

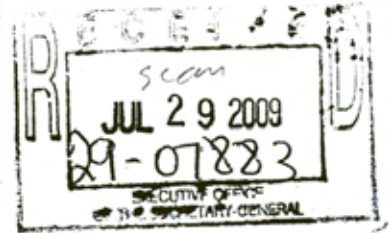
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THE PRESIDENT OF THE SECURITY COUNCIL
LE PRESIDENT DU CONSEIL DE SECURITE



ACTION
COPY

26 July 2009

*Security Council
Palestine*

Dear Mr. Secretary-General,

The goal of achieving a peaceful settlement of the question of Palestine remains one of the major challenges facing the international community, including the Security Council.

The Security Council considers the situation in Palestine each month under an agenda item on "The situation in the Middle East, including the question of Palestine," with general presentations in the form of briefings by either the Under-Secretary-General for Political Affairs or the United Nations Special Coordinator for the Middle East, followed by an open meeting of the Council or by consultations among the Council members.

On 22 July 2008, the Council convened an open debate on the situation in the Middle East, during which it heard a briefing by the Under-Secretary-General for Political Affairs, B. Lynn Pascoe, who indicated a number of encouraging developments across the region and stressed the importance of achieving further visible progress in peaceful negotiations, consolidating the ceasefire and resolving the humanitarian crisis in Gaza, and improving the livelihood of Palestinians in the Occupied Territories. Most representatives called upon the parties concerned to renounce violence, implement agreements, abide by their obligations under international law, particularly human rights and humanitarian law, and take further concrete action to advance the peace process towards its stated goals on the basis of United Nations resolutions, the principle of land for peace, the Arab Peace Initiative and the Annapolis Conference.

His Excellency
Mr. Ban Ki-moon
Secretary-General

On 20 August 2008, the Council heard a briefing by the Under-Secretary-General for Political Affairs on the situation in the Middle East, including the Palestinian question, which was followed by consultations of the whole. The Under-Secretary-General informed the Council that Israeli-Palestinian negotiations as part of the Annapolis process were continuing, that the fragile ceasefire between Israel and Hamas had been largely respected, but that the situation on the ground remained a cause for concern, particularly the continuing settlement activity across the West Bank and in East Jerusalem, and the rise of internal Palestinian violence. He informed that the organization in September of a meeting of the Quartet, followed by an *iftar* with Arab partners, and a meeting of the Ad Hoc Liaison Committee will provide occasions to take stock of the progress made and to assist in the implementation of donor pledges to address the impending Palestinian budget crisis.

The Under-Secretary-General concluded by reaffirming the Secretary-General's commitment to a just and lasting comprehensive regional peace in the Middle East, based on Security Council resolutions. The meeting was followed by consultations of the whole.

The Council examined this issue twice during the month of September 2008.

On 18 September 2008, in consultations, the Special Coordinator for the Middle East peace process, Robert Serry, briefed the Council on the negotiations taking place between Israel and the Palestinian Authority, in particular the talks of 26 and 31 August and 16 September 2008. He also stated that relations between the Syrian Arab Republic and Lebanon were improving, while the blockade imposed by Israel in the Gaza Strip was still a concern.

At the request of the Permanent Mission of Saudi Arabia on behalf of the Arab League, the Security Council held a debate on 26 September 2008, at the ministerial level. Although many delegations focused their statements on the settlements that are still going on in the Palestinian territories, others spoke about the global situation in the Middle East.

On 22 October 2008, the Council heard a briefing on the Middle East from the Under-Secretary-General for Political Affairs. He told the Council, *inter alia*, that despite ongoing efforts by the parties concerned, the situation on the ground was not improving "in the way that is required" to ensure a durable settlement. He also hoped that, notwithstanding the transition currently under way, the Israel-Palestinian negotiations would not only continue but intensify until the end of the year, within the Annapolis framework. During consultations of the whole, many members of the Council reaffirmed their support for the continuation of Israeli-Palestinian negotiations, and expressed the wish that the United Nations would, as appropriate, play a greater role in support of the peace process. Members of the Council also emphasized that the international community could not lose sight of the humanitarian situation on the ground.

On 25 November 2008, the Council was briefed by the Under-Secretary-General for Political Affairs, B. Lynn Pascoe, on the situation in the Middle East, including the Palestinian question. He expressed regret that Israel and the Palestinians were likely to fall short of their commitment, made at Annapolis, to reach an agreement by the end of the year. At the same time, he welcomed the parties' affirmation that they had engaged in direct, sustained and intensive negotiations.

