

## **CONTENTS**

<b>I.</b>	<b>Introduction and Issues for focused consideration at the Forty-Sixth Session of AALCO</b>	<b>1-5</b>
	A) Background	1-1
	B) General Comments	1-4
	C) Issues for focused consideration at the Forty-Sixth Session of AALCO	4-5
<b>II.</b>	<b>Deliberations during The 45<sup>th</sup> Golden Jubilee Session of AALCO, (Headquarters)New Delhi, India</b>	<b>5-5</b>
<b>III.</b>	<b>Israel's Violation of International Law, particularly International Humanitarian Law and Human Rights Law</b>	<b>5-14</b>
	A) Report of the UN Secretary-General on the Middle East	6-6
	B) Violations of Fourth Geneva Conventions in the Occupied Palestinian Territory (OPT)	7-11
	a. Annexation and Illegal Expropriation of Palestinian Land	9-10
	b. Jewish Colonial Settlements	10-11
	c. Deportation of Palestinians	11-11
	C) UN Security Council and General Assembly Resolutions	11-12
	D) Recent United Nations Resolutions	12-13
	E) Resolutions adopted at the Sixty-First Session (2006) of the United Nations General Assembly	13-14
	F) Economic and Social Council	14-14
	G) Human Rights Council	14-14
<b>IV.</b>	<b>The Problems of the Construction of the Wall in the Occupied Palestinian Territory</b>	<b>14-16</b>
	A) Advisory Opinion of the International Court of Justice	14-15
	B) UN General Assembly adopts resolution calling Israel to comply with ICJ Advisory Opinion	15-15
	C) UN General Assembly establishes register of damage arising from construction of wall by Israel in occupied Palestinian territory	15-15
	D) Loss of access to Palestinian land due to the barrier: United Nations Office for the Coordination of Humanitarian Affairs	15-16
<b>V.</b>	<b>Election of new leadership in Palestine</b>	<b>16-17</b>
<b>VI.</b>	<b>Israeli attempt to incapacitate Palestinian leadership</b>	<b>17-17</b>
<b>VII.</b>	<b>Israeli atrocities (war crimes) in Gaza: responses of the International Community</b>	<b>17-21</b>
<b>VIII.</b>	<b>Peace in the Middle East: Ongoing efforts of the International Community, including Middle East Quartet.</b>	<b>21-24</b>
<b>IX.</b>	<b>Other major developments</b>	<b>24-25</b>

## **I. Introduction and Issues for focused consideration at the Forty-Sixth Session of AALCO**

### **A. Background**

1. The item “Deportation of Palestinians in Violation of International Law particularly the Fourth Geneva Convention of 1949 and the Massive Immigration and Settlement of Jews in Occupied Territories”, was taken up, at the initiative of the Government of the Islamic Republic of Iran at the AALCO’s Twenty-Seventh Session which was held in Singapore (1988). During that Session the delegation of the Islamic Republic of Iran pointed out that: “The Zionist entity (Israel) had deported a number of Palestinians from Palestine, the deportation of people from occupied territory, both in past and recent times constitutes a violation of the principles of international law, as well as, provisions of international instruments and conventions such as the Hague Conventions of 1899 and 1907, the UN Charter of 1945, and the Geneva Convention Relative to Protection of Civilian Persons in time of War, 1949 all of which prohibit deportation as a form of punishment, in an occupied territory.” The Government of Islamic Republic of Iran, after a preliminary exchange of views had submitted to the AALCO Secretariat a Memorandum, and the Secretariat was called upon to study the legal consequences of the deportation of Palestinians from occupied territories.

2. At the Thirty-Fourth Session held in Doha (1995) the Organization, *inter alia* decided that this item be considered in conjunction with the question of the Status and Treatment of Refugees. At its Thirty Fifth Session (Manila, 1996) after due deliberations the Secretariat was directed to continue to monitor the developments in the occupied territories from the view point of relevant legal aspects.

3. At the subsequent Sessions, the scope of the item was enlarged, *inter-alia*, to include, at the Thirty-Seventh Session, “Deportation of Palestinians and other Israeli Practices”, and the item “Deportation of Palestinians and other Israeli Practices among them the Massive Immigration and Settlement of Jews in the Occupied Territories in Violation of International Law Particularly the Fourth Geneva Convention of 1949” was placed on the agenda of the Thirty-Eight Session (Accra 1999).

4. At the Thirty-Ninth (Cairo, 2000) Session, it was decided to further enlarge the scope of the item and the Secretariat was directed to monitor the developments in (all) occupied territories from the viewpoint of relevant legal aspects. The item has since been seriously discussed at the successive Sessions of the Organization as part of its Work Programme.

### **B. General Comments**

5. As has been witnessed during the past several years, developments during the year 2006 once again revealed that Israel continued with its inhumane and totally unacceptable actions in Palestine, despite strong appeals from all quarters of the

international community, to bring peace in the region. The recent flare-up of violence in the Gaza Strip had manifested the fragility of the Middle East Peace process. The deliberate attacks by Israeli forces against civilian property and infrastructure in the Gaza Strip violated international humanitarian law and constitute war crimes. Developments in the Gaza Strip, which have seen innocent civilians, including children, killed, brought increased misery to hundreds of thousands of people and which will wreak far-reaching harm on Palestinian society. The deliberate destruction of the Gaza Strip's only electricity power station, water networks, bridges, roads and other infrastructure is a clear violation of the Fourth Geneva Convention of 1949 and has major and long-term humanitarian consequences for the 1.5 million inhabitants of the Gaza Strip. Also, the Israeli military operation carried out in a residential area in Beit Hanoun had resulted in several civilian casualties. As the occupying power, Israel is bound under international law to protect and safeguard the basic human rights of the Palestinian population.

6. The former Secretary General of the United Nations and various United Nations Humanitarian agencies have expressed their concern on the deteriorating situation in the Occupied Palestinian Territories particularly in the Gaza strip. The situation had further worsened by the arrest/detention of Ministers, Speaker and lawmakers of the Palestine Legislative Council by Israel, which is a highly condemnable act. The Palestinian Legislative Council is a democratically elected parliamentary body that derives its legitimacy from elections held in January 2006. All legitimately elected parliamentarians enjoy parliamentary immunity and Israel is bound by international law to protect the democratic choice of the Palestinian people.

7. The developments in both Israel and Palestine have direct effect on the peace process. Creating an atmosphere conducive for peace should be the priority of both Israelis and Palestinians. The urgency of the international community should be to establish an independent and sovereign Palestinian State, which is democratic in character and could have peaceful coexistence with its neighbours and in consonance with the Resolutions of the UN General Assembly and Security Council.

8. The actual dangerous problem in this process is the construction of the wall by Israel in Palestinian Occupied Territory. In a landmark Advisory Opinion rendered by the International Court of Justice in July 2004, the Court found 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, were contrary to international law. Court also opined that Israel was under an obligation to terminate its breaches of international law; it was under an obligation to cease forthwith the works of construction of the wall being built in the Occupied Palestinian Territory, including in and around East Jerusalem, to dismantle forthwith the structure therein situated, it was under an obligation to make reparation for all damage caused by the construction of the wall in the Occupied Palestinian Territory, including in and around East Jerusalem. The Court also wanted the United Nations, and especially the General Assembly and the Security Council, to consider what further action is required to bring to an end the illegal situation resulting from the construction of the wall and the associated regime, taking due account of the present Advisory Opinion. It is commendable that a resolution to establish a Register of Damage arising from the construction of separation wall by Israel in the OPT was adopted on 15 December 2006 by the UN General Assembly.

9. It may be recalled that the tension in the Middle East, ever since the founding of the State of Israel in 1948, has been a constant source of threat to the maintenance of international peace and security. At Camp David in 1978 and in Oslo in 1993, Israelis, Egyptians and Palestinians had endorsed the only reasonable prescription for peace: United Nations Resolution 242, it condemns the acquisition of territory by force, calls for withdrawal of Israel from the occupied territories, and provides for Israelis to live securely and in harmony with their neighbors. There is no other mandate whose implementation could more profoundly improve international relations in this troubled area.

10. Over the years, Israel as the occupying power has continued to use excessive and indiscriminate force against the civilian population under its occupation, committing war crimes, state terrorism and systematic human rights violations against the Palestinian people on a daily basis. The world has witnessed, with consternation, powerlessness or resignation, a disconcerting deterioration in the situation on the ground, resulting in an undoubted setback to the Palestinian-Israeli peace process. Now countless months of confrontations, acts of violence and tragedies have brought about the death of thousands of people including children and the elderly, and have left as many injured. Since 28 September 2000 and with the Al-Aqsa *Intifada* Israel is imposing its own law and committing atrocities in gross violation of all international law principles. Though the Israeli Government persists in describing the second *Intifada* as a security crisis or a disruption to the “peace process”, Palestinian resistance to occupation is a legally protected right in international law.

11. For almost four decades, Israel has administered a military occupation of the West Bank, the Gaza Strip and East Jerusalem in consistent and relentless defiance of the will of the international community. The international consensus has been expressed through widely supported resolutions passed by the UN Security Council (UNSC) and UN General Assembly (UNGA). The UN Security Council Resolutions 242, 338, and 1515 affirmed the legal obligation of Israel to withdraw from Palestinian territories obtained in the 1967 six-day war. The principle of land for peace laid down in these resolutions must be the end point of any peace process that can bring lasting peace, since all Israeli measures are for so called security reasons.

