace prospects that had only served to undermine the efforts made by the PA to secure and maintain the ceasefire.

Security Council consideration (November). The Security Council, at a meeting on 30 November [meeting 5312], heard a statement by the Under-Secretary-General for Political Affairs, Mr. Gambari, who had just returned from a visit to the Middle East. He reported that, in mid-November, the Israeli Government and the PA concluded an Agreement on Movement and Access, Agreed Principles for the Rafah Crossing, which envisaged an unprecedented third-party role for the EU, an enhanced contribution by the United States Security Coordinator, support from the Quartet Special Envoy and the continued close in-

volvement of the United Nations and the World Bank. The EU's 90-man-strong Border Assistance Mission would be responsible for resolving any disputes between Israel and the PA arising from the Agreement. The parties agreed that the crossings between Gaza and Israel would operate continuously, which would allow 150 export trucks to be processed daily by the end of 2005 and 400 by the end of 2006. Goods would enter Gaza through Kerem Shalom, where Israel, Egypt and Gaza met. The EU would monitor customs arrangements, with its mission being reviewed in a year's time. Bus convoys between Gaza and the West Bank would start on 15 December and truck convoys on 15 January 2006. The Government of Israel would review the system of movement restrictions in the West Bank and reduce them to the maximum extent possible by the end of 2005. The construction of the seaport was to begin immediately and discussions on the construction of a Palestinian airport would continue. The Agreement resolved a number of pending issues related to Israel's withdrawal of settlements and military infrastructure from Gaza, or set up frameworks for doing so. The United States would work closely with the parties to implement the Agreement and the United Nations would play its part in that regard, particularly with regard to the easing of movement restrictions in the West Bank. The first aspect of the Agreement was implemented on 27 November, when the Rafah crossing reopened under Palestinian control for travelers in both directions and for the outgoing passage of goods under supervision by the EU.

The full implementation of all aspects of the Agreement was a vital step towards Palestinian economic recovery but it would require the strengthening of Palestinian institutions and economic management and the effective distribution of international aid, issues that would be discussed at the mid-December meeting of the Ad Hoc Liaison Committee, the primary policy-making meeting of donors, the PA and the Israeli Government (see p. 521).

The fragile security situation and the need for more decisive action in accordance with the road map were underlined by continued violence. Throughout November, the Israeli army targeted alleged militants in the West Bank and Gaza and undertook major arrest campaigns in the West Bank. The Palestinian security services took some action, including arrests, against those who persisted in carrying out terrorist attacks, to keep weapons off the streets and to assert the rule of law in areas under Palestinian control, though more work needed to be done in that regard. Efforts were also made to rehabilitate for-

mer militia members by employing them in the security services. President Abbas established a leadership committee on security reform, which, in turn, mandated a technical team to develop a white paper on safety and security for Palestinians. That process, which would involve public dialogue in an effort to build national consensus, had the strong support of the United States Security Coordinator, Lieutenant General William Ward, who was to be succeeded by Lieutenant General Keith Dayton.

Technical preparations for the 25 January 2006 legislative elections continued. The United Nations would assist the Palestinian Central Election Commission through a liaison and support unit to coordinate international observers. Meanwhile, in Israel, the Labour Party elected a new leader, Amir Peretz, who informed Prime Minister Sharon that Labour would leave the coalition Government. New elections were expected by the end of March 2006. Prime Minister Sharon announced his intention to leave the Likud party and seek reelection as Prime Minister and head of the new Kadima—or Forward—Party.

The Under-Secretary-General said that he had returned from the region with the strong belief that the only way forward for Israelis and Palestinians alike was for the parties to ensure the success of disengagement by fully implementing the Agreement on Movement and Access and to take renewed action, in parallel, to fulfil their obligations under the road map.

SECURITY COUNCIL ACTION (30 November)

On 30 November [meeting 5313], following consultations among Security Council members, the President made statement **S/PRST/2005/57** on behalf of the Council:

The Security Council welcomes the Agreement on Movement and Access and the Agreed Principles for the Rafah Crossing reached between the Government of Israel and the Palestinian Authority on 15 November 2005. The successful opening of the Rafah crossing on 25 November 2005 represents an important step forward.

The Council commends the efforts of the Quartet, the Quartet Special Envoy and his team, as well as the positive contributions of the Government of Egypt, and expresses its strong appreciation to the European Union for assuming the role of third-party monitor.

The Council calls upon the parties to take immediate action to implement the terms of both agreements according to the timelines established therein.

The Council calls for renewed action in parallel by the Government of Israel and the Palestinian Authority on their obligations in accordance with the Road map, to ensure continued progress towards the creation of a viable, democratic, sovereign and contiguous Palestine living side by side with Israel in peace and security. The Council stresses the impor-

tance of, and the need to achieve, a just, comprehensive and lasting peace in the Middle East, based on all its relevant resolutions, including resolutions 242(1967), 338 (1973), 1397(2002) and 1515(2003), the Madrid terms of reference and the principle of land for peace.

Communications (5 December). On 5 December [A/60/580-S/2005/756], Israel said that, on 3 and 4 December, the Al-Aqsa Martyrs' Brigade, a terrorist organization affiliated with PA President Abbas Fatah movement, launched rockets against the town of Nativ Ha'asara causing damage to community property. On the same day [A/60/581-S/2005/757], Israel said that at least five people were killed and more than 55 wounded when a Palestinian terrorist associated with the Islamic Jihad organization detonated himself in the city of Netanya.

Quartet statement (5 December). Representatives of the Quartet, issued a statement on 5 December [SG/2102] on the situation in the Middle East, in which it condemned the terrorist attack in Netanya in the strongest possible terms. The Quartet repeated its demand that the Syrian Government take immediate action to close the offices of the Islamic Jihad and to prevent the use of its territory by armed groups engaged in terrorist acts. The Quartet denounced all acts of terrorism and urged all parties to exercise restraint, avoid escalation of violence and keep channels of communication open.

Communications (8-16 December). On 8 December [A/ES-10/313-S/2005/771], the Permanent Observer of Palestine said that, on 5 December, the Israeli Defense Minister had ordered IDF to launch wide-scale military operations in the Gaza Strip and in the north and northeast parts of the West Bank. On that day, Israeli war planes fired missiles at a house in Gaza, killing two Palestinians and injuring six others. On 7 December, IDF carried out another extrajudicial killing, in which one Palestinian was killed and several others wounded. IDF had tightened its siege of the Occupied Palestinian Territory, isolating the Palestinian population in their towns, further compounding their socio-economic hardships.

On 16 December [A/60/633-S/2005/826], Saudi Arabia transmitted the text of the Makkah Declaration adopted at the Third Extraordinary Session of the Islamic Summit Conference (Makkah Al-Mukarramah, Saudi Arabia, 7-8 December), in which the Conference called for the dismantling of settlements in the Occupied Palestinian Territory, as well as the demolition of the separation wall.

Security Council consideration (December). The Security Council, on 20 December [meeting

5337], discussed the situation in the Middle East, including the Palestinian question.

The Under-Secretary-General for Political Affairs, Mr. Gambari, said that since the end of November, despite the fact that some progress was made toward the implementation of the Access and Movement Agreement between Israel and the PA, violence continued in the region. Following the 5 December suicide bombing in Netanya, (see above) the PA had arrested some 60 suspects, while Israel responded to the attack and to the firing of Qassam rockets against Israeli territory by tightening the closure regime and by implementing a previously announced resumption of targeted killings. Meanwhile, the Palestinian internal security situation had worsened, with attacks on electoral offices, armed clashes between Fatah factions at the party headquarters and between the Palestinian security forces and armed elements.

At the Ad Hoc Liaison Committee meeting (London, 14 December), donors, the PA and the Israeli Government discussed the economic, fiscal and humanitarian situation in the Occupied Palestinian Territory and assessed progress in Palestinian reform. The need for the PA to adhere to the reform agenda and to re-establish fiscal discipline was a central theme of the meeting. The PA presented an update on its precarious financial situation and shared with donors the main elements of its medium-term development plan for the next three years. The meeting adopted a revised donor structure that strengthened the PA's role. Donors agreed on the need for the PA to implement, as a matter of priority, a medium-term fiscal stabilization plan and stressed that reform had to continue in the coming months, even though the election period could make that more difficult. The PA's fiscal situation was so acute that there was real concern that the December salaries of government-employees might not be paid. The Committee also discussed the convening in 2006, of a pledging conference to mobilize the target sum of \$3 billion.

Implementation was proceeding on some parts of the Agreement on Movement and Access (see p. 520). The Rafah crossing between Gaza and Egypt, was open for five hours each day since 26 November. The Karni crossing, through which produce entered Israel from Gaza, also remained open since 15 November, allowing the first post-disengagement Palestinian harvest to reach Israeli markets. Despite the concerted efforts of the United States and the Quartet's Special Envoy to resolve outstanding differences and to ensure that Israel's security concerns were met, the commencement of the bus convoys between Gaza

and the West Bank, which should have started on 15 December remained suspended.

On 15 December, the fourth round of municipal elections took place in the West Bank, including in larger municipalities such as Nablus, Jenin and AlBireh, where Hamas won an overwhelming majority of seats, and Ramallah, where Fatah won. The fifth, and final round, which would include major constituencies in Gaza, would be held in early 2006, after the legislative elections.

The Under-Secretary-General said that the road map's target date for a final and comprehensive settlement of the Israeli-Palestinian conflict was set for 31 December 2005. It was obvious that, while progress had been made, no comprehensive peace would be achieved by then. That did not detract from the centrality of the road map, which remained the agreed framework for achieving a just and lasting peace in the Middle East. The deadline represented an occasion for all parties to reflect on what more they could do to ensure that road map obligations were met.

Quartet statement (28 December). On 28 December, the Quartet issued a statement welcoming the upcoming Palestinian Legislative Council elections as a positive step toward consolidation of Palestinian democracy and the goal of a two-state solution to the Israeli-Palestinian conflict. It called on the PA and the Central Election Commission to ensure a free, fair and open process in accordance with Palestinian law. The PA had to ensure the security of polling stations and of election personnel, enforce existing law, regulations and decrees, particularly those prohibiting the public display of weapons, external financing of campaigns and the use of religious facilities for campaign purposes. The Quartet reaffirmed that those who wanted to be a part of the political process should not engage in armed group or militia activities, and called on all participants to renounce violence, recognize Israel's right to exist, and to disarm. The Quartet was encouraged by the negotiation of an electoral code of conduct and welcomed the PA's invitation to international election observers. In particular, the Quartet expressed its view that a future PA Cabinet should include no member who had not committed to the principles of Israel's right to exist in peace and security and to an unequivocal end to violence and terrorism. The Quartet believed it was essential that direct dialogue begin immediately between the Israeli Government and the PA to coordinate preparation for the legislative elections. Both parties should work to put in place a mechanism to allow Palestinians residents in Jerusalem to exercise their legitimate democratic rights.

Further communications. In a later communication [A/ES-10/314-S/2006/11], the Permanent Observer of Palestine said that between 14 November and 31 December, IDF killed 27 Palestinians. In addition, Israel had begun implementing a unilateral plan to create a so-called "buffer zone" in the northern Gaza Strip through the shelling and bombing of that area. Israel also refused to implement the Agreement on Movement and Access, as Israeli authorities had yet to allow bus convoy traffic between Gaza and the West Bank, originally scheduled to commence on 15 December.

The Supreme Council of the Gulf Cooperation Council, at its twenty-sixth session (Abu Dhabi, United Arab Emirates, 18-19 December) [A/60/680-S/2006/108], called on Israel to desist from its arbitrary practices against Palestinians, including, among other things, ending targeted assassinations, stopping settlement activity and ceasing construction of the separation wall.

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 2005.

Committee on Palestinian Rights. In its annual report [A/60/35], the Committee on the Exercise of the Inalienable Rights of the Palestinian People (Committee on Palestinian Rights) expressed concern over the intensified expansion of Israeli settlements in the West Bank, including East Jerusalem, as well as by public pronouncements by Israeli officials in September concerning the future of Jerusalem and its borders, the two issues that were to be resolved through permanent status negotiations between the parties. The Committee also noted that Israel continued the construction of the wall in the occupied territories. In the Jerusalem area, the wall's route remained the same, with 40 more kilometres that would surround the Ma'ale Adumim settlement, as well as four others nearby. The wall, when completed, would place Ma'ale Adumim, its industrial zone, Rachel's Tomb in Bethlehem, and most of East Jerusalem on the Israeli side. A new road being planned to connect Ramallah, north of Jerusalem, with Bethlehem in the south, would deny access for Palestinians to East Jerusalem, because the road would bypass the city. Some 60,000 Palestinians with Jerusalem identity documents would be on the east side of the wall, while some 30,000 Ma'ale Adumim settlers would be in Jerusalem.

Transfer of diplomatic missions

Report of Secretary-General. On 16 August [A/60/258], the Secretary-General reported that four Member States had replied to his request for information on steps taken or envisaged to implement General Assembly resolution 59/32 [YUN 2004, p. 473], 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]. Israel had not replied to the Secretary-General's request.

GENERAL ASSEMBLY ACTION

On 1 December [meeting 60], the General Assembly adopted **resolution 60/41** [draft: A/60/L.33 & Add.1] by recorded vote (153-7-12) [agenda item 14].

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,

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

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

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

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

Having considered the report of the Secretary-General,

1. Reiterates its determination that any actions taken by Israel to impose its laws, jurisdiction and adminis-

tration 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 sixty-first session on the implementation of the present resolution.

RECORDED VOTE ON RESOLUTION 60/41:

In favour: Afghanistan, Algeria, Andorra, 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, Cambodia, Canada, Cape Verde, Central African Republic, Chile, China, Colombia, Comoros, Croatia, Cuba, Cyprus, Czech Republic, Democratic People's Republic of Korea, Denmark, Djibouti, Dominica, Dominican Republic, Ecuador, Egypt, Eritrea, Estonia, Ethiopia, Finland, France, Gabon, Gambia, Georgia, Germany, Ghana, Greece, Guinea, Guinea-Bissau, Guyana, Hungary, Iceland, India, Indonesia, Iran, Iraq, Ireland, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Latvia, Lebanon, Lesotho, Liberia, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Monaco, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Netherlands, New Zealand, Nicaragua, Nigeria, Norway, Oman, Pakistan, Panama, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Saint Lucia, Saint Vincent and the Grenadines, San Marino, Saudi Arabia, Senegal, Serbia and Montenegro, 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, Togo, Trinidad and Tobago, Tunisia, Turkey, Turkmenistan, Ukraine, United Arab Emirates, United Kingdom, United Republic of Tanzania, Uruguay, Uzbekistan, Venezuela, Viet Nam, Yemen, Zambia, Zimbabwe.

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

Abstaining: Albania, Australia, Cameroon, El Salvador, Fiji, Guatemala, Haiti, Papua New Guinea, Samoa, Tuvalu, Uganda, Vanuatu.

Economic and social situation

A May report on the economic and social repercussions of the Israeli occupation on the living conditions of Palestinians in the Occupied Palestinian Territory, including East Jerusalem, and of the Arab population in the occupied Syrian Golan [A/60/65-E/2005/13] was prepared by the Economic and Social Commission for Western Asia (ESCWA), in accordance with Economic and Social Council resolution 2004/54 [YUN 2004, p. 474] and General Assembly resolution 59/251 [ibid., p. 475]; it covered developments since the last ESCWA report [ibid., p. 474].

The report noted that the Israeli occupation continued to deepen the economic and social hardship for Palestinians. Economic indicators

continued to show negative trends: high unemployment; greater dependency on food aid; and untold losses from the physical destruction of Palestinian homes, public buildings, agricultural assets, infrastructure and private property. Israel's confiscation of Palestinian land and water resources for settlements and the erection of the West Bank barrier accelerated during the period under review. Refugees, women and children bore a significant brunt of those measures. Malnutrition and other health problems afflicted a growing number of Palestinians at a time of curtailed access to needed services. Over 60 per cent of children below 2 years of age, 36 per cent of pregnant women, and over 43 per cent of nursing mothers in the Gaza Strip were anaemic. An estimated 38 per cent of the Palestinian population was subject to food insecurity. Israeli restrictions regularly impeded humanitarian services to the Occupied Palestinian Territory. Israeli settlements, land confiscation and the construction of the barrier in the occupied territory, isolated occupied East Jerusalem, bisected the West Bank, curtailed normal economic and social life, and continued to fuel the conflict. In 2004, the number of Israeli settlers in the West Bank and Gaza Strip grew to 250,179, a 6 per cent increase from 2003. Israeli settlements in the occupied Syrian Golan Heights, housing an estimated 20,000 Israeli settlers, continued to expand unabated. Access to natural resources and social services remained inadequate for the Arab population in the Syrian Golan Heights.

ECONOMIC AND SOCIAL COUNCIL ACTION

On 27 July [meeting 40], the Economic and Social Council adopted **resolution 2005/51** [draft: E/2005/L.24/Rev.1] by recorded vote (49-2-1) [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 59/251 of 22 December 2004,

Also recalling its resolution 2004/54 of 23 July 2004,

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, 338(1973) of 22 October 1973, 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, 497(1981) of 17 December 1981, 904(1994) of 18 March 1994, 1073(1996) of 28 September 1996, 1397(2002) of 12 March 2002, 1515(2003) of 19 November 2003 and 1544(2004) of 19 May 2004,

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

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), 425(1978) of 19 March 1978, 1397(2002), 1515(2003) and 1544(2004) 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 has gravely impeded the 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,

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

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

Gravely concerned at the extensive destruction by Israel, the occupying Power, of agricultural land and orchards in the Occupied Palestinian Territory, including East Jerusalem, during the recent period, including, and in particular, as a result of its unlawful construction of the wall in the Occupied Palestinian Territory, including in and around East Jerusalem,

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

Expressing concern at the recent escalation of violence that has been characteristic of recent years following a period of relative calm, and, in this context, expressing its concern about the tragic and violent events that have taken place since September 2000, which 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, as well as the assistance being provided in the humanitarian field,

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

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

1. *Stresses* the need to preserve the national unity and the territorial integrity of the Occupied Palestinian Territory, including East Jerusalem, and to guarantee the freedom of movement of persons and goods 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 airport and the seaport in Gaza and the establishment of the safe passage between the West Bank and Gaza for 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, towns and other populated centres, to cease its destruction of homes and properties, economic institutions and agricultural fields and to end the imposition of all forms of closure and curfew, which impede efforts aimed at the amelioration of the economic and social conditions and the development of the Palestinian people;

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 those 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, and calls for the full implementation of the relevant Security Council resolutions;

7. *Stresses* that the wall being constructed by Israel in the Occupied Palestinian Territory, including in and around East Jerusalem, is contrary to international law and is seriously debilitating to the economic and social development of the Palestinian people, and calls in this regard for full compliance with the legal obligations mentioned in the 9 July 2004 advisory opinion of the International Court of Justice and in Assembly resolution ES-10/15;

8. *Emphasizes* 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;

9. *Urges* Member States to encourage private foreign investment in the Occupied Palestinian Territory, including East Jerusalem, in infrastructure, job-cre-

ation projects and social development in order to alleviate the hardships being faced by the Palestinian people and improve their living conditions;

10. *Requests* the Secretary-General to submit to the General Assembly at its sixtieth 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;

11. *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 2006.

RECORDED VOTE ON RESOLUTION 2005/51:

In favour: Albania, Armenia, Azerbaijan, Bangladesh, Belgium, Belize, Benin, Brazil, Canada, China, Colombia, Congo, Cuba, Denmark, Ecuador, France, Germany, Guinea, Iceland, India, Indonesia, Ireland, Italy, Jamaica, Japan, Kenya, Lithuania, Malaysia, Mauritius, Mexico, Mozambique, Namibia, Nicaragua, Nigeria, Pakistan, Panama, Poland, Republic of Korea, Russian Federation, Saudi Arabia, Senegal, South Africa, Spain, Thailand, Tunisia, Turkey, United Arab Emirates, United Kingdom, United Republic of Tanzania.

Against: Australia, United States.

Abstaining: Costa Rica.

On the same date (**decision 2005/304**), the Council took note of the note of the Secretary-General transmitting the report prepared by ESCWA (see p. 523).

GENERAL ASSEMBLY ACTION

On 22 December [meeting 68], the General Assembly, on the recommendation of the Second (Economic and Financial) Committee [A/60/484], adopted **resolution 60/183** by recorded vote (156-6-8) [agenda item 38].

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

The General Assembly,

Recalling its resolution 59/251 of 22 December 2004, and taking note of Economic and Social Council resolution 2005/51 of 27 July 2005,

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

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,

Recalling its resolution 2625(XXV) of 24 October 1970,

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

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

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

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, including the uprooting of a vast number of fruit-bearing trees,

Aware of the detrimental impact of the Israeli settlements on Palestinian and other Arab natural resources, especially as a result of the confiscation of land and the forced diversion of water resources, and of the dire economic and social consequences in this regard,

Aware also of the detrimental impact on Palestinian natural resources being caused by the unlawful construction of the wall by Israel, the occupying Power, in the Occupied Palestinian Territory, including in and around East Jerusalem, and of its grave effect on the natural resources and 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,

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

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

Taking note with appreciation of the note by the Secretary-General transmitting the report prepared by the Economic and Social Commission for Western Asia on the economic and social repercussions of the Israeli occupation on the living conditions of the Palestinian people in the Occupied Palestinian Territory, including Jerusalem, and of the Arab population in the occupied Syrian Golan,

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

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

3. *Recognizes* the right of the Palestinian people to claim restitution as a result of any exploitation, damage, loss or depletion, or endangerment of their natural resources resulting from illegal measures taken by Israel, the occupying Power, in the Occupied Palestinian Territory, including East Jerusalem, and expresses the hope that this issue will be dealt with in the framework of the final status negotiations between the Palestinian and Israeli sides;

4. *Stresses* that the wall being constructed by Israel in the Occupied Palestinian Territory, including in and around East Jerusalem, is contrary to international law and is seriously depriving the Palestinian people of their natural resources, and calls in this regard for full compliance with the legal obligations mentioned in the 9 July 2004 advisory opinion of the International Court of Justice and in resolution ES-10/15;

5. *Welcomes* the Israeli withdrawal from within the Gaza Strip and parts of the northern West Bank and the dismantlement of the settlements therein as a step towards the implementation of the road map;

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

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

8. *Requests* the Secretary-General to report to it at its sixty-first session on the implementation of the present resolution, and decides to include in the provisional agenda of its sixty-first 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 60/183:

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

dan, Suriname, Swaziland, Sweden, Switzerland, Syrian Arab Republic, Tajikistan, Thailand, The former Yugoslav Republic of Macedonia, Togo, Tunisia, Turkey, Uganda, Ukraine, United Arab Emirates, United Kingdom, United Republic of Tanzania, Uruguay, Uzbekistan, Venezuela, Viet Nam, Yemen, Zambia, Zimbabwe.

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

Abstaining: Albania, Cameroon, Côte d'Ivoire, Dominican Republic, El Salvador, Nauru, Papua New Guinea, Tuvalu.

Other aspects

Special Committee on Israeli Practices. In response to General Assembly resolution 59/121 [YUN 2004, p. 480], the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories, in September, reported for the thirty-seventh 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/60/380]. The report reflected information gathered during the Committee's mission to Egypt, Jordan and the Syrian Arab Republic from 25 June to 9 July. In those three countries, the Committee met with 46 witnesses representing Palestinian non-governmental organizations (NGOs), as well as individuals from Syria. The report reviewed the human rights situation in the Occupied Palestinian Territory and the Syrian Golan.

As in the past, the Committee was not authorized by Israel to visit the occupied territories, which had been the case since 1968, when the Committee was established [YUN 1968, p. 556]. After 37 years of being denied access to the occupied territories by Israel, the Special Committee wondered whether Israel should not revisit the reasons behind such refusal. The world had changed since the inception of the Special Committee's mandate, with younger generations taking over. Disagreement should not be a hindrance to meeting and interacting; discussing issues of common concern would not affect the legal state of affairs.

The Special Committee, during its field trips to the Middle East, in 2005, was challenged by various interlocutors, including a number of Palestinian witnesses, as to what actions it envisaged to implement its mandate. The Committee, while indicating that its main role and responsibility were to report to the General Assembly, suggested that the time might have come for the Assembly to consider innovative ways of assisting it in fulfilling its mandate.