After the briefing, owing to the sensitivity of the issue, the Council held consultations of the whole, where members of the Council held an interactive dialogue with the Under-Secretary-General.

On 3 December 2008, the Security Council held a debate to discuss the situation in connection with the Libyan ship which was headed to the Port of Gaza carrying humanitarian supplies. Members of the Council made statements. The Council also heard statements by the Permanent Observer for Palestine and the Permanent Representative of Israel. The Council did not reach any specific conclusion.

On 5 December 2008, the Council addressed events in Hebron in consultations of the whole. Following the consultations, the President of the Council informally conveyed to the press that the members of the Council welcomed Israel's evacuation of settlers, condemned the resulting settler violence, urged respect for the rule of law without discrimination or exception and encouraged Israel and the Palestinian Authority to continue their security cooperation in the Hebron Governorate.

On 16 December 2008, the Security Council adopted resolution 1850 (2008) by 14 votes in favour, with one abstention. The adoption was preceded by a Council debate with ministerial participation of several members and with the Prime Minister of the Republic of Croatia, Dr. Ivo Sanader, chairing. The Secretary-General also addressed the Council. Reiterating the vision of the two-State solution while noting the importance of the 2002 Arab Peace Initiative and the Quartet's ongoing work, the Council, in resolution 1850 (2008), declared its support for the Annapolis process and the irreversibility of the negotiations. The Security Council supported the parties' agreed principles for the bilateral negotiations, called on both parties to fulfil their obligations under the Road Map and refrain from any steps that could undermine confidence or prejudice the outcome of negotiations, and called on all States and international organizations to contribute to an atmosphere conducive to negotiations and to assist the Palestinian Authority. It urged intensified diplomatic efforts to foster mutual recognition and peaceful coexistence in the region in the context of achieving a comprehensive, just and lasting peace in the Middle East, and welcomed the consideration of an international meeting in Moscow in 2009.

On 18 December 2008, the Security Council held an open debate on the situation in the Middle East, including the Palestinian question. The Council heard a briefing by the Special Coordinator for the Middle East Peace Process, Robert Serry, on the situation in Gaza and the West Bank. He also addressed the situation in Lebanon and the dynamics between the Syrian Arab Republic and Israel. He said that the main objective in the coming year was to sustain the political process during a period of transition,

emphasizing the importance of the adoption of resolution 1850 (2008). He appealed for the observance of basic humanitarian principles in Gaza and warned against the escalation of violence. The Security Council then heard statements by the Permanent Observer for Palestine and the Permanent Representative of Israel. Representatives of Brazil, Cuba, Qatar, Turkey, Japan, Iran (Islamic Republic of), Chile, Pakistan, Venezuela, Morocco, Norway, Australia, Iceland, and the Chairman of the Committee on the Exercise of the Inalienable Rights of the Palestinian People also addressed the Council.

On 28 December 2008, after consultations of the whole that had begun the previous evening following the outbreak of violence in the Gaza Strip and southern Israel, the President of the Council read out a statement to the press, expressing serious concern at the escalation of the situation in Gaza and calling for an immediate halt to all violence, calling for all parties to address the serious humanitarian and economic needs in Gaza and stressing the need for the restoration of calm in full, which will open the way for finding a political solution.

On 31 December 2008, the Security Council held an emergency meeting on the situation in the Gaza Strip and southern Israel. The Secretary-General addressed the Council, emphasizing profound concern that the Security Council's call for an end to the violence had gone unheeded and emphasized the suffering of the civilian population in Gaza, saying that all parties must fully uphold international humanitarian law. He stressed the need for decisive action and welcomed efforts by European and Arab leaders. The Permanent Observer for Palestine and the Permanent Representative of Israel also addressed the Council. Members of the Council made statements, followed by the representatives of Egypt and the Permanent Observer for the League of Arab States.

On 3 January 2009, the Council held consultations of the whole on the situation in Gaza.

On 6 and 7 January 2009, the Council held a public debate at the ministerial level on the item entitled "The situation in the Middle East, including the Palestinian question". During the debate, the Secretary-General, the President of the Palestinian National Authority, the representative of Israel, and representatives of other States Members of the United Nations (including Ministers for Foreign Affairs, in particular of the Arab League States) made statements.

