



INDIA भारत

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STATEMENT

BY

HON'BLE MR SITARAM YECHURY
MEMBER OF PARLIAMENT
AND
MEMBER OF THE INDIAN DELEGATION
on
Agenda Item : 31:

Report of the Special Committee to Investigate Israeli
Practices Affecting Human Rights of the Palestinian People and
other Arabs in the occupied territories

FOURTH COMMITTEE

60th Session of the
UN GENERAL ASSEMBLY

NEW YORK

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Mr Chairman,

The Indian delegation appreciates the opportunity to contribute to the discussions under Agenda Item 31: *Special Committee to Investigate Israeli Practices Affecting Human Rights of the Palestinian People and other Arabs in the occupied territories.*”

India has welcomed the implementation of the disengagement by Israel from the Gaza Strip and parts of the West Bank, as a positive development. We deem the withdrawal as a significant first step that, we hope, will culminate in a mutually acceptable, negotiated settlement in accordance with the Roadmap and relevant UN Security Council resolutions. We trust that this opening will be used by all sides to take forward the negotiations that will lead, within a reasonable time frame, to the creation of a truly sovereign, independent and viable Palestinian State within well-defined and secure borders, living side-by-side and at peace with Israel.

Despite this glimmer of hope for cooperation between the parties in the aftermath of the withdrawal, the situation in the region remains fragile. India unequivocally condemns all acts of terrorism, as well as excessive and harsh retaliatory measures in the strongest terms. We believe that it is essential to put an end to this cycle of violence that does not augur well for forward movement on the peace process. We hope that all parties concerned will exercise the utmost restraint, abjure violence, and return to the negotiating table to enable progress to be made for a peaceful resolution of the remaining issues of the Roadmap. Those who deny the right of self-determination of the Palestinians only strengthen those who deny the right to live of the Israelis. It is important to neutralize these mutually reinforcing rejectionisms.

Mr Chairman,

The focus of the Report of the Special Committee, as contained in document A/60/380, is on the human rights of the Palestinian people. Human rights are universal and indivisible in

nature and we have strongly espoused the philosophy of "all human rights for all people".

The lives of the Palestinian people in the occupied territories have become both a metaphor and reality of unhappiness and injustice. The history of land confiscations, arbitrary arrests and house demolitions destroy the security of the home and the curfews transform the house into a place of house arrest. In either case, home becomes a caricature of home. As for social and economic rights, it is ironical that though Jordan belongs to the third world, its rate of development has been much higher than Gaza or even the West Bank under the occupation of a rich and advanced country. The report of the Special Committee is important in drawing attention to that which is so often disguised in the interest of power or geopolitics.

In the judgment of the members of the Special Committee, however, the construction of the separation wall has violated "every single human right of the Palestinians". This is a matter of deep concern. As we have stated in the past, no one could have objections to the construction of the wall in areas coinciding with the green line. However, its encroachment on Palestinian land and interests create great hardship for the people affected by its construction and exacerbates the situation. Besides, continued construction of the wall on Palestinian land, threatens to prejudge the eventual outcome of the final status negotiations between the parties.

We recall, in this connection, the Advisory Opinion of the International Court of Justice, on the legal consequences of the construction by Israel of the wall in the occupied Palestinian territory. The Court had opined that the wall is contrary to international law and should be dismantled. We have, in the past, called on Israel to take full account of the Advisory Opinion, in keeping with the overwhelming international opinion in the matter, with a view to its early implementation. We would once again renew this appeal to Israel to take note, in particular, of the recommendations contained in General Assembly resolution ES-

10/15 of 2 August 2004, which is based on the Advisory Opinion of the International Court of Justice.

Of equal concern, are the restrictions on the freedom of movement by Palestinians. These restrictions have led to a loss of access by the Palestinian population to employment and income as well as access to essential goods and services. These have also seriously hampered the capability of all humanitarian operators, including UNRWA and other UN Agencies, to provide essential services. Reports about limitations to the freedom of movement of UNRWA staff are of particular concern. Full and secure access for diplomatic and humanitarian personnel and to goods and services, as required by the principles and practices of international humanitarian law as well as by the Roadmap, must be ensured.

Mr Chairman,

India is deeply concerned by the continuing humanitarian crisis in the occupied Palestinian territories. We call on Israel to show restraint and take no action that would aggravate the humanitarian and economic plight of the Palestinian people. It should take measures without delay, in accordance with the obligations of the Roadmap, to improve the security and humanitarian and economic conditions of the Palestinian people. Within this context, the services provided by UNRWA play an indispensable role. Its critical work demonstrates in a tangible way, the concern and sympathy of the international community for the plight of the Palestinian refugees who have been severely disadvantaged and deprived of justice, human rights and fundamental freedoms. India has been a regular contributor to UNRWA's regular budget so as to enable it to continue to effectively fulfill its mandate and has doubled this contribution in 2004.

Bilaterally, India's support for the Palestinian cause is strong and unwavering. The *National Common Minimum Programme* of the United Progressive Alliance government has reiterated India's decades-old commitment to the cause of the Palestinian people for a homeland of their own. India has previously extended material and technical assistance to the people of Palestine to help them consolidate their progress towards self-government and nation

building. Major telecom software projects have been undertaken by Indian companies. Pharmaceutical projects are also being signed up for implementation. India has pledged US\$3 million as donor assistance to the PNA, out of which over US\$2 million has been disbursed. Projects have been completed in the field of higher education and training slots have been offered. A grant to the Palestinian Authority of US\$15 million was announced during the visit to India from 19-20 May 2005, by its President, H.E. Mr. Mahmoud Abbas.

Mr. Chairman,

India reaffirms its commitment to a negotiated two-State solution agreed between the parties that would result in a viable, contiguous, sovereign and independent Palestinian State existing side-by-side with Israel in peace and security. India unequivocally reaffirms that the Roadmap, as endorsed by Security Council resolution 1515, is the fundamental framework for a resolution of the Israeli-Palestinian conflict and calls upon all sides to take steps to fulfill their Roadmap obligations and commitment. India sincerely hope that positive developments will soon emerge, leading without delay to a fair, stable and equitable solution to the conflict based on relevant UN resolutions, including Security Council resolutions.

Thank you, Mr Chairman.