12. More important and considered by the international community as a “historic turning point” was the Beirut Initiative of Peace adopted by Arab Summit which remains till today the prominent Pan Arab initiative which opens a new era of peace and normalization between “All Arab States and Israel transcend in force the principle of land for, not only peace, but peace, security, good neighborliness and normalization”.

13. There has been a growing demand from the international community that the rights of the Palestinian women and children in the Occupied Palestinian Territories should be protected. Commission on Human Rights, International Women’s Commission and the Amnesty International has emphasized the need to protect the rights of Palestinian women and children in the OPT.

14. Until such time as Israel respects its obligations and works for the real will for peace and security for the benefit of its present people and future generations, it is

obliged to, be bound by the relevant principles of international law contained in the Fourth Geneva Convention Relative to the Protection of Civilian Persons in Time of War, 12 August, 1949, in particular those provisions of the Convention that require an occupying power to protect the status quo, human rights and prospects for self-determination of the occupied people. Since 1967, Israel has refused to accept this framework of legal obligations. Not only has Israel failed to withdraw from the occupied territories, during the occupation, it has created heavily armed settlements, bypass roads and security zones in the midst of a future Palestinian state that seriously compromise basic Palestinian rights.

15. Till these rights are respected and given, the Palestinian right of resistance to the occupation, due to Israeli refusal to implement the underlying directives established by a consensus within the UN. The UN consensus is particularly persuasive because the Palestinian right of self-determination is recognized by a majority of States, the UN has made clear the legal rights and duties in the Israeli-Palestinian conflict in a series of widely supported resolutions, as well as in the Road Map and Arab Summit Beirut Peace Initiative.

16. AALCO as a legal body once again reiterates the urgent need for the international community to take action to address all of the above mentioned serious violations and grave breaches of international law including international humanitarian law being committed by the occupying power against the Palestinian people and urge the Occupying Power "Israel" to seize all the offered opportunities if it wants real peace, security and good neighbouring now and for future generations of her people who endure also from this traumatic situation. In this hour of crisis, it is the duty of the Asian-African countries to support and to declare solidarity for the Palestinian struggle for an independent nation.

### **C. Issues for focused consideration at the Forty-Sixth Session of AALCO**

#### ***1. Violations of international law, particularly international human rights law and human rights law, committed by the Government of Israel in the Occupied Palestinian Territory (OPT)***

- *Special focus on the recent Israeli military excesses in the Gaza*
- *Fourth Geneva Convention of 1949*
- *United Nations Security Council and General Assembly Resolutions*
- *ICJ Advisory Opinion on Legal Consequences of the Construction of a Wall in the Occupied Palestinian Territory – the adverse effect of the wall on the Palestinian people and the economy*

#### ***2. Emergence of new leadership in Palestine and Israel: Progress or deterioration?***

- *The need to respect the democratic choice of the Palestinian people*
- *Condemning the Israeli attempt to incapacitate the Palestinian leaders by arresting or detaining them and to highlight the legitimacy of the democratically elected parliamentary body.*

#### ***3. Establishing peace in the Middle East***

- *The role of the international community to pressurize Israel to comply with its international obligations*
- *Highlighting the need for establishing a independent sovereign State of Palestine as a prelude to establishing everlasting peace in the Middle East*

## **II. Deliberations during the Forty-Fifth Golden Jubilee Session of AALCO, (Headquarters) New Delhi, India (3-8 April 2006)**

17. During the Forty-Fifth Annual Session of AALCO, the delegations which participated in the deliberations on the agenda item expressed concern over the view that the Israel continued to illegally occupy Palestinian territory; killing innocent civilians and demolishing houses and villages as well as the Headquarters of the Palestinian Authority, was committing grave breaches of international law, particularly international humanitarian law particularly the Fourth Geneva Convention of 1949. One delegation called for the denunciation of the Israeli practices in the occupied territories by the League of Arab States, Organization for Islamic Unity, Non Aligned Movement, and other international organizations, the delegation also called for separation of legal and political dimensions of the problem towards finding effective solutions. Some delegations expressed the view that Israel had not fulfilled its obligations under the Road Map of the Quartet and other international accords that had to be implemented for the creation of an independent Palestinian State. All delegations called for respect of democratic process in Palestine by the members of the international community and called for implementation of the United Nations General Assembly and Security Council resolutions, as that was the only way to bring about lasting peace and security in the region and the establishment of two independent States staying side by side. Another delegation called upon AALCO to keep the item on its agenda as a mark of solidarity and as an expression of protest against such acts, which are condemned by the international community.

## **III. Israel's violation of International Law, particularly International Humanitarian Law and Human Rights Law**

18. For almost four decades, Israel has administered a military occupation of the West Bank, the Gaza strip and East Jerusalem in consistent and relentless defiance of the will of the international community.<sup>1</sup> The international consensus has been expressed through widely supported resolutions passed by the UN Security Council (UNSC) and UN General Assembly (UNGA). The Security Council Resolutions 242 and 338 affirmed the legal obligation of Israel to withdraw from Palestinian territories obtained in the 1967 six-day war. This must be the end point of any peace process that can lead to a lasting and just peace.

### **A) Report of the United Nations Secretary-General on the Middle East, 11 December 2006**

---

<sup>1</sup>. Beyond Oslo: The new uprising International law and the al-Aqsa Intifada – Middle East Report 219, Winter 2002

19. The former Secretary of the United Nations, Kofi Annan, in his recent report on the Middle East stated that: “Today, the Middle East faces grim prospects, and is more complex, fragile and dangerous than it has been for many years. The various unresolved but increasingly interconnected conflicts in the region both feed and feed off a growing sense of estrangement between peoples of different faiths, with consequences throughout the world. Overall, the instability that prevails in the Middle East is the greatest regional challenge to international peace and security, and needs to be addressed far more thoroughly than it has been to date....But I stress with equal conviction that Israel's right to self-defence must be carried out in accordance with international law. The repeated phenomenon of large numbers of civilian casualties from Israeli military operations is not acceptable. Israel's excessive use of force exacerbates existing resentments and fuels those who advocate hatred, be they in the region or elsewhere. I would urge the Quartet and the Council to explore the feasibility of consolidating the current Gaza ceasefire within an international framework. As in Lebanon earlier this year, the parameters of the political framework for a permanent solution are clear, but the political will to advance it is not sufficient. In order to halt the current violence and open a space for negotiations, a stronger international role is required. Elements for this role could include:

- (a) To consolidate the current Gaza ceasefire by working with the parties to define its parameters and rules;
- (b) To work to extend the ceasefire to the West Bank;
- (c) To promote unconditional and open-ended talks between the Prime Minister of Israel and the President of the Palestinian Authority;
- (d) To work with the parties to secure their agreement to the deployment of international observers to monitor the ceasefire;
- (e) To establish with the parties a mechanism for the protection of civilians;
- (f) To monitor consistently the actions of the parties to implement existing commitments and agreements and ensure that the results of this monitoring are systematically acted upon;
- (g) to ensure that the political framework for negotiations is updated and credible, including clear parameters for the settlement of final status issues, so that the end goal of the process is visible to all concerned.

20. As I leave office, it is a matter of deep personal regret that peace in the Middle East has not been achieved. The need for the international community to engage with the main parties and finally reach a settlement of the fundamental Middle East problem — a settlement whose inevitable contours we know so well — is even more pressing today than it was 10 years ago.” This statement of the Secretary-General aptly sums up the deteriorating situation, as well as the strong concerted efforts required both by the Parties themselves as well as by the international community to bring peace to the Middle East.

## **B) Violations of Fourth Geneva Conventions in the Occupied Palestinian Territory (OPT)**

21. Until such time as Israel respects this obligation, the relevant principles of international law that need to be implemented as contained in the Fourth Geneva Convention concerning the Protection of Civilian Persons in Time of War, 12 August, 1949, in particular those provisions of the Convention that require an occupying power to

protect the status quo, human rights and prospects for self determination of the occupied people. The Convention also obliges all State Parties to enforce the Convention in the face of “grave breaches”. Since 1967, Israel has refused to accept this framework of legal obligations. Not only has it failed to withdraw from the occupied territories, but during the occupation, Israel has created heavily armed settlements, bypass roads and security zones in the midst of a future Palestinian State that seriously compromises basic Palestinian rights.

22. Various provisions of the Fourth Geneva Convention dealing with the protection of civilians are applicable to the Occupied Palestinian Territory (OPT). There have been large-scale violations of the Convention obligations by Israel to the utter dismay of the international community. Both parties to the conflict are parties to the Geneva Conventions. Since October 1967, Israel has taken a consistent position that the Geneva Convention is *de jure* not applicable to the West Bank and the Gaza Strip.

23. Israel claims that it is not in “occupation” of OPT but is in “administration” and therefore, does not come under the purview of the Fourth Geneva Convention and the law of belligerent occupation. To justify its position Israel resorted to legal fiction and attempted to bring forth doctrinal justification developed in vacuum. Accordingly, Missing Reversioner theory was developed to strengthen its arguments for its non-compliance with Fourth Geneva Convention and law of belligerent occupation.<sup>2</sup> This theory contended that Jordan and Egypt were not the legitimate sovereigns in OPT. Since there was no ousted legitimate sovereign “a missing reversioner” to whom the territory would revert, Israel could make possession of OPT given that Israel has a relatively stronger title to the territories. This is argued on the basis of strange interpretation of common article 2 of the Geneva Conventions. Article 2 reads: “The Convention shall...apply to all cases of partial or total occupation of the territory of a High Contracting Party....” Thus it is argued that the object and purpose of the law of belligerent occupation is to protect the rights of the ousted sovereign holding valid legal title. Therefore, it is argued that because Jordan and Egypt were not the legitimate sovereigns in the OPT prior to 1967 owing to their alleged unlawful aggression against Israel in 1948, that territory can not be said to constitute the ‘territory of a High Contracting Party’. According to this line of thinking, the legal standing of Israel in the Occupied Territory is that of a State which is lawfully in control of territory in respect of which no other States can show better title.

