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BRIEFING TO THE SECURITY COUNCIL
ON THE SITUATION IN THE MIDDLE EAST,
INCLUDING THE QUESTION OF PALESTINE

14 October 2009

Mr. President,

Since Special Coordinator Serry last briefed the Security Council on 17 September, political efforts to resolve the Arab-Israeli conflict have continued, but there has been no significant progress and some worrying developments on the ground. On 21 September, in the first face-to-face meeting of Israeli and Palestinian leaders since 2008, President Obama urged the parties to meet their responsibilities and personally committed himself to help them restart negotiations. He stressed to the General Assembly the illegitimacy of continued settlements, as well as the suffering inflicted by the ongoing conflict on Palestinian and Israeli civilians. He detailed his goal of urgently starting talks, without preconditions, on the key issues of security for Israelis and Palestinians; borders; refugees; and Jerusalem.

The Quartet met on 24 September, and supported President Obama's efforts to re-launch negotiations, while stressing the urgency of progress. The Quartet also reiterated its call on the parties to implement their Roadmap commitments – in particular, for Israel to freeze all settlement activity, including natural growth, and refrain from provocative actions in East Jerusalem; and for the Palestinian Authority to make every effort to improve law and order, fight extremism and end incitement.

Both the Quartet and the Ad Hoc Liaison Committee, which met on 22 September, expressed support for the Palestinian Authority's plan for constructing the institutions of a Palestinian state within 24 months. AHLIC members noted that effective reform efforts by the Palestinian Authority and donor-funded fiscal stimulus were the primary drivers of economic growth in the West Bank. The Government of Israel's relaxation of some restrictions on the movement of goods and people within the West Bank has complemented these efforts.

US envoy Mitchell returned from the region on 12 October. Further discussions between the US, Israeli and Palestinian interlocutors are now expected to take place in Washington in the days ahead. However, even with the full determination and support of the international community to achieve the two state solution, the essential ingredient is political will from the parties to meet their obligations and negotiate an end to the conflict

Mr. President,

As the parties returned from New York, tensions increased on the ground. There were a number of incidents in East Jerusalem centered around the Haram al Sharif/Temple Mount. Clashes started on 27 September between Israeli police and Muslim worshippers at al-Aqsa mosque. Rumours and an atmosphere of mistrust subsequently provoked more confrontations between Palestinians and the Israeli police during the Jewish holiday of Sukkot, when tens of thousands of Jewish worshippers were present in the Old City of Jerusalem.

From 28 September, the Israeli authorities imposed new restrictions on worshippers and tourists entering the compound, after several hundred worshippers associated with the Islamic Movement of northern Israel stationed themselves within the site, claiming that radical Jewish groups were intending to alter the *status quo* at the compound. The Israeli authorities strongly deny these rumours. Bitter accusations from both sides, however, underline the gulf of mistrust that exists.

The Hashemite Kingdom of Jordan was active in negotiating between the Israeli authorities and the Islamic Movement members for an orderly end to the stand-off, and Special Coordinator Serry visited the compound and was in close touch with the parties to urge calm. By Saturday, 10 October, the restrictions imposed on 28 September had been lifted.

Mr. President,

The status of the Old City and the religious sites within it are extremely sensitive issues that will only be fully resolved in final-status negotiations. Until then, the repeated call of the Quartet on Israel to refrain from provocative actions in East Jerusalem and on the Palestinian Authority to refrain from incitement remains more relevant than ever. The Secretary-General continues to appeal to all sides to exercise restraint.

While the immediate crisis may have passed, we remain concerned about the broader situation in East Jerusalem, and the potential for renewed tensions. On 12 October, the Israeli authorities carried out demolition orders against two Palestinian buildings in the Beit Hanina area of East Jerusalem. On 7 October, the cornerstone was laid for the further expansion of the Nof Zion settlement in the heart of the Palestinian neighborhood of Jebel Mukaber in East Jerusalem. Settlement activity is illegal and undermines the efforts of all those who are striving for peace.