The Special Committee noted that hopes for progress in the occupied territories tended to vanish in the face of persistent negative factors, such as the loss of control by the Palestinians over strategic resources like water and energy; the loss

of contiguity of their lands due to the wall, road closures and checkpoints, as well as to growing settlers' communities and the network of roads built for their benefit. The Committee also noted the serious deterioration of the situation of Palestinian children and youth whose lives were at risk, whose freedom of movement was severely curtailed by long hours of waiting at entry points to the wall or at checkpoints and other restrictions, and whose level of education and academic achievements were negatively affected by the numerous impediments imposed by the occupying authorities.

Report of Special Rapporteur. The Special Rapporteur on the situation of human rights in the Palestinian territories occupied by Israel since 1967, John Dugard, submitted to the Commission on Human Rights at its 2005 session reports describing the situation of human rights in the Occupied Palestinian Territory. [E/CN.4/2005/29 & Add.1, A/60/271], (see pp. 904 & 905).

GENERAL ASSEMBLY ACTION

On 8 December [meeting 62], the General Assembly, on the recommendation of the Fourth (Special Political and Decolonization) Committee [A/60/477], adopted **resolution 60/107** by recorded vote (148-7-17) [agenda item 31].

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 resolution 59/124 of 10 December 2004, as well as those adopted at its tenth emergency special session,

Recalling also the relevant 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 report of the Secretary-General,

Taking note of the report of the Human Rights Inquiry Commission established by the Commission on Human Rights and the recent reports 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 advisory opinion rendered on 9 July 2004 by the International Court of Justice, and recalling also General Assembly resolution ES-10/15 of 20 July 2004,

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

Recalling the International Covenant on Civil and Political Rights, the International Covenant on Eco-

nomic, Social and Cultural Rights and the Convention on the Rights of the Child and affirming that these human rights instruments must be respected in the Occupied Palestinian Territory, including East Jerusalem,

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

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

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

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

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

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

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

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

Expressing deep concern about the continuing detrimental impact of the extensive destruction caused by the Israeli occupying forces, including 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,

Expressing deep concern also about the Israeli policy of closure and the severe restrictions, including curfews, that continue to be imposed on the movement of persons and goods, including medical and humanitarian personnel and goods, throughout the Occupied Pales-

tinian Territory, including East Jerusalem, and the consequent negative impact on the socio-economic situation of the Palestinian people, which remains that of a dire humanitarian crisis,

Concerned about the continued establishment of checkpoints in the Occupied Palestinian Territory, including East Jerusalem, and the transformation of several of these checkpoints into structures akin to permanent border crossings inside the Occupied Palestinian Territory,

Expressing concern that thousands of Palestinians continue to be held in Israeli prisons or detention centres under harsh conditions that impair their well-being, 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. *Reiterates* that all measures and actions taken by Israel, the occupying Power, in the Occupied Palestinian Territory, including East Jerusalem, in violation of the relevant provisions of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, and contrary to the relevant resolutions of the Security Council, are illegal and have no validity;

2. *Demands* that Israel, the occupying Power, comply fully with the provisions of the Fourth Geneva Convention of 1949 and cease immediately all measures and actions taken in violation and in breach of the Convention, including all of its settlement activities and the construction of the wall in the Occupied Palestinian Territory, including in and around East Jerusalem, as well as 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 the Israeli occupying forces against Palestinian civilians, resulting in extensive loss of life, vast numbers of injuries and massive destruction of homes, properties, agricultural lands and vital infrastructure;

4. *Expresses grave concern* at the use of suicide bombing attacks against Israeli civilians resulting in extensive loss of life and injury;

5. *Welcomes* the Israeli withdrawal from within the Gaza Strip and parts of the northern West Bank and the dismantlement of the settlements therein as a step towards the implementation of the road map;

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

7. *Demands* that Israel, the occupying Power, cease all practices and actions which violate the human rights of the Palestinian people, and that it respect human rights law and comply with its legal obligations in this regard;

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

9. *Stresses* the need for unity and 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;

10. *Stresses also* the need for the full implementation of the Sharm el-Sheikh understandings;

11. *Requests* the Secretary-General to report to the General Assembly at its sixty-first session on the implementation of the present resolution.

RECORDED VOTE ON RESOLUTION 60/107:

In favour: Afghanistan, Algeria, Andorra, Antigua and Barbuda, Argentina, Armenia, Austria, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belgium, Belize, Benin, Bhutan, Bolivia, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Burundi, Cambodia, Cape Verde, Central African Republic, Chile, China, Colombia, Croatia, Cuba, Cyprus, Czech Republic, Democratic People's Republic of Korea, Denmark, Djibouti, Dominica, Ecuador, Egypt, Eritrea, Estonia, Ethiopia, Fiji, Finland, France, Gabon, Georgia, Germany, Ghana, Greece, Guinea, Guinea-Bissau, Guyana, Hungary, India, Indonesia, Iran, Iraq, Ireland, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Latvia, Lebanon, Lesotho, Liberia, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Monaco, Mongolia, 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, Singapore, Slovakia, Slovenia, Somalia, South Africa, Spain, Sri Lanka, Sudan, Suriname, Sweden, Switzerland, Syrian Arab Republic, Tajikistan, Thailand, The former Yugoslav Republic of Macedonia, Timor-Leste, Togo, Trinidad and Tobago, Tunisia, Turkey, Turkmenistan, Ukraine, United Arab Emirates, United Kingdom, United Republic of Tanzania, Uruguay, Uzbekistan, Venezuela, Viet Nam, Yemen, Zambia, Zimbabwe.

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

Abstaining: Albania, Cameroon, Canada, Costa Rica, Dominican Republic, El Salvador, Guatemala, Haiti, Honduras, Iceland, Nicaragua, Papua New Guinea, Solomon Islands, Tonga, Tuvalu, Uganda, Vanuatu.

By **resolution 60/39** of 1 December, the Assembly reaffirmed the right of the Palestinian people to self-determination, including the right to their State, and urged all States and UN specialized agencies and organizations to support the Palestinian people in their quest for self-determination (see p. 536).

Work of Special Committee

In an August report [A/60/294], the Secretary-General stated that all necessary facilities were provided to the Special Committee on Israeli Practices, as requested in General Assembly resolution 59/121 [YUN 2004, p. 480]. Arrangements

were made for it to meet in March and June in Geneva, and a field mission was carried out to Egypt, Jordan and the Syrian Arab Republic from 25 June to 9 July. The UN Department of Public Information continued to disseminate information on the Committee's activities.

GENERAL ASSEMBLY ACTION

On 8 December [meeting 62], the General Assembly, on the recommendation of the Fourth Committee [A/60/477], adopted **resolution 60/104** by recorded vote (86-10-74) [agenda item 31].

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 59/121 of 10 December 2004, and the relevant resolutions of the Commission on Human Rights,

Recalling also the relevant resolutions of the Security Council,

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

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

Gravely concerned about the continuing detrimental impact of the 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, and the widespread destruction of property,

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, and recalling in this regard its resolution 58/292 of 6 May 2004,

1. *Commends* the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories for its efforts in performing the tasks as-

signed 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 critical situation in the Occupied Palestinian Territory, including East Jerusalem, since 28 September 2000, as a result of unlawful Israeli practices and measures, and especially condemns all Israeli settlement activities and the construction of the wall, as well as the excessive and indiscriminate use of force against the civilian population, including extrajudicial executions;

5. *Requests* the Special Committee, pending complete termination of the Israeli occupation, to continue to investigate Israeli policies and practices in the Occupied Palestinian Territory, including East Jerusalem, and other Arab territories occupied by Israel since 1967, especially Israeli violations of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, and to consult, as appropriate, with the International Committee of the Red Cross according to its regulations in order to ensure that the welfare and human rights of the peoples of the occupied territories are safeguarded and to report to the Secretary-General as soon as possible and whenever the need arises thereafter;

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

7. *Further requests* the Special Committee to continue to investigate the treatment of 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 staff as may be necessary to assist the Special Committee in the performance of its tasks;

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

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

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

9. *Decides* to include in the provisional agenda of its sixty-first session the item entitled "Report of the Special Committee to Investigate Israeli Practices Affect-

ing the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories".

RECORDED VOTE ON RESOLUTION 60/104:

In favour: Afghanistan, Algeria, Antigua and Barbuda, Armenia, Azerbaijan, Bahrain, Bangladesh, Barbados, Belarus, Belize, Benin, Bhutan, Bolivia, Botswana, Brazil, Brunei Darussalam, Burundi, Cambodia, Cape Verde, Chile, China, Colombia, Cuba, Democratic People's Republic of Korea, Djibouti, Dominica, Ecuador, Egypt, Eritrea, Gabon, Ghana, Guinea, Guinea-Bissau, Guyana, India, Indonesia, Iran, Iraq, Jamaica, Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Lebanon, Lesotho, Libyan Arab Jamahiriya, Malaysia, Maldives, Mali, Mauritania, Mauritius, Morocco, Mozambique, Myanmar, Namibia, Nepal, Niger, Nigeria, Oman, Pakistan, Paraguay, Qatar, Saint Lucia, Saint Vincent and the Grenadines, Saudi Arabia, Senegal, Singapore, Somalia, South Africa, Sri Lanka, Sudan, Suriname, Syrian Arab Republic, Togo, Trinidad and Tobago, Tunisia, Turkey, Turkmenistan, United Arab Emirates, United Republic of Tanzania, Uzbekistan, Venezuela, Viet Nam, Yemen, Zambia, Zimbabwe.

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

Abstaining: Albania, Andorra, Argentina, Austria, Bahamas, Belgium, Bulgaria, Burkina Faso, Cameroon, Costa Rica, Croatia, Cyprus, Czech Republic, Denmark, Dominican Republic, El Salvador, Estonia, Ethiopia, Fiji, Finland, France, Georgia, Germany, Greece, Guatemala, Haiti, Honduras, Hungary, Iceland, Ireland, Italy, Japan, Kazakhstan, Kyrgyzstan, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Mexico, Monaco, Mongolia, Netherlands, New Zealand, Nicaragua, Norway, Panama, Papua New Guinea, Peru, Philippines, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Samoa, San Marino, Serbia and Montenegro, Slovakia, Slovenia, Solomon Islands, Spain, Sweden, Switzerland, Tajikistan, Thailand, The former Yugoslav Republic of Macedonia, Tonga, Uganda, Ukraine, United Kingdom, Uruguay, Vanuatu.

Fourth Geneva Convention

Report of Secretary-General. In an August report [A/60/296], the Secretary-General informed the General Assembly that Israel had not replied to his July request for information on steps taken or envisaged to implement Assembly resolution 59/122 [YUN 2004, p. 481] 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 59/122 calling on them to exert all efforts to ensure respect by Israel for the Convention's provisions, and to paragraph 6 of resolution 59/125 [ibid., p. 516] 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 ratified 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 8 December [meeting 62], the General Assembly, on the recommendation of the Fourth Committee [A/60/477], adopted **resolution 60/105** by recorded vote (158-6-7) [agenda item 31].

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

The General Assembly,

Recalling its relevant resolutions, including its resolution 59/122 of 10 December 2004,

Recalling also its resolution ES-10/15 of 20 July 2004,

Bearing in mind the relevant resolutions of the Security Council,

Recalling the Regulations annexed to the Hague Convention IV of 1907, the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, and relevant provisions of customary law, including those codified in Additional Protocol I to the four Geneva Conventions,

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

Considering that the promotion of respect for the obligations arising from the Charter of the United Nations and other instruments and rules of international law is among the basic purposes and principles of the United Nations,

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

Noting in particular the Court's reply, including that the Fourth Geneva Convention is applicable in the Occupied Palestinian Territory, including East Jerusalem, and that Israel is in breach of several of the provisions of the Convention,

Noting the convening for the first time, on 15 July 1999, of a Conference of High Contracting Parties to the Fourth Geneva Convention, as recommended by the General Assembly in its resolution ES-10/6 of 9 February 1999, on measures to enforce the Convention in the Occupied Palestinian Territory, including East Jerusalem, and to ensure respect 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 Ter-

ritory, including East Jerusalem, and other Arab territories occupied by Israel since 1967, and that it comply scrupulously with the provisions of the Convention;

3. *Calls upon* all High Contracting Parties to the Convention, in accordance with article 1 common to the four Geneva Conventions and as mentioned in the advisory opinion of the International Court of Justice of 9 July 2004, to continue to exert all efforts to ensure respect for its provisions by Israel, the occupying Power, in the Occupied Palestinian Territory, including East Jerusalem, and other Arab territories occupied by Israel since 1967;

4. *Reiterates* the need for speedy implementation of the relevant recommendations contained in the resolutions adopted by the General Assembly at its tenth emergency special session, including resolution ES-10/15, with regard to ensuring respect by Israel, the occupying Power, for the provisions of the Convention;

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

RECORDED VOTE ON RESOLUTION 60/105:

In favour: Afghanistan, Algeria, Andorra, Antigua and Barbuda, Argentina, Armenia, Austria, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belgium, Belize, Benin, Bhutan, Bolivia, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Burundi, Cambodia, Canada, Cape Verde, Central African Republic, Chile, China, Colombia, Congo, Costa Rica, Croatia, Cuba, Cyprus, Czech Republic, Democratic People's Republic of Korea, Denmark, Djibouti, Dominica, Ecuador, Egypt, El Salvador, Eritrea, Estonia, Fiji, Finland, France, Gabon, Georgia, Germany, Ghana, Greece, Guatemala, Guinea, Guinea-Bissau, Guyana, Honduras, Hungary, Iceland, India, Indonesia, Iran, Iraq, Ireland, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Latvia, Lebanon, Lesotho, Liberia, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, 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, Singapore, Slovakia, Slovenia, Solomon Islands, Somalia, South Africa, Spain, Sri Lanka, Sudan, Suriname, Sweden, Switzerland, Syrian Arab Republic, Tajikistan, Thailand, The former Yugoslav Republic of Macedonia, Timor-Leste, Togo, Tonga, Trinidad and Tobago, Tunisia, Turkey, Turkmenistan, Ukraine, United Arab Emirates, United Kingdom, United Republic of Tanzania, Uruguay, Uzbekistan, Venezuela, Viet Nam, Yemen, Zambia, Zimbabwe.

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

Abstaining: Albania, Australia, Cameroon, Dominican Republic, Ethiopia, Haiti, Uganda.

Israeli settlements

Report of Secretary-General. On 24 August [A/60/297], the Secretary-General informed the General Assembly that Israel had not replied to his July request for information on steps taken or envisaged to implement the relevant provisions of resolution 59/123 [YUN 2004, p. 482] demanding that Israel, among other things, cease all construction of the wall and new settlements in the Occupied Palestinian Territory, including East Jerusalem.

GENERAL ASSEMBLY ACTION

On 8 December [meeting 62], the General Assembly, on the recommendation of the Fourth Com-

mittee [A/60/477], adopted **resolution 60/106** by recorded vote (153-7-10) [agenda item 31].

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

The General Assembly,

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

Recalling its relevant resolutions, including resolution 59/123 of 10 December 2004, as well as those resolutions adopted at its tenth emergency special session,

Recalling also 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,

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

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

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

Taking note of the recent report of the Special Rapporteur of the 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,

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

Aware that Israeli settlement activities 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, the occupying Power, 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 and the so-called E-1 plan, aimed at connecting its illegal settlements around and further isolating Occupied East Jerusalem,

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

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

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,

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

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

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

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

5. *Emphasizes* the need for the parties to speedily resolve all remaining issues in the Gaza Strip, including the removal of rubble;

6. *Reiterates its demand* for the immediate and complete cessation of all Israeli settlement activities in all of the Occupied Palestinian Territory, including East Jerusalem, and in the occupied Syrian Golan, and calls for the full implementation of the relevant resolutions of the Security Council;

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

8. *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;

9. *Reiterates its calls* for the prevention of all acts of violence by Israeli settlers, especially against Palestinian civilians and properties, particularly in the light of recent developments;

10. *Requests* the Secretary-General to report to the General Assembly at its sixty-first session on the implementation of the present resolution.

RECORDED VOTE ON RESOLUTION 60/106:

In favour: Afghanistan, Algeria, Andorra, Antigua and Barbuda, Argentina, Armenia, Austria, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belgium, Belize, Benin, Bhutan, Bolivia, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Burundi, Cambodia, Canada, Cape Verde, Central African Republic, Chile, China, Colombia, Croatia, Cuba, Cyprus, Czech Republic, Democratic People's Republic of Korea, Denmark, Djibouti, Dominica, Ecuador, Egypt, Eritrea, Estonia, Ethiopia, Fiji, Finland, France, Gabon, Georgia, Germany, Ghana, Greece, Guatemala, Guinea, Guinea-Bissau, Guyana, Honduras, Hungary, Iceland, India, Indonesia, Iran, Iraq, Ireland, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Latvia, Lebanon, Lesotho, Liberia, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, 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, Singapore, Slovakia, Slovenia, Somalia, South Africa, Spain, Sri Lanka, Sudan, Suriname, Sweden, Switzerland, Syrian Arab Republic, Tajikistan, Thailand, The former Yugoslav Republic of Macedonia, Timor-Leste, Togo, Trinidad and Tobago, Tunisia, Turkey, Turkmenistan, Ukraine, United Arab Emirates, United Kingdom, United Republic of Tanzania, Uruguay, Uzbekistan, Venezuela, Viet Nam, Yemen, Zambia, Zimbabwe.

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

Abstaining: Albania, Cameroon, Costa Rica, Dominican Republic, El Salvador, Haiti, Papua New Guinea, Solomon Islands, Tonga, Uganda.

Palestinian women

The Secretary-General, in a report [E/CN.6/2005/4] to the Commission on the Status of Women, as requested by the Economic and Social Council in resolution 2004/56 [YUN 2004, p. 484], reviewed the situation of Palestinian women and assistance provided by UN organizations from October 2003 to September 2004. He said that during that period, the occupation of Palestinian territory by Israel continued to have a detrimental effect on the lives of Palestinian women and children. The hardship of daily life was felt most acutely by Palestinian women who carried the burden of responsibility within the household because of the death, imprisonment, or unemployment of male members. Between September

2000 and September 2004, some 250 Palestinians had died.

The social, economic and cultural context of women's health remained challenging. In particular, malnutrition continued to have a major impact on the lives of Palestinian women and children. Land confiscation and the destruction of cultivated fields and houses divided families and communities, denied farmers access to their land, workers to their jobs, children and youth to schools, colleges and universities and women and children basic health and social services. In addition, Palestinian women in prison were reported to have been subjected to torture or inhuman and degrading treatment. The severe economic depression of the Palestinian economy since September 2000 continued unabated during the reporting period. Low levels of employment resulted in high levels of poverty among Palestinians, particularly women. Women's labour force participation remained low, in spite of their high and successful secondary school enrolment (only 11 per cent of women of employment age participated in the labour force). In cases where they did participate in the labour market, they were mostly located in the agriculture and service sectors. A number of objectives had been identified to address the low participation of women in the labour force, including upgrading governmental political commitment to include gender, democracy and human rights issues in the policies and plans of the various ministries and relevant legislation and regulations; linking lobbying and advocacy activities with the development of policies and laws; and building a network of links with women governmental institutions and NGOs and human rights organizations at the regional and international levels, and exchanging experience with them on the implementation and support of international conventions on women and human rights. Efforts were made to address discrimination against women and the concerns of Palestinian women through the newly established PA Ministry of Women's Affairs.

The UN system continued to provide direct assistance to Palestinian women. The World Bank implemented the second Palestinian NGO project, under which a counselling centre for women in difficult circumstances was designed. The International Labour Organization established a Palestinian fund for employment and social protection. The United Nations Development Programme (UNDP) initiated a number of projects aimed at women's economic empowerment. In June 2004, UNDP entered into an agreement with the Ministry of Women's Affairs to support the development of a three-year action plan aimed at promoting gender-sensitive structures, pro-

grammes and policies. The United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA) granted \$2.47 million to women through its microfinance and micro-enterprise programme. (For more information on UNRWA's activities, see p. 544.) The United Nations Development Fund for Women opened a programme office in Jerusalem in April 2004.

The Secretary-General stated that many of the initiatives undertaken by UN system entities were aimed at long-term sustainable development for Palestinian people, including women. Palestinian women continued to require assistance with income-generating projects aimed at poverty alleviation, education and training, access to health care and health-care services, and with ongoing advocacy to combat violence against women and protect their fundamental human rights. While the reports by relevant bodies provided considerable information on the overall situation in the Occupied Palestinian Territory and made reference to women, limited information was provided on the specific situation of women and girls. The specific impact of the crisis on women, as compared to men, should be highlighted so that targeted actions could be taken to mitigate gender-specific negative ones. Gender perspectives should be more fully integrated into international assistance programmes through, among other things, in-depth gender analysis and the collection of data disaggregated by sex, and be fully incorporated into all UN studies and reports on the Palestinian people in order to effectively assess the impact of the situation of Palestinian women. Since the status and living conditions of Palestinian women were linked to achieving a peaceful resolution of the conflict, additional efforts needed to be made by the international community to end the violent confrontations in the Occupied Palestinian Territory.

ECONOMIC AND SOCIAL COUNCIL ACTION

On 26 July [meeting 39], the Economic and Social Council, on the recommendation of the Commission on the Status of Women [E/2005/27 & Corr.1], adopted **resolution 2005/43** by recorded vote (46-2-4) [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 2004/56 of 23 July 2004 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 full 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 situation of Palestinian women in the Occupied Palestinian Territory, including East Jerusalem, resulting from the severe impact of ongoing illegal Israeli settlement activities and the unlawful construction of the wall, as well as the severe consequences arising from Israeli military operations on and sieges of civilian areas, which have detrimentally impacted their social and economic conditions and deepened the humanitarian crisis faced by Palestinian women and their families,

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

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

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

1. *Calls upon* the concerned parties, as well as the international community, to exert all the efforts necessary to ensure the full 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 respecting the Laws and Custom of War on Land of 18 October 1907 (Convention IV), 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 serv-

ices 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 twenty-third special session of the General Assembly, entitled “Women 2000: gender equality, development and peace for the twenty-first century”;

7. *Requests* the Secretary-General to continue to review the situation, to assist Palestinian women by all available means, including those set out in his report, and to submit to the Commission on the Status of Women at its fiftieth 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 2005/43:

In favour: Albania, Armenia, Australia, Azerbaijan, Bangladesh, Belgium, Belize, Benin, Brazil, Canada, China, Colombia, Congo, Cuba, Denmark, Ecuador, France, Germany, India, Indonesia, Ireland, Italy, Jamaica, Japan, Kenya, Lithuania, Malaysia, Mauritius, Mexico, Mozambique, Namibia, Nigeria, Pakistan, Panama, Poland, Republic of Korea, Russian Federation, Saudi Arabia, Senegal, South Africa, Spain, Thailand, Turkey, United Arab Emirates, United Kingdom, United Republic of Tanzania.

Against: Australia, United States.

Abstaining: Canada, Democratic Republic of the Congo, Iceland, Nicaragua.

Issues related to Palestine

General aspects

The General Assembly again considered the question of Palestine in 2005. Having discussed the annual report of the Committee on the Exercise of the Inalienable Rights of the Palestinian People (Committee on Palestinian Rights) [A/60/35], the Assembly adopted four resolutions, reaffirming, among other things, the necessity of achieving a peaceful settlement of the Palestine question—the core of 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. It called on the Secretariat to continue its activities to promote and raise awareness of Palestinian rights.

The most significant political development in the Occupied Palestinian Territory was the build-up to, and implementation of, Israel's evacuation of its settlements in the Gaza Strip and parts of the northern West Bank. The Quartet responded by establishing the Office of the Special Envoy of the Quartet for Gaza Disengagement. 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.

Report of Secretary-General. In a November report on the peaceful settlement of the question of Palestine [A/60/539-S/2005/701], submitted in response to Assembly resolution 59/31 [YUN 2004, p. 487], the Secretary-General made observations on the status of the Israeli-Palestinian conflict and on international efforts to move the Middle East peace process forward (see also p. 503). On 31 May, the Secretary-General sought the positions of Egypt, Israel, Jordan, Lebanon, the Syrian Arab Republic and the Palestine Liberation Organization regarding steps taken to implement the resolution. As at 20 September, Israel and the Permanent Observer of Palestine had responded.