24. It is further argued in this regard that Israel possesses better title over OPT in comparison to Jordan and Egypt based on the concept of “defensive conquest”. Based on this concept it is argued that Israel came into control of the OPT in 1967 through a defensive war against Jordan and Egypt and neither of them held valid legal title to that territory, and therefore it has a perfect legal control over OPT.

25. However, these arguments of Israel were strongly refuted by international law scholars<sup>3</sup> as “strained and artificial in character, and commanded little or no respect

---

<sup>2</sup>. The argument was first put forward by Yehuda Blum, ‘The Missing Reversioner: Reflections on the Status of Judea and Samaria’, 3 *Israel Law Review* 279 (1968).

<sup>3</sup>. See Richard A. Falk & Burns H. Weston, ‘The Relevance of International Law to Israeli and Palestinian Rights in the West Bank and Gaza’, in Emma Playfair, ed., *International Law and the*



among “highly qualified publicists” or within the organized international community” and also it did not receive any support from the international community. In 1976, the President of the UN Security Council, after consulting all the members and concluding that the majority agreed, stated that, ‘The Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, is applicable to the Arab territories occupied by Israel since 1967.’<sup>4</sup> In 1980, by a vote of 14 to none, with one abstention, the Security Council censured the enactment by Israel of a ‘basic law’ on Jerusalem, which it found to constitute a violation of international law that did not affect the continued application of the Fourth Convention.<sup>5</sup> It decided not to recognize the ‘basic law’ and other actions seeking to alter the character and status of Jerusalem. Similarly, UN General Assembly also has been reiterating that Israel is bound by the obligations of the Fourth Geneva Convention in OPT. In its 5 December 2001 Declaration, the reconvened International Conference of High Contracting Parties to the Fourth Geneva Convention expressed its deep concern over the deteriorating humanitarian situation, reaffirmed the applicability of the Convention to Occupied Palestinian Territory, including East Jerusalem, and reiterated the need for full respect for the Convention in that Territory.<sup>6</sup> It is of relevance to quote the International Court of Justice in this regard, which reiterated the paramount importance of the international humanitarian law:

“It is undoubtedly because a great many rules of humanitarian law applicable in armed conflict are so fundamental to the respect of the human person and “elementary considerations of humanity” as the Court put it in its Judgment of 9 April 1949 in the Corfu Channel case (I.C.J. Reports 1949, p. 22), that the Hague and Geneva Conventions have enjoyed a broad accession. Further these fundamental rules are to be observed by all States whether or not they have ratified the conventions that contain them, because they constitute intransgressible principles of international customary law... These rules indicate the normal conduct and behaviour expected of States.”<sup>7</sup>

26. Thus, Israel’s compliance with the Fourth Geneva Convention is not optional based on unilateral interpretations. Therefore, enumeration of Israeli activities in the OPT that violated the Fourth Geneva Convention and other relevant provisions of international law would become an exhaustive list as it has violated almost every provision of the Fourth Geneva Convention. Some of the glaring illegal activities of Israel are mentioned below.

---

*Administration of Occupied Territories: Two Decades of Israeli Occupation of the West Bank and Gaza Strip*, (Oxford: Clarendon Press, 1992). 132. Yoram Dinstein, an Israeli professor of law at Tel Aviv University, has dismissed the theory being “based on dubious legal grounds”. Yoram Dinstein, ‘The International Law of Belligerent Occupation and Human Rights’, 8 *Israeli Yearbook on Human Rights* 104, 107 (1978); W. Thomas Mallison & Sally V. Mallison, *The Palestine Problem in International Law and World Order*, (London: Longman, 1986).

<sup>4</sup>. UN SC Presidential Statement: UN doc. S/PV.1922, 26 May 1976.

<sup>5</sup>. SC res. 478 (1980).

<sup>6</sup>. Conference of High Contracting Parties to the Fourth Geneva Convention: Declaration, Geneva, 5 December 2001.

<sup>7</sup>. *Legality of the Threat of Use of Nuclear Weapons*, Advisory Opinion, ICJ Reports, 1996, 226, 257, paras. 79, 82.

## **a. Annexation and Illegal Expropriation of Palestinian Land**

27. Since 1967, Israel has engaged in a systematic campaign of usurpation of Palestinian land in the OPT for the purpose of establishing exclusively Jewish colonies. This illegal campaign is implemented through two methods: one is annexation in and around occupied East Jerusalem and the second is the policies of expropriation in the remaining OPT. The Israeli government passed a number of Acts that extended its municipal law and jurisdiction to occupied East Jerusalem annexing the city in violations of international law. The law and policy of Israel in respect of other parts of OPT is also similar to that implemented in occupied Jerusalem with an exception that it has not been formally annexed. Host of military orders are used to implement these policies. For e.g., Military Order No. 59 (1967), permitting the Israeli government to declare all lands not registered with them as "State lands", thereby restricting their use to Israeli authorities; Military Order No. 58 (1968), authorizing Israeli authorities to confiscate lands of those "absent" during the 1967 census; Military Order No. 70 (1967), allowing Israeli authorities to arbitrarily declare any locale a "closed military area" transferring all use to the State; Military Order no. 150, enabling the state to expropriate land belonging to "absentee" Palestinian owners, or individuals who were not accounted for in an Israeli census following the 1967 war; Military Order No. 321 (1968), authorizing the State to unilaterally expropriate Palestinian land for "public" purposes, which is always for the exclusive Jewish use; Military Order No. S/1/96, allowing Israeli authorities to unilaterally declare Palestinian land a "closed military area" and Military Order No. T/27/96, permitting Israeli authorities to expropriate Palestinian land for "public" purposes.

28. All these activities are clearly in violation of the Fourth Geneva Convention. Article 47 of the Fourth Geneva Convention makes annexation of the occupied land as an illegal act.<sup>8</sup> Similarly, article 147 of the Convention declares as a grave breach of any extensive destruction and appropriation of property, not justified by military necessity and carried out unlawfully.<sup>9</sup> Article 146 of the Convention places an obligation on the High Contracting Parties to enact effective penal sanctions for persons who have committed, or ordered to be committed, "grave breaches" of the Convention. In addition, Article 146 requires each High Contracting Party "to search for persons alleged to have committed, or to have ordered to be committed, such grave breaches, and [it] shall bring such persons, regardless of their nationality, before its own courts". If it does not do so, it must extradite such suspects to any other High Contracting Party on request if that state has sufficient evidence to commence a prosecution.

---

<sup>8</sup>. Article 47 reads as follows:

Protected persons who are in occupied territory shall not be deprived, in any case or in any manner whatsoever, of the benefits of the present Convention by any change introduced, as the result of the occupation of a territory, into the institutions or government of the said territory, nor by any agreement concluded between the authorities of the occupied territories and the Occupying Power, nor by any annexation by the latter of the whole or part of the occupied territory.

<sup>9</sup>. Article 147 defines "grave breaches" as "wilful killing, torture or inhuman treatment, wilfully causing great suffering or serious injury to body or health, unlawful deportation or transfer or unlawful confinement of a protected person, wilfully depriving a protected person of the rights of fair and regular trial, taking of hostages and extensive destruction and appropriation of property, not justified by military necessity and carried out unlawfully and wantonly."

## b. Jewish Colonial Settlements

29. For more than 35 years now, the creation of Jewish Settlements has been a central component of Israel's efforts to consolidate control over the Gaza Strip and the West Bank, including East Jerusalem. Israeli settlement construction has served not only to facilitate territorial acquisition and to justify the continuing presence of Israel armed forces on Palestinian lands, but also to limit the territorial contiguity of areas populated by Palestinians and thereby to preclude the establishment of a viable independent Palestinian State.

30. Israel has been practicing its colonial settlement policy since 1967 which is aimed at settling the Jewish population in the OPT to make the local population a minority community and for other forms of subjugation. According to a plan prepared by Mattiyahu Drobles of the Settlement Department of the World Zionist Organization, in 1980; "the best and most effective way of removing every shadow of doubt about our intention to hold on to Judea and Samaria [i.e., the West Bank] forever is by speeding up the [Jewish colonial] settlement momentum in these territories. The purpose of settling the areas between and around the centers occupied by the minorities [that is, the Palestinian majority in the West Bank] is to reduce to the minimum the danger of an additional Arab state being established in these territories. Being cut off by Jewish settlements, the minority population will find it difficult to form a territorial and political continuity."<sup>10</sup>

31. Thus, the total settlement population reached 213,672, in West Bank and Gaza Strip, 170,400 in East Jerusalem and 17,000 in Golan Heights.<sup>11</sup> These acts of settlement of Jewish population in OPT is in clear violation of article 49 of the Fourth Geneva Convention which says that 'the Occupying Power shall not deport or transfer parts of its own civilian population into the territory it occupies'. These acts are intended to change the physical character and to bring demographic changes in the OPT. This policy is being continued by Israel despite its condemnation in unequivocal terms by the international community.<sup>12</sup>

## c. Deportation of Palestinians

---

<sup>10</sup>. Mattiyahu Drobles, master plan for the Development of Settlement in Judea and Samaria (1980), cited by Ardi Imseis, 'On the Fourth Geneva Convention and the Occupied Palestinian Territory', *Harvard International Law Journal*, Vol. 44, No. 1, 2003, p. 104.

