

**MR. OSCAR FERNANDEZ-TARANCO
ASSISTANT SECRETARY-GENERAL
FOR POLITICAL AFFAIRS**

**BRIEFING TO THE SECURITY COUNCIL
ON THE SITUATION IN THE MIDDLE EAST**

27 JULY 2009

Mr. President,

It is a pleasure to brief the Council for the first time as Assistant Secretary-General for Political Affairs. Since you were last briefed by the Special Coordinator on 23 June 2009, there have been concerted efforts by the international community to create the conditions for the prompt resumption and early conclusion of negotiations to reach the end goal of a two state solution.

On 26 June, the Secretary-General joined with the other members of the Quartet at a meeting in Trieste which was followed by a meeting with Foreign Ministers of the Follow-Up Committee of the League of Arab States on the Arab Peace Initiative.

The Quartet underscored that the only viable solution to the Israeli-Palestinian conflict is one that ends the occupation that began in 1967 and fulfils the aspirations of both parties for independent homelands through two states for two peoples, Israel and an independent, contiguous, and viable state of Palestine, living side by side in peace and security. All Quartet members affirmed their determination to continue to actively and vigorously seek a comprehensive solution to the Arab-Israeli conflict.

At Trieste, US Special Envoy George Mitchell briefed both the Quartet and the Arab Foreign Ministers on the United States' intensive efforts with all parties throughout the region. He stressed that the objective was peace and not yet another process. I am sure you are all aware that Senator Mitchell is visiting the region for the fifth time later this week, as are a number of senior US officials. The Quartet Envoys are also meeting in Jerusalem at the end of this month to actively follow-up with the parties to promote implementation of Quartet positions and formulate recommendations for Quartet action.

Mr. President,

There was strong agreement among Quartet members that both Israel and the Palestinians should implement their obligations under the Roadmap, and they urged the Government of Israel to freeze all settlement activity, including natural growth. I regret to report that illegal settlement activity is continuing across the West Bank including East Jerusalem, and there has been no evacuation of settlement outposts during the reporting period.

The situation in East Jerusalem is of particular concern due to developments on the ground, especially indications of new settlement construction and house demolitions. The international community expressed its concern following the Jerusalem Municipality planning committee's approval for construction of 20 new housing units on the site of the Shepherd's Hotel in the East Jerusalem neighborhood of Sheikh Jarrah. On 19 July, in the Wadi Joz area of East Jerusalem, Special Coordinator Serry met with representatives of the EU Troika and other members of the international community at the homes of two families who have received eviction orders, in order to express their concern at the plight of the families and at the prospect of new settlement construction in East Jerusalem. The homes are part of a neighbourhood of 26 Palestinian refugee families who all face the threat of eviction.

In a significant development yesterday, settlers accompanied by Israeli security forces took physical possession of a house in another area of Sheikh Jarrah. Demolition orders for Palestinian construction without a permit were carried out against three Palestinian homes during the reporting period and a further 13 new orders were issued. Palestinian institutions in East Jerusalem remain closed by Israeli order and on 15 July a community centre in East Jerusalem was closed. These unilateral actions in highly sensitive areas of East Jerusalem increase tensions and undermine confidence in the basis for the two-state solution. The position of the Secretary-General is clear: the future of Jerusalem remains a matter for final status negotiations between the parties.

In the reporting period there were 51 incidents in which 19 Palestinians were injured and property was vandalised by settlers. Two Israelis were also injured in these incidents. On 20 July, settlers injured two Palestinians and set fire to agricultural land in the village of Burin. There continues to be inadequate enforcement of the rule of law on violent settlers.

This reporting period marks five years since the advisory opinion of the International Court of Justice stated that construction of the wall within occupied Palestinian territory is contrary to international law. The construction of the barrier has compounded movement restrictions in the West Bank and its planned route includes some 9.5% of the West Bank area. Approximately 58% of the barrier in its current planned route has been completed, and construction is on-going.

The Quartet Principals agreed that transformative change on the ground should form an integral and essential part of the agenda for peace. In this respect there have been some improvements in the West Bank in the reporting period. Israel has implemented a number of measures to ease movement between Nablus, Qalqilya, Ramallah and Jericho. Initial field observations indicate that these measures have significantly reduced the amount of time required for Palestinians to access these cities.

The Government of Israel has also announced that the hours for commercial crossing at the Allenby Bridge to Jordan will be increased and that it will promote the development of three key industrial zones in Bethlehem, Jenin and Jericho. These

welcome steps by Israel, if sustained and expanded, would have a significant impact on Palestinian freedom of movement and on economic development.

There are now a total of 613 closure obstacles within the West Bank. This figure has been jointly confirmed for the first time following cooperation by the IDF Central Command and OCHA, including detailed cross-checking and a series of joint field trips.