Throughout the West Bank, including East Jerusalem, levels of violence remained constant from the last reporting period; in total there were two Palestinians killed and 105 injured, and 35 Israelis injured. Serious incidents took place at the Qalandiya checkpoint, where several Palestinians were injured, at Hussan checkpoint where a Palestinian was shot and killed, and at Shu'fat checkpoint near Jerusalem, where an Israeli Border Policeman was stabbed by a Palestinian youth. There were 23 recorded incidents of violence involving settlers attacking Palestinians and their property during the reporting period and seven recorded incidents of Palestinian attacks on settlers.

As of 29 September 2009, there are 592 movement obstacles in the West Bank, down from 618 in August. Of the 100 closure obstacles that the Israeli authorities announced that they would remove immediately prior to last month's briefing, OCHA has been able to confirm that 35 of the 100 were removed, and 22 remain in place. The remaining 43 obstacles were not recorded on the OCHA database.

Mr. President,

In addition to these developments, tensions among Palestinians were heightened in the aftermath of the deferral of consideration by the Human Rights Council of the report of the Fact Finding Mission on the Gaza conflict headed by Justice Richard Goldstone, which was presented to the Human Rights Council on 29 September. This deferral led to severe criticism among a wide range of Palestinian institutions and factions, the public, including the affected populations and organizations in the region; heavy incitement against President Abbas from Hamas leaders and public demonstrations of discontent. On 11 October, President Abbas indicated that he had given instructions to seek an extraordinary session of the Human Rights Council on the report, and a special session has now been scheduled for 15 and 16 October.

Members will recall that, at the beginning of this year, the Secretary-General visited both Gaza and southern Israel in order to help end the fighting and to show his respect and concern for the deaths and injuries of so many people during the conflict in and around Gaza. He was, and remains, deeply affected by the widespread death, destruction and suffering in Gaza City, as well as moved by the plight of civilians in southern Israel who have been subject to indiscriminate rocket and mortar fire for too long.

The Secretary-General believes that international humanitarian law needs to be fully respected and civilians must be protected in all situations and circumstances. As he said in his address to the General Assembly, "Where conflicts arise, justice and accountability should follow." Accordingly, the Secretary-General has from the outset supported the work of the Fact Finding Mission. The report makes a number of recommendations for ensuring accountability for perpetrators and redress for victims. It calls on the Government of Israel to conduct independent investigations into the many allegations of serious violations of international humanitarian and human rights law committed during the Gaza conflict. It similarly calls on Hamas – the relevant authority in Gaza – to initiate genuine and effective proceedings into the many allegations of serious violations of international humanitarian and human rights law committed by forces under its control and calls on Palestinian armed groups to undertake to respect international humanitarian law by renouncing attacks on Israeli civilians. As the Secretary-General has said repeatedly, peace and justice are two sides of the same coin. The Secretary-General calls upon all of the parties to carry out credible domestic investigations into the conduct of the conflict without delay. He hopes that such steps will be taken wherever there are credible allegations of human rights abuses throughout the world.

The Secretary-General also hopes that the institutions of the United Nations and its Member States can reach a consensus on the way forward on this important matter.

Mr. President,

The broader situation in Gaza, especially the continued closure policy, remains unsustainable and unacceptable. Security Council resolution 1860 contains the elements of a more strategic and principled approach, but key elements remain unfulfilled. The situation in Gaza cannot be left to further deteriorate and unravel.

After several months of relative calm, there was a worrying increase in violence between Gaza and Israel in the reporting period, with 12 projectiles fired from Gaza into Israel, including 7 in one day on 28 September, as well as 9 Israeli incursions and 12 air strikes. It is essential that calm not only be restored, but solidified. Seven Palestinians, including two civilians, were killed and 15 more, including three children, were injured in these incidents. We continue to be concerned about reports of the smuggling of weapons into Gaza as well as the continued closure of the Strip.