<sup>11</sup>. For more details in this regard see; <http://www.fmep.org/>

<sup>12</sup>. For e.g., UN Security Council Resolution 465 of 1980 says: "...all measures taken by Israel to change the physical character, demographic composition, institutional structure or status of the Palestinian and other Arab territories occupied since 1967, including Jerusalem, or any part thereof, have no legal validity and that Israel's policy and practices of settling parts of its population and new immigrants in those territories constitute a flagrant violation of the Fourth Geneva Convention relative to the Protection of Civilian Persons in Time of War and also constitute a serious obstruction to achieving a comprehensive, just and lasting peace in the Middle East."

32. Israel has resorted systematically to deportation of Palestinians since 1967 onwards. These deportation decisions were taken summarily without any appeal procedure. The deported Palestinians included various groups of people like lawyers, professors, teachers, doctors, trade unionists, religious leaders and human rights activists. This is in clear violation of article 49 of the Fourth Geneva Convention, which prohibits deportation of protected persons from the occupied territory. Article 147 of the Convention also prohibits this act and categorizes it as the “grave breach” of the Convention.

33. Apart from the above-mentioned acts Israel also indulged in the deprivation of the rights of fair trial, torture and inhuman treatment, extra judicial killings and executions. All these acts are in clear violation of the Fourth Geneva Convention and other important human rights instruments.

### **C) UN Security Council and General Assembly Resolutions**

34. The UN consensus is particularly persuasive since majority of UN Member States recognize the Palestinian right of self-determination. This right is also legitimate from the fact that Palestine was a mandated territory, administered as a sacred trust by the United Kingdom. The UN has made clear the legal rights and duties in the OPT in a series of widely supported resolutions, including the following:

(i) UNGA Resolution 181 (ii) concerning the Future Government of Palestine (November 29, 1947) establishes the parity of the two peoples with respect to their respective rights to establish states on the former mandated territory of Palestine, and the duty of both states to respect both minorities and the special juridical status of Jerusalem.

(ii) UNGA Resolution 194 (iii) (December 11, 1948) affirms the right of Palestinians to return to their original homes and lands, and to receive compensation for any losses incurred, as well as the right of resettlement for those Palestinian refugees choosing not to return and compensation for their losses. The UN established the UN Conciliation Commission to uphold the rights of Palestinian refugees.

(iii) UNSC Resolution 242 and 338 (November 22, 1967), and October 22, 1973) require Israeli withdrawal from the territory occupied during the 1967 and 1973 wars, and call for a just settlement of the refugee problem.

(iv) UNGA Resolution 34/70 (December 6, 1979) asserts the need for any solution of the conflict to be in accordance with the right of self-determination, regardless of what the parties might negotiate.

(v) UNGA Resolution 43/177 (December 15, 1988) acknowledges the 1988 Palestinian proclamation of a Palestinian state as consistent with UNGA Resolution 181.

(vi) UNSC Resolutions 476, 480, 1322, 1397, 1402 and 1403 (1980, 1980, 2000, 2002, 2002, 2002) reaffirm the basic principle of International and UN Law that it is

inadmissible to acquire territory by force or conquest, as well as the unconditional applicability of the Fourth Geneva Convention to the civilian population of occupied territory. Also Resolutions 1405 (2002) of 19 April 2002, 1435 (2002) of 24 September 2002, 1515 (2003) of 19 November 2003 and 1544 (2004) of 19 May 2004 is of great relevance to the Palestinian cause.

#### **D) Recent United Nations Resolutions**

##### **UNGA Resolution requesting The Secretary-General to Establish a Fact-Finding Mission on the Attack in Beit Hanoun, A/RES/ES-10/16, 30 November 2006**

35. The UN General Assembly while emphasizing the need to preserve Palestinian institutions, infrastructure and properties and the urgency of ensuring that medical and humanitarian organizations are granted unhindered access to the Palestinian civilian population at all times and of allowing the severely injured a speedy exit outside the Occupied Palestinian Territory for treatment, and emphasizes also the importance of the implementation of the Agreement of Movement and Access of November 2005, expressed its grave concern about the dire humanitarian situation of the Palestinian people, and called for the provision of emergency assistance to them.

36. The United Nations General Assembly called upon Israel, the occupying Power, to immediately cease its military operations that endanger the Palestinian civilian population in the Occupied Palestinian Territory, including East Jerusalem, and to immediately withdraw its forces from within the Gaza Strip to positions held prior to 28 June 2006. The General Assembly also called for the immediate cessation of military operations and all acts of violence, terror, provocation, incitement and destruction between the Israeli and Palestinian sides, including extrajudicial executions, bombardment against civilian areas, air raids and the firing of rockets, as was agreed in the Sharm el-Sheikh understandings of 8 February 2005. The Resolution also requested the Secretary-General to establish a fact-finding mission on the attack that took place in Beit Hanoun on 8 November 2006 and to report thereon to the General Assembly within thirty days;

#### **E) Resolutions adopted at the Sixty-First Session (2006) of the United Nations General Assembly**

37. The Sixty-First Session of the United Nations General Assembly adopted Resolutions on *Assistance to Palestine refugees; Persons displaced as a result of the June 1967 and subsequent hostilities; Operations of the United Nations Relief and Works Agency for Palestine Refugees in the Near East; Palestine refugees' properties and their revenues; Work of the Special Committee; Applicability of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, in the Occupied Palestinian Territory, including East Jerusalem, and the other occupied Arab territories; Israeli settlements in the Occupied Palestinian Territory, including East Jerusalem, and the occupied Syrian Golan; Israeli practices affecting the human rights of the Palestinian people in the Occupied Palestinian Territory, including East Jerusalem; Jerusalem; Committee on the Exercise of the Inalienable Rights of the Palestinian*

*People, the Division for Palestinian Rights, and the Department of Public Information's special information programme on Palestine.*

38. Resolution on *Assistance to the Palestinian people*, the Assembly urged 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 Palestinian Liberation Organization and through official Palestinian institutions. The Assembly also urged Member States to open their markets to Palestinian exports on the most favourable terms, consistent with appropriate trading rules, and to implement fully existing trade and cooperation agreements. The Assembly urged 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, so as to counter the impact of the current crisis.

39. Stressing the need for realization of the inalienable rights of the Palestinian people, primarily the right to self-determination and the right to their independent State, the Assembly adopted resolution on *Peaceful Settlement of the Question of Palestine*, which stressed the need for Israel's withdrawal from the Palestinian Territory occupied since 1967. Convinced that achieving a just and lasting settlement of the question of Palestine – the core of the Arab-Israeli conflict – was the key to stability in the Middle East, the Assembly welcomed the Palestinian truce initiative and its acceptance by Israel that went onto effect on 26 November, and urged both sides to maintain that truce, which could pave the way for genuine negotiations towards a just resolution to the conflict – and extend it to the West Bank. The text emphasized the importance of the safety and well-being of all civilians in the whole Middle East region, and condemned all acts of violence and terror against civilians on both sides, including the suicide bombings, the extrajudicial executions and the excessive use of force. It stressed the urgent need for "sustained and active" international involvement, including by the Quartet, to support both sides in revitalizing the peace process towards resumption and acceleration of direct negotiations between the parties to achieve a just, lasting and comprehensive peace settlement, in accordance with the Road Map.

#### **F) Economic and Social Council**

40. The Economic and Social Council on 27 July 2006 adopted a resolution on the economic and social repercussions of the Israeli occupation on the living conditions of the Palestinian people in the occupied Palestinian territory, including East Jerusalem, and the Arab population in the occupied Syrian Golan. The resolution, called for the lifting of the severe restrictions imposed on the Palestinian people; and demanded that Israel comply with the Protocol on Economic Relations between the Government of Israel and the Palestine Liberation Organization signed in Paris on 29 April 1994 and that it urgently transfer Palestinian tax revenues.