On 8 January 2009, after thorough consultations, including at the ministerial level, the Council held a meeting presided over by the Minister for Foreign Affairs of France, Bernard Kouchner, at which it adopted resolution 1860 (2009) by 14 votes in favour, with 1 abstention. In the resolution the Council called for an immediate, durable and fully respected ceasefire, leading to the full withdrawal of Israeli forces from Gaza.

On 13 January 2009, during consultations of the whole, the Council was briefed by the Secretary-General before his visit to the Middle East. In their statements, Council members welcomed the efforts of the Secretary-General. On 15 January, in consultations

of the whole, the Council was briefed by the Assistant Secretary-General for Political Affairs, Haile Menkerios, on the situation in Gaza, following the attacks on the headquarters of the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA). During the consultations, there was an agreement on elements for remarks to be made by the President to the press. The President of the Council expressed grave concern, in particular following the military operations against hospitals, a building hosting journalists and the headquarters of UNRWA.

On 21 January 2009, the Council held a public meeting to receive a briefing by the Secretary-General following his visit to the Middle East. During the consultations of the whole that followed, members of the Council agreed to issue a statement to the press, in which they welcomed the ceasefire in Gaza, expressed their strong appreciation for the efforts of the Secretary-General and reiterated their grave concern at the humanitarian situation in Gaza.

On 27 January 2009, the Council held a meeting at which it heard briefings by the Under-Secretary-General for Humanitarian Affairs and Emergency Relief Coordinator and by the Commissioner-General of UNRWA, Karen AbuZayd, on the situation in Gaza. It was the first time that a Commissioner-General of UNRWA was invited to address the Council. Both the Under-Secretary-General and the Commissioner-General expressed great concern about the humanitarian situation in Gaza and stressed the importance of free access for humanitarian aid. The meeting was followed by consultations of the whole.

On 18 February 2009, the Council heard a briefing on the Middle East from the Special Coordinator for the Middle East Peace Process, Robert Serry. He reported to the Council that a number of issues, including the humanitarian situation in Gaza, Palestinian reconciliation, and the new political situation in Israel, needed to be addressed for the peace process to advance and emphasized the importance of a durable and sustainable ceasefire as called for in resolution 1860 (2009). With regard to Lebanon, he noted that the situation remained relatively stable despite increased tension after the crisis in Gaza. During the consultations of the whole that followed, many Council members stressed the need for an effective ceasefire, unimpeded access for humanitarian assistance, opening of the crossings into Gaza and Palestinian unity.

On March 25 2009, the Council held its 6100th meeting to consider the "The situation in the Middle East, including the Palestinian question".

The Council heard a briefing by Mr. Lynn Pascoe, Under-Secretary-General for Political affairs. Mr. Pascoe began the briefing by stating that "two months after unilateral ceasefires were declared in Gaza, we face a worrying situation of impasse and uncertainty. Despite international engagement and support, very little concrete progress has been made on key issues out lined in Security Council resolution 1860 (2009)." In conclusion he stressed that "It is important that the Quartet and the international community act with unity of purpose to help stabilize Gaza and reinvigorate the peace process. We need to have both Israeli and Palestinian Governments that are clearly

committed to the two-State solution. We need a continuation of negotiations, the implementation of commitments on the ground and a strategy for de-escalating tensions and addressing the urgent humanitarian needs in Gaza.”

Turning to Lebanon, he said that the 23 March 2009, killing by a roadside bomb of the Deputy Representative in Lebanon of the Palestine Liberation Organization (PLO) had interrupted the prevailing relative calm in the country.

Following the briefing, the Council heard statements by the Permanent Observer of Palestine, and the Permanent Representative of Israel.

Statements were made by Council members, the President, in his national capacity, and the representatives of Egypt and Lebanon.

Upon resumption of the meeting, the Council heard statements by the representatives of Cuba (on behalf of the Non-Aligned Movement), the Syrian Arab Republic, the Czech Republic (on behalf of the European Union), Brazil, Morocco, Qatar, and Bangladesh. The Council then heard statements by Mr. Paul Badji, chairman of the Committee on the Exercise of the Inalienable Rights of the Palestinian People, the representatives of Indonesia, Ecuador, Malaysia, Algeria, Mauritania, South Africa, Norway, the Islamic Republic of Iran, Nicaragua, Jordan, Australia, the Republic of Korea, Mali, Pakistan and the Bolivarian Republic of Venezuela (S/PV.6100-SC/9626).