In a 4 August note verbale, Israel said that it viewed the resolution as unbalanced and politically motivated, and interference in matters that the parties had agreed to resolve within the context of direct bilateral negotiations. The violence in the region was a result of a Palestinian decision to abandon peace negotiations and pursue their goals through violence and terrorism. The one-sided approach of the resolution, which sought to dictate the outcome of the negotiating process, effectively rewarded violence at a time when the Palestinian side should discontinue such acts and boldly pursue peaceful dialogue.

The Permanent Observer, in a 2 August note verbale, said that Israel's withdrawal from Palestinian territory was a fundamental requisite for solving the question of Palestine and achieving a peaceful settlement of the Israeli-Palestinian conflict, based on the two-State solution.

The Secretary-General observed that the window of opportunity to revitalize the Middle East peace process that had emerged during the year, despite setbacks, remained open. The increased coordination between the parties as a result of the smooth and peaceful operation of Israel's disengagement from the Gaza Strip and part of the northern West Bank was a positive step, which should be built upon in the future. The Secretary-General stated that the PA had to push ahead with the reform of its security services. Decisive action in that regard should help to restore law and order. He noted the information in the independent report by the Strategic Assessment Initiative that the Palestinian security services remained weak, overstuffed, badly motivated and under-armed, and were affected by corruption, institutional hierarchies, cults of personality and lack of cohesive training.

He said that Israel had failed to make progress on the implementation of its core commitments under the road map. Settlement expansion and lack of action on removing illegal settlement outposts severely undermined trust. The Secretary-General said that he also remained concerned about the continued construction of the barrier in the West bank, which encroached on Palestinian land. He urged Israel to address its security concerns in a manner that would not increase suffering among Palestinians, prejudge final status or threaten longer-term prospects for peace by making the creation of a viable, contiguous Palestinian State more difficult. Noticing that the humanitarian situation of the Palestinians remained grave, the Secretary-General called upon the international community to provide adequate funding for UNRWA so that it could continue to deliver the necessary services to Palestinian refugees.

GENERAL ASSEMBLY ACTION

On 1 December [meeting 60], the General Assembly adopted **resolution 60/39** [draft A/60/L.31 & Add.1] by recorded vote (156-6-9) [agenda item 15].

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 its resolution 58/292 of 6 May 2004,

Recalling further relevant Security Council resolutions, including resolutions 242(1967) of 22 November 1967, 338(1973) of 22 October 1973, 1397(2002) of 12 March 2002, 1515(2003) of 19 November 2003 and 1544(2004) of 19 May 2004,

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

Noting with concern that it has been fifty-eight years since the adoption of resolution 181(II) of 29 November 1947 and thirty-eight 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 59/31 of 1 December 2004,

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

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

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 comprehensive and lasting peace and stability in the Middle East,

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

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

Recalling its resolution 2625(XXV) of 24 October 1970,

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

Reaffirming also that the construction by Israel, the occupying Power, of a wall in the Occupied Palestinian Territory, including in and around East Jerusalem, and its associated regime, are contrary to international law,

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

Recalling also the endorsement by the Security Council, in resolution 1515(2003), of the Quartet road map to a permanent two-State solution to the Israeli-Palestinian conflict, and stressing the urgent need for its implementation and compliance with its provisions,

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

Welcoming the important contribution to the peace process of the United Nations Special Coordinator for the Middle East Peace Process and Personal Representative of the Secretary-General to the Palestine Liberation Organization and the Palestinian Authority, including in the framework of the activities of the Quartet,

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

Expressing its concern over the tragic events that have occurred in the Occupied Palestinian Territory, including East Jerusalem, since 28 September 2000, including the large number of deaths and injuries, mostly among Palestinian civilians, the deterioration of the socio-economic and humanitarian conditions of the Palestinian people and the widespread destruction of public and private Palestinian property and infrastructure,

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

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, the extrajudicial executions and the excessive use of force,

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

Stressing the urgent need for sustained and active international involvement, including by the Quartet, to support both parties in revitalizing the peace process towards the resumption and acceleration of direct negotiations between the parties for the achievement of a final peace settlement, in accordance with the road map,

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

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

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

2. *Also reaffirms* its full support for the Middle East peace process, which began in Madrid, and the existing agreements between the Israeli and Palestinian sides, stresses the necessity for the establishment of a comprehensive, just and lasting peace in the Middle East, and welcomes in this regard the ongoing efforts of the Quartet;

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

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

7. *Emphasizes* the need for the parties, with the help of the international community, speedily and fully to resolve all remaining issues in the Gaza Strip, including a durable arrangement for the border crossings, the airport, the construction of the seaport, the removal of the rubble and the establishment of a permanent physical link between the Gaza Strip and the West Bank, and welcomes the positive role being played in this regard by the Quartet Special Envoy for Disengagement;

8. *Stresses* the need for a speedy end to the reoccupation of Palestinian population centres and for the

complete cessation of all acts of violence, including military attacks, destruction and acts of terror;

9. *Also stresses* the need for the immediate implementation of the Sharm el-Sheikh understandings;

10. *Calls upon* the parties, with the support of the Quartet and other interested parties, to exert all efforts necessary to halt the deterioration of the situation, to reverse all measures taken on the ground since 28 September 2000 and to facilitate a speedy resumption of the peace process and the conclusion of a final peaceful settlement;

11. *Demands* that Israel, the occupying Power, comply with its legal obligations under international law, as mentioned in the advisory opinion and as demanded in resolutions ES-10/13 of 21 October 2003 and ES-10/15 of 20 July 2004 and, inter alia, that it immediately cease its construction of the wall in the Occupied Palestinian Territory, including East Jerusalem, and calls upon all States Members of the United Nations to comply with their legal obligations, as mentioned in the advisory opinion;

12. *Reaffirms its commitment*, in accordance with international law, to the two-State solution of Israel and Palestine, living side by side in peace and security within recognized borders, based on the pre-1967 borders;

13. *Reiterates its demand* for the complete cessation of all Israeli settlement activities in the Occupied Palestinian Territory, including East Jerusalem, and in the occupied Syrian Golan, and calls for the full implementation of the relevant Security Council resolutions;

14. *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;

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

16. *Welcomes* the recent agreement on movement and access between the two sides, and stresses the need to ensure that the commitments made therein are fully implemented in accordance with the timeline set out in the agreement;

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

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

RECORDED VOTE ON RESOLUTION 60/39:

In favour: Afghanistan, Albania, Algeria, Andorra, 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, Cambodia, Cape Verde, Central African Republic, Chile, China, Colombia, Comoros, Croatia, Cuba, Cyprus, Czech Republic, Democratic People's Republic of Korea, Denmark, Djibouti, Dominica, Dominican Republic, Ecuador, Egypt, El Salvador, Eritrea, Estonia, Ethiopia, Fiji, Finland, France, Gabon, Gambia, Georgia, Germany, Ghana, Greece, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, Hungary, Iceland, India, Indonesia, Iran, Iraq, Ireland, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Latvia, Lebanon, Lesotho, Liberia, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Monaco, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Netherlands, New Zealand, Nicaragua, Nigeria, Norway, Oman, Pakistan, Panama, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Saint Lucia, Saint Vincent and the Grenadines, San Marino, Saudi Arabia, Senegal, Serbia and Montenegro, 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, Togo, Trinidad and Tobago, Tunisia, Turkey, Turkmenistan, Ukraine, United Arab Emirates, United Kingdom, United Republic of Tanzania, Uruguay, Uzbekistan, Venezuela, Viet Nam, Yemen, Zambia, Zimbabwe.

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

Abstaining: Cameroon, Canada, Costa Rica, Nauru, Papua New Guinea, Samoa, Tuvalu, Uganda, Vanuatu.

Committee on Palestinian Rights

As mandated by General Assembly resolution 59/28 [YUN 2004, p. 491], the Committee on the Exercise of the Inalienable Rights of the Palestinian People reviewed the Palestine question, reported on it and made suggestions to the Assembly and the Security Council.

The Committee followed the Palestine-related activities of intergovernmental bodies, such as, the African Union, the Non-Aligned Movement, and the Organization of the Islamic Conference, and through its Chairman, participation in meetings of those bodies. In March, the Committee's Bureau held consultations with EU representatives as part of the 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 on the Question of Palestine (Geneva, 8-9 March) and the United Nations International Conference of Civil Society in Support of Middle East Peace (Paris, 12-13 July).

The Committee's annual report to the Assembly [A/60/35] covered the period from 7 October 2004 to 5 October 2005. The Committee closely monitored the situation on the ground and was concerned by the continuing violence in the Occupied Palestinian Territory. It condemned the policy of extrajudicial executions, as well as terrorist attacks against Israeli civilians in Israel. It was concerned at the continuation of housing demolitions, particularly in East Jerusalem. The Committee emphasized that the withdrawal of Israel from the Gaza Strip and parts of the northern West Bank should be followed by firm action to implement the Sharm el-Sheik understand-

ings, including the withdrawal from cities in the West Bank, the release of more prisoners and the cessation of all acts of violence. It considered that early agreement was needed on a number of actions that would allow the PA to exercise control over its borders, crossing points, territorial sea and airspace and the establishment of a permanent and direct link to the West Bank.

The Committee noted that the construction of the wall continued in defiance of the ICJ opinion and the position of the international community. It believed that it was imperative that the Secretary-General expedite the establishment of the register of damage caused by the building of the wall and begin the important work in that regard.

The Committee noted that settlement construction and expansion in the West Bank continued apace. In letters to the Secretary-General [A/ES-10/301-S/2005/262, A/ES-10/306-S/2005/556], it expressed serious concern over Israel's decision to expand and consolidate its settlements in the West Bank. It also expressed concern at the deterioration of the health and nutritional status of the Palestinian population, particularly women and children.

It reiterated that the road map remained the best way to achieve the goal of a comprehensive, just and lasting solution to the question of Palestine through the establishment of two States. It intended to address issues such as the need to end the occupation of all Palestinian land; support of the efforts by the PA to rehabilitate the economy, especially that of Gaza; the responsibility of all Governments to apply international law to all aspects of the question of Palestine, in accordance with the ICJ advisory opinion; the humanitarian and socio-economic situation; and the role of civil society.

GENERAL ASSEMBLY ACTION

On 1 December [meeting 60], the General Assembly adopted **resolution 60/36** [A/60/L.28 & Add.1] by recorded vote (106-8-59) [agenda item 15].

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 59/28 of 1 December 2004,

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

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

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

Recalling also the Quartet road map to a permanent two-State solution to the Israeli-Palestinian conflict,

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

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 sixty-first session and thereafter;

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

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

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

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

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

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

RECORDED VOTE ON RESOLUTION 60/36:

In favour: Afghanistan, Algeria, Angola, Antigua and Barbuda, Argentina, Armenia, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados,

Belarus, Belize, Benin, Bhutan, Bolivia, Botswana, Brazil, Brunei Darussalam, Burkina Faso, Cambodia, Cape Verde, Chile, China, Colombia, Comoros, Congo, Costa Rica, Cuba, Cyprus, Democratic People's Republic of Korea, Djibouti, Dominica, Ecuador, Egypt, El Salvador, Eritrea, Ethiopia, Fiji, Gabon, Gambia, Ghana, Guinea, Guinea-Bissau, Guyana, Haiti, India, Indonesia, Iran, Iraq, Jamaica, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Lebanon, Lesotho, Liberia, Libyan Arab Jamahiriya, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Morocco, Mozambique, Myanmar, Namibia, Nepal, Nigeria, Oman, Pakistan, Panama, Paraguay, Philippines, Qatar, Saint Lucia, Saint Vincent and the Grenadines, Saudi Arabia, Senegal, Singapore, Somalia, South Africa, Sri Lanka, Sudan, Suriname, Swaziland, Syrian Arab Republic, Tajikistan, Togo, Trinidad and Tobago, Tunisia, Turkey, Turkmenistan, United Arab Emirates, United Republic of Tanzania, Uzbekistan, Venezuela, Viet Nam, Yemen, Zambia, Zimbabwe.

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

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

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, 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 taken by the United Nations and intergovernmental organizations on the issue of Palestine; monthly chronology of developments relating to the question of Palestine, based on media reports and other sources; special bulletins and notes 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; the annual compilation of resolutions and decisions of the General Assembly and the Security Council relating to the question of Palestine.

The Committee, in its annual report [A/60/35], requested the Division to continue its programme of publications and other informational activities, including the electronic United Nations Information System on the Question of Palestine and the graphic enhancement of the Question of Palestine website. It requested that the annual training programme of PA staff be continued.

GENERAL ASSEMBLY ACTION

On 1 December [meeting 60], the General Assembly adopted **resolution 60/37** [draft A/60/L.29 & Add.1] by recorded vote (105-8-59) [agenda item 15].

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 59/29 of 1 December 2004,

1. *Notes with appreciation* the action taken by the Secretary-General in compliance with its resolution 59/29;

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

3. *Requests* the Secretary-General to continue to provide the Division with the necessary resources and to ensure that it continues to carry out its programme of work as detailed in the relevant earlier resolutions, in consultation with the Committee on the Exercise of the Inalienable Rights of the Palestinian People and under its guidance, including, in particular, the organization of meetings 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 or a cultural event in cooperation with the Permanent Observer Mission of Palestine to the United Nations, and encourages Member States to continue to give the widest support and publicity to the observance of the Day of Solidarity.

RECORDED VOTE ON RESOLUTION 60/37:

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

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

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

Special Information programme

As requested in General Assembly resolution 59/30 [YUN 2004, p. 493], the UN Department of Public Information (DPI) continued its special information programme on the question of Palestine, which included the maintenance of the web page on the question of Palestine under Global issues and other pages of the UN website, the issuing of press releases and preparation for the annual training programme for Palestinian broadcasters and journalists. The Radio Section provided coverage of various aspects of the question of Palestine in its broadcasts in all six official languages. The quarterly *UN Chronicle* and *UN Chronicle Online* reported on relevant issues and action taken by the Assembly and the Security Council. DPI, in cooperation with the Foreign Ministry of Egypt, organized an international media seminar on peace in the Middle East (Cairo, 13-14 June).

As in previous years, the network of the United Nations information centres (UNICs) and other UN offices carried out activities in connection with the International Day of Solidarity with the Palestinian People. Throughout the year, many UNICs dealt with the Palestine question and organized related outreach activities.

GENERAL ASSEMBLY ACTION

On 1 December [meeting 60], the General Assembly adopted **resolution 60/38** [A/60/L.30 & Add.1] by recorded vote (160-7-6) [agenda item 15].

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 59/30 of 1 December 2004,

Convinced that the worldwide dissemination of accurate and comprehensive information and the role of civil society organizations and institutions remain of vital importance in heightening awareness of and support for the inalienable rights of the Palestinian people,

Recalling the mutual recognition between the Government of the State of Israel and the Palestine Liberation Organization, the representative of the Palestin-

ian people, as well as the existing agreements between the two sides and the need for full compliance with those agreements,

Recalling also the Quartet road map to a permanent two-State solution to the Israeli-Palestinian conflict,

Taking note of the advisory opinion rendered on 9 July 2004 by the International Court of Justice on the *Legal Consequences of the Construction of a Wall in the Occupied Palestinian Territory*,

1. *Notes with appreciation* the action taken by the Department of Public Information of the Secretariat in compliance with resolution 59/30;

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 2006-2007, in particular:

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

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

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

(d) To organize and promote fact-finding news missions for journalists to the Occupied Palestinian Territory, including East Jerusalem;

(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 60/38:

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, Cambodia, Canada, Cape Verde, Central African Republic, Chile, China, Colombia, Comoros, Costa Rica, Croatia, Cuba, Cyprus, Czech Republic, Democratic People's Republic of Korea, Denmark, Djibouti, Dominica, Dominican Republic, Ecuador, Egypt, El Salvador, Eritrea, Estonia, Ethiopia, Fiji, Finland, France, Gabon, Gambia, Georgia, Germany, Ghana, Greece, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, Hungary, Iceland, India, Indonesia, Iran, Iraq, Ireland, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Latvia, Lebanon, Lesotho, Liberia, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Monaco, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Netherlands, New Zealand, Nicaragua, Nigeria, Norway, Oman, Pakistan, Panama, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea,

Republic of Moldova, Romania, Russian Federation, Saint Lucia, Saint Vincent and the Grenadines, San Marino, Saudi Arabia, Senegal, Serbia and Montenegro, 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, Togo, Trinidad and Tobago, Tunisia, Turkey, Turkmenistan, Ukraine, United Arab Emirates, United Kingdom, United Republic of Tanzania, Uruguay, Uzbekistan, Venezuela, Viet Nam, Yemen, Zambia, Zimbabwe.

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

Abstaining: Cameroon, Papua New Guinea, Samoa, Tuvalu, Uganda, Vanuatu.

Assistance to Palestinians

UN activities

In response to General Assembly resolution 59/56 [YUN 2004, p. 495], the Secretary-General submitted a June report [A/60/90-E/2005/80] describing UN and other assistance to the Palestinian people from May 2004 to April 2005.

During the reporting period, the international community continued to work with both parties to ensure that Israel's withdrawal from the Gaza Strip and parts of the northern West Bank proceeded in a manner that contributed to the revival of the Palestinian economy and bolstered the peace process. The macroeconomic indicators for the Occupied Palestinian Territory showed that the economy was resilient, despite the pressures of ongoing conflict and closure. Gross domestic product growth, estimated at three per cent, remained positive. However Israeli restrictions on movement were a proximate cause of economic hardship among ordinary Palestinians. The total number of workers entering Israel and crossing into the Erez industrial zone dropped significantly in 2004 but picked up again as of mid-February 2005.

A critical aspect of institutional support during the reporting period was the emergency financing of the PA's recurrent budget. Salary support was a particularly high priority, given the importance of public sector salaries for individual Palestinian livelihoods and for the economy as a whole. The World Bank served as administrator for the multi-donor public financial management-reform trust fund, which as at May had disbursed over \$198 million in budget support to the PA. Given the ongoing political instability and economic hardship, a large proportion of UN assistance to the Occupied Palestinian Territory was directed towards short-term, emergency responses, but operations were frequently affected by restrictions on the movement of goods and personnel. As the political situation appeared to improve in the first months of 2005, the increasing attention of donors to medium-term assistance agendas resulted in a relative decline in support for emergency programmes.

The Office of the Special Coordinator for the Middle East Peace Process and Personal Representative of the Secretary-General to the Palestine Liberation Organization and the PA continued to coordinate UN assistance to the Palestinian people and represent the UN system at donor forums. In April, the Office began serving as the focal point for coordination between the UN system and the new Office of the Quartet's Special Envoy for Disengagement.

The Secretary-General noted that, despite an apparent stabilization of the economy and growth in private sector activities since 2003, progress towards economic recovery was unlikely to benefit all Palestinians equitably. Many refugee and non-refugee Palestinians who lost assets and livelihoods during the years of the second intifada were likely to increase the numbers of the chronically poor and would require targeted social assistance over the medium term. Public institutions were likely to remain only partially able to finance and implement large-scale social assistance programmes in the near term.

He observed that, while international assistance could alleviate the suffering of the Palestinian people, only a peace process and a full and final settlement of the conflict would enable a shift from crisis management and recovery to sustained and sustainable development and prosperity. Such a settlement could be achieved through the full implementation of the Quartet's road map, designed to resolve the Israel-Palestinian conflict and end the occupation.

UNCTAD assistance to Palestinians

At its fifty-second session (Geneva, 3-14 October) [A/60/15], the Trade and Development Board of the United Nations Conference on Trade and Development (UNCTAD) considered the report on UNCTAD assistance to the Palestinian people [TD/B/52/2]. The report stated that UNCTAD's technical cooperation with the Palestinian people continued to provide support in building capacities for effective economic policymaking and management and strengthening the enabling environment for the private sector. The UNCTAD secretariat achieved notable progress in project implementation and its technical assistance had become increasingly relevant to the Palestinian Occupied Territory after the Israeli disengagement from the Gaza Strip. As at mid-2005, UNCTAD had disbursed a total of \$2,620,000 in extrabudgetary resources for technical cooperation activities, most of it, some 83 per cent, during the period 2001 to 2004. By the end of 2005, the secretariat expected to conclude three new agreements with donors for project implementation in 2005-2007 totalling over \$3 million. An

additional \$1 million was still being sought for three other projects to enable implementation in 2006-2007. During the 2004-2005 biennium, technical assistance to the Palestinian people continued to receive extrabudgetary support from Norway, the EU, the International Development Research Centre (Canada) and the International Labour Organization. The United Nations Development Programme continued to extend logistical and liaison field support to UNCTAD. Among the projects implemented were: the establishment of the Palestinian Shippers Council; support for small and medium-sized enterprise development and preparation for Palestine's application for membership in the World Trade Organization (WTO).

GENERAL ASSEMBLY ACTION

On 15 December [meeting 63], the General Assembly adopted **resolution 60/126** [draft: A/60/L.36 & Add.1] without vote [agenda item 73 (d)].

Assistance to the Palestinian people

The General Assembly,

Recalling its resolution 59/56 of 2 December 2004, as well as previous resolutions on the question,

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

Recalling further the International Covenant on Civil and Political Rights, the International Covenant on Economic, Social and Cultural Rights and the Convention on the Rights of the Child,

Gravely concerned at the deterioration in the living conditions of the Palestinian people, in particular children, 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,

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

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

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

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 upcoming meeting of the Ad Hoc Liaison Committee to review the state of the Palestinian economy, and progress in drawing up a medium-term development plan for 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 provided 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,

Welcoming also the Israeli withdrawal from the Gaza Strip and parts of the northern West Bank as a step towards implementation of the road map,

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, including among children,

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. *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;

9. *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;

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

11. *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;

12. *Welcomes* the recent agreement on movement and access between the two sides and the subsequent opening of the Rafah border on 25 November 2005, and stresses the need to ensure that the commitments made in the agreement are fully implemented in accordance with the timeline set out in the agreement;

13. *Stresses* the need for all concerned parties to work together for the speedy resolution of all outstanding issues relating to disengagement, and welcomes in this regard the work of the Quartet Special Envoy for Disengagement;

14. *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;

15. *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;

16. *Suggests* the convening in 2006 of a United Nations-sponsored seminar on assistance to the Palestinian people;

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

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

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

18. *Decides* to include in the provisional agenda of its sixty-first session the sub-item entitled "Assistance to the Palestinian people".

UNRWA

As at 30 June, some 4.3 million refugees were registered with UNRWA, an increase of 2.3 per cent over the 2004 figure of 4 million. Approximately 70.5 per cent of the registered refugees resided outside the 58 recognized refugee camps. The largest refugee population was registered in Jordan (41.9 per cent), followed by the Gaza Strip (22.6 per cent), the West Bank (16.1 per cent), the Syrian Arab Republic (10 per cent) and Lebanon (9.4 per cent).

In 2005, 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 in the Gaza Strip, the West Bank, Jordan, Lebanon and the Syrian Arab Republic.

In his reports on the work of the Agency from 1 July 2004 to 30 June 2005 [A/60/13] and 1 January 2005 to 31 December 2005 [A/61/13], the UNRWA Commissioner-General said that UNRWA worked closely with the Special Envoy of the Quartet for Gaza Disengagement in determining microfinance and microenterprise programmes to facilitate increased lending and accelerate reconstruction of Palestinian homes demolished during the intifada.

The signing, on 15 November 2005, of the Agreement on Movement and Access and the Agreed Principles for the Rafah Crossing led to hopes of a major improvement in the ability to allow people, but not goods, to move between Gaza and Egypt through the Rafah crossing. However, Palestinian labourers wanting to work in Israel and Palestinian exporters using the commercial crossings out of Gaza into Israel faced increasing difficulties, further exacerbating the dire economic situation.

In February, UNRWA launched its medium-term plan for 2005-2009, which had four main objectives: achieving parity of UNRWA services with host authority and international standards; addressing the needs of the most vulnerable refugees; maximizing the economic potential of refugees; and building capacity within UNRWA. In other internal developments, the Secretary-General appointed Karen Koning AbuZayd as the new Commissioner-General of UNRWA for a three-year term beginning on 28 June 2005, to succeed Peter Hansen, who retired from his post in March.