Mr. President,

In a difficult context, the Palestinian Authority has continued to pursue an ambitious reform agenda. From the establishment of a national credit bureau to modernizing the legal framework for investment, a number of measures are being implemented to strengthen the foundations for socio-economic sustainability. I reiterate the call of the Ad Hoc Liaison Committee and the Quartet for robust and sustained financial support for the Palestinian Authority.

However, the fiscal situation of the Palestinian Authority remains dire. The IMF estimates that \$900 million in external financing is still needed for the remainder of the year, including \$300 million to respond to needs in Gaza. It is essential that donor countries fulfill all pledges made at Paris in December 2007 and Sharm El Sheikh in March of this year.

As the Quartet also noted in its meeting in Trieste, the Palestinian Authority has made important steps to reform its security sector. Members of the judicial police completed a training course on 5 July, and the renovation of prisons is underway in several West Bank cities. Five police stations are also being constructed in Jenin governorate. Palestinian forces are now free to operate at night in four West Bank cities following improved coordination with Israel.

The situation was generally calm in the West Bank and there were no fatalities recorded during the reporting period, although 19 Palestinians and 10 Israelis were injured. Israeli security forces continued to arrest Palestinians, but in lower numbers than previous periods. In a disturbing development, on 4 July a Palestinian Authority official reported that Palestinian Security Forces had uncovered arms, explosives and \$8.5 million in cash from Hamas cells in the West Bank. I urge the Palestinian Authority to continue to make every effort to improve law and order and to fight violent extremism, consistent with its Roadmap obligations.

Mr. President,

The Secretary-General shared with the Quartet his belief that the situation in Gaza is unsustainable and not in the interests of any of those concerned. Security Council Resolution 1860 remains the main framework for a way forward in Gaza. The notable and welcome drop in violence reported in the last briefing has continued into this reporting period. However, there were four incidents of rockets or mortars fired into Israel during the last month and nine Israeli army incursions into the Strip, in which two

Palestinian children were killed and seven Palestinians injured. A reported seven Palestinians were killed today when a tunnel used for smuggling collapsed. No mechanism has been put in place to prevent the illicit trafficking in arms and ammunition into Gaza.

I would like to stress that the Quartet called for a sustained reopening of all crossing points to ensure the regular flow of people and humanitarian and commercial goods into Gaza. A few categories of goods, including small quantities of cement and glass, prohibited for import since June 2007 were allowed into Gaza on an exceptional basis during this reporting period. Overall, there was an average of 78 trucks per day allowed into Gaza, an increase from the approximately 70 trucks per day in June, and a marked increase from the 18 trucks per day in November 2008. However, in May 2007, prior to the imposition of the comprehensive closure regime, 475 trucks per day were entering Gaza, as part of normal commerce and trade. About 70% of imports during the reporting period were human and animal food products, while most industrial, agricultural and construction materials were either prohibited or severely restricted. No exports were allowed out of Gaza during this period.

Over the past month, the amount of industrial fuel entering Gaza through the crossing points was sufficient to meet approximately 70% of the quantity needed for the Gaza power plant to operate at full capacity. Power cuts continued throughout the Gaza Strip, directly affecting most householders' ability to refrigerate foods, as well as the provision of essential services like water and sanitation, health care and medicine storage, and waste disposal. Due to the lack of necessary materials needed to fix damage sustained to the network during Operation Cast Lead, some 10% of the population in Gaza remained without any electricity at all.

It is important to note that the tunnel economy continues in Gaza, with smuggling providing an increasingly broad range of consumer goods, and of black market petrol in particular. The alternative tunnel network has ameliorated some of the shortages, but it cannot be a substitute for a healthy and functioning economy based on the free movement of goods.

UNRWA has opened more than a 150 summer camps in Gaza which are being attended by over 185,000 children. Under the coordination of UNDP, efforts to clear over 600,000 tons of rubble have begun. In support of UNDP efforts, the United Nations Mine Action Team (UNMAT) for Gaza has received its special Explosive Ordnance Disposal equipment but still waits for delivery of special explosives to destroy unexploded ordnance.

No significant amounts of materials for reconstruction have been allowed into Gaza and I reiterate the Secretary-General's position that this situation is completely unacceptable. In Trieste, the Quartet has expressed its support for the UN proposal to kick-start early recovery in Gaza by opening the crossings for materials to complete UN construction work on housing, health and education facilities suspended since June 2007 and we call on Israel for a prompt and positive response to this proposal.

A further inconclusive round of talks aimed at reconciling Fatah and Hamas was held in Cairo on 28 June. Egyptian efforts have now been put on hold at President Abbas's request to enable Fatah to focus their efforts on their reform efforts at the upcoming Fateh Congress, scheduled for 4 August in Bethlehem. The factions are due to meet again in Cairo on 25 August.