On 20 April 2009, the Council heard a briefing on the situation in the Middle East by B. Lynn Pascoe, Under-Secretary-General for Political Affairs. Mr. Pascoe reported that very little progress had been made on the key elements of resolution 1860 (2009): the commitment of the parties to a durable and sustainable ceasefire; opening the crossings for humanitarian access and materials for recovery; and intra-Palestinian reconciliation. He conveyed the Secretary-General's expectation that the Middle East peace process will resume, with the aim of achieving an independent and viable Palestinian State living side by side in peace with a secure Israel, and a comprehensive Arab-Israeli peace as envisaged in Security Council resolutions. He stated that the situation in Gaza and southern Israel remained fragile in the absence of a proper ceasefire regime, and noted that 30 rockets and mortars had been fired by Palestinian militants at southern Israel during this period. He also highlighted Egyptian efforts to combat the continued arms smuggling across the Gaza border, and informed the Council that settlement activity continued in the West Bank and East Jerusalem during the reporting period, and must be frozen. After the meeting, the Council held informal consultations. Members pointed the need to achieve a stable ceasefire, implement the provisions of Council resolutions 1850 (2008) and 1860 (2009) and open Gaza's border crossings to allow the entry of more humanitarian aid and essential goods and materials.

On 11 May 2009, the Security Council conducted a ministerial level meeting on the Middle East peace process chaired by the Foreign minister of Russia H.E. Mr. Serguei Lavrov. Speaking at this event the UN Secretary-General Mr. Ban Ki-moon stressed the need to generate momentum in the Israeli-Palestinian talks, warning that the

situation on the ground could worsen easily without fresh efforts by both sides as well as the international community. After the inconclusive results of the last year's negotiations, said the Secretary-General, and the bloodshed in Gaza, the last three months witnessed almost no progress on the two key resolutions – 1850 and 1860 (2009).

The Secretary-General also referred to the deep crises of confidence among “ordinary people on the ground.” He said that Palestinians continue to see unacceptable unilateral actions in East Jerusalem and the remainder of the West Bank, such as “house demolitions, intensified settlement activity, settler violence and oppressive movement restrictions due to permits, checkpoints and the barrier.” He stressed that the time has come for Israel to fundamentally change its policies in this regard. However, he also emphasized that ordinary Israelis need reassurance that a future Palestinian State will guarantee their right to live in peace and security, and he stated that “indiscriminate rocket attacks that have caused loss of life, civilian suffering and damage to property in Israel are not only deeply unacceptable, but also totally counterproductive, and must cease.”

He also stated that the challenge is to begin implementing the transformative changes on the ground; and to kick-start a renewed and irreversible drive to achieve an Israeli-Palestinian agreement, stressing that resolving the Israeli-Palestinian conflict is fundamental to the well-being of both peoples, the region and the world.

In their interventions, members of the Council confirmed their hope that the commitments made by the parties would be commitments kept and the parties must pursue and irreversible effort towards the two-state solution, including by fully implementing commitments on the ground. Council members also voiced concern about the situation in and around Gaza, including continued arms smuggling into Gaza and continued Hamas rocket fire from Gaza into Israel, as well as Israeli settlement activities undermining the contiguity and viability of the occupied Palestinian Territory and jeopardizing the two-State solution, and the need for Palestinian reconciliation.

The Security Council adopted a Presidential Statement (S/PRST/2009/14) at the end of its session read by Minister S. Lavrov and in which the Council stressed the urgency of reaching comprehensive peace in the Middle East. It stated that vigorous diplomatic action is needed to attain the goal set by the international community – lasting peace in the region, based on an enduring commitment of mutual recognition, upon previous agreement and obligations.

The Council also expressed support for Russia's proposal to convene, in consultations with the Quartet and the parties, an international conference on the Middle East peace process in Moscow later this year.

The Council continues to pay close attention to developments in the situation in the Middle East; the next meeting on this question is scheduled to be held on 27 July 2009.

Please accept, Mr. Secretary-General, the assurances of my highest consideration.

A handwritten signature in black ink, appearing to read 'Ruhakana Rugunda', with a stylized flourish at the end.

Ruhakana Rugunda
President of the Security Council