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Statement by Dr. Nasser Al-Kidwa, Minister of Foreign Affairs, before the United Nations General Assembly, Agenda item 15: Question of Palestine, 29 November 2005, New York: (Original: Arabic, Check Against Delivery)

Mr. President,

A few weeks ago, the Committee on the Exercise of the Inalienable Rights of the Palestinian People commemorated the thirtieth anniversary of its establishment by the General Assembly of the United Nations. This occasion encapsulates so many of the aspects regarding the question of Palestine – it points to the permanent responsibility of the United Nations towards the question until it is resolved in all its aspects and it points as well to the commitment of the Members of the Committee to fulfill the mandate entrusted to them. But it also points to the tragic reality that the Palestinian people, despite the passage of all these years and despite the positions of the United Nations and its different organs, are still being denied their inalienable rights, particularly their right to self-determination and national independence, all as a result of Israel's rejection of the will of the international community and of international law and its continuous attempts to colonize the Palestinian land.

It is difficult, if not impossible, to imagine a similar case in which an entire people is either living in exile for 57 years or living under occupation for 38 years and subject to an effective colonial settlement campaign, while the occupying Power continues to reject the implementation of any of the many resolutions of the United Nations and continues to violate international law, including international humanitarian law and human rights law.

We wish to express our deep appreciation to the Chairman of the Committee and its Members, and we call upon the Member States of the United Nations to continue their support in the face of Israel's intransigence and rejection in order to solve the question of Palestine and achieve a real peace, based on two-States on the basis of the 1949 Armistice Line or what is commonly referred to as the 1967 borders, with East Jerusalem as the capital of Palestine.

For this to actually happen, the central task before the international community is the achievement of a real cessation of the colonization of the Palestinian land, which is being carried out via the construction and expansion of the settlements and the construction of the Wall on the Palestinian land, including in and around East Jerusalem.

Israel continues to construct the settlements despite the provisions of international law and despite relevant United Nations resolutions, including Security Council resolutions, and despite the peace process and the provisions of the Road Map. Israel is continuing to build the Wall despite the Advisory Opinion of the International Court of Justice and the resolutions of the 10th emergency special session of the General Assembly. It continues to carry out its illegal measures in and around East Jerusalem, which aim to Judaize and *de facto* annex the city despite all of the above. Israel is thus working relentlessly to create conditions on the ground, which, if allowed to continue, threaten to close the window of opportunity to achieve the two-State solution. Israel alone will be responsible for the collapse of this

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solution, but we will all pay the price, beginning of course with our Palestinian people. It is incumbent on us all - upon the international community - to prevent this from happening and to safeguard the two-State solution, beginning with stopping the settlements, the Wall and the Israeli measures in East Jerusalem.

Mr. President,

This past September Israel carried out its disengagement plan in the Gaza Strip and in parts in the northern West Bank. We consider this to be an important development, and we consider the cessation and the reversal of the colonization of part of our Palestinian land through the dismantlement of the settlements and the departure of the settlers as well as the departure of the Israeli occupying forces from within the Gaza Strip to constitute a positive development that could open the door to other positive developments. The disengagement plan, however, remained unilateral and Israel, while implementing this, caused vast destruction in the settlement areas and left many issues unresolved for some period of time, such as the crossing points, the airport, the seaport, the rubble resulting from the destruction and the connection between the West Bank and Gaza Strip. Despite all this, agreement was reached on some of these issues, most important of which was on the Rafah crossing between the Gaza Strip and Egypt, which we hope will be implemented properly and will lead to an agreement on all remaining issues. This is a crucial matter for the improvement of the living conditions of the population of the Gaza Strip - this small, poor place which is the most densely populated in the world.

We are also in urgent need for more assistance and for the expeditious delivery of this assistance in order to enable us to confront the additional burdens in the Gaza Strip as well as in the West Bank, including East Jerusalem. Here we wish to commend the efforts of the Quartet's Special Envoy, Mr. James Wolfensohn, to secure this assistance and for his efforts to assist the parties to reach appropriate solutions.