Advisory Commission. By a 26 September letter to the Commissioner-General, which was included in his annual report [A/60/13], the Chairperson of the Advisory Commission of UNRWA expressed concern at the deteriorating situation in Gaza, the West Bank and Lebanon. The unilateral disengagement by Israel from

Gaza and parts of the northern West Bank did not bring the hope for stabilization and subsequent phasing out of UNRWA emergency operations. The deteriorating economic situation and increased poverty in the West Bank and Gaza had created additional demand on the Agency's services.

The Commission opposed Israel's continued efforts to impose a direct charge on Agency containers passing through Karni, as it violated the exemption granted to UNRWA under the 1946 Convention on the Privileges and Immunities of the United Nations [YUN 1946-47, p. 100]. It commended the Lebanese Government on its June announcement to ease restrictions on granting work permits to Palestine refugees in Lebanon so as to make better the conditions of those refugees living in camps.

UNRWA's regular budget for 2005 was set at \$396.4 million, against which the Agency received \$378.6 million.

On 8 December, the General Assembly decided to continue the membership of those States serving as members of the Advisory Commission to UNRWA. It invited Australia, Canada, Denmark, Germany, Italy, the Netherlands, Norway, Saudi Arabia, Spain, Sweden and Switzerland, whose contributions to UNRWA's activities had exceeded an annual average of \$5 million over the past three years, to become members of the Advisory Commission; Palestine to attend and fully participate in the Commission's meetings as an observer; the EU to attend the Commission's meetings; and the League of Arab States to attend also as an observer (**decision 60/522**).

Report of Conciliation Commission. The United Nations Conciliation Commission for Palestine, in its fifty-ninth report covering the period from 1 September 2004 to 31 August 2005 [A/60/277], submitted in response to General Assembly resolution 59/117 [YUN 2004, p. 499], noted its August 2004 report [*ibid.*, p. 497] and observed that it had nothing to report since its submission.

Projects and major service areas

UNRWA continued to implement its regular programmes, providing education, health, social services and microcredit assistance to Palestinian refugees in its five field operations. The education programme remained the largest activity, operating 647 schools, which provided basic and preparatory education to 490,000 pupils, as well as 5 secondary schools in Lebanon, 8 vocational training centres and 3 teacher training colleges. It continued to benefit from close cooperation with UNESCO. The programme also provided staff training, community involvement and strategic development plan, also known as the

“School as a focus for development” project. The Agency launched a psychosocial support programme, designed to reach some 90,000 pupils in the Occupied Palestinian Territory. Through some of its information technology projects, internet access was provided for all Agency schools in Gaza.

The health programme, supervised by the World Health Organization, focused on sustaining adequate levels of investment in primary health care, enhancing institutional capacity-building and developing human resources. Management reforms implemented during the reporting period led to the introduction of new systems for health information, hospital and drug-supply management. The Agency maintained its environmental health services in refugee camps, introducing and/or improving sewage disposal, storm water drainage, and providing drinking water and refuse collection. Major water and sewage system projects were underway in the Syrian Arab Republic and Lebanon in various refugee camps. It conducted three major health research projects to assess the health status of Palestinian refugees, which included prevalence of anaemia among schoolchildren; current contraceptive practices among mothers with children up to 3 years; and oral health status among school children.

The Agency’s microfinance and micro-enterprise programme, aimed at improving the quality of life of small business owners, sustain jobs, and create household assets, grew significantly in 2005. The programme produced record outreach, financing 22,000 loans totalling \$20.4 million. Half of that financing was in the Gaza Strip, 31 per cent in the West Bank, 12 per cent in Jordan and 7 per cent in the Syrian Arab Republic.

Through the relief and social services programme, UNRWA continued to provide a social safety net and promote self-reliance for Palestinian refugees, especially women, the elderly, youth and persons with disabilities. Its relief and social services included food support; shelter rehabilitation and cash assistance to families living in conditions of special hardship. Specific services included microenterprise credit, solidarity-group lending, small-scale enterprise, consumer lending, housing loans and small microenterprise training.

The Agency expended \$484.2 million during 2005, against a budget of \$537.7 million on its regular, project and emergency appeal activities. The largest component was an expenditure of \$377.2 million under the regular budget, accounting for nearly 78 per cent of total expenditures. Emergency appeal activities and projects

accounted for 18 per cent and 4 per cent, respectively.

Emergency appeals

UNRWA continued its programme of emergency assistance, focusing on food aid, emergency employment creation, shelter repair, rebuilding and health and education. In 2005, the Agency launched an emergency appeal for the West Bank and Gaza for \$185.81 million. As at 31 December, \$110.7 million had been pledged and \$70.15 million received. Its largest-scale emergency activities were the provision of food aid to cover 1.3 million refugees and the creation of 2.3 million workdays for 33,000 unemployed breadwinners. Emergency operations also included the provision of mobile medical clinics in the West Bank and cash assistance and replacement accommodation for those whose shelters had been demolished during Israeli military operations. By the end of 2005, UNRWA had completed 925 new shelters for homeless refugees in the Gaza Strip and had over 1,000 under construction.

GENERAL ASSEMBLY ACTION

On 8 December [meeting 62], the General Assembly, on the recommendations of the Fourth Committee [A/60/476], adopted **resolution 60/100** by recorded vote (161-1-11) [agenda item 30].

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 59/117 of 10 December 2004,

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

Recalling further relevant Security Council resolutions,

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

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

Acknowledging the essential role that the United Nations Relief and Works Agency for Palestine Refugees in the Near East has played for more than fifty-five 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 2004 to 30 June 2005,

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

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

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

Aware of the important role to be played in the peace process by the Multilateral Working Group on Refugees of the Middle East peace process,

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

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 II of General Assembly resolution 194(III), and reiterates its request to the Conciliation 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 2006;

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 its 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 60/100:

In favour: Afghanistan, 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, Burundi, Cambodia, Canada, Cape Verde, Central African Republic, Chile, China, Colombia, Costa Rica, Croatia, Cuba, Cyprus, Czech Republic, Democratic People's Republic of Korea, Denmark, Djibouti, Dominica, Dominican Republic, Ecuador, Egypt, El Salvador, Eritrea, Estonia, Ethiopia, Fiji, Finland, France, Gabon, Georgia, Germany, Ghana, Greece, Guatemala, Guinea, Guinea-Bissau, Guyana, Honduras, Hungary, Iceland, India, Indonesia, Iran, Iraq, Ireland, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Latvia, Lebanon, Lesotho, Liberia, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, 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, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Rwanda, Saint Lucia, Saint Vincent and the Grenadines, Samoa, San Marino, Saudi Arabia, Senegal, Serbia and Montenegro, Singapore, Slovakia, Slovenia, Solomon Islands, Somalia, South Africa, Spain, Sri Lanka, Sudan, Suriname, Sweden, Switzerland, Syrian Arab Republic, Tajikistan, Thailand, The former Yugoslav Republic of Macedonia, Timor-Leste, Togo, Tonga, Trinidad and Tobago, Tunisia, Turkey, Turkmenistan, Ukraine, United Arab Emirates, United Kingdom, United Republic of Tanzania, Uzbekistan, Venezuela, Viet Nam, Yemen, Zambia, Zimbabwe.

Against: Israel.

Abstaining: Albania, Cameroon, Grenada, Haiti, Marshall Islands, Micronesia, Palau, Tuvalu, Uganda, United States, Vanuatu.

The Assembly, also on 8 December [meeting 62] and on the Fourth Committee's recommendation

[A/60/476], adopted **resolution 60/102** by recorded vote (159-6-3) [agenda item 30].

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

The General Assembly,

Recalling its resolutions 194(III) of 11 December 1948, 212(III) of 19 November 1948, 302(IV) of 8 December 1949 and all subsequent related resolutions, including its resolution 59/119 of 10 December 2004,

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 2004 to 30 June 2005,

Taking note of the letter dated 26 September 2005 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 critical financial situation of the Agency and its effect on the provision of necessary Agency services to the Palestine refugees, including its emergency-related and development programmes,

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

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

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

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

Gravely concerned about the extremely difficult living conditions being faced by the Palestine refugees in the Occupied Palestinian Territory, including East Jerusalem, including in the Rafah and Jabaliya refugee camps, resulting, inter alia, from loss of life and injury, extensive destruction and damage to their shelters and properties, and displacement,

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

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

Deploring the killing of twelve Agency staff members by the Israeli occupying forces since September 2000,

Deploring also the killing and wounding of children in the Agency's schools by the Israeli occupying forces,

Expressing deep concern about the policies of closure and severe restrictions, including the curfews, that continue to be imposed on the movement of persons and goods throughout the Occupied Palestinian Terri-

tory, including East Jerusalem, which have had a grave impact on the socio-economic situation of the Palestine refugees and have greatly contributed to the dire humanitarian crisis facing the Palestinian people,

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

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

Recalling the Geneva Conference convened by the United Nations Relief and Works Agency for Palestine Refugees in the Near East and the Swiss Agency for Development and Cooperation on 7 and 8 June 2004 to increase support for the United Nations Relief and Works Agency,

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 difficult conditions during 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;

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, and the efforts of the Working Group to assist in ensuring the financial security of the Agency, and requests the Secretary-General to provide the necessary services and assistance to the Working Group for the conduct of its work;

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 2006-2007;

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

6. *Encourages* the Agency's further consideration of the needs and rights of children in its operations in accordance with the Convention on the Rights of the Child;

7. *Expresses concern* about the temporary relocation of the headquarters international staff of the Agency from Gaza City and the disruption of operations at the headquarters;

8. *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;

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

10. *Urges* the Government of Israel to speedily compensate the Agency for damage to its property and facilities resulting from actions by the Israeli side;

11. *Calls upon* Israel particularly to cease obstructing the movement of the staff, vehicles and supplies of the Agency and to cease the levying of extra fees and charges, which affect the Agency's operations detrimentally;

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

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

14. *Notes* the success of the Agency's microfinance and microenterprise programmes, and calls upon the Agency, in close cooperation with the relevant agencies, to continue to contribute to the development of the economic and social stability of the Palestine refugees in all the fields of operation;

15. *Reiterates its request* to the Commissioner-General to proceed with the modernization of the archives of the Agency through the Palestine Refugee Records Project, and to indicate progress in her report to the General Assembly at its sixty-first session;

16. *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 to 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;

17. *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 assisting the Palestine refugees.

RECORDED VOTE ON RESOLUTION 60/102:

In favour: Afghanistan, Algeria, Andorra, Antigua and Barbuda, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahamas, Bangladesh, Barbados, Belarus, Belgium, Belize, Benin, Bhutan, Bolivia, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Burundi, Cambodia, Canada, Cape Verde, Chile, China, Colombia, Costa Rica, Croatia, Cuba, Cyprus, Czech Republic, Democratic People's Republic of Korea, Denmark, Djibouti, Dominica, Dominican Republic, Ecuador, Egypt, El Salvador, Eritrea, Estonia, Ethiopia, Fiji, Finland, France, Gabon, Georgia, Germany, Ghana, Greece, Guatemala, Guinea, Guinea-Bissau, Guyana, Honduras, Hungary, Iceland, India, Indonesia, Iran, Iraq, Ireland, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Latvia, Lebanon, Lesotho, Liberia, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, 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, 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 Ma-

rino, Saudi Arabia, Senegal, Serbia and Montenegro, Singapore, Slovakia, Slovenia, Solomon Islands, Somalia, South Africa, Spain, Sri Lanka, Sudan, Suriname, Sweden, Switzerland, Syrian Arab Republic, Tajikistan, Thailand, The former Yugoslav Republic of Macedonia, Timor-Leste, Togo, Tonga, Trinidad and Tobago, Tunisia, Turkey, Turkmenistan, Ukraine, United Arab Emirates, United Kingdom, United Republic of Tanzania, Uruguay, Uzbekistan, Venezuela, Viet Nam, Yemen, Zambia, Zimbabwe.

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

Abstaining: Albania, Cameroon, Uganda.

UNRWA financing

At the end of 2004, UNRWA experienced a funding gap for the regular budget of \$8.7 million, including exchange rate gains and interest income, and a project budget shortfall of \$23 million. Emergency appeals were underfunded by 98.4 million. The overall Agency-wide impact of underfunding meant that UNRWA was unable to implement crucial activities to the value of \$130.1 million. The projected funding gap for the 2005 regular budget was estimated to be \$11.1 million.

The proposed programme budget for the 2006-2007 biennium [A/60/13/Add.1] amounted to \$1,280,560, including \$994,329 for the regular budget and \$286,321 for projects.

Working Group. The Working Group on the Financing of UNRWA held two meetings in 2005, on 8 September and 18 October. In its report to the General Assembly [A/60/439], the Working Group said that it was concerned about reduced coverage in food and cash assistance in the Occupied Palestinian Territory. As at 30 September, the Agency had received only \$92.9 million in confirmed pledges from a total request of \$185.8 million for the 2005 emergency appeal, which seriously curtailed its humanitarian activities. In addition, some \$6 million remained outstanding for pre-year emergency appeals. The group encouraged donors to increase their contributions to the Agency's 2005 appeal and to pay outstanding contributions. The Working Group also remained concerned about the port and related charges, exacerbated by security procedures, that had been imposed on humanitarian goods imported through Israel by UNRWA. Those charges totalled \$27.6 million, as at 31 December 2004.

The Group noted the declining funding gap for the Agency's regular budget, but remained concerned that the trend would not be maintained in 2005. It called for the early and complete fulfilment of pledges and urged the international community to fund fully the 2006-2007 budget, which had been prepared on a needs basis, so as to reverse the effects of successive years of underfunding and bring services up to most government standards and to build capacity.

Displaced persons

In an August report [A/60/212] on compliance with General Assembly resolution 59/118 [YUN 2004, p. 503], which called for the accelerated return of all persons displaced as a result of the June 1967 and subsequent hostilities to their homes in the territories occupied by Israel since 1967, the Secretary-General said that the Agency's information was based on requests by returning registered refugees for the transfer of their entitlements to their areas of return. UNRWA was not involved in arrangements for the return of either refugees or displaced persons not registered with it. Currently, displaced refugees known by UNRWA to have returned to the West Bank and Gaza Strip since 1967 totalled about 25,160. From 1 July 2004 to 30 June 2005, 489 refugees registered by UNRWA had returned to the West Bank and 74 to the Gaza Strip from places outside the Occupied Palestinian Territory. 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 8 December [meeting 62], the General Assembly, on the recommendation of the Fourth Committee [A/60/476], adopted **resolution 60/101** by recorded vote (161-6-5) [agenda item 30].

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 59/118 of 10 December 2004,

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 2004 to 30 June 2005,

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 complied with, and stresses the necessity for an accelerated return of displaced persons;

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

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

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

RECORDED VOTE ON RESOLUTION 60/101:

In favour: Afghanistan, 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, Burundi, Cambodia, Cameroon, Canada, Cape Verde, Central African Republic, Chile, China, Colombia, Congo, Costa Rica, Croatia, Cuba, Cyprus, Czech Republic, Democratic People's Republic of Korea, Denmark, Djibouti, Dominica, Ecuador, Egypt, El Salvador, Eritrea, Estonia, Ethiopia, Fiji, Finland, France, Gabon, Georgia, Germany, Ghana, Greece, Guatemala, Guinea, Guinea-Bissau, Guyana, Honduras, Hungary, Iceland, India, Indonesia, Iran, Iraq, Ireland, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Latvia, Lebanon, Lesotho, Liberia, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, 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, Singapore, Slovakia, Slovenia, Solomon Islands, Somalia, South Africa, Spain, Sri Lanka, Sudan, Suriname, Sweden, Switzerland, Syrian Arab Republic, Tajikistan, Thailand, The former Yugoslav Republic of Macedonia, Timor-Leste, Togo, Tonga, Trinidad and Tobago, Tunisia, Turkey, Turkmenistan, Ukraine, United Arab Emirates, United Kingdom, United Republic of Tanzania, Uruguay, Uzbekistan, Venezuela, Viet Nam, Yemen, Zambia, Zimbabwe.

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

Abstaining: Albania, Dominican Republic, Tuvalu, Uganda, Vanuatu.

Property rights

In response to General Assembly resolution 59/120 [YUN 2004, p. 504], the Secretary-General submitted an August report [A/60/256] 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. The report detailed replies from Israel and the Syrian Arab Republic, covering various aspects of Assembly resolutions 59/117 [YUN 2004, p. 499] and 59/120 pertaining to assistance to Palestine refugees. Israel, in its reply, said that it supported

UNRWA's humanitarian mission and recognized its contribution to the welfare of Palestinian refugee. It was concerned, however, about the politicization of UNRWA operations and the need to take account of the campaign of terror being waged against Israel's citizens. Israel urged UNRWA to draw attention to the misuse of refugee camps by armed elements, in violation of Security Council resolutions and international law.

GENERAL ASSEMBLY ACTION

On 8 December [meeting 62], the General Assembly, on the recommendation of the Fourth Committee [A/60/476], adopted **resolution 60/103** by recorded vote (160-6-3) [agenda item 30].

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 resolution 59/120 of 10 December 2004,

Taking note also of the report of the United Nations Conciliation Commission for Palestine for the period from 1 September 2004 to 31 August 2005,

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 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 protec-

tion of Arab property, assets and property rights in Israel;

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

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

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

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

RECORDED VOTE ON RESOLUTION 60/103:

In favour: Afghanistan, 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, Burundi, Cambodia, Canada, Cape Verde, Central African Republic, Chile, China, Colombia, Costa Rica, Croatia, Cuba, Cyprus, Czech Republic, Democratic People's Republic of Korea, Denmark, Djibouti, Dominica, Dominican Republic, Ecuador, Egypt, El Salvador, Eritrea, Estonia, Ethiopia, Fiji, Finland, France, Gabon, Georgia, Germany, Ghana, Greece, Guatemala, Guinea, Guinea-Bissau, Guyana, Honduras, Hungary, Iceland, India, Indonesia, Iran, Iraq, Ireland, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Latvia, Lebanon, Lesotho, Liberia, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, 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, Singapore, Slovakia, Slovenia, Solomon Islands, Somalia, South Africa, Spain, Sri Lanka, Sudan, Suriname, Sweden, Switzerland, Syrian Arab Republic, Tajikistan, Thailand, The former Yugoslav Republic of Macedonia, Timor-Leste, Togo, Tonga, Trinidad and Tobago, Tunisia, Turkey, Turkmenistan, Ukraine, United Arab Emirates, United Kingdom, United Republic of Tanzania, Uruguay, Uzbekistan, Venezuela, Viet Nam, Yemen, Zambia, Zimbabwe.

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

Abstaining: Albania, Cameroon, Uganda.

Peacekeeping operations

In 2005, 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 unarmed military observers fulfilled evolving 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

Lebanon became a focus of international attention in February, following the bomb attack that killed former Prime Minister Rafik Hariri and an estimated 20 others in Beirut. More bombings occurred throughout the year, in some cases targeting prominent Lebanese figures, several of whom were killed. Following the assassination of Mr. Hariri, the Secretary-General, at the request of the Security Council, dispatched a mission of inquiry to report on the circumstances of the attack. The mission recommended the establishment of an international commission to investigate the crime, and by June, the United Nations International Independent Investigation Commission (UNIIC) was operational. The findings of UNIIC implicated both the Syrian Arab Republic and Lebanon in the assassination. Other UN involvement in Lebanon included the investigation of the technical military team sent to verify the withdrawal of all Syrian military and intelligence presence from Lebanon, pursuant to resolution 1559(2004) [YUN 2004, p. 506]. The team concluded, to the best of its ability, that Syrian military assets, except in one disputed border area, had been withdrawn fully from Lebanon. While it was more difficult to verify the withdrawal of intelligence operatives, in a second trip to Lebanon, the team corroborated its earlier conclusion that there was no remaining visible or significant Syrian intelligence presence in Lebanon. The UN also provided assistance in preparing for the parliamentary elections that ended in June. The completion of those elections on time and in a credible manner was a key element in a transition, in which the Lebanese people expressed their determination to shape their own future, strengthen political institutions and restore their full sovereignty.

Monthly briefings on the Palestine question were given to the Security Council by Alvaro de Soto, Special Coordinator for the Middle East Peace Process and Personal Representative of the Secretary-General, Kieran Prendergast, Under-Secretary-General for Political Affairs, and his replacement, Mr. Gambari. Those briefings also covered developments in southern Lebanon. Terje Roed-Larsen, Special Envoy of the Secretary-General for the implementation of resolution 1559(2004), briefed the Council on the first semi-annual report of the Secretary-General on the implementation of resolution 1559(2004).

The paramilitary group Hizbullah continued to carry out attacks against positions of the Israel Defence Forces (IDF) inside Israel, while IDF continued to carry out attacks within Lebanon. The Shab'a farmlands had been an area 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 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 March 2005, the Secretary-General appointed Geir O. Pedersen as his Personal Representative for Southern Lebanon, responsible for coordinating UN activities in the area. In view of the increased scope of such activities, in November, the Secretary-General expanded Mr. Pedersen's mandate to include coordination of UN political activities for the whole of Lebanon. Accordingly, the title of the post was changed to Personal Representative of the Secretary-General for Lebanon.

Communications. On 12 January [A/59/670-S/2005/23], Lebanon made clarifications regarding the 10 January press release of the Secretary-General and the 11 January press statement of the Security Council President, issued in response to a lethal attack by Hizbullah against an Israeli patrol and the subsequent Israeli military response, which resulted in the injury and death of UN military observers on 9 January.

In communications received throughout the year [A/59/671-S/2005/24, A/59/672-S/2005/25, A/59/673-S/2005/26, A/59/686-S/2005/58, A/59/711-S/2005/105, A/59/712-S/2005/106, A/59/737-S/2005/168, A/59/778-S/2005/242, A/59/799-S/2005/304, A/59/810-S/2005/339, A/59/827-S/2005/369, A/59/859-S/2005/424, A/59/865-S/2005/435, A/59/893-S/2005/526, A/59/911-S/2005/568, A/60/423-S/2005/641, A/60/555-S/2005/715, A/60/569-S/2005/746, A/60/570-S/2005/747, A/60/579-S/2005/755, A/60/638-S/2005/836], Lebanon detailed Israeli acts of aggression and violations of the Blue Line, the provisional border drawn by the United Nations following the withdrawal of Israeli troops from southern Lebanon in 2000, and consequently of Lebanese sovereignty and territorial integrity.

In a series of letters [A/59/667-S/2005/14, A/59/802-S/2005/312, A/59/819-S/2005/352, A/59/858-S/2005/423, A/59/902-S/2005/546, A/60/563-S/2005/731, A/60/639-S/2005/837], Israel reported attacks car-

ried out across the Blue Line by Hizbullah and other militias against Israeli civilian and military targets. Israel also alleged that those attacks were enabled by the complicity of the Government of Lebanon and the support of the Iranian and Syrian regimes.

In two separate responses [A/59/739-S/2005/170, A/59/848-S/2005/389], Iran refuted Israel's allegations, calling them an attempt to distract the international community from the numerous crimes committed by Israel in the region.

Assassination of former Prime Minister Rafik Hariri

On 14 February, an explosion in downtown Beirut killed 20 persons, among them former Lebanese Prime Minister, Rafik Hariri, and injured 220 others; one person was also missing and believed to be among the victims. The killing of Mr. Hariri drew widespread international condemnation. The Security Council President issued a statement the following day (see below).

SECURITY COUNCIL ACTION (February)

On 15 February [meeting 5122], following consultations among Security Council members, the President made statement **S/PRST/2005/4** on behalf of the Council:

The Security Council received a briefing from the Secretariat on the situation in Lebanon on 15 February 2005.

The Council unequivocally condemns the terrorist bombing in Beirut on 14 February 2005 that killed former Prime Minister of Lebanon Rafik Hariri and others, and caused serious injury to dozens of people, including former Minister Basil Fleihan.

The Council expresses its deepest sympathy and condolences to the people and Government of Lebanon and to the victims and their families.

The Council calls upon the Government of Lebanon to bring to justice the perpetrators, organizers and sponsors of this heinous terrorist act, and notes the Government's commitments in this regard. The Council urges all States, in accordance with its resolutions 1373(2001) and 1566(2004), to cooperate fully in the fight against terrorism.