#### **G) Human Rights Council**

## **Israeli Settlements in the Occupied Palestinian Territory, including East Jerusalem, and in the Occupied Syrian Golan, 28 November 2006**

41. The Resolution adopted by the Human Rights Council on 28 November urged Israel, the occupying Power to reverse the settlement policy in the occupied territories, including East Jerusalem and the Syrian Golan, and, as a first step towards their dismantlement, to stop immediately the expansion of the existing settlements, including "natural growth" and related activities; and to prevent any new installation of settlers in the occupied territories. It also urged the full implementation of the Access and Movement Agreement of 15 November 2005, particularly the urgent reopening of Rafah and Karni crossings, which is crucial to ensuring the passage of foodstuffs and essential supplies, as well as the access of the United Nations agencies to and within the Occupied Palestinian Territory

## **IV. The Problems of the Construction of the Wall in the Occupied Palestinian Territory**

### **A) Advisory Opinion of the International Court of Justice**

42. The International Court of Justice (ICJ), rendered its Advisory Opinion in the case concerning the *Legal Consequences of the Construction of a Wall in the Occupied Palestinian Territory (Request for advisory opinion)*. Highlights of the Opinion include: 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 (14 votes to 1); and Israel is under an obligation to terminate its breaches of international law; it is under an obligation to cease forthwith the works of construction of the wall being built in the Occupied Palestinian Territory, including in and around East Jerusalem, to dismantle forthwith the structure therein situated, and to repeal or render ineffective forthwith all legislative and regulatory acts relating thereto, in accordance with paragraph 151 of this Opinion (by 14 votes to 1). (Details of the Advisory Opinion: See Report on the Item AALCO/44/NAIROBI/2005/SD/S 4, pp.10-15)

### **B) UN General Assembly Emergency Session adopts Resolution calling Israel to Comply with ICJ Advisory Opinion, 20 July 2004**

43. The United Nations General Assembly Tenth Resumed Emergency Special Session on 20 July 2004, overwhelmingly adopted a resolution demanding Israel to comply with the ICJ Advisory Opinion on *Legal Consequences of the Construction of a Wall in the Occupied Palestinian Territory*. It called upon the Israel to halt construction on its security barrier in the West Bank; tear down the portions built on the Palestinian land; and provide reparations to Palestinians whose lives have been harmed by the wall. 150 countries voted in favor of the resolution and six countries against, with ten abstentions. The resolution also called on both Israel Government and the Palestinian Authority to immediately implement their obligations under the Road Map, which calls for a series of parallel and reciprocal steps by each party leading to two States living side by side in peace by 2005. It called on all UN Member States to comply with their

obligations as contained in the finding by the ICJ, which include a duty “ not to recognize the illegal situation resulting from the construction of the wall in the Occupied Palestinian Territory, including in and around East Jerusalem”. It also called upon the Member States not to render aid or assistance in maintaining the situation created by such construction. The resolution requested the UN Secretary General to set up a register of all damage caused to all the natural or legal persons in connection with Israel’s construction of the barrier.

### **C) UN General Assembly establishes Register of Damage arising from Construction of Wall by Israel in Occupied Palestinian Territory, 15 December 2006**

**44. A resolution to establish a Register of Damage arising from the construction of separation wall by Israel in the Occupied Palestinian Territory was adopted as the General Assembly continued its tenth special emergency session on Israeli actions in the Occupied Palestinian Territory.**

45. Introduced by Iraq, the draft on the United Nations Register of Damage calls for the establishment of the Register and an office to serve as a comprehensive record of the damage caused to all natural and legal persons as a result of the building of the wall. The office would be composed of a three-member board, an executive director and a secretariat. As a subsidiary organ of the Assembly, the office would operate under the administrative authority of the Secretary-General.

### **D) Loss of Access to Palestinian Land due to the Barrier: United Nations Office for the Coordination of Humanitarian Affairs**

46. A report by OCHA and UNRWA, which analysed permits issued to Palestinians between December 2004 and July 2005, drew attention to the tightening permit regime enforced by the Government of Israel (GOI) on Palestinians crossing the Barrier. It predicted that within 12 months approximately 62% of land owning families would have no access to their land because they had been refused a permit. Twelve months later, this prediction was borne out in a new survey which found that 60% of farming families with land to the west of the Barrier could no longer get to it. The Government of Israel began the construction of the Barrier in June 2002. It stated that the purpose of the Barrier was to reduce the number of militant attacks on its population, although GoI officials have also stated that the Barrier could have political implications. The Barrier has been declared illegal under international law where it is located inside the West Bank. The small rural communities near the Barrier are highly dependant on agriculture for their livelihoods. Agriculture has also become increasingly important during the last five years, and especially since the construction of the Barrier, because access to jobs in Israel has been stopped and there is high unemployment in the West Bank.

## **V. Election of new leadership in Palestine**

47. Elections to the Palestinian Legislative Council were conducted in a peaceful and fair manner on 25 January 2006. Mr. Ismail Haniya became the Prime Minister of the Palestine. Mr. Khalid Mish'al, Head of the Political Bureau of Hamas, stated that Hamas is extending a hand of peace to those who are truly interested in a peace based on justice.



He stated “While we are keen on having friendly relations with all nations we shall not seek friendships at the expense of our legitimate rights. We have seen how other nations, including the peoples of Vietnam and South Africa, persisted in their struggle until their quest for freedom and justice was accomplished. We are no different, our cause is no less worthy, our determination is no less profound, and our patience is no less abundant.” In his message to the Israelis, he stated that, “ Our conflict with you is not religious but political. We have no problem with Jews who have not attacked us-our problem is with those who came to our land, imposed themselves on us by force, destroyed our society, and banished our people”.

48. Reacting to the Result, then Acting Prime Minister of Israel, Mr. Ehud Olmert issued a statement that the State of Israel upholds the Road Map and continues to demand that Palestinian National Authority (PNA) Chairman Abu Mazen carry out the commitment to dismantle all terrorist organizations and their infrastructures; the State of Israel will not conduct any negotiations with any Palestinian administration even part of which is composed of an armed terrorist organization that calls for the destruction of the State of Israel and Israel will continue to act against the terrorist organizations wherever necessary. The Statement also says that the State of Israel will work with the international community so that no dialogue is conducted with Hamas or with the PA before it and its chairman fulfill the following terms: i) The terrorist organizations are disarmed and the path of terrorism is abandoned; ii) The existence of the State of Israel is recognized and the Hamas Covenant, which calls for Israel's destruction, is annulled; and iii) All agreements and understandings that were signed and entered into between Israel and the PA are recognized.

49. The Statement issued by the Quartet stated that it believed that the Palestinian people have the right to expect that a new Government will address their aspirations for peace and Statehood, and it welcomed President Abbas' affirmation that the Palestinian Authority is committed to the Road Map, previous agreements and obligations between the parties, and a negotiated two-State solution to the Israeli-Palestinian conflict. It was of the view that all members of a future Palestinian Government must be committed to non-violence, recognition of Israel, and acceptance of previous agreements and obligations, including the Road Map. The Quartet urged both parties to respect their existing agreements, including on movement and access.

## VI. Israeli Attempt to incapacitate Palestinian Leadership

50. Israeli occupying forces were involved in the kidnapping of the Secretary-General of the Palestinian Legislative Council, raising the number of democratically elected officials who have been kidnapped by Israel, the occupying Power, since 29 June 2006 to thirty. Others include, Palestinian Deputy Prime Minister and Education Minister. The Executive Committee of the Palestine Liberation Organization condemned the kidnappings and released a statement in which they considered this arbitrary arrest, and the and previous arrest of the Palestinian Legislative Council Speaker and the other democratically elected ministers and legislators, as a flagrant violation of international law, as well as the signed accords between the Palestine Liberation Organization and the Government of Israel, which assures the full immunity of the Palestinian National Authority, its Government and the Palestinian Legislative Council. The Executive

Committee called for the immediate release of all kidnapped elected Palestinian officials and called on the international community, including the United Nations, human rights organizations and the League of Arab States, to intervene in this regard.

## **VII. Israeli atrocities (war crimes) in Gaza: Responses of the International Community**

### **A. United Nations Human Rights Council decides to dispatch Urgent Fact-Finding Mission to the Occupied Palestinian Territories, 6 July 2006**

51. The United Nations Human Rights Council on 6 July 2006 adopted a resolution on the human rights situation in the occupied Palestinian territory in which the Council demanded that Israel end its military operations in the occupied Palestinian territory; expressed grave concern at the detrimental impact of the current Israeli military operation on the already deteriorating humanitarian conditions of the Palestinian people; urged Israel to immediately release the arrested Palestinian ministers, and members of the Palestinian Legislative Council; and decided to dispatch an urgent fact-finding mission headed by the Special Rapporteur on the situation of human rights in the occupied Palestinian territory.

### **B. United Nations Rights Expert paints dire picture of situation in Occupied Palestinian Territory, 22 June 2006**

52. United Nations Rights Expert stated that Gaza was under siege. Israel controls its airspace and had resumed sonic booms which terrorize and traumatize its people. The targeted killing of militants was on the increase. Israel also controls Gaza's territorial sea and fires missiles into the territory from ships at sea. The no-go area along the border of Gaza has been extended to some 500-600 metres to enable the Israeli Defence Forces (IDF) to prevent the firing of Qassam rockets by Palestinian militants. IDF policy now allows it to fire shells up to 100 metres from civilian houses. Within Gaza, medical services have been seriously affected by the prohibition on the funding of medical equipment and medical supplies managed by the Hamas-led Palestinian Authority. The non-payment of salaries to Palestinian Authority employees has affected both hospitals and schools as employees cannot afford to travel to work. Unemployment and poverty are on the increase. Human rights violations in the West Bank have also intensified. The construction of the Wall continues to impact severely on human rights. In farming areas, lands are being abandoned in the closed zone (the area between the Wall and the Green Line) as farmers are denied permits to farm their land.

### **C. Deliberate attacks by Israeli Forces in the Gaza Strip constitute a War Crime: Amnesty International, 30 June 2006**

53. Amnesty International stated that deliberate attacks by Israeli forces against civilian property and infrastructure in the Gaza Strip violated international humanitarian law and constitute war crimes. It stated that "Israel must now take urgent measures to remedy the long-term damage it has caused and immediately restore the supply -- at its own cost -- of electricity and water to the Palestinian population in the affected areas,".