What is important now, in addition to the above, is to guarantee that things will not stop at the Gaza Strip. It is important that there be a real opportunity to return to the Road Map, beginning with the implementation of the Sharm el-Sheikh understandings, including the withdrawal from cities and areas towards pre-September 2000 positions and the release of the prisoners and detainees.

I come back to state that, irrespective of whether or not we succeed in returning to the Road Map, we must under all circumstances ensure the real cessation of settlement activities and the construction of the Wall and the measures in Jerusalem. This is required by international law and is required for the preservation of the prospects for peace. For this, we are in need of specific and practical positions by the Quartet and an agreement on measures by Member States. We are in need of action from everyone, including the Secretariat of the United Nations, which should, for example, implement the resolution of the General Assembly regarding the register of damages caused by the Wall.

Mr. President,

The Palestinian people, the Palestinian Authority and the Palestinian leadership find themselves facing the responsibilities of fulfilling post-conflict tasks, while they are not only still under foreign occupation, but subject to the continuing colonization of their land and direct oppression. This has never happened and there is no precedent to draw lessons from. In spite of this, we are exerting extraordinary efforts to succeed and we have achieved reasonable results due to the steadfastness of our people and their creativity and to international political support and foreign aid. We are exerting efforts to build State institutions, to achieve the rule of law and to strengthen the social fabric of our people. We are also in the process of filling the big vacuum left behind by the passing of our leader, President Yasser Arafat, and we have managed to achieve a smooth transition of power and to hold presidential elections, which resulted in the election of President Mahmoud Abbas.

We are now in the process of holding of our second legislative elections, and we wish to emphasize our opposition to any interference by Israel or by any other party in this election, which should be truly democratic and open to all Palestinians and to all political groups and should be held in the entire Occupied Palestinian Territory, including East Jerusalem. The participation of all parties and groups will contribute to the enhancement of the democratic process and to the enhancement of the rule of law and it should be combined with and followed by measures and laws that will enhance the political system, including in the areas of weapons and other security issues. Israel should not create obstacles to any of these important political processes, particularly with regard to the freedom of movement and the participation of Jerusalemites. We have been able, through a responsible national dialogue, to reach an agreement on unilaterally “calming down” the situation, which is important, and we understand that we need to take this steps forward and believe the elections will have a positive impact in this regard.

Mr. President,

We, as part of the international community, reaffirm our condemnation of terrorism in all its forms, including the latest terrorist attacks in the fraternal capital of Amman (one of the victims of which was a colleague of ours from the Foreign Ministry). We must enhance our collective efforts to confront this phenomenon, and we must fortify our will, based on a clear and strong legal basis supported by everyone. We must all agree that any targeting of innocent civilians, anywhere, anytime, and regardless of the reasons, constitutes a condemnable terrorist act and we must fight it. We must also all agree that, in accordance with existing international law, situations of armed conflict, including foreign occupation, are governed by international humanitarian law. We are convinced of these positions and will work seriously to achieve general compliance with them everywhere, including in our region. We also hope that this will contribute to the achievement of a consensus among us to conclude the Comprehensive Convention to Combat International Terrorism.

Mr. President,

We pray to God to save our region from additional confrontation and storms, and we are working hard to ensure that the Palestinian element is a positive one. In this context, we wish for the success and prosperity of fraternal Lebanon and we reaffirm that Palestinians there are not part of any internal issues and they are not above the law. We also hope that fraternal Syria will be able to solve the problems related to United Nations Security Council resolution 1636 in a way that helps the investigation and preserves Syrian dignity and sovereignty on the basis of respect for that resolution. Naturally, we look forward to Iraq returning to normalcy and to ending the violence and terrorism, while at the same time preserving Iraqi unity and sovereignty and its territorial integrity.

Mr. President,

There are many unusual developments occurring in the region, including in our country and in Israel as well. We hope that these developments will enhance the potential for a speedy return to negotiations and the actual implementation of the Road Map towards the achievement of peace in two States, Israel and Palestine, between them, in the region, and the world as a whole.

I thank you, Mr. President.