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Statement by H.E. Dr. Riyad Mansour, Ambassador, Permanent Observer of Palestine to the United Nations, before the Special Political and Decolonization Committee (4th Committee), Agenda item 30, United Nations Relief and Works Agency for Palestine Refugees in the Near East, 2 November 2005:

At the outset, allow me to express my delegation's congratulations upon your election to chair the Special Political and Decolonization Committee, as well as to all of the Bureau's members, and to express our confidence in your able guidance of the important work of this Committee. I would also like to take this opportunity to welcome Ms. Karen Koning Abu Zayd, the new Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East – UNRWA. We congratulate the Commissioner-General upon her assumption of her new post and wish her all success in undertaking her responsibilities in leading the work of the Agency. We express appreciation as well for the presentation of her report to the General Assembly on the work of the Agency during the past year.

At this time, we would also like to convey our deep admiration and respect for the former Commissioner-General of UNRWA, Mr. Peter Hansen, who concluded his term on 31 March 2005, after years of commendable and highly capable service in leading the Agency. The Palestinian people will always remember his dedication to the plight of the Palestine refugees.

Mr. Chairman,

The plight of the Palestine refugees continues to be of paramount importance to my delegation and will remain so until their natural and inherent right to return to their homes and properties is recognized. The international community also recognizes the importance of this situation, signified by the attention it receives annually by the General Assembly and by the generous contributions and support provided to UNRWA.

It is regrettable that the situation of the Palestine refugees, who number more than 4 million, remains as critical today as in the early years of the onset of their plight fifty-seven years ago. Far from being resolved, their tragedy has been compounded over the decades as they have languished, many in abject poverty, in refugee camps and throughout the Diaspora, awaiting the realization of their right to return, in accordance with General Assembly resolution 194 (III) of 1948. In this regard, it is imperative to recall that paragraph 11 of resolution 194 stipulates that: *"the refugees wishing to return to their homes and live in peace with their neighbor should be permitted to do so at the earliest practical date, and that compensation should be paid for property of those choosing not to return and for loss or damage to property."*

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It is also important to draw attention to the continuing difficult situation of the hundred of thousands of Palestinians who were displaced from their homes and land in 1967. Their right to return was first affirmed by the Security Council in resolution 237 (1967) and should have been realized years ago. Regrettably, this too has remained unfulfilled due to continued lack of compliance by Israel, the occupying Power.

In this context, we believe there are fundamental principles of international law that must be reaffirmed and respected. Like all other refugees in the world, past and present, the Palestine refugees have an inalienable right to return. Such a principle holds constant and can not be altered by the passage of time. We also believe it is necessary to stress the importance of the individual right to private ownership, including land. The Palestine refugees, as reflected in the records of the United Nations Conciliation Commission of Palestine (UNCCP), are the owners of 5.5 million dunums of land. This ownership must be recognized by Israel and its restitution or fair compensation, if owners accept, must be part of any final settlement of the refugee problem.

Mr. Chairman,

It is the intransigence of Israel, the occupying Power, which has for decades obstructed the resolution to this crisis by denying over four generations of Palestine refugees their basic rights. Israel continues to refuse to acknowledge any responsibility for the plight of the Palestine refugees and remains locked in positions contrary to international law, adamantly rejecting their rights. As detailed in the report, the overall situation of Palestine refugees in the Occupied Palestinian Territory remained dismal, characterized by high unemployment, extreme poverty, overcrowded shelters and inadequate infrastructure.

Moreover, over the past five years, the suffering of the Palestine refugees has been compounded by the excessive and indiscriminate violence and the systematic human rights violations committed by the Israeli occupying forces. Israel's repeated sieges and assaults against civilian areas, including the camps, have generated inconceivable anguish among the refugees and have resulted in their forced displacement and further dispossession.

Throughout the period under review, the Israeli occupying forces persisted with its practice of targeting and terrorizing the camps, in particular in Rafah and Jabaliya. Besides resulting in unwarranted death and destruction, such brutal acts have also exacerbated the already dire socio-economic conditions facing the refugee population. These actions are contrary to the basic rules and principles of international law and also constitute grave breaches under Article 147 of the Fourth Geneva Convention. In addition, such unlawful acts have irrefutably made the work of UNRWA more difficult, increasing the need for essential services, undermining its ability to deliver services and aid, and posing serious risks to the safety of its staff and facilities.

Another issue that continues to place great strain on the refugee population is the continued imposition of restrictions imposed by Israel, the occupying Power, on the freedom of movement of Palestinian persons and goods. Such restrictions continued to make their life more difficult and miserable, severely hampering their access to work, schools, health care, sufficient food supply and clean water. Moreover, as stated in the report, Israel's ongoing unlawful construction of the Wall in the Occupied Palestinian Territory, including East Jerusalem, has

placed additional hardships, further isolating and impoverishing hundreds of refugee families in its vicinity.