Meanwhile, Hamas continues to assert its control over the Strip and maintains a visible police presence in public places. In a new development for Gazan society, on 9 July the Hamas Chief Justice in Gaza instituted a rule that women lawyers must wear a traditional gown and headcovering in court. Intra-Palestinian relations remain tense and on 21 July a bomb injured 61 people at a wedding in Khan Younis. Fatah claims that nearly 200 of its members in Gaza have been detained over the course of the reporting period. Fatah has also expressed its concern that its members in Gaza will be prevented from attending its sixth Congress in Bethlehem.

On 14 July the new Israeli negotiator met in Cairo with his Egyptian counterpart to discuss prospects for the release of Israeli captive Gilad Shalit in exchange for a number of the 11,000 Palestinian prisoners held in Israeli jails. The ICRC has still not been granted access to Shalit after more than three years in captivity.

Justice Goldstone returned to Gaza on 28 June to conduct two days of public hearings with victims and relatives of the Cast Lead operation. On 6 July, similar hearings were held in Geneva, during which witnesses and victims from the West Bank and southern Israel testified, including Noam Shalit, the father of captured Israeli soldier Gilad Shalit. The Mission's report will be presented to the Human Rights Council in August, for discussion at the Council's next session in September.

In the region, Arab League Foreign Ministers met in Cairo on 24 June and welcomed a new beginning for US relations with the Arab and Muslim world and President Obama's commitment to exert every effort towards comprehensive peace in the region. The Foreign Ministers emphasised the importance of a complete Israeli settlement freeze and the need to lift the blockade of the Gaza Strip as two key elements to create the necessary climate for peace negotiations to resume.

The Quartet took note of the Arab League statement and expressed support for dialogue among all states in the region in the spirit of the Arab Peace Initiative. The Quartet called on Arab states to take steps to recognize Israel's rightful place in the region; to affirm that violence cannot achieve regional peace and security; and to assist the Palestinian people in building their future state through consistent support for the Palestinian Authority.

The situation in the occupied Syrian Golan remained quiet during the reporting period, although settlement activity continues.

Turning now to Lebanon, allow me to recall that Under-Secretary-General for Peacekeeping Operation, Mr. Alain Le Roy, briefed the Council on 23 July on recent violations of resolution 1701 that had taken place in South Lebanon. Investigations are still ongoing into some of these violations.

In addition, on 8 July, one Lebanese civilian crossed the Blue Line near Sheikh Abbad tomb and was arrested by the IDF. He was handed over to UNIFIL the following morning. During the month, Israeli air violations took place almost daily.

Mr. President,

In meetings with Lebanese and Israeli officials and political leaders in the past week, the UN Special Coordinator for Lebanon, Mr. Michael Williams stressed the seriousness of the recent events and the gravity of the violations to resolution 1701 that had taken place and the need to de-escalate the situation. With Lebanese leaders, he requested that there be no further incursions by Lebanese civilians across the Blue Line. Mr. Williams was reassured by Prime Minister Siniora, Speaker Berri and Prime Minister-designate Hariri that no further demonstrations would take place in the area. A senior member from Hizbullah also gave the same reassurances.

In a further effort to defuse the situation, Mr. Williams visited Israel on 23 July where he raised the question of the newly-erected watchtower in Kfar Shouba and requested that it be removed. An immediate priority is for all parties to refrain from any provocative actions that could spiral into undesirable results.

Even as we wait the outcome of the investigation into the recent events, UNIFIL will continue to coordinate closely with the Lebanese Army to ensure that the situation in UNIFIL's area of operation remains under control in line with resolution 1701.

Mr. President,

On the Lebanese side, the challenge ahead remains the formation of a new Government after parliamentary elections on 7 June. We hope that ongoing negotiations over Government formation would proceed as expeditiously as possible.

The recent incidents in South Lebanon have been a stark reminder of how quickly and dangerously the situation can deteriorate. Despite the seriousness of these incidents, however, we remain hopeful we can move towards the full implementation of resolution 1701 and towards greater security and stability in the Middle East.

Mr. President,

Now is the time for Israel and the Palestinians and all actors in the region to play their part to end the Arab-Israeli conflict and to create a better future for the Middle East. The Quartet will meet in the margins of the General Assembly in New York in

September and there will also be a meeting of the Ad Hoc Liaison Committee. We continue to support the convening of an international conference in Moscow in 2009.

We remain determined to seek, actively and vigourously, a comprehensive resolution of the Arab-Israeli conflict, on the basis of Security Council Resolutions 242, 338, 1397, 1515, 1850, the Madrid framework, including the principle of land for peace, the Roadmap and agreements previously reached between the parties.

Thank you, Mr. President.