No exports were allowed out of Gaza during the reporting period, and food and hygiene items continue to make up the bulk of imports. During his meeting last month with Prime Minister Netanyahu, the Secretary-General expressed his disappointment that, despite extensive discussions, there had been no Israeli approval of the UN's Gaza recovery proposals for schools, clinics and housing, which are strongly supported by the Quartet and the AHLC. The Prime Minister gave the Secretary-General his personal assurances to revisit the issue and Special Coordinator Serry has remained engaged with the Israeli authorities.

Despite ongoing recriminations among Palestinian factions, Egypt is continuing intensive efforts to secure agreement of all factions to proposals to overcome the Palestinian divide and hold elections in the first half of 2010. We continue to support efforts for Gaza to be reunited with the West Bank within the framework of the legitimate Palestinian Authority, as called for by the Quartet.

Between 2 and 4 October, Israel released 20 Palestinian female detainees after Hamas presented through a German mediator a video clip showing Israeli Corporal Gilad Shalit alive and in good health. We welcome these developments.

Mr. President,

We continue to stress that efforts on the Israeli-Palestinian track must be situated within the broader context of comprehensive Arab-Israeli peace. On the ground, the situation in the occupied Syrian Golan was quiet during the reporting period although Israeli settlement activity continues there. Syrian Deputy Foreign Minister Faysal Mikdad met with US senior officials in Washington following the UN General Assembly. After the visit of President Assad to Saudi Arabia on 23 September, King Abdullah of Saudi Arabia arrived in Syria on 7 October for a two day summit with President Assad in an important visit for the region.

Let me now turn to developments in Lebanon. On 16 September, Lebanese President Sleiman re-appointed parliamentary majority leader Saad Hariri as Prime Minister-designate. Mr. Hariri has since been engaged in intense consultations with all parliamentary factions, aiming at reaching agreement on the composition of a new cabinet and its programme. We continue to believe that the early formation of a government supported by all is critical to enable the country to face important challenges in the political, economic, social and security spheres.

On 7 October, eight people were wounded when a rocket-propelled grenade exploded in the Jabal Mohsen neighborhood in Tripoli. There was also a hand grenade blast in another neighbourhood of the city. While these incidents were contained, they are an ongoing test to Lebanon's stability.

Efforts to reconstruct the Nahr al-Bared refugee camp have been further delayed by the discovery of archaeological artifacts. The Secretary-General remains hopeful that reconstruction of Nahr al-Bared can resume without further delay.

The situation in UNIFIL's area of operations generally remains quiet. In the evening of 12 October, an explosion took place at a residential building in the village of Tayr Falsay, just south of the Litani river. The cause and circumstances of the incident are not yet entirely clear. If it was due to the explosion of a rocket or ammunition this would be a clear violation of resolution 1701. UNIFIL, in close cooperation with the LAF, is conducting an investigation into the incident, which is still ongoing. UNIFIL and LAF are continuing intensified operational activities in sensitive areas from which rockets could be launched. Israeli air violations continued on a daily basis.

Mr. President,

Efforts to resume the political track are continuing, and have our full support. However, the pattern of events over the last month in the Middle East is a powerful reminder that without a credible political horizon – including commitments made, monitored, and kept on the ground, and a calling to account when obligations are breached – forces of violence, tension and extremism on both sides will fill the vacuum.

Now, more than ever, it is vital that politics is made credible, and those who try to undermine politics by changing facts on the ground or resorting to violence are not allowed to set the agenda. The United Nations will continue to work for a just and lasting peace in the Middle East, achieved through negotiations that are based on Security Council resolutions 242, 338, 1397, 1515 and 1850, previous agreements, the Madrid framework, the Road Map, and the Arab Peace Initiative. We believe that robust third-party support will be helpful to the parties; and that the end goal of a two State solution based on the 1967 lines and the resolution of all core issues can and must emerge quickly and meaningfully. If we do not go forward decisively towards the two State solution, we may go back to more violence, suffering and the loss of hope. Once extinguished, that hope will be very difficult to rekindle.

Thank you, Mr. President.