The Council is gravely concerned by the murder of the former Prime Minister of Lebanon and its possible impact on ongoing efforts by the people of Lebanon to solidify Lebanon's democracy, including during the upcoming parliamentary elections. Such a terrorist act should not jeopardize the holding of those elections in transparent, free and democratic conditions.

The Council is concerned by the potential for further destabilization of Lebanon, and expresses the hope that the Lebanese people will be able to emerge from this terrible event united, and to use peaceful means in support of their long-standing national aspiration to full sovereignty, independence and territorial integrity.

The Council reaffirms its previous calls upon all parties concerned to cooperate fully and urgently with the Council for the full implementation of all relevant resolutions concerning the restoration of the territorial integrity, full sovereignty and political independence of Lebanon.

The Council requests the Secretary-General to follow closely the situation in Lebanon and to report urgently on the circumstances, causes and consequences of this terrorist act.

Consequent upon the Council's request to him in statement S/PRST/2005/4 (above), the Secretary-General announced, on 18 February, that he was sending a fact-finding mission to Beirut to gather such information as was necessary for him to report to the Council in a timely manner. The Mission, to be headed by Peter Fitzgerald (Ireland), included two police investigators, a legal adviser and a political adviser; later additional experts in explosives, ballistics, DNA and crime scene examinations were added. The mission was tasked with examining the crime scene and samples collected from it and to gather facts about the causes, circumstances and consequences of the assassination.

Communication (22 March). In March [A/59/761-S/2005/215], the ninety-fourth session of the Ministerial Council of the Gulf Cooperation Council (GCC) (Riyadh, Saudi Arabia, 13 March), in a press statement, expressed its strong condemnation of the 14 February bombing in Beirut, which killed the former Prime Minister Hariri along with several of his escorts and called for a swift and transparent investigation into the assassination. GCC also applauded Syria's decision to withdraw fully from Lebanon.

Report of mission of inquiry (March). On 24 March [S/2005/203], the Secretary-General transmitted to the Council President the report of the fact-finding mission to Lebanon inquiring into the circumstances, causes and consequences of the assassination of former Prime Minister Rafik Hariri, prepared pursuant to S/PRST/2005/4 (see above). The mission, which conducted its inquiry between 25 February and 16 March, met with a large number of Lebanese officials and representatives of different political groups. It performed a thorough review of the Lebanese investigation and legal proceedings, examined the crime scene and the evidence collected by the local police, collected and analysed samples from the crime scene and interviewed witnesses in relation to the crime.

The mission observed that the specific causes of the assassination of Mr. Hariri could not be reliably asserted until after the perpetrators of the crime were brought to justice. However, it was clear that the assassination took place in a politi-

cal and security context marked by acute polarization around the Syrian influence in Lebanon and the failure of the Lebanese State to provide adequate protection for its citizens. The mission concluded that the Lebanese security services and the Syrian Military Intelligence bore the primary responsibility for the lack of security, protection, and law and order in Lebanon, thereby contributing to the propagation of a culture of intimidation and impunity. In addition, the Government of the Syrian Arab Republic bore primary responsibility for the political tension that preceded the assassination. It clearly exerted influence beyond the reasonable exercise of cooperative relations, and its interference with the details of governance in Lebanon was the primary reason for the political polarization that ensued, providing the backdrop for Mr. Hariri's assassination.

The review of the Lebanese investigation into the bombing indicated a distinct lack of commitment on the part of the Lebanese authorities to investigating the crime effectively. Their investigation was not carried out in accordance with acceptable international standards, and lacked the confidence of the population necessary for its results to be accepted. To uncover the truth, it would be necessary to entrust the investigation to an international independent commission. Furthermore, it was very doubtful that such an international commission could carry out its tasks satisfactorily—and receive the necessary active cooperation from local authorities—while the current leadership of the Lebanese security services remained in office. It was the mission's view that the restoration of the integrity and credibility of the Lebanese security apparatus was of vital importance to the security and stability of the country. A sustained effort to restructure, reform and retrain the Lebanese security services would be necessary to achieve that end, and would require international assistance and active engagement. The mission was also of the view that international and regional political support would be necessary to safeguard Lebanon's national unity and to shield its fragile polity from unwarranted pressure. Improving the prospects of peace and security in the region would offer a more solid ground for restoring normality in Lebanon.

The Secretary-General, in his letter transmitting the report, noted the mission's observation that an independent international investigation was needed, and endorsed its recommendation that such an investigation be conducted.

Communications (29 March). In identical letters of 29 March to the Secretary-General and the Council President [S/2005/209], the Syrian Arab Republic qualified the mission's report as lack-

ing objectivity, giving only one point of view. It also asked that a reference to an alleged conversation between Rafik Hariri and Syrian President Bashar Al-Assad be removed from the report. Syria stressed the importance of quickly finding the perpetrators of the crime, and said that it would support the position of Lebanon in any investigation. On the same day [A/59/757-S/2005/208], Lebanon informed the Secretary-General that it approved the decision of the Security Council concerning the establishment of an international commission of inquiry into the assassination of former Prime Minister Rafik Hariri and was ready to cooperate with such a commission.

SECURITY COUNCIL ACTION (April)

On 7 April [meeting 5160], the Security Council unanimously adopted **resolution 1595(2005)**. The draft [S/2005/227] was submitted by Denmark, France, Greece, Japan, the Philippines, Romania, the United Kingdom and the United States.

The Security Council,

Reiterating its call for the strict respect of the sovereignty, territorial integrity, unity and political independence of Lebanon under the sole and exclusive authority of the Government of Lebanon,

Endorsing the opinion of the Secretary-General, as expressed in his letter dated 24 March 2005 to the President of the Security Council, that Lebanon is passing through a difficult and sensitive period, that all concerned should imperatively behave with the utmost restraint and that the future of Lebanon should be decided strictly through peaceful means,

Reaffirming its unequivocal condemnation of the terrorist bombing in Beirut on 14 February 2005 that killed former Prime Minister of Lebanon Rafiq Hariri and others, and caused injury to dozens of people, and condemning the subsequent attacks in Lebanon,

Having examined the report of the fact-finding mission to Lebanon inquiring into the circumstances, causes and consequences of this terrorist act, transmitted to the Security Council by the Secretary-General following the statement by the President of the Security Council of 15 February 2005,

Noting with concern the conclusion of the fact-finding mission that the Lebanese investigation process suffers from serious flaws and has neither the capacity nor the commitment to reach a satisfactory and credible conclusion,

Noting, in this context, the opinion of the fact-finding mission that an international independent investigation with executive authority and self-sufficient resources in all relevant fields of expertise would be necessary to elucidate all aspects of this heinous crime,

Mindful of the unanimous demand of the Lebanese people that those responsible be identified and held accountable, and willing to assist Lebanon in the search for the truth,

Welcoming the Government of Lebanon's approval of the decision to be taken by the Council concerning the establishment of an international independent investigation commission, and welcoming also its readi-

ness to cooperate fully with such a commission within the framework of Lebanese sovereignty and of its legal system, as expressed in the letter dated 29 March 2005 from the Chargé d'affaires a.i. of the Permanent Mission of Lebanon to the United Nations addressed to the Secretary-General,

1. *Decides*, consistent with the letter dated 29 March 2005 from the Chargé d'affaires a.i. of the Permanent Mission of Lebanon to the United Nations addressed to the Secretary-General, to establish an international independent investigation commission ("the Commission") based in Lebanon to assist the Lebanese authorities in their investigation of all aspects of this terrorist act, including to help to identify its perpetrators, sponsors and organizers and their accomplices;

2. *Reiterates its call upon* the Government of Lebanon to bring to justice the perpetrators, organizers and sponsors of the 14 February 2005 terrorist bombing, and calls upon the Government of Lebanon to ensure that the findings and conclusions of the investigation by the Commission are taken into account fully;

3. *Decides* that, to ensure the effectiveness of the Commission in the discharge of its duties, the Commission shall:

(a) Enjoy the full cooperation of the Lebanese authorities, including full access to all documentary, testimonial and physical information and evidence in their possession that the Commission deems relevant to the inquiry;

(b) Have the authority to collect any additional information and evidence, both documentary and physical, pertaining to this terrorist act, as well as to interview all officials and other persons in Lebanon that the Commission deems relevant to the inquiry;

(c) Enjoy freedom of movement throughout the Lebanese territory, including access to all sites and facilities that the Commission deems relevant to the inquiry;

(d) Be provided with the facilities necessary to perform its functions, and be granted, with its premises, staff and equipment, the privileges and immunities to which they are entitled under the Convention on the Privileges and Immunities of the United Nations;

4. *Requests* the Secretary-General to consult urgently with the Government of Lebanon with a view to facilitating the establishment and operation of the Commission pursuant to its mandate and terms of reference as mentioned in paragraphs 2 and 3 above, and requests also that he report to the Security Council accordingly and notify it of the date on which the Commission begins its full operations;

5. *Also requests* the Secretary-General, notwithstanding paragraph 4 above, to undertake without delay the steps, measures and arrangements necessary for the speedy establishment and full functioning of the Commission, including recruiting impartial and experienced staff with relevant skills and expertise;

6. *Directs* the Commission to determine procedures for carrying out its investigation, taking into account Lebanese law and judicial procedures;

7. *Calls upon* all States and all parties to cooperate fully with the Commission, and in particular to provide it with any relevant information they may possess pertaining to the above-mentioned terrorist act;

8. *Requests* the Commission to complete its work within three months of the date on which it com-

mences its full operations, as notified by the Secretary-General, and authorizes the Secretary-General to extend the operation of the Commission for a further period not exceeding three months, if he deems it necessary to enable the Commission to complete its investigation, and requests that he inform the Council accordingly;

9. *Also requests* the Commission to report to the Council on the conclusions of its investigation, and requests the Secretary-General to update the Council orally on the progress of the Commission every two months during the operations of the Commission or more frequently as needed.

Communications (May/June). On 13 May [S/2005/317], the Secretary-General informed the Security Council of his intention, in accordance with resolution 1595(2005), to appoint Detlev Mehlis (Germany) as the Commissioner of the United Nations International Independent Investigation Commission (UNIIC), which the Council noted on 17 May [S/2005/318]. He also informed the Council that the Commission became operational on 16 June based on the memorandum of understanding between the Government of Lebanon and the Commission, concluded by the Commissioner on the same day [S/2005/393]. The Secretary-General intended to report to the Council every two months on the progress of the Commission's work.

Briefings by Under-Secretary-General. The Council President, in his assessment of the Council's work for the month of August [S/2005/367], said that, on 25 August, the Under-Secretary-General for Political Affairs briefed the Council on the UNIIC investigation during informal consultations. After the briefing, the Council noted that the Commission had made significant progress in its investigation and reiterated support to its efforts to help identify those responsible for the crime. Council members reiterated their call on all States and parties, especially those who had yet to respond adequately, to cooperate fully in order to expedite the Commission's work.

The Under-Secretary-General provided the Council with a further update on 30 August, including information on the detention of four suspects on that day. The Council, in a press statement, took note of the information on the detention of the four suspects, welcomed the progress made in the investigation and expressed the hope that the final report would fully establish the facts and provide solid evidence in support of its findings.

Communications (September/October). On 9 September [S/2005/587], based on the request of the Commissioner, the Secretary-General informed the Council that he intended to extend UNIIC's mandate for 40 days until 25 October to allow it to complete its investigation, which the

Council noted on 15 September [S/2005/588]. During the additional period, UNIIC staff would be downsized. On 14 October [S/2005/651], Lebanon requested the Secretary-General to extend the mandate further until mid-December to allow UNIIC to assist in any further investigation of the 14 February bombing and explore possible follow-up measures to the findings and recommendations of its forthcoming report (see below).

Report of International Independent Investigative Committee

On 20 October [S/2005/662], the Secretary-General transmitted to the Security Council President the report of UNIIC detailing progress made in the investigation of the 14 February Beirut bombing and the conclusions of the Commission up to that point. As a result of the Commission's investigation, a number of people had been arrested and charged with conspiracy to murder and for related crimes in connection with the assassination of Mr. Hariri and 22 others. The Secretary-General expressed his intention to extend UNIIC's mandate until 15 December.

It was the Commission's view that the assassination was carried out by a group with an extensive organization and considerable resources and capabilities. The crime had been prepared over the course of several months, and for that purpose, the timing and location of Mr. Hariri's movements had been monitored and the itineraries of his convoy recorded in detail. Converging evidence pointed at both Lebanese and Syrian involvement in the terrorist act. It was a well known fact that Syrian military intelligence had a pervasive presence in Lebanon, at least up to the withdrawal of Syrian forces pursuant to resolution 1559(2004) [YUN 2004, p. 506], and former senior security officials of Lebanon were their appointees. Given the infiltration of Lebanese institutions and society by the Syrian and Lebanese intelligence services, it was difficult to imagine that such a complex assassination plot could have been carried out without their knowledge. The Committee was of the view that the likely motive of the assassination was political, but did not rule out fraud, corruption and money-laundering.

During the course of its investigation, the Commission received extensive support from the Government of Lebanon and benefitted from expert input from a number of national and international entities. The Commission concluded that the investigation should be continued by the appropriate Lebanese judicial and security authorities, who had proven during the investigation that, with international assistance and support, they could move ahead and take the lead

in an effective and professional manner. A sustained effort on the part of the international community to establish an assistance and cooperation platform together with the Lebanese authorities in the field of security and justice was considered essential.

Having established that many leads pointed directly to the involvement of Syrian security officials in the assassination, it was incumbent upon the Syrian Arab Republic to clarify a considerable part of the unresolved questions. While the Syrian authorities had cooperated to a limited degree with the Commission, several interviewees tried to mislead the investigation by providing false information. A full picture of the assassination could only be obtained through an extensive and credible investigation conducted in an open and transparent manner.

Security Council consideration (October). On 25 October [meeting 5292], the Security Council heard a briefing by the UNHIC Commissioner, Detlev Mehlis, on the Commission's first report (see above). The Secretary-General was in attendance at the briefing. The Commissioner said that, for such a multidimensional and complex case, the investigation could not be considered complete. More time should be allotted to further investigate the findings and look into emerging leads. During the extended period of its mandate, the Commission would re-interview a number of witnesses and interview new ones and complete its examination of material evidence obtained recently. That would give the Syrian authorities another opportunity to show greater and meaningful cooperation and to provide any relevant substantial evidence. In that regard, they might wish to carry out their own investigation in an open and transparent manner so as to help the Commission fill the gaps and have a clear picture of the organizers and perpetrators. On the completion of the overall investigation, it would be up to the Lebanese authorities to determine the nature and location of any judicial mechanism to be set up.

The Syrian Arab Republic found it regrettable that the report could be seen as accusing Syria of the crime, and said that it had cooperated faithfully and sincerely with UNHIC.

SECURITY COUNCIL ACTION (October)

On 31 October [meeting 5297], the Security Council unanimously adopted **resolution 1636 (2005)**. The draft [S/2005/684] was submitted by France, the United Kingdom and the United States.

The Security Council,

Reaffirming all its previous relevant resolutions, in particular resolutions 1595(2005) of 7 April 2005,

1373(2001) of 28 September 2001 and 1566(2004) of 8 October 2004,

Reiterating its call for the strict respect of the sovereignty, territorial integrity, unity and political independence of Lebanon under the sole and exclusive authority of the Government of Lebanon,

Reaffirming that terrorism in all its forms and manifestations constitutes one of the most serious threats to peace and security,

Having examined carefully the report of the United Nations International Independent Investigation Commission ("the Commission") concerning its investigation into the terrorist bombing in Beirut on 14 February 2005 that killed former Prime Minister of Lebanon Rafiq Hariri and twenty-two others, and caused injury to dozens of people,

Commending the Commission for the outstanding professional work it has accomplished under difficult circumstances in assisting the Lebanese authorities in their investigation of all aspects of this terrorist act, and taking note of the conclusion of the Commission that the investigation is not yet complete,

Commending States which have provided assistance to the Commission in the discharge of its duties,

Commending the Lebanese authorities for the full cooperation they have provided to the Commission in the discharge of its duties, in accordance with paragraph 3 of resolution 1595(2005),

Recalling that, pursuant to its relevant resolutions, all States are required to afford one another the greatest measure of assistance in connection with criminal investigations or criminal proceedings relating to terrorist acts, and recalling in particular that in resolution 1595(2005) it had requested all States and all parties to cooperate fully with the Commission,

Taking note of the findings of the Commission that although the inquiry has already made considerable progress and achieved significant results, it is of the utmost importance to continue the trail both within and outside Lebanon in order to elucidate fully all aspects of this terrorist act, and in particular to identify and hold accountable all those who bear responsibility in its planning, sponsoring, organization and perpetration,

Mindful of the demand of the Lebanese people that all those responsible for the terrorist bombing that killed former Prime Minister of Lebanon Rafiq Hariri and others be identified and held accountable,

Acknowledging, in this connection, the letter dated 13 October 2005 from the Prime Minister of Lebanon to the Secretary-General requesting that the mandate of the Commission be extended to enable the Commission to continue to assist the competent Lebanese authorities in any further investigation of the various dimensions of the terrorist crime,

Acknowledging also the concurrent recommendation of the Commission that continued international assistance is needed to help the Lebanese authorities to get right to the bottom of this terrorist act and that a sustained effort on the part of the international community to establish an assistance and cooperation platform together with the Lebanese authorities in the field of security and justice is essential,

Willing to continue to assist Lebanon in the search for the truth and in holding those responsible for this terrorist act accountable for their crime,

Calling upon all States to extend to the Lebanese authorities and to the Commission the assistance they may need and request in connection with the inquiry, and in particular to provide them with all relevant information they may possess pertaining to this terrorist attack,

Reaffirming its profound commitment to the national unity and stability of Lebanon, emphasizing that the future of Lebanon should be decided through peaceful means by the Lebanese themselves, free of intimidation and foreign interference, and warning in this regard that attempts to undermine the stability of Lebanon will not be tolerated,

Taking note of the conclusions of the Commission that, given the infiltration of Lebanese institutions and society by the Syrian and Lebanese intelligence services working in tandem, it would be difficult to envisage a scenario whereby such a complex assassination plot could have been carried out without their knowledge, and that there is probable cause to believe that the decision to assassinate former Prime Minister Rafiq Hariri could not have been taken without the approval of top-ranked Syrian security officials,

Mindful of the conclusion of the Commission that while the Syrian authorities, after initial hesitation, have cooperated to a limited degree with the Commission, several Syrian officials have tried to mislead the investigation by giving false or inaccurate statements,

Convinced that it is unacceptable in principle that anyone anywhere should escape accountability for an act of terrorism for any reason, including because of his own obstruction of the investigation or failure to cooperate in good faith,

Determining that this terrorist act and its implications constitute a threat to international peace and security,

Emphasizing the importance of peace and stability in the region, and the need for peaceful solutions,

Acting under Chapter VII of the Charter of the United Nations,

I

1. *Welcomes* the report of the Commission;
2. *Takes note with extreme concern* of the conclusion of the Commission that there is converging evidence pointing at the involvement of both Lebanese and Syrian officials in this terrorist act and that it is difficult to envisage a scenario whereby such a complex assassination could have been carried out without their knowledge;
3. *Decides*, as a step to assist in the investigation of this crime and without prejudice to the ultimate judicial determination of the guilt or innocence of any individual:
 - (a) That all individuals designated by the Commission or the Government of Lebanon as suspected of involvement in the planning, sponsoring, organizing or perpetrating of this terrorist act, upon notification of such designation to and agreement of the Committee established in subparagraph (b) below, shall be subject to the following measures:
 - All States shall take the measures necessary to prevent entry into or transit through their territories of such individuals, provided that nothing in the present paragraph shall obligate a State to refuse entry into its territory to its own nationals, or, if such individuals are found with-

in their territory, shall ensure in accordance with applicable law that they are available for interview by the Commission if it so requests;

- All States shall freeze all funds, financial assets and economic resources that are on their territories that are owned or controlled, directly or indirectly, by such individuals, or that are held by entities owned or controlled, directly or indirectly, by such individuals or by persons acting on their behalf or at their direction; ensure that no funds, financial assets or economic resources are made available by their nationals or by any persons within their territories to or for the benefit of such individuals or entities; and cooperate fully in accordance with applicable law with any international investigations related to the assets or financial transactions of such individuals, entities or persons acting on their behalf, including through the sharing of financial information;
- (b) To establish, in accordance with rule 28 of its provisional rules of procedure, a Committee of the Security Council consisting of all the members of the Council to undertake the tasks described in the annex to the present resolution;
 - (c) That the Committee and any measures still in force under subparagraph (a) will terminate when the Committee reports to the Council that all investigative and judicial proceedings relating to this terrorist attack have been completed, unless otherwise decided by the Council;
4. *Determines* that the involvement of any State in this terrorist act would constitute a serious violation by that State of its obligations to work to prevent and refrain from supporting terrorism, in accordance, in particular, with resolutions 1373(2001) and 1566(2004), and that it would amount also to a serious violation of its obligation to respect the sovereignty and political independence of Lebanon;
 5. *Takes note with extreme concern* of the conclusion of the Commission that, while the Syrian authorities have cooperated in form but not in substance with the Commission, several Syrian officials have tried to mislead the Commission by giving false or inaccurate information, and determines that continued lack of cooperation by the Syrian Arab Republic with the inquiry would constitute a serious violation of its obligations under relevant resolutions, including resolutions 1373(2001), 1566(2004) and 1595(2005);
 6. *Takes note* of the recent statement by the Syrian Arab Republic regarding its intention now to cooperate with the Commission, and expects the Government of the Syrian Arab Republic to implement in full the commitments it is now making;

II

7. *Acknowledges* that continued assistance from the Commission to Lebanon, as requested by its Government in the letter dated 13 October 2005 to the Secretary-General and recommended by the Commission in its report, remains necessary to elucidate fully all aspects of this heinous crime, thus enabling all those involved in the planning, sponsoring, organizing and perpetrating of this terrorist act, as well as their accomplices, to be identified and brought to justice;

8. *Welcomes*, in this regard, the decision of the Secretary-General to extend the mandate of the Commission until 15 December 2005, as authorized by the Council in its resolution 1595(2005), and decides that it will extend the mandate further if recommended by the Commission and requested by the Government of Lebanon;

9. *Commends* the Lebanese authorities for the courageous decisions they have already taken in relation to the inquiry, including upon recommendation of the Commission, in particular the arrest and indictment of former Lebanese security officials suspected of involvement in this terrorist act, and encourages the Lebanese authorities to persist in their efforts with the same determination in order to get right to the bottom of this crime;

III

10. *Endorses* the conclusion of the Commission that it is incumbent upon the Syrian authorities to clarify a considerable part of the questions which remain unresolved;

11. *Decides*, in this context, that:

(a) The Syrian Arab Republic must detain those Syrian officials or individuals whom the Commission considers as suspected of involvement in the planning, sponsoring, organizing or perpetrating of this terrorist act, and make them fully available to the Commission;

(b) The Commission shall have vis-à-vis the Syrian Arab Republic the same rights and authorities as mentioned in paragraph 3 of resolution 1595(2005), and the Syrian Arab Republic must cooperate with the Commission fully and unconditionally on that basis;

(c) The Commission shall have the authority to determine the location and modalities for interview of Syrian officials and individuals it deems relevant to the inquiry;

12. *Insists* that the Syrian Arab Republic not interfere in Lebanese domestic affairs, either directly or indirectly, refrain from any attempt aimed at destabilizing Lebanon, and respect scrupulously the sovereignty, territorial integrity, unity and political independence of that country;

IV

13. *Requests* the Commission to report to the Council on the progress of the inquiry by 15 December 2005, including on the cooperation received by the Commission from the Syrian authorities, or anytime before that date if the Commission deems that such cooperation does not meet the requirements of the present resolution, so that the Council, if necessary, can consider further action;

14. *Expresses its readiness* to consider any additional request for assistance from the Government of Lebanon to ensure that all those responsible for this crime are held accountable;

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

Annex

The following are the functions of the Committee established pursuant to paragraph 3 of this resolution:

1. To register as subject to the measures in paragraph 3 (a) of this resolution an individual designated by the Commission or the Government of Lebanon, provided that within two working days of receipt of such designation no member of the Committee objects, in which case the Committee shall meet within

fifteen days to determine the applicability of the measures in paragraph 3 (a).