Due to the increasingly difficult conditions confronting the Palestine refugees in the Occupied Palestinian Territory, emergency aid had been particularly necessary for alleviating their suffering. This has been especially the case for the 5.8 percent of the registered refugee population classified as special hardship cases in which food and monetary assistance was nearly a necessity to prevent their starvation and complete impoverishment.

Mr. Chairman,

The Palestinian side considers the dismantling of illegal Israeli settlements and the pull out of the Israeli occupying forces from within the Gaza Strip and parts of the Northern West Bank as an important step towards reversing the Israeli colonization of the Palestinian territory occupied since 1967, including East Jerusalem, and ultimately towards ending its occupation. However, since the Israeli disengagement was unilaterally planned and implemented; it failed to recognize any Palestinian concerns, leaving many critical issues unresolved.

As stated by Commissioner-General Abu Zayd during that Meeting of Host Authorities and Major Donors in Amman earlier this year: "if borders open, if overseas links can be created and enterprise is allowed to flourish, then the disengagement has the potential to make real differences to Palestinian lives. But if not, then the humanitarian situation will remain depressingly bleak."

Bearing that in mind, it remains the hope of the Palestinian leadership that the disengagement will provide constructive momentum that would create a more positive atmosphere and result in the improvement of the socioeconomic conditions of the Palestine refugees in Gaza. For this to happen, however, Israel, the occupying Power, must resolve all remaining issues, including the lifting of the severe restrictions placed on the freedom of movement of Palestinian persons and goods and the removal of the strangulating military sieges and closures. In addition, the occupying Power must cease its construction of the Wall and heed to the Advisory Opinion of 9 July 2004 by the International Court of Justice.

At this time, it is important to emphasize that the Israeli disengagement does not change the legal status of Gaza as occupied territory nor does it modify the mandate of the Agency to provide its services to the refugee population- for their refugee status remains unchanged and their tragic plight continues. Therefore, UNRWA must continue to provide aid and assistance in this regard until the rights of the Palestine refugees in Gaza are fully recognized.

Mr. Chairman,

Throughout this trying time under review, UNRWA continued to make efforts to overcome the challenges facing the Agency through pursuing innovative ways to raise the necessary funding. As indicated in the report, "UNRWA expanded its non-traditional fund-raising activities, focusing in particular on two promising areas: Arab donors, particularly those located in the Gulf Cooperation Council countries, and the establishment of independent country

support groups." In this regard, we wish to express our deep appreciation to the donor countries for their generous contributions to UNRWA. Their increased financial assistance to the Agency will contribute greatly to the sustainability of UNRWA and enable it to effectively carry out its mission. As we have always stated before this committee, the enduring financial difficulties of the Agency are often feared by the refugees to be indicative of a waning commitment to, or abandonment of, the refugee issue by the international community. We therefore, wish to reiterate that the international community's continued financial support of UNRWA is as vital as its continued political support, pending a just and lasting resolution of the Palestine's refugee problem.

In this connection, we believe that the recent meetings held in Amman and New York regarding the expansion of the Advisory Commission will greatly contribute to the work of the Agency. It is our firm belief that the expansion of the Advisory Commission is a clear indication of the importance placed by the international community on the work of the Agency, as well as a gesture of solidarity with the plight of the Palestine refugee population. We would like to thank the delegation of Sweden, in this regard, for facilitating the consultations in New York on this matter and congratulate them on the successful conclusion that has been reached. We would also like to welcome all the new members and observers who will accept the invitation to join the Advisory Commission and wish them all the success in carrying out their new responsibilities.

We would also like to take this opportunity today to convey our deep appreciation to the host countries, which for more than five decades have shared in the burden of caring for the Palestine refugees. We appreciate and encourage the cooperation of Jordan, Lebanon and Syria with UNRWA and all of their efforts to assist and facilitate the Agency's work.

In closing, Mr. Chairman, on behalf of the delegation of Palestine, I wish to convey our appreciation again to the new Commissioner-General, Ms. Karen Koning Abu Zayd, for her valuable report and tireless efforts in leading the important work of UNRWA. We are confident that she will add invaluable perspective to the work of the Agency. We would also like to thank the staff of UNRWA for the exceptional work they continue to perform, especially in light of the difficult situation that they face on a daily basis. Despite all the challenges and obstacles, UNRWA has been able to carry out its mission in an effective manner because of the dedication of its entire staff and the steadfast support of the international community, and for this we express our deepest gratitude.

Thank You, Mr. Chairman.