"As the occupying power, Israel is bound under international law to protect and safeguard the basic human rights of the Palestinian population." Amnesty International pointed out that the deliberate destruction of the Gaza Strip's only electricity power station, water networks, bridges, roads and other infrastructure is a violation of the Fourth Geneva Convention and has major and long-term humanitarian consequences for the 1.5 million inhabitants of the Gaza Strip.

D. United Nations Humanitarian Agencies working in the Occupied Palestinian Territory raises concern over the deteriorating situation, 8 July 2006

54. The United Nations Humanitarian Agencies working in the occupied Palestinian territory, were alarmed by developments on the ground, which have seen innocent civilians, including children, killed, brought increased misery to hundreds of thousands of people and which will wreak far-reaching harm on Palestinian society. An already alarming situation in Gaza, with poverty rates at nearly 80 % and unemployment at nearly 40 %, is likely to deteriorate rapidly, unless immediate and urgent action is taken.

55. The **United Nations Relief and Works Agency (UNRWA)**, which works with 980,000 refugees, believes that Gaza is on the brink of a public health disaster. Since the strike on Gaza's only power plant on 28 June 2006, the entire strip is without electricity for between 12 and 18 hours every day. The Coastal Municipality Water Utility is now relying on its own backup generators to operate its 130 water wells and 33 sewage pumping plants. According to the **World Health Organisation (WHO)** the public health system is facing an unprecedented crisis. WHO estimates that though hospitals and 50 % of Primary Health Care Centres have generators, the current stock of fuel will last for a maximum of two weeks. WHO estimates that 23 % of the essential drug list will be out of stock within one month. WHO is also alarmed by the tightening of restrictions on patients needing to leave Gaza for treatment. The **World Food Programme (WFP)** estimates that in June, 70 % of the Gaza population were already unable to cover their daily food needs without assistance. The escalation of hostilities has made food an increasingly critical issue. WFP believes it is essential that a humanitarian corridor for relief items and personnel remains open to avert a further deterioration in the food security situation at this critical time.

56. According to the **United Nations Children's Fund, (UNICEF)** children in Gaza are living in an environment of extraordinary violence, insecurity and fear. Electricity and fuel shortages are leading to a reduction in the quantity and quality of health care and water accessible to children. According to the **Office of the High Commissioner for Human Rights**, the use of force by Israel during its military operations into the Gaza Strip has resulted in an increasing number of deaths and other casualties amongst the Palestinian civilian population, and significant damage to civilian property and infrastructure. **United Nations Office for the Co-ordination of Humanitarian Affairs (OCHA)** is calling for the continuous and unimpeded access for humanitarian assistance and fuel supplies. UN operations to deliver assistance are already being hampered by the fighting. But humanitarian assistance is not enough to prevent suffering.

E. United States vetoes Security Council Draft Resolution on events in Gaza; Text called for Israeli Soldier's release, Halt to military operations, 13 July 2006

57. The United States vetoed a United Nations Security Council draft resolution that would have demanded Israel halt its two-week military offensive in the Gaza Strip. Ten Council members voted in favour of the text and four abstained ( Denmark, Peru, Slovakia, United Kingdom). The draft, sponsored by Qatar, a non-permanent member of the 15-nation body, would have condemned Israel's current "military assault" in Gaza, but also would have called on the Palestinian Authority to take immediate action to bring an end to violence, including the firing of rockets on Israeli territory. It would have also demanded the unconditional release of an Israeli soldier captured earlier, as well as Israel's immediate withdrawal from Gaza and the release of dozens of Palestinian officials detained by Israel.

#### **F. UNICEF-renewed violence in Gaza raises serious concerns for children's safety, 8 November 2006**

58. UNICEF stated that the renewed violence in Gaza is again raising serious concerns about the welfare of civilians, including children. Over the one week, the armed conflict has claimed the lives of an estimated 68 Palestinians – including 18 reportedly killed in shelling as Israeli tanks withdrew from the town of Beit Hanoun.. Overall, at least 350 people have been wounded in the recent Gaza incursion, and 14 children have been killed. Since the beginning of this year, over 100 children have died in the Israeli-Palestinian conflict – more than twice the total killed in 2005. Beit Hanoun, with a population of about 35,000 – more than half of whom are children – has been sealed off and remains under curfew. The western part of the city is without electricity and water service to some 10,000 people. Food supplies are running out because markets and shops cannot renew their stocks. At the same time, aid organizations have been prevented access to some of the most deprived areas.

#### **G. UN Secretary-General shocked by Israeli military operation in Beit Hanoun, 8 November 2006**

59. The following statement was issued on 8 November 2006 by the Spokesman for the former UN Secretary-General Kofi Annan: “The Secretary-General was shocked to learn about the Israeli military operation carried out early today in a residential area in Beit Hanoun, which has resulted in the deaths of at least 18 Palestinians, including 8 children and 7 women. He extends his condolences to the bereaved families of the victims. Only last Friday, the Secretary-General expressed his deep concern about the rising death toll caused by the Israeli military operation in northern Gaza, given that such operations inevitably cause civilian casualties. The Secretary-General reminds both sides of their obligations under international humanitarian law regarding the protection of civilians in armed conflict. The Secretary-General reiterates his call to the Israeli Government to cease its military operations in Gaza without delay, and calls on the Palestinian side to also halt attacks against Israeli targets. He further takes note of the reported announcement by the Israeli Government of a full investigation into this latest incident, and looks forward to its early results.” Agencies such as UN Human Rights Council; **UNRWA; and the Special Rapporteur on Adequate Housing, strongly condemned these incidents.**

## **H. UN General Assembly Emergency Session adopts Text deploring Israeli military actions in Gaza, calling for dispatch of UN Mission to Beit Hanoun**

60. Deeply deploring the recent Israeli military actions in the Gaza Strip, the General Assembly, in an emergency session, overwhelmingly adopted a resolution calling on Israel to withdraw its troops from the territory, and asking the Secretary-General to send a fact-finding mission to Beit Hanoun and report back to the Assembly within 30 days on the circumstances surrounding previous week's artillery shelling, which led to the deaths of Palestinian civilians. The Resolution called for an immediate cessation of military operations and all acts of violence, incitement and destruction between the Israeli and Palestinian sides.

### **A. United Nations Secretary-General welcomes Gaza ceasefire, 27 November 2006**

61. The Secretary-General welcomed the reported agreement between President Mahmoud Abbas and Prime Minister Ehud Olmert, to establish a mutual ceasefire in Gaza. The Secretary-General called upon both parties to adhere strictly to their commitment, and avoid hasty action which could jeopardize progress towards a sustained period of calm. He also encouraged them to endeavour to extend the ceasefire to the West Bank.

### **J. Archbishop Desmond Tutu announces lack of Israeli cooperation for Council's Beit Hanoun Fact-Finding Mission, 11 December 2006**

62. Archbishop Desmond Tutu, in his capacity as Head of the Fact-Finding Mission to Beit Hanoun, held a press conference at the Palais des Nations in Geneva to announce that the investigative mission into the events in Beit Hanoun could not take place as scheduled owing to the lack of cooperation by the Israeli Government. The Fact-Finding Mission, established by Human Rights Council resolution S-3/1 adopted at the Council's third special session on 15 November, was to travel to Beit Hanoun to "assess the situation of victims, address the needs of survivors, and make recommendations on ways and means to protect Palestinian civilians against further Israeli assaults", and was mandated to report on its progress to the Council no later than the middle of December 2006.

## **VIII. Peace in the Middle East: Ongoing efforts of the International Community, including Middle East Quartet.**

### **A. Diplomatic Quartet backs international mechanism to aid Palestinian people, 17 June 2006**

63. The diplomatic Quartet on the Middle East issued a statement elaborating on an EU proposal for channeling aid directly to the Palestinian people and voiced hope that others will participate in it. The "temporary international mechanism" would be limited in scope and duration and operate with full transparency and accountability, the Quartet said in a statement, pledging to review whether it is still needed after three months. "The mechanism facilitates needs-based assistance directly to the Palestinian people, including essential equipment, supplies, and support for health services, support for the

uninterrupted supply of fuel and utilities, and basic needs allowances to poor Palestinians."

**B. United Nations International Meeting in Support of Israeli-Palestinian Peace, Vienna, 27-28 June 2006**

64. The United Nations International Meeting in Support of Israeli-Palestinian Peace was held at the United Nations Office at Vienna, on 27 - 28 June 2006, under the auspices of the Committee on the Exercise of the Inalienable Rights of the Palestinian people. Participants in the Meeting included international experts, representatives of Governments, Palestine, intergovernmental organizations, United Nations entities, parliaments, civil society and the media. The Meeting was convened by the Committee with a view to demonstrate the unswerving commitment of the world community to resolving this decades-old conflict, to help search for ways to stabilize the volatile situation in the area and resume political negotiations leading to a permanent two-State solution to the conflict, based on the 1967 borders, in accordance with the Road Map and Security Council resolutions 242, 338, 1397 and 1515. The participants reviewed the situation in the Occupied Palestinian Territory, including East Jerusalem, discussed the state of the political process and challenges ahead, as well as international efforts in support of Israeli-Palestinian peace. The Meeting was also held at a time of a major political transition for both Israelis and Palestinians and amidst a worsening political, economic and humanitarian situation in the Occupied Palestinian Territory, including East Jerusalem.