2. To approve exceptions to the measures established in paragraph 3 (a) on a case-by-case basis:

(i) With respect to the travel restrictions, where the Committee determines that such travel is justified on the ground of humanitarian need, including religious obligation, or where the Committee concludes that an exemption would otherwise further the objectives of this resolution;

(ii) With respect to the freezing of funds and other economic resources, where the Committee determines that such exceptions are necessary for basic expenses, including payments for food-stuffs, rent or mortgage, medicines and medical treatment, taxes, insurance premiums, and public utility charges, or exclusively for payment of reasonable professional fees and reimbursement of incurred expenses associated with the provision of legal services, or fees or service charges for routine holding or maintenance of frozen funds or other financial assets or economic resources.

3. To register the removal of an individual from the scope of the measures in paragraph 3 (a) upon notification from the Commission or the Government of Lebanon that the individual is no longer suspected of involvement in this terrorist act, provided that within two working days of receipt of such designation no member of the Committee objects, in which case the Committee shall meet within fifteen days to determine the removal of an individual from the scope of the measures in paragraph 3 (a).

4. To inform all Member States as to which individuals are subject to the measures in paragraph 3 (a).

Speaking after the vote, the United States said that Syria had chosen to dismiss the UNIIC report as politically motivated, and had sought to impede the investigation by intentionally misleading UNIIC. With the unanimous adoption of resolution 1636(2005), the United Nations had taken a step to hold Syria accountable for any further failure to cooperate with UNIIC's investigations and to consider further action if necessary. The Chapter VII resolution adopted was the only way to compel the Syrian Government to accept the just demands of the United Nations and to cooperate fully with the investigation.

Syria criticized the report as proceeding from the presumption that it was guilty of committing the crime, rather than presuming its innocence. It further stated that the report did not seek the facts and evidence that would lead to the real perpetrator.

Communications (1 November–5 December).

By a 1 November letter addressed to the Secretary-General and the President of the Security Council [S/2005/693], Syria transmitted a legislative decree issued on 29 October by Syrian President Bashar Al-Assad. The decree estab-

lished a Syrian special judicial commission to deal with all matters relating to the UNIIC mission.

On 14 November [S/2005/717], Syria informed the Secretary-General and the President of the Security Council about the progress of the Syrian judicial commission (see above) established with reference to UNIIC. The judicial commission had studied the UNIIC report, expressed its wish to fully cooperate with it, and extended an invitation to the UNIIC Commissioner to visit Syria in order to implement the cooperation required pursuant to resolution 1636(2005).

In a 28 November note by the Security Council President [S/2005/734], Ambassador Kenzo Oshima (Japan) was identified as Chairman of the Security Council Committee established pursuant to resolution 1636(2005) (see above) concerning the suspects implicated in the assassination of Rafik Hariri. The Committee would have the role of registering those suspects, as well as approving exceptions to the measures imposed on them from a humanitarian standpoint.

By a 5 December letter to the Secretary-General [S/2005/762], Lebanon requested the extension of UNIIC's mandate for a period of six months from 15 December, with the possibility of an additional extension in the light of progress made in the investigation. Lebanon further urged that no gap be allowed to occur in UNIIC's work.

Report of UNIIC (December). In a 10 December report [S/2005/775], UNIIC outlined in detail substantive progress made on a number of aspects of the investigation into the 14 February bombing that killed Rafik Hariri and 22 others. It was found that the conclusions in its previous report (see p. 554) remained valid and had been reinforced by further investigation. The report demonstrated a growing partnership between UNIIC and the Lebanese authorities, who were seen as having the will and capacity to carry forward the investigation in Lebanon. The report also described the Commission's efforts to gain the cooperation of the Syrian authorities. While an official channel of communication was operating between UNIIC and the Syrian authorities regarding cooperation, statements issued by Syria calling upon UNIIC to reconsider past mistakes and to revise its report made it clear that the Syrian authorities and judicial commission were aiming to cast doubt on the content of the UNIIC report. That was an attempt to hinder the investigation internally and procedurally. However, the Syrian authorities did make available for questioning the five Syrian officials that UNIIC had summoned. It was up to the Syrian authorities to be more forthcoming in order to make headway

in what looked to be a long process. Given that its substantive lines of enquiry were far from completed and Syrian participation was slow, UNIIC recommended that its mandate be extended for another six months.

Security Council consideration (December). On 13 December [meeting 5323], the Security Council was briefed on the second report of UNIIC (see above) by Detlev Mehlis, Commissioner of UNIIC. The Secretary-General attended the briefing. According to Mr. Mehlis, UNIIC was working mainly on two tracks: one Lebanese and one Syrian. On the Lebanese track, UNIIC had been able to resolve most impediments, thanks to the cooperation of the Lebanese authorities. In parallel to the Lebanese track, UNIIC had been trying to make headway on the Syrian track, but its relations with the Syrian authorities had been marked by conflicting signals. It was not clear at all times who from the Syrian side was the privileged interlocutor of UNIIC, causing confusion and delays.

Syria disagreed with the imprecise statements contained in UNIIC's report, referring to Syria's reluctance to fully cooperate with UNIIC and its work. On the contrary, Syria had consistently and continuously communicated with UNIIC.

Communication (13 December). Lebanon, in a 13 December letter to the Secretary-General [S/2005/783], requested the establishment of an international tribunal to try all those found responsible for the murder of Mr. Hariri. It also asked that UNIIC's mandate be expanded, or an independent international investigation commission be created, to investigate the assassination attempts, assassinations and explosions that took place in Lebanon, starting with the attempt on the life of Minister Marwan Hamade on 1 October 2004.

SECURITY COUNCIL ACTION (December)

On 15 December [meeting 5329], the Security Council unanimously adopted **resolution 1644 (2005)**. The draft [S/2005/788] was submitted by France, the United Kingdom and the United States.

The Security Council,

Reaffirming all its previous relevant resolutions, including resolutions 1595(2005) of 7 April 2005, 1373 (2001) of 28 September 2001, and 1566(2004) of 8 October 2004, and reaffirming in particular resolution 1636(2005) of 31 October 2005,

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

Having examined carefully the report of the United Nations International Independent Investigation

Commission (“the Commission”) concerning its investigation into the terrorist bombing in Beirut on 14 February 2005 that killed former Prime Minister of Lebanon Rafiq Hariri and twenty-two others, and caused injury to dozens of people,

Commending the Commission for the outstanding professional work it has accomplished under difficult circumstances in assisting the Lebanese authorities in their investigation of this terrorist act, and commending in particular Mr. Detlev Mehlis for his leadership in the discharge of his duties as the Head of the Commission and for his dedication to the cause of justice,

Reiterating its call upon all States to extend to the Lebanese authorities and to the Commission the assistance they may need and request in connection with the inquiry, and in particular to provide them with all relevant information they may possess pertaining to this terrorist attack,

Acknowledging the letter dated 5 December 2005 from the Prime Minister of Lebanon to the Secretary-General requesting that the mandate of the Commission be extended for a further period of six months, with a possibility of an additional extension as necessary, to enable the Commission to continue to assist the competent Lebanese authorities in the ongoing investigations of the crime, and to explore possible follow-up measures in order to bring the perpetrators of the said crime to justice, and acknowledging also the concurrent recommendation of the Commission in that regard,

Acknowledging also the letter dated 13 December 2005 from the Prime Minister of Lebanon to the Secretary-General requesting the establishment of a tribunal of an international character to try all those who are found responsible for this terrorist crime and requesting also that the mandate of the Commission be expanded or that another international investigation commission be created, to investigate the terrorist attacks that have taken place in Lebanon since 1 October 2004,

Noting that Syrian authorities have made available Syrian officials for questioning, but deeply concerned at the Commission’s assessment of Syrian performance to date, and noting that the Commission is still awaiting the provision of other requested materials from Syrian authorities,

Reaffirming its determination that this terrorist act and its implications constitute a threat to international peace and security,

Acting under Chapter VII of the Charter of the United Nations,

1. *Welcomes* the report of the Commission;
2. *Decides*, as recommended by the Commission and requested by the Government of Lebanon, to extend the mandate of the Commission, as set forth in resolutions 1595(2005) and 1636(2005), initially until 15 June 2006;
3. *Takes note with satisfaction* of the progress of the inquiry achieved since the last report of the Commission to the Security Council, and notes with extreme concern that, while the inquiry is not yet complete, it confirms its previous conclusions and that the Government of the Syrian Arab Republic has yet to provide the Commission with the full and unconditional cooperation demanded in resolution 1636(2005);

4. *Underscores* the obligation and commitment of the Syrian Arab Republic to cooperate fully and unconditionally with the Commission, and specifically demands that the Syrian Arab Republic respond unambiguously and immediately in those areas adduced by the Commissioner and also that it implement without delay any future request of the Commission;

5. *Requests* the Commission to report to the Council on the progress of the inquiry every three months from the adoption of the present resolution, including on the cooperation received from the Syrian authorities, or anytime before that date if the Commission deems that such cooperation does not meet the requirements of the present resolution and of resolutions 1595(2005) and 1636(2005);

6. *Acknowledges* the request of the Government of Lebanon that those eventually charged with involvement in this terrorist attack be tried by a tribunal of an international character, requests the Secretary-General to help the Government of Lebanon to identify the nature and scope of the international assistance needed in this regard, and also requests the Secretary-General to report to the Council in a timely manner;

7. *Authorizes* the Commission, following the request of the Government of Lebanon, to extend its technical assistance, as appropriate, to the Lebanese authorities with regard to their investigations of the terrorist attacks perpetrated in Lebanon since 1 October 2004, and requests the Secretary-General, in consultation with the Commission and the Government of Lebanon, to present recommendations to expand the mandate of the Commission to include investigations of those other attacks;

8. *Requests* the Secretary-General to continue to provide the Commission with the support and resources necessary for the discharge of its duties;

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

Speaking after the vote, Lebanon thanked the Council for unanimously adopting the resolution.

Syria expressed full appreciation for the efforts made by many Member States to prevent the adoption of a resolution contravening international law and the United Nations Charter. It was regrettable that, although contacts between Syria and UNHIC were under way and efforts were being made by both sides to reach mutual agreement on issues relating to the questioning of Syrian citizens, certain States had reached selective conclusions based on the Commission’s report and had used them in a distorted way against Syria.

Terrorist bombings

In 2005, in addition to the 14 February bombing that killed former Prime Minister Hariri, a series of other bombings in Lebanon killed and injured scores of people, including several prominent Lebanese journalists and political figures.

In various meetings throughout the year, the Security Council denounced those violent acts.

SECURITY COUNCIL ACTION (June/ December)

On 7 June [meeting 5197], following consultations among Security Council members, the President made statement **S/PRST/2005/22** on behalf of the Council:

The Security Council condemns in the strongest terms the terrorist bombing on 2 June 2005 in Beirut that killed a Lebanese journalist, Samir Qassir, who was a symbol of political independence and freedom, and expresses its deepest sympathy and condolences to the family of the victim and to the people of Lebanon.

The Council welcomes the determination and commitment of the Government of Lebanon to bring to justice the perpetrators, organizers and sponsors of this assassination and determines that this assassination, like others before it, constitutes a pernicious effort to undermine security, stability, sovereignty, political independence and efforts aimed at preserving civil accord in the country.

The Council expresses its concern about the destabilizing impact of political assassinations and other terrorist acts in Lebanon, and warns that the sponsors of recent terrorist acts against political leaders and leading members of civil society in Lebanon should not be permitted to jeopardize the holding of parliamentary elections in transparent, free and democratic conditions.

The Council calls upon all parties to show restraint and a sense of responsibility with a view to the successful completion of the electoral process and government formation in the country.

The Council reaffirms its resolution 1559(2004), and reiterates its call for the strict respect of the sovereignty, territorial integrity, unity and political independence of Lebanon. The Council urges all States, in accordance with its resolutions 1373(2001) and 1566(2004), to cooperate fully in the fight against terrorism.

On 12 December [meeting 5320], following consultations among Security Council members, the President made statement **S/PRST/2005/61** on behalf of the Council:

The Security Council condemns in the strongest terms the terrorist bombing on 12 December 2005 in the suburbs of Beirut that killed Lebanese member of Parliament, editor and journalist Gebrane Tueni, a patriot who was an outspoken symbol of freedom and the sovereignty and political independence of Lebanon, as well as three others. It expresses its deepest sympathy to the families of those killed and injured.

The Council reiterates its deepest concern about the destabilizing impact of political assassinations and other terrorist acts in Lebanon. It reiterates also its warning that the sponsors of today's and previous terrorist attacks against political leaders and leading members of civil society in Lebanon, whose obvious aim is to undermine Lebanon's security, stability,

sovereignty, national unity, political independence and press freedom, will not be permitted to succeed and will finally be held accountable for their crimes.

The Council welcomes the determination and commitment of the Government of Lebanon to bring to justice all those responsible for this assassination and others before, and expresses its readiness to consider positively any request for assistance in this regard from the Government of Lebanon.

The Council reaffirms its resolution 1559(2004), and reiterates once again its call for the strict respect of the sovereignty, territorial integrity, unity and political independence of Lebanon. The Council urges all States, in accordance with its resolutions 1373(2001) and 1566(2004), to cooperate fully in the fight against terrorism.

Implementation of Security Council resolution 1559(2004)

Withdrawal of Syrian armed forces

Communication (23 March). On 23 March [S/2005/219], Lebanon and the Syrian Arab Republic transmitted to the President of the Security Council the closing statement of the meeting of the Syrian-Lebanese Higher Council (Damascus, 7 March).

The Council decided to withdraw the Syrian Arab forces stationed in Lebanon to the Bekaa region and the entrance to the Western Bekaa at Dahr al-Baydar up to the Hammana-Mudayrij-Ayn Dara line before the end of March; and to assign to the Joint Military Committee the task of determining the size and period of stay of the Syrian forces in that region and their relationship with the Lebanese State authorities. At the end of the agreed period of stay, both Governments should agree on completion of the withdrawal of the remaining Arab forces.

Report of Secretary-General (April). In April [S/2005/272], the Secretary-General submitted a report on progress made in the implementation of Council resolution 1559(2004), which called for the withdrawal of all remaining foreign forces from Lebanon.

On 12 and 21 March, Syrian President Bashar Al-Assad affirmed to the Secretary-General his March pledge to withdraw Syrian troops and intelligence personnel from Lebanon in fulfillment of resolution 1559(2004). The withdrawal would be done in two stages: the first would relocate about one third of all Syrian troops and intelligence personnel in Lebanon into the Bekaa Valley by the end of March; the second stage would lead to a complete and full withdrawal of all Syrian military personnel, assets and intelligence apparatus. Following the endorsement of the withdrawal plan between President Al-Assad

and Lebanese President Lahoud, the first stage of the Syrian withdrawal began on 8 March.

To verify the withdrawal, the Secretary-General dispatched a UN technical mission to the area in April and requested the two Governments to provide it with all relevant documentation concerning the former deployment of all Syrian troops, military assets and intelligence apparatus in Lebanon. The United Nations had been able thus far to verify that the Syrian military intelligence had vacated sites previously occupied in Lebanon under the first stage of the withdrawal plan and confirmed that there was ongoing movement to withdraw Syrian troops from the Bekaa Valley into the Syrian Arab Republic as part of the second stage of the withdrawal. However, some Member States and the Lebanese opposition had asserted that Syrian military intelligence had taken up new positions to the south of Beirut and elsewhere and had been using the headquarters of parties affiliated with the Syrian Government. Both Lebanon and the Syrian Arab Republic denied the assertions.

Although it had stated that it was not constrained in doing so, several incidents over the previous six months had illustrated the fact that the Government of Lebanon did not fully exert control over all of its territory. There had been no noticeable change in the deployment of Lebanese armed forces along the Blue Line, and Government representatives had acknowledged that it had not yet deployed forces to the far south of the country. The Secretary-General stated that more needed to be done to ensure the return of effective governmental authority throughout the south of Lebanon, including the deployment of additional Lebanese armed forces. Despite concerns expressed by both Lebanon and the Syrian Arab Republic regarding the stability of Lebanon after a full Syrian withdrawal, Lebanese officials assured the Secretary-General that the Lebanese armed forces had the capacity to guarantee security and stability. They said that the Lebanese forces were gradually assuming responsibility for the vacated areas.

Throughout the reporting period, the United Nations discussed with various relevant parties the issue of the disbanding and disarmament of Lebanese and non-Lebanese militias, consistent with 1989 Taif Agreement, but had not yet reached operational conclusions on the matter. There was no noticeable change in the status of Palestinian armed groups in Lebanon since the October 2004 report of the Secretary-General [YUN 2004, p. 507], nor in the status of Hizbullah, seen as the most significant remaining armed group. Its activities along the Blue Line highlighted the need for the Government of Lebanon

to extend exclusive control over all its territory. The increasingly tense political situation in Lebanon had led to the establishment and operation of so-called armed vigilante groups, which, while not formal militias, could signify the beginning of a return to the days when armed groups and militias were prevalent in Lebanon. That development was discussed with representatives of the Government of Lebanon, who stated that preventive action would be taken.

The Secretary-General observed that, although the parties had made significant progress towards the fulfilment of resolution 1559(2004), all the requirements of that resolution had not been met as at 26 April. The full and complete withdrawal of Syrian troops and military assets would represent a significant step towards ending heavy-handed foreign interference that had characterized Lebanese politics for decades. That withdrawal would require the Syrian and Lebanese Governments to redefine the special relationship between them. In that regard, the Secretary-General expected the two countries to make progress towards establishing mutual diplomatic representation and formalizing their special relationship prior to his next report on the implementation of resolution 1559 (2004).

The Secretary-General noted that the six-week political stalemate in Lebanon raised the spectre of a delay of the parliamentary election scheduled for May. Such a delay would contribute to further exacerbating the political divisions in Lebanon and threaten the country's security, stability and prosperity. He encouraged the idea of inviting international observers to monitor the elections.

Security Council consideration (April). On 29 April [meeting 5172], the Security Council was briefed by the Special Envoy of the Secretary-General for the Implementation of Security Council resolution 1559(2004), Terje Roed-Larsen, on the implementation of that resolution. The briefing was attended by the Secretary-General. Mr. Roed-Larsen commended the decision of Lebanese Prime Minister Mikati's Government to hold elections as scheduled, beginning on 29 May. He welcomed the unequivocal confirmation that Mr. Mikati's new Government had received in the Lebanese Parliament, where on 27 April it passed a vote of confidence, with 109 votes to one, plus three abstentions. That was seen as a strong manifestation of the will of the Lebanese people and an endorsement of Mr. Mikati's pledge to hold parliamentary elections on time.

SECURITY COUNCIL ACTION (May)

On 4 May [meeting 5175], following consultations among Security Council members, the President

made statement **S/PRST/2005/17** on behalf of the Council:

The Security Council recalls all its previous resolutions on Lebanon, in particular resolutions 1559 (2004), 425(1978), 426(1978), 520(1982) and 1583 (2005), as well as the statements by its President on the situation in Lebanon, in particular the statements of 18 June 2000 and 19 October 2004.

The Council reiterates its strong support for the territorial integrity, sovereignty and political independence of Lebanon within its internationally recognized borders and under the sole and exclusive authority of the Government of Lebanon.

The Council welcomes the first semi-annual report of the Secretary-General to the Security Council of 26 April 2005 on the implementation of Council resolution 1559(2004).

The Council welcomes also the fact that the parties concerned have made significant and noticeable progress towards implementing some of the provisions contained in resolution 1559(2004), while expressing concern at the determination of the Secretary-General that there has been no progress in the implementation of other provisions of the resolution, in particular the disarmament of Lebanese and non-Lebanese militias and the extension of the control of the Government of Lebanon over all Lebanese territory, and that the requirements of the resolution have not yet been met.

The Council reiterates its call for the full implementation of all requirements of resolution 1559(2004), and calls upon all concerned parties to cooperate fully with the Council and the Secretary-General to achieve this goal.

The Council acknowledges the letter dated 26 April 2005 from the Minister for Foreign Affairs of the Syrian Arab Republic to the Secretary-General stating that the Syrian Arab Republic has completed the full withdrawal of its forces, military assets and the intelligence apparatus from Lebanon.

The Council calls upon the Government of the Syrian Arab Republic and the Government of Lebanon to extend their full cooperation to the United Nations verification team dispatched by the Secretary-General with their agreement to verify whether there has been full and complete withdrawal, and looks forward to his report.

The Council acknowledges that the full and complete Syrian withdrawal would represent a significant and important step towards Lebanon's full political independence and full exercise of its sovereignty that is the ultimate goal of resolution 1559(2004), thus opening a new chapter in Lebanese history.

The Council welcomes the deployment of Lebanese armed forces to positions vacated by Syrian forces and the assumption of responsibility by the Government of Lebanon for these areas and calls for the deployment of additional Lebanese armed forces throughout the south of the country.

The Council urges all concerned parties to do their utmost to safeguard the stability and national unity of Lebanon and underlines the importance of national dialogue among all Lebanese political forces in this regard.

The Council commends the Lebanese people for the dignified manner in which they have expressed their views and for their commitment to a peaceful and democratic process, and stresses that the Lebanese people must be allowed to decide the future of their country free of violence and intimidation. It condemns, in this context, the recent terrorist acts in Lebanon that have resulted in several deaths and injuries, and calls for their perpetrators to be brought to justice.

The Council welcomes the decision of the Government of Lebanon to conduct elections beginning on 29 May 2005, and underlines the importance that such elections be held according to schedule. The Council shares the opinion of the Secretary-General that a delay in holding the parliamentary elections would contribute to exacerbating further the political divisions in Lebanon and threaten the security, stability and prosperity of the country. The Council underlines the fact that free and credible elections held without foreign interference or influence would be another central indication of the political independence and sovereignty of Lebanon.

The Council encourages the Secretary-General and the Government of Lebanon to reach arrangements for international assistance, including United Nations assistance, to ensure that such elections are conducted in a free and credible manner, in particular by inviting international governmental and/or non-governmental electoral observers to monitor the electoral process. The Council urges Member States to extend assistance accordingly.

The Council commends the Secretary-General and his Special Envoy for their relentless efforts and dedication to facilitate and assist the parties in the implementation of all provisions of resolution 1559 (2004), and requests that they continue their work in this regard.

The Council shares the view that the full implementation of resolution 1559(2004) would contribute positively to the situation in the Middle East in general.

Report of verification team (May). On 23 May [S/2005/331], the Secretary-General transmitted to the Security Council President the report of the technical military team dispatched to Lebanon to verify the full and complete withdrawal of all Syrian troops, military assets and intelligence apparatus.

After travelling more than 1,500 kilometres in Lebanon and visiting 133 former Syrian troop and military intelligence positions, the team found no Syrian military forces, assets or intelligence apparatus in Lebanese territory, with the exception of one Syrian battalion deployed near Deir Al-Ashayr. Eleven former Syrian positions had already been taken over by the Lebanese army. The mission therefore concluded, to the best of its ability, that Syrian troops and military assets had been fully and completely withdrawn from Lebanese territory, with the possible exception of Deir Al-Ashayr, the status of which remained unclear. Due to the absence of a border agreement between the Governments of the

Syrian Arab Republic and Lebanon, and the lack of a clear line of demarcation on the ground, the team was unable to verify whether the Syrian military unit in the Deir Al-Ashayr area was in Syrian or Lebanese territory. The status of that unit would be clarified once the two Governments had concluded a border agreement. The withdrawal of the Syrian intelligence apparatus had been harder to verify. The team could only conclude, to the best of its ability, that no Syrian military intelligence personnel remained in Lebanon in known locations or in military uniform, and was unable to conclude with certainty that all the intelligence apparatus had been withdrawn. In some of the locations previously occupied by the Syrian military intelligence, cells were found which indicated that prisoners had been held.

The team concluded that a further verification mission was not necessary, as it would still be unable to verify the complete withdrawal of clandestine intelligence apparatus.

Communication (11 June). On 11 June [S/2005/388], Syria said that statements made by certain officials in the United States Administration regarding Syrian interference in Lebanese affairs through the action of intelligence agents were unfounded. Syria stated that it had completed the full return of its forces and intelligence apparatus on 26 April.

