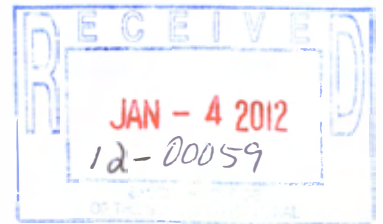


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Attention: Scheduling Unit - Appointment Request
Elizabeth Samson to: sgcentral



04/01/2012 12:35 PM

Dear Sir or Madam,

I am writing to respectfully request an appointment with Secretary-General Ban Ki-moon.

The issue that I would like to discuss with the Secretary-General relates to the UN position on the status of the Gaza Strip. Please see below a press release from the NGO UN Watch which highlights my research and position on the subject. My work has been cited and referenced by many scholars, and with the latest statements by the Hamas Foreign Minister claiming that Gaza is not occupied, I was hoping the UN could revisit the issue.

If Secretary-General Ban is unavailable, even for a brief meeting, I would appreciate the opportunity to meet with another representative from his office.

Thank you for your time and consideration. I look forward to hearing from you.

Sincerely,

Elizabeth Samson

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http://www.unwatch.org/cms.asp?id=2832097&campaign_id=63111

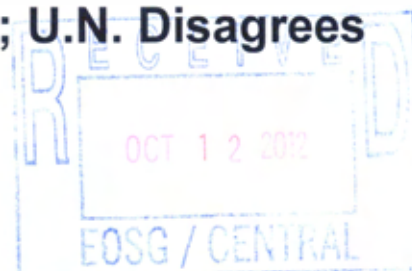
UN Watch Briefing
Latest from the United Nations

[Internet link to this briefing](#)

Vol. 335 | Jan. 3, 2012

In this briefing:

Hamas Says Gaza Not "Occupied"; U.N. Disagrees



SC14/09/001

World Body Out of Step with Palestinians

GENEVA, Jan. 3 - The UN's continued labeling of the Gaza Strip as "occupied" was directly contradicted today by a top leader of Hamas, the vehemently anti-Israel Palestinian terror group that controls the territory.

Noting the Hamas statement reflects the reality since Israel's full withdrawal in 2005, the Geneva-based monitoring group UN Watch called on the UN to encourage Palestinians to take responsibility for areas they control, and to cease referring to Gaza, in reports and through officials and spokespeople, as "occupied territory."

"The UN's traditional practice of absolving Palestinians of responsibility hasn't helped them one iota," said Hillel Neuer, UN Watch executive director. "On the contrary, Palestinian citizens are the main losers when those that directly govern and police them are never seriously held accountable for their actions."

"Now that the Palestinians running Gaza publicly recognize that it's not occupied -- which has been the reality since Israel's disengagement removed every soldier, civilian and settlement in 2005 -- the UN's refusal to do the same will only hinder Palestinians from developing a healthy culture of self-rule," said Neuer.

Hamas leader Mahmoud Zahhar confirmed there was no Israeli occupation of the territory in [comments reported today](#) by the Bethlehem-based Ma'an News Agency.

Zahhar was casting doubt on whether Hamas would organize anti-Israel marches in Gaza in conjunction with similar protests that the Fatah-controlled Palestinian Authority would organize in the West Bank.

"Against whom could we demonstrate in the Gaza Strip? When Gaza was occupied, that model was applicable," Zahhar said, according to Ma'an.

The Hamas statement follows growing recognition among international lawyers that the UN's resistance to holding Palestinians responsible for territory they control is outdated.

In a recent [article](#) in the American University International Law Review, legal scholar Elizabeth Samson explains that under the Geneva Conventions and international judicial precedents, Gaza can no longer be considered occupied as Israel no longer exercises "effective control."

The Israeli Supreme Court also [ruled](#) on January 30, 2008 that Israel had disengaged from the Gaza Strip and had "no effective control over what occurred there."

Instead, Samson argues, Gaza's unique "intermediate" legal status should be recognized to allow the Palestinians to exercise complete autonomy, laying the groundwork for a Palestinian state existing peacefully beside Israel.

However, the UN's official policy has not changed since Secretary General Ban Ki-moon's spokesman, Farhan Haq, [declared](#) in 2009 that "the U.N. defines Gaza, the West Bank, and East Jerusalem as occupied Palestinian territory."

The UN terminology continues to appear. A September 22 [report](#) in the name of Mr. Ban speaks of a UN mission's visit to the "occupied Palestinian territory, specifically the Gaza Strip." In May, Richard Falk, the UN's permanent investigator on alleged Israeli violations, referred to the "occupied Gaza Strip." A UN [fact sheet](#) on "the Occupied Palestinian Territory" includes Gaza.