**C. 14th Summit Conference of Heads of State of Government of The Non-Aligned Movement, Havana, Cuba, 11-16 September, 2006**

65. The 14<sup>th</sup> Summit Conference of Heads of State of Government of The Non-Aligned Movement, held in Havana, Cuba reaffirmed their support for the Middle East peace process based on Security Council resolutions 242, 338, 425, 1397 and 1515 and on the principle of land for peace. They rejected attempts to alter the terms of reference of the peace process and further rejected the imposition of unilateral measures and plans aimed at imposing an unlawful unilateral solution by Israel, the occupying Power. They stressed the need for a resumption of direct and substantial negotiations between the parties for the achievement of a comprehensive, just lasting and peaceful settlement, based on the relevant UN resolutions and in accordance with the rules and principles of international law enshrined therein. In this regard, they reiterated the necessity and urgency of ending the prolonged and unlawful Israeli occupation of all of the Arab territories occupied since 1967. They further reaffirmed their long-standing position in support of the establishment of the independent State of Palestine in all of the Palestinian Territory occupied by Israel in 1967, including East Jerusalem as its capital.

66. Consistent with and guided by the principled positions and affirming the need to defend, preserve and promote these positions, the Heads of State or Government agreed to undertake the following measures:

1. Continue holding meetings at ministerial level of the NAM Committee on Palestine, within the framework of the Coordinating Bureau Ministerial Meetings that

take place at the outset of UNGA ordinary sessions, as well as in any other Ministerial Meetings of the Movement, whenever necessary and in accordance with the developments on this issue.

2. Maintain regular contacts and dialogue at ministerial level between NAM Ministerial Delegation on Palestine and the members of the Quartet, as well as with the rest of the Permanent Members of UN Security Council, with a view to upgrade the role played by NAM in the international efforts seeking the solution to the Palestinian Question and lasting peace in the whole region.

3. Convene a parallel forum of civil society in 2007, preferably within the premises of United Nations, intended to mobilize international public opinion on this issue and thus make a substantial contribution to attaining a just, lasting and comprehensive peace in the Middle East.

#### **D. The 'Quartet' hopes New Palestinian Government leads to Renewed Engagement, 15 November 2006**

67. The United Nations and its key international partners in the Middle East peace process expressed hope that a new Palestinian Government of National Unity would take steps to open the way for renewed engagement by the international community. The diplomatic Quartet on the Middle East, comprising the UN, European Union (EU), Russia and the United States, conferred in Cairo in what UN Special Coordinator for the Middle East Peace Process Alvaro de Soto termed a "good" working-level meeting. The Quartet, seeking a two-State solution, has frozen contacts, and donors have withheld contributions, pending a commitment by the Hamas Government to renounce violence, recognize Israel and accept agreements already signed between Israel and the Palestinians. The Quartet today reiterated a statement it made after a top-level meeting in September, welcoming Palestinian efforts to form a unity government in the hope that the platform of such a Government would reflect these principles and allow for early engagement, Mr. de Soto said. These include a commitment to non-violence and recognition of Israel's right to exist.

#### **E. UN Forum on Palestinian Rights adopts Declaration urging new system to protect civilians, 17 December 2006**

68. A United Nations forum on Palestinian rights meeting in Malaysia has adopted a Declaration decrying recent deaths in the Middle East and calling for a new system to protect civilians there. Convened under the auspices of the UN Committee on the Exercise of the Inalienable Rights of the Palestinian People, the meeting adopted the Kuala Lumpur Declaration, which urged the UN to establish in cooperation with the parties a general mechanism for the protection of civilians on the ground. It also called upon the international community, including the members of the Quartet – made up of the UN, United States, Russia and the European Union – to establish a credible and effective third-party monitoring mechanism.

69. Welcoming the ceasefire in the Gaza Strip, the Declaration said it should be extended to the West Bank and supported by tangible political steps that would allow the

parties to engage in a meaningful political dialogue. The participants emphasized that the root cause of the conflict is the continuing occupation of the Palestinian territory and said this long-standing conflict would have no final settlement without the achievement by the Palestinian people of their inalienable rights, including the right to return. The Declaration voiced concern at the escalation in recent months of Israeli military attacks in the Gaza Strip, "particularly the tragic events that had taken place in the town of Beit Hanoun" where 19 people were killed. The participants denounced the use of excessive and indiscriminate force, extrajudicial killings, and the vast destruction of homes, civilian infrastructure and agricultural lands. Condemning "the continuing construction of the wall in the Occupied Palestinian Territory, including in and around East Jerusalem, in contravention of the Advisory Opinion of the International Court of Justice" (ICJ), they welcomed the General Assembly's recent establishment of a Register of Damage on the issue. Israel claims the barrier is necessary to keep out terrorists.

70. The Kuala Lumpur Declaration was adopted by representatives of governments, Palestine, intergovernmental organizations, UN entities, parliaments, civil society and the media as well as international experts. The Committee also convened the UN Forum of Civil Society in Support of the Palestinian People to examine initiatives by civil society in Asia and the Pacific in solidarity with the Palestinian people. Participants discussed legislative and political advocacy; efforts by NGOs, religious groups and the media aimed at mobilizing public opinion in support of the Palestinian people, and the role of academic institutions and think tanks in this effort.

## **IX. Other major developments**

### **A. High Commissioner for Human Rights, ending visit to Israel and Occupied Palestinian Territory, says civilians bearing brunt of violations, 23 November 2006**

71. United Nations High Commissioner for Human Rights Louise Arbour stated that Palestinian and Israeli civilians were the primary victims of the alarming deprivation of human rights in the region. Speaking at the end of a five-day visit to the occupied Palestinian territory and Israel, the High Commissioner said her talks with both Palestinians and Israelis affected by the violence made apparent "their profound sense of frustration and abandonment, including a perception that the international community is not doing enough to protect them". The High Commissioner said the situation was particularly acute in the occupied Palestinian territory. "I left Gaza with a sense that the right of its people to physical integrity --their right to life -- was particularly imperiled: Beit Hanoun is only one case in many", she said, referring to the incident in which 19 Palestinian civilians were killed by Israeli shelling on 8 November."While in the West Bank", she continued, "I was struck by the severe impact that the Barrier and the system of checkpoints, road blocks, trenches and earth mounds was having on family life and economic life, indeed, on the quality of life: in short, on human dignity".

### **B. UNRWA: Prolonged crisis in the Occupied Palestinian Territory: Recent Socio-Economic Impacts on Refugees and Non-Refugees, 24 November 2006**

72. The report from the UN Relief and Works Agency for Palestine Refugees in the Near East (UNRWA) found that the number of people living in "deep poverty" – defined



as an inability to meet basic human consumption needs – soared by 64 per cent during the first half of 2006. More than 1 million Palestinians, or one in four inhabitants of the occupied territories, are now mired in deep poverty as living standards deteriorate dramatically following the economic boycott of the Palestinian Authority this year, according to a United Nations report released today. An average of 1,069,200 Palestinians now live in deep poverty, up from 650,800 in the second half of last year. Consumption has therefore slumped as well, with the purchase food down by 8 per cent and non-food products down by 13 per cent.

### **C. UNRWA Emergency Appeal 2007**

73. The UNRWA Emergency Appeal 2007 points out that socio-economic and humanitarian conditions have deteriorated more rapidly during 2006. Following the January elections to the Palestinian Legislative Council, official donor assistance to the Palestinian Authority (PA) has been withheld and the Government of Israel (GoI) has impounded PA customs and VAT revenues. A *de facto* sanctions regime has starved the PA of resources. Its ability to provide public services has been undermined and approximately a quarter of the population – PA employees and their dependents – have been deprived of their main source of income, with the majority falling into poverty. Despite the provisions of the November 2005 *Agreement on Movement and Access* (AMA), the Gaza Strip has been locked down for long periods and the 1.4m population effectively imprisoned, with dire economic and social consequences.

74. In order to address the impact of the crisis on refugees, UNRWA is launching a new appeal for basic humanitarian needs. In total, the Agency is appealing for \$246,159,636 in emergency funds in 2007. Interventions will provide basic social safety net support, in the form of food aid, job creation and cash assistance, respond to increased demand on UNRWA's health and environmental health services, and address the impact of conflict and non-conflict related violence on the most vulnerable. Additional capacity will ensure a more efficient, responsive and cohesive approach to emergency operations.

**A. Signing of the Mecca Agreement and the formation of National Unity Government in Palestine, 17 March 2007**

1. On 17 March 2007, the new cabinet of the first Palestinian Unity Government were sworn in before President Mahmoud Abbas. The swearing-in ceremony was held simultaneously in Gaza and Ramallah. The Palestinian Legislative Council (PLC) on 17 March 2007 confirmed the formation of new National Unity Government led by Prime Minister Ismail Haniya. A majority of 83 legislators in Gaza City and Ramallah voted for the Cabinet of Prime Minister Ismail Haniya, while three PLC members voted against the Cabinet. Forty-one of the legislature's 132 members, most of them members of Hamas, were imprisoned in Israeli jails and were unable to vote.

2. It may be recalled that the Palestinian factions Fatah and Hamas had signed an accord (Mecca Agreement) to form a National Unity Government. The following were highlights of the Mecca Agreement:

Based on the generous initiative announced by Saudi King Abdullah Bin Abdul Aziz and under the sponsorship of his majesty, Fatah and Hamas Movements held in the period February 6-8, 2007 in Holy Mecca the dialogues of Palestinian conciliation and agreement and these dialogues, thanks to God, ended with success and an agreement was reached on the following:

-- First: to ban the shedding of Palestinian blood and to take all measures and arrangements to prevent the shedding of Palestinian blood and to stress the importance of national unity as the basis for national steadfastness and confronting the occupation and to achieve the legitimate national goals of the Palestinian people and adopt the language of dialogue as the sole basis for solving political disagreements in the Palestinian arena. Within this context, we offer gratitude to the brothers in Egypt and the Egyptian security delegation in Gaza who exerted tremendous efforts to calm conditions in Gaza Strip in the past period.