Elections

In his second report of the implementation of Security Council resolution 1559 (2004) [S/2005/673], the Secretary-General stated that the Lebanese parliamentary elections took place in four rounds, beginning on 29 May, two days before the expiration of the legal term of the sitting Parliament, and concluded on 19 June. The elections were successful, credible and well-conducted technically in a free and non-violent environment. They were monitored by more than 100 international electoral observers. The United Nations provided technical assistance and coordinated the electoral observers. The elections resulted in a clear victory for a coalition, comprising the Future Movement, led by Saad Hariri and the Progressive Socialist Party, led by Walid Jumblatt, which gained 72 seats, followed by an alliance of the Amal Party and Hizbullah, 35 seats, and the Free Patriotic Movement led by Michel Aoun who had returned to Lebanon after 14 years in exile, 21 seats.

SECURITY COUNCIL ACTION (June)

On 22 June [meeting 5212], following consultations among Security Council members, the President made statement **S/PRST/2005/26** on behalf of the Council:

The Security Council welcomes the Lebanese parliamentary elections held between 29 May and 19 June 2005. It commends the fair and credible character of the vote and pays tribute to the Lebanese people who demonstrated, throughout the process, their strong commitment to democracy, freedom and independence.

The Council congratulates the newly elected members of the Lebanese Parliament.

The Council commends the Government of Lebanon for the successful conduct of the elections, in accordance with the Constitution and the planned schedule. It expresses its appreciation for the advice and technical support given to the Lebanese authorities by the United Nations Electoral Assistance Division. The Council also pays tribute to the crucial contribution of the international observers, notably from the European Union. In this regard, it welcomes the report of the European Union observer mission and its conclusions regarding the satisfactory conduct of the four electoral stages.

The Council looks forward to the formation of a new government in the near future. It stresses that the establishment of this government in accordance with the constitutional rules and without any foreign interference would be another sign of the political independence and sovereignty of Lebanon.

The Council reaffirms that the Lebanese people must be allowed to decide the future of their country free of violence and intimidation. It strongly condemns, in this context, the recent terrorist acts in Lebanon, in particular the heinous assassination of former leader of the Communist Party George Hawi, and calls for their perpetrators to be brought to justice.

The Council reaffirms its profound commitment to a stable, secure and prosperous Lebanon. It underlines accordingly the need for the newly elected Lebanese authorities to exercise their full sovereignty over the entire territory, to preserve unity through national dialogue, to strengthen the nation's institutions and to respect the principles of good governance, in the sole interest of the Lebanese people.

The Council calls upon the international community to stand ready to examine possible requests from the newly elected Lebanese authorities for enhanced assistance and cooperation, in support of a credible governmental programme of political and economic reform.

The Council reiterates its call for the full implementation of all requirements of resolution 1559 (2004) and urges all concerned parties to cooperate fully with the Council and the Secretary-General to achieve this goal.

The Council also calls for the full implementation of resolution 1595(2005) and looks forward to the cooperation of the newly elected Lebanese authorities in this regard.

The Council reaffirms its strong support for the sovereignty, territorial integrity, unity and political independence of Lebanon within its internationally recognized borders and under the sole and exclusive authority of the Government of Lebanon.

Report of Secretary-General (October). On 26 October [S/2005/673], the Secretary-General submitted his second semi-annual report on the implementation of resolution 1559(2004). He stated that, after intense discussions, a new Government was formed on 19 July, led by Prime Minister Fouad Siniora of the Future Movement. The Government included, for the first time, a member of Hizbullah. Following reports suggesting that Syrian intelligence continued to operate in Lebanon and influence events there, in June, the Secretary-General directed the verification team to return to Lebanon to clarify issues regarding the withdrawal of the Syrian intelligence apparatus. The team reported that numerous sources, including ministers, former ministers and security officials, were of the view that Syrian intelligence activity was taking place in Lebanon. There were credible reports of Syrian intelligence activity, but most were exaggerated. The team also believed it possible that some Syrian intelligence officers had briefly visited Lebanon after their withdrawal and that they maintained networks of contacts. However, the extent and purpose of any such activity were difficult to assess. The verification team corroborated its earlier conclusion that there was no remaining visible or significant Syrian intelligence presence in Lebanon, though the distinctly close historical and other ties between the Syrian Arab Republic and Lebanon also had to be taken into account when assessing a possibly ongoing influence of Syrian intelligence in Lebanon.

Following the May parliamentary elections (see p. 563), the electoral observers emphasized a need for urgent reform of the legal and election framework, as provisions on electoral campaigning were lacking, and shortcomings were found in the areas of election administration, campaign and financial disclosure and voter registration. At the request of the Lebanese authorities, the Secretary-General was maintaining his efforts to assist with the establishment of an appropriate and enduring legal and institutional framework to ensure free and fair electoral processes in Lebanon. The United Nations continued to support the Lebanese National Commission, a special panel of preeminent personalities appointed by the Government of new Prime Minister Fouad Siniora immediately after the parliamentary elections to draft a new and permanent electoral law.

Regarding the disbanding and disarmament of all Lebanese and non-Lebanese militias, there was no fundamental change in the status of such groups, and information suggested that there had been an increasing influx of weaponry and personnel from Syria to some of those groups.

The Government of Lebanon informed the Secretary-General that it had undertaken significant measures towards restricting movement to and from the Palestinian refugee camps in Lebanon. To that end, the Lebanese Armed Forces had enhanced their deployment along the border with the Syrian Arab Republic and increased patrols. They had also increased their presence, erected new checkpoints and tightened controls around the positions of Palestinian armed groups headquartered in the Syrian Arab Republic to the south of Beirut and in the Bekaa Valley. The Secretary-General noted Prime Minister Siniora's call on the Syrian leadership to practice self-restraint in its ties with Palestinian factions, and the Prime Minister's commitment that the Lebanese State and its security institutions had the duty to guarantee the security of the people, citizens and guests, including the Palestinians. The Prime Minister emphasized his resolve to continue the internal dialogue to achieve the disarmament of Palestinian armed groups peacefully, without resorting to confrontation. He would seek, as a first step, to establish order and control among armed Palestinian groups inside the camps. On 8 October, Prime Minister Siniora reached an agreement with PLO factions to organize the armed Palestinian presence in the camps to guarantee security, and with armed Palestinian groups headquartered in Damascus to create a follow-up committee to discuss all issues, including the issue of arms. There was no noticeable change in the operational status and capabilities of Hizbullah, which according to its own leadership, had more than 12,000 missiles at its disposal. Hizbullah, which also operated as a political party, was given a ministerial portfolio in the Government, and the group's leaders indicated their readiness for discussion.

The Government of Lebanon had not yet fully exerted control over all of its territory. In early June, the Lebanese army appeared to be reducing its presence and control in the south of the country as part of an overall redeployment and reduction of troops, as Hizbullah strengthened its own presence in response. After the United Nations had expressed its concern, on 1 July, the Lebanese army reestablished its original presence. Along the Blue Line, a fragile calm continued to prevail during most of the period, though violations had, in one instance, led to deaths and injuries.

The Secretary-General observed that the parties concerned had made considerable progress towards the implementation of resolution 1559(2004). The requirements of the withdrawal of Syrian troops and military assets, as well as of the conduct of free and credible legislative elec-

tions had been met. Progress had also been made on broader electoral reforms, with UN assistance. The disbanding and disarming of all Lebanese and non-Lebanese militias were under discussion among the Lebanese and between the Lebanese and the Palestinians. The Secretary-General was also encouraged by his dialogue with the Government of Lebanon on the extension of its control over all of Lebanon's territory. However, tangible results were yet to be achieved in those two areas, and he would continue his efforts in that regard. The complications that had arisen from the lack of a clearly agreed upon and demarcated border between Lebanon and the Syrian Arab Republic also highlighted the need for a formal border agreement and demarcation of that border between the two countries. The Secretary-General noted that, in the aftermath of the withdrawal of the Syrian military and intelligence presence, the Lebanese security and intelligence services needed to regain public confidence. A start had been made in that regard as the Lebanese authorities had undertaken steps to appoint new permanent, professional directors-general who could enjoy the trust of the public and to change personnel, culture, training and equipment.

UNIFIL

In 2005, the United Nations Interim Force in Lebanon (UNIFIL) continued to discharge its mandate by observing, monitoring and reporting on developments in its area of operation. The Security Council twice extended UNIFIL's mandate in 2005, in January and in July, each time for a period of six months.

UNIFIL, established by Council resolution 425(1978) following Israel's invasion of Lebanon [YUN 1978, p. 312], 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 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. Following the withdrawal of Israeli forces from Lebanon in June 2000 [YUN 2000, p. 465], UNIFIL was reinforced to be able to monitor those territories previously occupied by Israeli forces [ibid.] to prevent the recurrence of fighting and create conditions for the restoration of Lebanese authority in the area.

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

Since UNIFIL's establishment, 246 members had lost their lives: 79 as a result of firings or bomb explosions, 105 as a result of accidents and 62 from other causes.

Activities

Report of Secretary-General (January). In a January [S/2005/26] report on developments in the UNIFIL area of operations since his previous report [YUN 2004, p. 510], the Secretary-General said that the relatively quiet but tense situation that had prevailed through much of the reporting period was shattered by a Hizbullah roadside bomb attack on an Israeli Defence Forces (IDF) convoy in the Shab'a farms area on 9 January. The attack killed an IDF soldier and the ensuing military reaction by IDF resulted in the death of a UN military observer. UNIFIL operations were concentrated along the Blue Line, and the Force remained focused on maintaining the ceasefire through ground and air patrols of its area of operation, observation from fixed positions and close contact with the parties.

The Secretary-General was disturbed by the resumption of military measures, for which Hizbullah took credit, claiming the prerogative to forcefully resist Israeli occupation of Lebanese territory. He emphasized that no violations of the Blue Line were acceptable and that Lebanon's continually asserted position that the Blue Line was not valid in the Shab'a Farms area was not compatible with Security Council resolutions. Air violations also continued to be a matter of concern, as Israel's policy of overflying Lebanon whenever it saw fit risked provoking retaliation from the Lebanese side. Rocket-firing incidents perpetrated by individuals allegedly affiliated with Palestinian militant factions further demonstrated the volatility of the sector, but to the credit of the parties and UNIFIL, none of those incidents resulted in a military escalation. The Government of Lebanon continued to demonstrate the capacity to exert its security authority through various activities of the Joint Security Force, including prompt responses to specific incidents, but the Secretary-General called for more to be done to ensure the return of effective governmental authority throughout the south. He recommended that UNIFIL's mandate be extended for another six months, until 31 July 2005.

Communication (10 January). On 10 January [S/2005/13], Lebanon requested that UNIFIL's mandate, due to expire at the end of the month, be extended for six months. That would provide a reaffirmation of the international community's commitment to the restoration of Lebanon's sovereignty over its entire territory.

SECURITY COUNCIL ACTION (January)

On 28 January [meeting 5117], the Security Council unanimously adopted **resolution 1583(2005)**. The draft [S/2005/53] was submitted by Denmark, France, Greece, Romania, the United Kingdom and the United States.

The Security Council,

Recalling all its previous resolutions on Lebanon, including resolutions 425(1978) and 426(1978) of 19 March 1978 and resolution 1553(2004) of 29 July 2004, as well as the statements by its President on the situation in Lebanon, in particular the statement of 18 June 2000,

Recalling also the letter dated 18 May 2001 from its President 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,

Gravely concerned at the persistence of tension and violence along the Blue Line,

Emphasizing once again 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 to extend the mandate of the Force for a new period of six months, presented in the letter dated 10 January 2005 from the Permanent Representative of Lebanon to the United Nations addressed to the Secretary-General, while reaffirming that the Security Council has recognized the Blue Line as valid for the purpose of confirming the withdrawal of Israel pursuant to resolution 425(1978) and that the Blue Line must be respected in its entirety,

Expressing its concern over the tensions and potential for escalation as noted in the report of the Secretary-General of 20 January 2005,

1. Endorses the report of the Secretary-General of 20 January 2005 on the United Nations Interim Force in Lebanon;

2. Decides to extend the present mandate until 31 July 2005;

3. Reiterates its strong support for the territorial integrity, sovereignty and political independence of Lebanon within its internationally recognized boundaries and under the sole and exclusive authority of the Government of Lebanon;

4. Calls upon the Government of Lebanon to fully extend and exercise its sole and effective authority throughout the south, including through the deployment of sufficient numbers of Lebanese armed and security forces, to ensure a calm environment throughout the area, including along the Blue Line, and to

exert control over the use of force on its territory and from it;

5. Calls upon the parties to ensure that the Force is accorded full freedom of movement throughout its area of operation as outlined in the report of the Secretary-General, and requests the Force to report any obstruction it may face in the discharge of its mandate;

6. Reiterates its call upon the parties to continue to fulfil the commitments they have given to respect fully the entire 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, including the recent incidents across the Blue Line that have resulted in the killing and wounding of United Nations military observers, expresses great concern about the serious breaches and the sea, land and continuing air violations of the withdrawal line, and urges the parties to put an end to these violations, to refrain from any act or provocation that could further escalate the tension and to abide scrupulously by their obligation to respect the safety 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 their escalation, while stressing the primary responsibility of the parties in this regard;

9. Welcomes the continued contribution of the Force to operational mine clearance, 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 clearance of the remaining mine/unexploded ordnance threat in the south, commends donor countries for supporting those efforts through financial and in-kind contributions and encourages further international contributions, and stresses the necessity for the provision to the Government of Lebanon and the Force of any additional existing maps and minefield records;

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 Security 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. Expresses its intention to review the mandate and structures of the Force at the end of the present mandate, and requests the Secretary-General, following appropriate consultations, including with the Government of Lebanon, to include in his report recommendations in this regard, taking into account the prevailing situation on the ground, the activities actually performed by the Force in its area of operation and its contribution towards the remaining task of restoring international peace and security;

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 resolution 1583(2005) (see above) the Secretary-General submitted a July report on UNIFIL covering the period from January to July [S/2005/460]. He said that violations of the Blue Line continued throughout the period, most often in the form of recurring air violations by Israeli jets, helicopters and drones, as well as ground violations from the Lebanese side, primarily by Lebanese shepherds. Additionally, there was one Lebanese air violation by a Hizbullah drone. Hostilities in the area escalated in May with armed exchanges between Hizbullah and IDF and with rocket firing by unidentified armed elements. The situation deteriorated significantly on 29 June, when Hizbullah and IDF engaged in a heavy exchange of fire in the Shab'a farms area, resulting in the death of one IDF soldier and two Hizbullah fighters.

The Lebanese Joint Security Force and the Lebanese Army continued to operate in the areas vacated by Israel in 2000. The strength and activity of the Joint Security Force remained the same and their routine activities continued. At the request of UNIFIL, the Joint Security Force intervened on a few occasions to control demonstrations and prevent protestors from approaching the Blue Line facing IDF positions. Nevertheless, the Government of Lebanon continued to maintain the position that, as long as there was no comprehensive peace with Israel, Lebanese armed forces would not be deployed along the Blue Line. With its permanent observation posts, temporary checkpoints and patrols, Hizbullah maintained a visible presence at the Blue Line, occasionally threatening or denying access to UN patrols. However, UNIFIL was able to regain and assert its freedom of movement within a very short period of time.

UNIFIL provided humanitarian assistance to the Lebanese civilian population in the form of medical care, water projects, equipment and services for schools and orphanages and social services for the needy, cooperating closely with the Lebanese authorities, UN agencies, several embassies and other organizations and agencies operating in the country. Following an increase in civilian land-mine casualties in the area along the Blue Line, a joint UN and Lebanese Army team conducted an assessment and subsequently initiated a programme to repair damaged or missing minefield fencing and erect new fencing where required. UNIFIL carried out regular

mine-risk education for schoolchildren and continued its operational mine clearance activities, demolishing some 300 mines and pieces of unexploded ordnance.

In accordance with the review of UNIFIL's mandate and structures called for in Security Council resolution 1583(2005) (see p. 566), the Department of Peacekeeping Operations (DPKO) sent an assessment mission to Lebanon from 8 to 14 May. The mission reviewed the deployment concept of UNIFIL troop strength, evaluated its role in fulfilling its current mandate, assessed the political environment and its implications for UNIFIL, evaluated the situation along the Blue Line, and analysed the consequences for UNIFIL's mandate of any possible adjustments to the Force. The team found that the military situation in southern Lebanon and in the vicinity of the Blue Line between Lebanon and Israel had not changed significantly since December 2002, when the size and role of UNIFIL were last reconfigured. Supported by the Observer Group Lebanon, UNIFIL had the authority to investigate and verify operationally sensitive issues, establish liaison with the parties to the conflict and thereby reduce tensions and incidents on the Blue Line. As there were no formal links between the Governments or defence forces of Israel and Lebanon, UNIFIL was the principal source of liaison on military matters between the countries. It was the view of the assessment team that UNIFIL, in conjunction with the Observer Group, had the appropriate size, capabilities, structure and deployment to undertake its tasks in a professional and efficient manner, in accordance with its mandate and regional conditions.

The Secretary-General observed that, during a period characterized by heightened political instability in the country, southern Lebanon enjoyed relative calm. Nevertheless, the hostilities that occurred in May and the grave incident on 29 June demonstrated once more that the situation remained volatile and fragile, with the potential for conditions to deteriorate. He encouraged the parties to do their utmost to avoid all violations of the Blue Line and called upon them to abide by their obligations under the relevant Security Council resolutions, and to cooperate fully with the United Nations and UNIFIL. Since the assassination of former Prime Minister Rafik Hariri on 14 February (see p. 551), Lebanon had undergone a period of increased political uncertainty. The Secretary-General hoped that the newly formed Government of Lebanon would seize the opportunities presented by the changed political situation and make strong efforts to return its full and effective authority throughout the south, including the deployment of Lebanese armed forces,

and to do its utmost to prevent attacks from Lebanon across the Blue Line. He agreed with the DPKO assessment that the current level of the force was required to maintain the critical positions to monitor the Blue Line and its approaches and to protect UNIFIL's personnel and assets and the Observer Group Lebanon. The Secretary-General therefore recommended that UNIFIL's mandate be extended until 31 January 2006, with no changes to the strength and composition of the Force.

Communication. On 11 July [S/2005/444], Lebanon requested the extension of UNIFIL's mandate for a further six months, through 31 January 2006.

SECURITY COUNCIL ACTION (July)

On 29 July [meeting 5241], the Security Council unanimously adopted **resolution 1614(2005)**. The draft [S/2005/491] was submitted by France, Greece, the United Kingdom and the United States.

The Security Council,

Recalling all its previous resolutions on Lebanon, including resolutions 425(1978) and 426(1978) of 19 March 1978 and 1583(2005) of 28 January 2005, as well as the statements by its President on the situation in Lebanon, in particular the statement of 18 June 2000,

Recalling also the letter dated 18 May 2001 from its President 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,

Reaffirming that the Security Council has recognized the Blue Line as valid for the purpose of confirming the withdrawal of Israel pursuant to resolution 425(1978) and that the Blue Line must be respected in its entirety,

Gravely concerned at the persistence of tension and violence along the Blue Line, in particular the hostilities that took place in May 2005 and the grave incident of 29 June 2005, which demonstrated once more that the situation remains volatile and fragile, as outlined in the report of the Secretary-General of 21 July 2005,

Emphasizing once again 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 to extend the mandate of the Force for a new period of six months presented in the letter dated 11 July

2005 from the Chargé d'affaires a.i. of the Permanent Mission of Lebanon to the United Nations addressed to the Secretary-General,

Taking note of the opinion of the Secretary-General that the situation does not support a change in the mandate of the Force or another reconfiguration of the Force at this stage, and his recommendation that the mandate be extended with no changes to the strength and composition of the Force,

1. *Endorses* the report of the Secretary-General of 21 July 2005 on the United Nations Interim Force in Lebanon;

2. *Decides* to extend the present mandate until 31 January 2006;

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

4. *Condemns* all acts of violence, including the recent incidents across the Blue Line that have resulted in deaths and injuries on both sides, expresses great concern about the serious breaches and the sea, land and continuing air violations of the withdrawal line, and urges the parties to put an end to these violations, to refrain from any act or provocation that could further escalate the tension and to abide scrupulously by their obligation to respect the safety of the Force and other United Nations personnel, including by avoiding any course of action which endangers United Nations personnel;

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

6. *Calls upon* the Government of Lebanon to fully extend and exercise its sole and effective authority throughout the south, including through the deployment of sufficient numbers of Lebanese armed and security forces, to ensure a calm environment throughout the area, including along the Blue Line, and to exert control and monopoly over the use of force on its entire territory and to prevent attacks from Lebanon across the Blue Line;

7. *Welcomes* the intention of the Secretary-General to discuss with the Government of Lebanon the next steps in preparing for an expansion of its authority in the south;

8. *Supports* the continued efforts of the Force to maintain the ceasefire along the withdrawal line through mobile land and air patrols and observation from fixed positions and through close contacts with the parties to correct violations, resolve incidents and prevent their escalation, while stressing the primary responsibility of the parties in this regard;

9. *Welcomes* the continued contribution of the Force to operational mine clearance, 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 clearance of the remaining mine/unexploded ordnance threat in the south, commends donor countries for supporting those efforts through financial and in-kind contributions and encourages further interna-

tional contributions, and stresses the necessity for the provision to the Government of Lebanon and the Force of any additional existing maps and minefield records;

10. *Calls upon* the parties to ensure that the Force is accorded full freedom of movement throughout its area of operation as outlined in the report of the Secretary-General, requests the Force to report any obstruction it may face in the discharge of its mandate, and reiterates its call upon the parties to cooperate fully with the United Nations and the Force;

11. *Welcomes* the efforts being undertaken by the Force to implement the Secretary-General's zero tolerance policy on sexual exploitation and abuse and to ensure full compliance of its personnel with the United Nations code of conduct, requests the Secretary-General to continue to take all necessary action in this regard and to keep the Security Council informed, and urges troop-contributing countries to take appropriate preventive action, including conducting pre-deployment awareness training, and to take disciplinary action and other action to ensure full accountability in cases of such conduct involving their personnel;

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

13. *Expresses its intention* to keep the mandate and structures of the Force under regular review, taking into account the prevailing situation on the ground, the activities actually performed by the Force in its area of operation, its contribution towards the remaining task of restoring international peace and security, the views of the Government of Lebanon and the implications for the Force of an increased presence of the Lebanese army in the south;

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

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

Further developments

In a report on developments during the second half of 2005 [S/2006/26], the Secretary-General said that a tense and fragile quiet generally prevailed in the UNIFIL area of operation, interrupted by a few serious clashes across the Blue Line. In the most serious incident, a heavy exchange of fire between Hizbullah and IDF across the Blue Line took place on 21 November, surpassing any activity level since Israel's withdrawal from Lebanon in May 2000. That serious breach of the ceasefire began with heavy Hizbullah mortar and rocket fire against several IDF positions close to the Blue Line. Simultaneously, a large group of Hizbullah fighters infiltrated Ghajar village and launched an assault on the Mayor's of-

fice and the IDF position inside the village, causing significant damage to civilian property. The ensuing Israeli retaliation was heavy and included aerial bombing. The exchange of fire subsequently spread all along the Blue Line and lasted for over nine hours. A number of Hizbullah positions close to the Blue Line were destroyed or heavily damaged and there was significant damage to some IDF positions and equipment. UNIFIL and the Secretary-General's senior representatives in the region were in close contact with the parties throughout the hostilities, urging them to exercise maximum restraint. Their intervention contributed to avoiding a further deterioration of the situation and prevented the incident from escalating out of control. UNIFIL eventually succeeded in brokering a ceasefire. Owing to the volatile situation in the area, UNIFIL maintained a static patrol presence along the northern side of Ghajar village. In November, there was more exchange of fire between IDF and Hizbullah, and on several occasions, unidentified armed elements fired rockets from Lebanese territory towards Israel. Recurrent Israeli air violations were a continuous source of tension, and there were almost daily violations of the line of withdrawal by Lebanese shepherds and frequent incidents of stone throwing from the Lebanese side. Control of the Blue Line and its vicinity seemed to remain for the most part with Hizbullah.

