



United Nations

General Assembly

**Fourth Committee Agenda Item 53:
Report of the Special Committee to Investigate Israeli Practices Affecting
the Human Rights of the Palestinian People and other Arabs
of the Occupied Territories**

Statement delivered by

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Check against delivery

Mr. Chair,

I have the honour to speak on behalf of the European Union and its Member States.

The Accessing country Croatia*, the candidate countries the former Yugoslav Republic of Macedonia*, Montenegro* and Serbia*, the countries of the Stabilisation and Association Process and potential candidates Albania and Bosnia and Herzegovina, as well as Ukraine, align themselves with this statement.

Mr. Chair,

Ending the Arab-Israeli conflict remains one of the main priorities of the European Union. Ongoing developments in the region make the need for progress in the peace process all the more urgent. The EU is convinced that heeding the aspirations of the people in the region, including those of Palestinians for statehood and those of Israelis for security, is a crucial element for lasting peace, stability and prosperity in the region as a whole. The EU reaffirms its commitment to a negotiated two-state solution, stresses the central role of the Quartet and recalls the latest statement of the latter on 11 April 2012.

The European Union has repeatedly stressed its conviction that a resolution of the conflict can be achieved through a comprehensive peace agreement, based on the relevant UN Security Council Resolutions, the Madrid principles, the Roadmap, the agreements previously reached by the parties and the Arab Peace Initiative. The EU recalls the applicability of international humanitarian law in the occupied Palestinian territory, including the applicability of the fourth Geneva Convention relative to the protection of civilians.

As stated in the European Union Foreign Affairs Council conclusions adopted on 14 May 2012, the EU calls on the parties to pursue actions conducive to an environment of confidence necessary to ensure meaningful negotiations, to refrain from actions that undermine the credibility of the process and to prevent incitement to violence.

Mr. Chair,

The European Union deplores continuing Israeli settlement activities, as illustrated most recently by the decision by the Israeli authorities to build 797 new housing units in the Gilo settlement, following a previous similar decision regarding the nearby Har Homa settlement. Together, these developments contribute to the process of separating East Jerusalem from the rest of the occupied Palestinian territory and make the resumption of negotiations b- while at the same time providing unwanted encouragement to those who advocate alternative means to resolve the conflict. The fact remains that settlements are illegal under international law. The EU has repeatedly urged the Government of Israel to immediately end all settlement activities in the West Bank, including in East Jerusalem, in line with its obligations under the Roadmap. The EU reiterates that a way must be found through negotiations to resolve the status of Jerusalem as the future capital of two states.

The EU encourages and supports the Palestinian state building process, aiming at the creation of a Palestinian state based on the rule of law and respect for human rights and will continue to provide such support. Being the largest donor to the Palestinian Authority, the EU calls on

* Croatia, the Former Yugoslav Republic of Macedonia, Montenegro and Serbia continue to be part of the Stabilisation and Association Process.

Israel and international donors, especially donors in the region, to help avoid a deepening of the current Palestinian financial crisis and a related negative impact on the state-building efforts, which have been commended by the Ad Hoc Liaison Committee, the World Bank and the international community. The EU underlines that the transfer of tax and customs revenues, collected by Israel for the Palestinian Authority, is an obligation under the Paris Protocol and remains a key element of these efforts.

The European Union expresses its deep concern about the worsening living conditions of the Palestinian population in Area C, which is its main land reserve. Serious impediments prevent the Palestinian Authority from accessing this area and promoting economic development. The problems encountered are many: demolitions of Palestinian housing and infrastructure, complicated administrative procedures to obtain building permits and have master plans approved, limited access to water – to mention just a few. The EU calls on Israel to work out improved mechanisms of access, administration and cooperation, including with regard to international donors. For its part, the European Union will continue to support the economy and infrastructure development in the Palestinian Area C, as set out in the new five-year Joint Action Plan adopted in the framework of the European Union's so-called Neighbourhood Policy.

The European Union condemns in the strongest terms continuing settler violence and deliberate provocations against Palestinian civilians. It calls on the Government of Israel to protect Palestinian civilians from violence, bring the perpetrators of any such acts to justice and to comply with its obligations under international law.

Mr. Chair,

Fully recognizing Israel's legitimate security concerns, including with regard to vital threats in the region, the EU is appalled by recurring instances of rocket attacks from Gaza and condemns in the strongest terms any violence deliberately targeting civilians. The EU calls on all partners in the region to prevent arms smuggling into Gaza, while, at the same time, being aware that the situation in Gaza and southern Israel will remain unstable as long as Gaza remains politically separated from the West Bank.

The EU continues to call for the immediate, sustained and unconditional opening of crossings for the flow of humanitarian aid, commercial goods and persons to and from the Gaza Strip. To this end, the EU calls for the full implementation of Security Council resolution 1860 (2009), the full respect of international humanitarian law and full implementation of the 2005 Agreement on Movement and Access.

The EU has consistently called for intra-Palestinian reconciliation behind President Mahmoud Abbas in line with the principles set out in his speech of 4 May 2011, as an important element for the unity of a future Palestinian state and for reaching a two-state solution.

Mr. Chair,

As regards the specific issue before us today - i.e. the protection of Human Rights - the EU and Israel engage in regular dialogue on these matters in the framework of our bilateral relationship. Considering it essential to preserve the universal character of the global human rights system and governments' responsibility to fully engage with it, the EU has called on Israel to resume full cooperation with the UN Human Rights Council, the Office of the High

Commissioner for Human Rights and the Universal Periodic Review. Neither Israel nor the work of these institutions benefits from Israel's withdrawal from these UN mechanisms.

The EU recalls that support for human rights defenders is a long established element of the European Union's human rights external relations policy. The EU considers that in both Israel and the occupied Palestinian territory human rights defenders play an important role in promoting the common values of democracy, peace and human rights. The EU recalls the legitimate right of Palestinians to engage in peaceful demonstrations.

The EU remains concerned about the extensive recourse by Israel to administrative detention of excessive duration without charge. Under international law, detainees have the right to be informed about the reasons underlying any detention and to have the legality of their detention being determined without undue delay. The EU calls upon Israel to bring formal charges against these individuals, with such charges being determined through fair trials. The EU welcomes the recent agreement reached on conditions of detention in Israeli prisons and urges both sides to abide by their undertakings.

Mr. Chair,

In conclusion, let me stress once again that the European Union will continue to work with its partners within the Quartet, as well as with the other actors of the international community, to contribute to a comprehensive settlement of the Arab-Israeli conflict. The EU will continue to provide political and financial support to this effect and, in so doing, will continue to place particular emphasis on the need for full respect for international humanitarian and human rights laws.

Thank you, Mr. Chair.