-- Second: Final agreement to form a Palestinian National Unity Government according to a detailed agreement ratified by both sides and to start on an urgent basis to take the constitutional measures to form this government.

-- Third: to move ahead in measures to activate and reform the Palestine Liberation Organisation and accelerate the work of the preparatory committee based on the Cairo and Damascus Understandings.

**It has been agreed also on detailed steps between both sides on this issue.**

-- Fourth: to stress on the principle of political partnership on the basis of the effective laws in the Palestinian National Authority (PNA) and on the basis of political pluralism according to an agreement ratified between both parties.

We gladly announce this agreement to the Palestinian masses and to the Arab and Islamic nations and to all our friends in the world. We stress our commitment to this agreement in text and spirit so that we can devote our time to achieve our national goals and get rid of the occupation and regain our rights and devote

work to the main dossiers, mainly Jerusalem, refugees, Al-Aqsa mosque, prisoners and detainees and to confront the (West Bank separation) wall and settlements.

3. The Mecca Agreement and the subsequent formation of the National Unity Government was widely welcomed by the international community. Mr. Ban Ki-Moon, the Secretary-General of the United Nations welcomed the announcement of an agreement on a Palestinian National Unity Government, and commended the initiative of His Majesty King Abdullah of Saudi Arabia to help bring about this very important step forward. He hoped that this agreement would curb the violence, creating a better future for the Palestinian people. The Quartet Principals welcomed the role of the Kingdom of Saudi Arabia in reaching the agreement to form a Palestinian National Unity Government. The Quartet expressed hope that the desired calm would prevail.

4. On 21 March 2007, the Quartet reiterated its respect for Palestinian democracy and the agreement reached in Mecca on 8 February 2007, which laid the foundation for Palestinian reconciliation. The Quartet expressed hope that the establishment of a new Government on 17 March 2007 would help end intra-Palestinian violence and ensure calm. The Quartet reaffirmed its previous statements with regard to the need for a Palestinian Government committed to non-violence, recognition of Israel and acceptance of previous agreements and obligations, including the Road Map, and encouraged progress in this direction. The Quartet expressed its expectation that the unity Government would act responsibly, demonstrate clear and credible commitment to the Quartet principles, and support the efforts of President [Mahmoud] Abbas to pursue a two-State solution to the Israeli-Palestinian conflict, thereby achieving the peace, security and freedom, the Israeli and Palestinian people desire and deserve.

5. On 20 March 2007, the Non-Aligned Movement (NAM) welcomed the formation of the Palestinian National Unity Government after the achievement of the Mecca Agreement last month. The formation of the new Government was a welcome sign of the unity of the Palestinian people at this difficult time and it should be strongly supported. It was hoped that the formation of the national unity Government would lead to the beginning of the process of lifting the financial and political sanctions that had been unjustly imposed on the Palestinian people and the Palestinian Authority since January 2006. The members of NAM urged the international community, including the Quartet, to undertake the necessary measures to end this siege and resume the provision of the much needed aid to the Palestinian people, to alleviate the dire socio-economic conditions and humanitarian crisis in the Occupied Palestinian Territory, including East Jerusalem, and promote the recovery of the Palestinian economy and institutions.

#### **B. United Nations Secretary-General, Ban Ki -Moon visits Middle East and Addresses the League of Arab States Summit in Riyadh, 27 March 2007**

6. The United Nations Secretary-General, Mr. Ban Ki-moon made a visit to the Middle East and met several leaders including Palestinian President Mahmoud Abbas and the Israeli Prime Minister Ehud Olmert. He also addressed the League of Arab States Summit in Riyadh. In his address he stated that during his visit to the Occupied Palestinian Territory he had reiterated the view that the formation of a National Unity

Government was an important step forward. He congratulated King Abdullah of Saudi Arabia and the other Arab leaders who helped to make the agreement possible. He encouraged the new Palestinian Unity Government to take actions which demonstrate a true commitment to peace, through a negotiated two-State solution and Israel to do the same, by ceasing settlement activity and barrier construction in the West Bank, and engaging in serious dialogue with President Abbas on a political horizon for a final settlement. The Secretary-General emphasized that the Arab Peace Initiative was one of the pillars of the peace process. Endorsed in the Road Map, the Initiative sends a clear signal that the Arab world, too, craves peace. He said that when he was in Israel, he urged his Israeli friends to take a fresh look at the Arab Peace Initiative. He urged the Arab leaders to use the Summit to reaffirm their commitment to the Initiative.

7. The Secretary-General said in Jerusalem on 26 March 2007 that it was crucial that both Israel and the Palestinians take steps to reduce tensions in the Middle East in order to advance the peace process. He had talks with Palestinian President Mahmoud Abbas in Ramallah and the Israeli Prime Minister Ehud Olmert. He stated that the long-term safety and security of Israel and the creation of a Palestinian State go hand in hand and stressed the need to give some “political space” to the new Palestinian National Unity Government, formed by Hamas and Mr. Abbas’s Fatah Movement. He also stressed that Israel’s actions were very crucial, particularly as regards settlements, outposts, checkpoints and revenues withheld from the Palestinian Government for the past year. He insisted that the existing obligations and commitments need to be kept by both parties, including those the Road Map, the blueprint drafted by the Diplomatic Quartet – the UN, European Union, Russia and United States – that lays out mutual steps to achieve a two-State solution to the conflict, with Israel and Palestine living side by side in peace.

### **C. United Nations International Meeting in Support of Israeli-Palestinian Peace, Rome, 22-23 March 2007**

8. The UN International Meeting in Support of Israeli-Palestinian Peace, held at the Rome headquarters of the UN Food and Agriculture Organization (FAO) on 22-23 March, welcomed the formation of the Government, and voiced the hope that, the development would allow the international community to restore much-needed economic and humanitarian aid and help to move the peace process forward. The participants emphasized that the decades-old conflict between the Israelis and Palestinians was increasingly becoming a key symbol of a perceived rift between the Western and Islamic societies. They stressed that the lack of progress in the Middle East peacemaking and, most notably, in the Israeli-Palestinian conflict had exacerbated feelings of frustration and mutual mistrust that were fuelling extremism on a local, regional and international level. They also felt that it was based on distorted interpretations of religious motives, aimed at transforming a political problem into a cultural and religious divide, and at disrupting the dialogue and interchanges across cultures and civilizations.

9. The Meeting, convened by the UN Committee on the Exercise of the Inalienable Rights of the Palestinian People, held three plenary sessions focusing on the significance of peace in the Middle East for the advancement of the dialogue between cultures and civilizations; the role of parliaments in promoting dialogue between Israelis and

Palestinians; and the urgency of restoring momentum to the peace process and forging a vision of a final settlement.

**D. Nineteenth Summit Conference of the Arab League, Riyadh, KSA, 28-29 March 2007**

10. The 19<sup>th</sup> Summit of the Arab League emphasized the Arab Peace Initiative of 2002, which was adopted at the Beirut Summit of 2002 proposed by the Kingdom of Saudi Arabia. The Plan stated that Israel should: withdraw from all territories occupied since the 1967 Arab-Israeli war; provide a just solution to the Palestinian refugee problem, and recognize the establishment of a sovereign and independent Palestinian state, with Arab East Jerusalem as its Capital. Then the Arab countries would in turn recognize Israel, enter into peace agreements with it, and establish normal relations with it. The Riyadh Declaration adopted by the Summit affirmed the option of just and comprehensive peace as a strategic option for the Arab nation; in accordance with the Arab Peace Initiative that draws the right path for reaching a peaceful settlement for the Arab-Israeli conflict based on the principles and resolutions of international legitimacy, and the land for peace formula. The Summit decided to form Working Groups which would try and canvass support for the initiative world wide.

**E. King Abdullah says Arabs need to set mechanism for activating Peace Plan, 16 April 2007**

11. His Majesty King Abdullah of the Kingdom of Saudi Arabia said that Arabs should set a mechanism to activate the peace initiative to help end the Palestinian-Israeli conflict. King Abdullah told a group of Palestinian peace activists that they would play a significant role in pushing the peace process forward. The King warned against expanding more Israeli settlements, as well as the separation barrier, which form an obstacle to the establishment of a Palestinian state. His Majesty said peace efforts should focus on maintaining political momentum to push the peace process forward and back the Arab Peace Initiative. The King also said it was important to coordinate efforts of "peace teams" in Jordan and Palestinian territories, and press Israel on peace. King Abdullah has been actively pushing for reviving the peace process on the basis of the 2002 Arab Peace Initiative which in March 2007 won fresh backing during an Arab League Summit in Saudi Arabia.

**F. UN Secretary-General welcomes increased engagement in Middle East Peace process by League of Arab States, 19 April 2007**

12. The United Nations Secretary-General welcomed the statement by the Arab Ministerial Committee for the Arab Peace Initiative, which indicates increased engagement of the League of Arab States to reinvigorate the peace process. The Secretary-General stated that he looked forward to meeting with the Ministerial Committee that has been formed to promote this process.