The Secretary-General noted that the rocket firing incidents in August and December carried the potential for military escalation. He also noted IDF restraint, in August, in not responding to such attacks. He was encouraged by the determination and commitment of the Lebanese authorities, in a letter transmitted to him on 28 November, to hold the perpetrators of such attacks responsible so as to avoid a recurrence of such incidents in the future.

Financing

In June, the General Assembly considered the performance report on UNIFIL's budget from 1 July 2003 to 30 June 2004 [A/59/626]. Total expenditure for the period amounted to \$89,896,000, compared with a total apportionment of \$90,000,000, resulting in an unencumbered balance of \$104,000.

The Assembly also had before it the proposed UNIFIL budget for 1 July 2005 to 20 June 2006 [A/59/654], in the amount of \$94,277,700, and the related comments and recommendations of the ACABQ [A/59/736/Add.3].

GENERAL ASSEMBLY ACTION (June)

On 22 June [meeting 104], the General Assembly, on the recommendation of the Fifth (Administrative and Budgetary) Committee [A/59/838], adopted **resolution 59/307** by recorded vote (126-2-1) [agenda item 135 (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 1583(2005) of 28 January 2005,

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 58/307 of 18 June 2004,

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, 56/214 B of 27 June 2002, 57/325 of 18 June 2003 and 58/307 of 18 June 2004,

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 15 April 2005, including the contributions outstanding in the amount of 60.9 million United States dollars, representing some 2 per cent of the total assessed contributions, notes with concern that only seventy-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 that 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 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, 56/214 B, 57/325 and 58/307;

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, 56/214 B, 57/325 and 58/307;

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

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

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

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

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

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

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

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

13. *Reiterates its request* to the Secretary-General to take the necessary measures to ensure the full implementation of paragraph 8 of its resolution 51/233, paragraph 5 of its resolution 52/237, paragraph 11 of its resolution 53/227, paragraph 14 of its resolution 54/267, paragraph 14 of its resolution 55/180 A, paragraph 15 of its resolution 55/180 B, paragraph 13 of its resolution 56/214 A, paragraph 13 of its resolution 56/214 B, paragraph 14 of its resolution 57/325 and paragraph 13 of its resolution 58/307, 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 sixtieth session;

Financial performance report for the period from 1 July 2003 to 30 June 2004

14. *Takes note* of the report of the Secretary-General on the financial performance of the Force for the period from 1 July 2003 to 30 June 2004;

Budget estimates for the period from 1 July 2005 to 30 June 2006

15. *Decides* to appropriate to the Special Account for the United Nations Interim Force in Lebanon the amount of 99,228,300 dollars for the period from 1 July 2005 to 30 June 2006, inclusive of 94,252,900 dollars for the maintenance of the Force, 4,068,400 dollars for the support account for peacekeeping operations and 907,000 dollars for the United Nations Logistics Base;

Financing of the appropriation

16. *Decides also* to apportion among Member States the amount of 8,269,025 dollars for the period from 1 to 31 July 2005, in accordance with the levels updated in General Assembly resolution 58/256 of 23 December 2003, and taking into account the scale of assessments for 2005, as set out in its resolution 58/1 B of 23 December 2003;

17. *Decides further* that, in accordance with the provisions of its resolution 973(X) of 15 December 1955, there shall be set off against the apportionment among Member States, as provided for in paragraph 16 above, their respective share in the Tax Equalization Fund of 447,008 dollars, comprising the estimated staff assessment income of 392,975 dollars approved for the Force, the prorated share of 47,925 dollars of the estimated staff assessment income approved for the support account and the prorated share of 6,108 dollars of the estimated staff assessment income approved for the United Nations Logistics Base;

18. *Decides* to apportion among Member States the amount of 90,959,275 dollars for the period from 1 August 2005 to 30 June 2006 at a monthly rate of 8,269,025 dollars, in accordance with the levels updated in General Assembly resolution 58/256, and taking into account the scale of assessments for 2005 and 2006, as set out in its resolution 58/1 B, subject to a decision of the Security Council to extend the mandate of the Force;

19. *Decides also* that, in accordance with the provisions of its resolution 973(X), there shall be set off against the apportionment among Member States, as provided for in paragraph 18 above, their respective share in the Tax Equalization Fund of 4,917,092 dollars, comprising the estimated staff assessment income of 4,322,725 dollars approved for the Force, the prorated share of 527,175 dollars of the estimated staff assessment income approved for the support account and the prorated share of 67,192 dollars of the estimated staff assessment income approved for the United Nations Logistics Base;

20. *Decides further* 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 paragraphs 16 and 18 above, their respective share of the unencumbered balance and other income in the amount of 8,463,000 dollars in respect of the financial period ended 30 June 2004, in accordance with the levels updated in its resolution 58/256, and taking into account the scale of assessments for 2004, as set out in its resolution 58/1 B;

21. *Decides* that, for Member States that have not fulfilled their financial obligations to the Force, there shall be set off against their outstanding obligations their respective share of the unencumbered balance and other income in the amount of 8,463,000 dollars in respect of the financial period ended 30 June 2004, in accordance with the scheme set out in paragraph 20 above;

22. *Decides also* that the increase of 541,200 dollars in the estimated staff assessment income in respect of the financial period ended 30 June 2004 shall be added to the credits from the amount of 8,463,000 dollars referred to in paragraphs 20 and 21 above;

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

24. *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;

25. *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;

26. *Decides* to include in the provisional agenda of its sixtieth 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 59/307:

In favour: Afghanistan, Algeria, Andorra, Antigua and Barbuda, Argentina, Armenia, Austria, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belgium, Belize, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Cambodia, Canada, Cape Verde, Chile, China, Colombia, Congo, Costa Rica, Croatia, Cuba, Cyprus, Czech Republic, Denmark, Djibouti, Dominican Republic, Ecuador, Egypt, Estonia, Finland, France, Gabon, Germany, Ghana, Greece, Guatemala, Guinea, Guyana, Hungary, Iceland, India, Indonesia, Ireland, Italy, Japan, Jordan, Kazakhstan, Kuwait, Latvia, Lebanon, Lesotho, Libyan Arab Jamahiriya, Lithuania, Luxembourg, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Mauritania, Mexico, Monaco, Morocco, Namibia, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Panama, Paraguay, Peru, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Rwanda, San Marino, Saudi Arabia, Senegal, Serbia and Montenegro, Sierra Leone, Singapore, Slovakia, Slovenia, Somalia, South Africa, Spain, Sri Lanka, Sudan, Sweden, Switzerland, Syrian Arab Republic, Tajikistan, Thailand, Timor-Leste, 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.

Abstaining: Tonga.

The Assembly adopted the fourth preambular paragraph and operative paragraphs 3, 4 and 13 by a single recorded vote of 77 to 2, with 47 abstentions. The Committee adopted those paragraphs by a recorded vote of 79 to 3, with 50 abstentions.

Syrian Arab Republic

In 2005, 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].

The United Nations International Independent Investigation Commission (UNIIC), established following the 14 February assassination of former Lebanese Prime Minister Rafik Hariri (see p. 551), found evidence to suggest Syrian involvement in the incident. UNIIC concluded that the Syrian authorities had cooperated in form but not in substance with its investigation, and several Syrian officials had tried to mislead UNIIC by giving false or inaccurate information.

It determined that Syria's continued lack of cooperation in the inquiry would constitute a serious violation of its obligations under relevant resolutions, including 1373(2001), 1566(2004) and 1595(2005). Pursuant to Security Council resolution 1559 (2004), by 26 April, Syria had withdrawn its armed forces and intelligence apparatus from Lebanon (see p. 561). The withdrawal was verified by a UN technical military team. 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.

Communications. The Syrian Arab Republic, on 19 January [A/59/677-S/2005/39], responded to Israeli allegations that its Government had sponsored, trained and financed terrorist groups. It called the accusations unfounded, saying that its goal was regional peace and that Israel had been the primary threat to that peace.

On 7 March [A/59/726-S/2005/143], Syria responded to accusations made by Israel to the effect that the Syrian Government supported Islamic Jihad, which Israel held responsible for a 25 February Tel Aviv suicide bombing [A/59/717-S/2005/130] (see p. 513). Syria said that it condemned the bombing, that its competent authorities had denied any Syrian connection to the incident, and that the Israeli Government had a policy of making false accusations.

On 15 April [A/59/781-S/2005/250], Israel held Syria responsible for an incident in which a gunman wearing a shirt with the Palestinian flag crossed the Israeli-Syrian border, infiltrated an Israel Defence Forces (IDF) outpost, and opened fire. It said that Syria was morally and legally obligated to prevent similar incidents in future.

Syria responded on 25 April [A/59/792-S/2005/271], stating that the infiltration referred to by Israel was an isolated incident.

In identical letters of 30 September addressed to the Secretary-General and the Security Council President [A/60/409-S/2005-627], Syria objected to statements made by members of the Israeli administration regarding its intentions to continue settlement operations in the Syrian Golan, as well as statements to the effect that Israel would not return the Golan. Syria asserted that the occupied Golan was Syrian territory that had to be relinquished and that Israel was required under international resolutions to withdraw to the line of 4 June 1967.

The Supreme Council of the Gulf Cooperation Council (GCC), in the Abu Dhabi Declaration adopted at its twenty-sixth session (Abu Dhabi, United Arab Emirates, 18-19 December) [A/60/680-S/2006/108], stressed the need for an Israeli withdrawal from the occupied Syrian Arab Golan to the line of 4 June 1967 and from the Shab'a farmlands in southern Lebanon. It condemned the assassination of former Lebanese Prime Minister Rafik Hariri and other leaders and stressed the desire of GCC States to support political, security and economic stability for the Lebanese people. The Council expressed its satisfaction with the Syrian Arab Republic's receptiveness to Security Council resolution 1644 (2005) (see p. 558) regarding UNIIC, emphasizing the concern of GCC States for the sovereignty, independence, unity and security of both Syria and Lebanon.

Committee on Israeli Practices. In its annual report [A/60/380], the Committee on Israeli Practices stated that it had visited Damascus, Syria, and Quneitra province, bordering the occupied area, where it met with Syrian authorities and received information from witnesses with personal knowledge of the human rights situation in the occupied Syrian Golan. Syrian Government officials emphasized that the situation continued to deteriorate and that Israel was still pursuing its policy of settlement expansion and land expropriation. New settlements were being planned on the sites of Arab villages destroyed by the occupation forces, and 21 of the 44 existing Israeli settlements were to be expanded. Additionally, 300 Jewish families would be encouraged to settle in the occupied Golan, besides the 700 families already established there during the previous four years. The Syrian population of the occupied Golan was still under threat from landmines, laid close to villages and fields, and in the vicinity of military camps. Israeli authorities continued to bury their nuclear waste about 100 meters from the summit of Jabal al-Sheikh, close to the Syrian border, presenting the threat of catastrophic ecological consequences. Another concern voiced by the Governor of Quneitra was the installation of large air fans on the western side of the Jabal al-Sheikh summit, which in case of leaks, would blow nuclear waste radiation into Syria. The problem of access to education, health care and employment persisted. Schools were overcrowded and in poor condition, and there was a shortage of health centres. Syrian workers in the occupied Golan continuously faced harassment, lack of employment opportunities, dismissal, discrimination during recruitment, low wages and high taxes. Most of them were employed in temporary jobs, unable to work in public sector insti-

tutions, where the jobs were reserved for Jewish settlers. They had no trade unions that could represent them and defend their rights.

Reports of Secretary-General (August). In an August report [A/60/258], the Secretary-General transmitted replies from four Member States, in response to his request for information on steps taken or envisaged to implement General Assembly resolution 59/33 [YUN 2004, p. 516], which dealt with Israeli policies in the Syrian territory since 1967, and resolution 59/32 [ibid., p. 473] on the transfer by some States of their diplomatic missions to Jerusalem (see p. 523).

On 24 August [A/60/298], the Secretary-General reported that no reply had been received from Israel to his August request for information on steps taken or envisaged to implement Assembly resolution 59/125 [YUN 2004, p. 516], which called on Israel to desist from changing the physical character, demographic composition, institutional structure and legal status of the Syrian Golan, and from its repressive measures against the population.

GENERAL ASSEMBLY ACTION (December)

On 1 December [meeting 60], the General Assembly adopted **resolution 60/40** [draft: A/60/L.32 & Add.1] by recorded vote (106-6-62) [agenda item 14].

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 sixty-first session on the implementation of the present resolution.

RECORDED VOTE ON RESOLUTION 60/40

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, Chile, China, Colombia, Comoros, Congo, Cuba, Democratic People's Republic of Korea, Djibouti, Dominica, Ecuador, Egypt, El Salvador, Eritrea, Ethiopia, Gabon, Gambia, Ghana, Guinea, Guinea-Bissau, Guyana, India, Indonesia, Iran, Iraq, Jamaica, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Lebanon, Lesotho, Liberia, Libyan Arab Jamahiriya, Madagascar, Malaysia, Maldives, Mali, Mauritania, Mauritius, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Nicaragua, Nigeria, Oman, Pakistan, Panama, Paraguay, Philippines, Qatar, Russian Federation, Saint Lucia, Saint Vincent and the Grenadines, Saudi Arabia, Senegal, Singapore, Somalia, South Africa, Sri Lanka, Sudan, Suriname, Swaziland, Syrian Arab Republic, Tajikistan, Thailand, Togo, Trinidad and Tobago, Tunisia, Turkey, Turkmenistan, United Arab Emirates, United Republic of Tanzania, Uzbekistan, Venezuela, Viet Nam, Yemen, Zambia, Zimbabwe.

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

Abstaining: Albania, Andorra, Australia, Austria, Belgium, Bosnia and Herzegovina, Bulgaria, Cameroon, Costa Rica, Croatia, Cyprus, Czech Republic, Denmark, Dominican Republic, Estonia, Fiji, Finland, France, Georgia, Germany, Greece, Guatemala, Haiti, 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, Samoa, San Marino, Serbia and Montenegro, Slovakia, Slovenia, Solomon Islands, Spain, Sweden, Switzerland, The former Yugoslav Republic of Macedonia, Tuvalu, Uganda, Ukraine, United Kingdom, Uruguay, Vanuatu.

On 8 December [meeting 62], the Assembly, under the agenda item on the report of the Committee on Israeli Practices and on the Fourth Commit-

tee's recommendation [A/60/477], adopted **resolution 60/108** by recorded vote (156-1-15) [agenda item 31].

The occupied Syrian Golan

The General Assembly,

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

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

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

Recalling also its previous relevant resolutions, the most recent of which was resolution 59/125 of 10 December 2004,

Having considered the report of the Secretary-General submitted in pursuance of resolution 59/125,

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

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

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

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

Bearing in mind Security Council resolution 237 (1967) of 14 June 1967,

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

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

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

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

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

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

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

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

RECORDED VOTE ON RESOLUTION 60/108:

In favour: Afghanistan, Algeria, Andorra, Antigua and Barbuda, Argentina, Armenia, Austria, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belgium, Belize, Benin, Bhutan, Bolivia, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Burundi, Cambodia, Canada, Cape Verde, Central African Republic, Chile, China, Colombia, Costa Rica, Croatia, Cuba, Cyprus, Czech Republic, Democratic People's Republic of Korea, Denmark, Djibouti, Dominica, Ecuador, Egypt, El Salvador, Eritrea, Estonia, Ethiopia, Fiji, Finland, France, Gabon, Georgia, Germany, Ghana, Greece, Guatemala, Guinea, Guinea-Bissau, Guyana, Honduras, Hungary, Iceland, India, Indonesia, Iran, Iraq, Ireland, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Latvia, Lebanon, Lesotho, Liberia, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, 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, Singapore, Slovakia, Slovenia, Solomon Islands, Somalia, South Africa, Spain, Sri Lanka, Sudan, Suriname, Sweden, Switzerland, Syrian Arab Republic, Tajikistan, Thailand, The former Yugoslav Republic of Macedonia, Timor-Leste, Togo, Trinidad and Tobago, Tunisia, Turkey, Turkmenistan, Ukraine, United Arab Emirates, United Kingdom, United Republic of Tanzania, Uruguay, Uzbekistan, Venezuela, Viet Nam, Yemen, Zambia, Zimbabwe.

Against: Israel.

Abstaining: Albania, Australia, Cameroon, Dominican Republic, Grenada, Haiti, Marshall Islands, Micronesia, Palau, Papua New Guinea, Tonga, Tuvalu, Uganda, United States, Vanuatu.

UNDOF

The mandate of the United Nations Disengagement Observer Force (UNDOF), established by Security Council resolution 350(1974) [YUN 1974, p. 205] to supervise the observance of the ceasefire between Israel and the Syrian Arab Republic in the Golan Heights and ensure the separation of their forces, was renewed twice in 2005, in June and December, each time for a six-month period.

UNDOF maintained an area of separation, which was some 75 kilometres long and varied in width between approximately 12.5 kilometres in the centre to less than 200 metres in the extreme south. The area of separation was inhabited and policed by the Syrian authorities, and no military forces other than UNDOF were permitted within it.

As at 5 December, UNDOF comprised 1,047 troops from Austria (380), Canada (185), Japan (30), Nepal (2), Poland (355) and Slovakia (95). It was assisted by 79 UNTSO military observers.

Lieutenant General Bala Nanda Sharma (Nepal) continued as Force Commander.

Reports of Secretary-General. The Secretary-General reported to the Security Council on UNDOF activities between 8 December 2004 and 10 June 2005 [S/2005/379] and between 10 June and 9 December 2005 [S/2005/767]. Both reports noted that the UNDOF area of operation remained calm, except in the Shab'a farms area. During the year, there were two incidents involving crossings of the ceasefire line. On 15 April, a male civilian crossed the line from the Syrian side and fired at an Israeli military post, and on 8 May, Israeli soldiers crossed into the area of separation and captured a Syrian civilian, who was taken to the Israeli side for interrogation and subsequently released.

UNDOF continued in 2005 to supervise the area of separation between Israeli and Syrian troops in the Golan Heights, ensuring by means of fixed positions and patrols that no military forces of either party were deployed there. The Force, accompanied by liaison officers from the parties 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, and the Force carried out operational mine clearance, supporting the United Nations Children's Fund in mine-awareness activities. The Force assisted the International Committee of the Red Cross with the passage of persons through the area of separation, and provided medical treatment to the local population upon request.

The Secretary-General observed that the situation in the Middle East continued to be 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 in all its aspects, with a view to arriving at a just and durable peace settlement, as called for by 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, in June, that UNDOF's mandate be extended until 31 December 2005 and, in December, until 30 June 2006.

SECURITY COUNCIL ACTION (June)

On 17 June [meeting 5205], the Council unanimously adopted **resolution 1605(2005)**. The

draft [S/2005/383] was prepared in consultations among Council members.

The Security Council,

Having considered the report of the Secretary-General of 10 June 2005 on the United Nations Disengagement Observer Force, and reaffirming its resolution 1308(2000) of 17 July 2000,

1. *Calls upon* the parties concerned to implement immediately its resolution 338(1973) of 22 October 1973;

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

3. *Decides* to renew the mandate of the Force for a period of six months, that is, until 31 December 2005;

4. *Requests* the Secretary-General to submit, at the end of this period, a report on developments in the situation and the measures taken to implement resolution 338(1973).

On 21 December [meeting 5339], the Council unanimously adopted **resolution 1648(2005)**. The draft [S/2005/801] was prepared during consultations among Council members.

The Security Council,

Having considered the report of the Secretary-General of 7 December 2005 on the United Nations Disengagement Observer Force, and reaffirming its resolution 1308(2000) of 17 July 2000,

1. *Calls upon* the parties concerned to implement immediately its resolution 338(1973) of 22 October 1973;

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

3. *Decides* to renew the mandate of the Force for a period of six months, that is, until 30 June 2006;

4. *Requests* the Secretary-General to submit, at the end of this period, a report on developments in the situation and the measures taken to implement resolution 338(1973).

After the adoption of each resolution, the President, following consultations among Council members, made identical statements **S/PRST/2005/24** [meeting 5205] on 17 June and **S/PRST/**

2005/65 [meeting 5339] on 21 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 12: “... 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

The General Assembly had before it the performance report on UNDOF's budget for 1 July 2003 to 30 June 2004 [A/59/625]. Expenditures totalled \$39,743,800 against an apportionment of \$40,009,200, resulting in an unencumbered balance of \$265,400. It also had before it the UNDOF budget for 1 July 2005 to 30 June 2006 [A/59/653 & Corr. 1, 2], totalling \$41,581,200 and ACABQ's comments and recommendations thereon [A/59/736/Add.4].

GENERAL ASSEMBLY ACTION (June)

On 22 June [meeting 104], the General Assembly, on the recommendation of the Fifth Committee [A/59/837], adopted **resolution 59/306** without vote [agenda item 135 (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 1578(2004) of 15 December 2004,

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 58/306 of 18 June 2004,

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. *Requests* the Secretary-General to entrust the Head of Mission with the task of formulating future budget proposals in full accordance with the provisions of General Assembly resolution 59/296 of 22 June 2005, as well as other relevant resolutions;

2. *Takes note* of the status of contributions to the United Nations Disengagement Observer Force as at 15 April 2005, including the contributions outstanding in the amount of 16.2 million United States dollars, representing some 1 per cent of the total assessed contributions, notes with concern that only forty-nine Member States have paid their assessed contributions in full, and urges all other Member States, in particular those in arrears, to ensure the payment of their outstanding assessed contributions;

3. *Expresses its appreciation* to those Member States which have paid their assessed contributions in full, and urges all other Member States to make every possible effort to ensure payment of their assessed contributions to the Force in full;

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

5. *Also expresses concern* at the delay experienced by the Secretary-General in deploying and providing adequate 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. *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;

10. *Requests* the Secretary-General to ensure the full implementation of the relevant provisions of its resolution 59/296;

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

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

Financial performance report for the period from 1 July 2003 to 30 June 2004

13. *Takes note* of the report of the Secretary-General on the financial performance of the Force for the period from 1 July 2003 to 30 June 2004;

Budget estimates for the period from 1 July 2005 to 30 June 2006

14. *Decides* to appropriate to the Special Account for the United Nations Disengagement Observer Force the amount of 43,706,100 dollars for the period from 1 July 2005 to 30 June 2006, inclusive of 41,521,400 dollars for the maintenance of the Force, 1,786,400 dollars for the support account for peacekeeping operations and 398,300 dollars for the United Nations Logistics Base;

Financing of the appropriation

15. *Decides also* to apportion among Member States the amount of 43,706,100 dollars at a monthly rate of 3,642,175 dollars, in accordance with the levels updated in General Assembly resolution 58/256 of 23 December 2003, and taking into account the scale of assessments for 2005 and 2006, as set out in its resolution 58/1 B of 23 December 2003, subject to a decision of the Security Council to extend the mandate of the Force;

16. *Decides further* that, in accordance with the provisions of its resolution 973(X) of 15 December 1955, there shall be set off against the apportionment among Member States, as provided for in paragraph 15 above, their respective share in the Tax Equalization Fund of 1,427,100 dollars, comprising the estimated staff assessment income of 1,142,400 dollars approved for the Force for the period from 1 July 2005 to 30 June 2006, the prorated share of 252,500 dollars of the estimated staff assessment income approved for the support account and the prorated share of 32,200 dollars of the estimated staff assessment income approved for the United Nations Logistics Base;

17. *Decides* that, for Member States that have fulfilled their financial obligations to the Force, there shall be set off against their apportionment, as provided for in paragraph 15 above, their respective share of the unencumbered balance and other income in the

amount of 1,593,400 dollars in respect of the financial period ended 30 June 2004, in accordance with the levels updated in its resolution 58/256, and taking into account the scale of assessments for 2004, as set out in its resolutions 58/1 B;

18. *Decides also* that, for Member States that have not fulfilled their financial obligations to the Force, there shall be set off against their outstanding obligations their respective share of the unencumbered balance and other income in the amount of 1,593,400 dollars in respect of the financial period ended 30 June 2004, in accordance with the scheme set out in paragraph 17 above;

19. *Decides further* that the increase of 105,100 dollars in the estimated staff assessment income in respect of the financial period ended 30 June 2004 shall be added to the credits from the amount of 1,593,400 dollars referred to in paragraphs 17 and 18 above;

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

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

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

23. *Decides* to include in the provisional agenda of its sixtieth 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".