

*Permanent Observer Mission
of the State of Palestine
to the United Nations*



البعثة المراقبة الدائمة
لدولة فلسطين
لدى الأمم المتحدة

نيويورك، 30 سبتمبر 2014

2014/م ر ف/381


سيادة الرئيس أبو مازن حفظه الله

تحية طيبة وبعد،

أشرف بالإفادة بأنه عقد صباح اليوم إجتماعاً لمجلس السفراء العرب- بناء على طلبنا- لمناقشة وإعتماد مشروع القرار المتعلق بتحديد سقف زمني لإنهاء الإحتلال الإسرائيلي. وقدمت عرضاً لحيثيات القرار وتفصيله وجرت مناقشة غنية له وتم إجراء تعديلات طفيفة عليه أهمها تحديد الفترة الزمنية بعامين لإنهاء الإحتلال. وأرفق النسخة المنقحة لمشروع القرار الذي ستبدأ المجموعة العربية بالتفاوض على أساسه مع أعضاء مجلس الأمن. وتجدر الإشارة إلى أن ممثلي كل من المملكة العربية السعودية والعراق ولبنان والكويت وقطر قد ركزوا على مسألة المرونة في طرح المشروع للتصويت مبرزين رغبتهم في طرحه للتصويت بداية العام القادم تحت ذريعة أن عضوية مجلس الأمن ستتغير بشكل أفضل لصالحنا لنضمن الحصول على عدد أكبر من الأصوات مقارنة مع التركيبة الحالية. وفي هذا الإطار، أبرزت أنه ليس من حقنا ولا من صلاحياتنا تحديد الزمن للتصويت بل أن قياداتنا هي التي تحدد ذلك. وثانياً نحن نعمل على أن نحصل على تسع أصوات كحد أدنى من التركيبة الحالية وفي هذا الإطار تصبح فرنسا ولوكسمبورغ دولاً مهمة لهذه الغاية وعليه، تم إقرار خطة التحرك بشأن المشروع المنقح المرفق فوراً مع أعضاء مجلس الأمن من خلال الأردن، العضو العربي في المجلس، كما هو الحال المتبع وفق عرف مجلس السفراء العرب أي الأردن وفلسطين بالإضافة إلى الترويج العربي.

وبدا واضحاً أن النفوذ الأمريكي في تأخير هذا المسعى، أي طرح مشروع القرار للتصويت، كان بارزاً في موقف العديد من الدول العربية خلال إجتماع اليوم. وأعتقد أن هذا التيار سيبقى يطرح نفسه ولكننا سنواصل مقاومته بطريقة موضوعية وعملية دون السماح له بأن يحدنا عن الإستمرار في هذا المسعى.

وتفضلوا بقبول وافر الإحترام والتقدير،


د. رياض منصور
السفير
المراقب الدائم

30 September 2014

DRAFT

The Security Council,

Guided by the purposes and principles of the Charter of the United Nations,

Recalling the primary responsibility of the Security Council for the maintenance of international peace and security,

Recalling also Articles 33 to 38 of Chapter VI of the Charter regarding the pacific settlement of disputes,

Recalling its relevant resolutions, including resolutions 242 (1967) of 22 November 1967, 338 (1973) of 22 October 1973, 1397 (2002) of 12 March 2002, 1515 (2003) of 19 November 2003, and 1850 (2008) of 16 December 2008,

Reaffirming the principle of the inadmissibility of the acquisition of territory by force,

Reiterating its vision of a region where two democratic States, Israel and Palestine, live side by side in peace within secure and recognized borders,

Recalling General Assembly resolution 181 (II) of 29 November 1947,

Stressing the urgent need to achieve a comprehensive, just, lasting and peaceful solution to the Israeli-Palestinian conflict on the basis of its relevant resolutions, the Madrid terms of reference, including the principle of land for peace, the Arab Peace Initiative and the Quartet Roadmap,

Reaffirming the right of the Palestinian people to self-determination and to independence in their State of Palestine on the Palestinian territory occupied since 1967,

Reaffirming the applicability of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, to the Occupied Palestinian Territory, including East Jerusalem,

*Recalling its resolutions 446 (1979) of 22 March 1979, 452 (1979) of 20 July 1979, and 465 (1980) of 1 March 1980, determining, *inter alia*, that the policies and practices of Israel, the occupying Power, in establishing settlements in the Palestinian and other Arab territories occupied since 1967, including East Jerusalem, have no legal validity, constitute a flagrant violation of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, and constitute a serious obstruction to achieving a comprehensive, just and lasting peace in the Middle East based on the two-State solution on the basis of the pre-1967 borders,*

Recalling also its relevant resolutions regarding the status of Jerusalem, including resolution 478 (1980) of 20 August 1980, and bearing in mind that the annexation of East Jerusalem is not recognized by the international community,

Affirming the imperative of resolving the problem of the Palestine refugees, on the basis of General Assembly resolution 194 (III) of 11 December 1948, for the achievement of justice and lasting peace in the region,

Recalling the advisory opinion of the International Court of Justice of 9 July 2004 on the legal consequences of the construction of a wall in the Occupied Palestinian Territory,

Recalling General Assembly resolution 67/19 of 29 November 2012,

Recalling also General Assembly resolution 58/292 of 6 May 2004, affirming, *inter alia*, that the status of the Palestinian territory occupied since 1967, including East Jerusalem, remains one of military occupation,

Stressing that the Gaza Strip constitutes an integral part of the territory occupied in 1967 and of the Palestinian State, and *recalling* in this regard that the West Bank, including East Jerusalem, and the Gaza Strip, constitute one geopolitical unit,

Encouraging all States and international organizations to actively pursue policies that ensure respect for their obligations under international law with regard to all illegal Israeli practices and measures in the Occupied Palestinian Territory, including East Jerusalem, and that ensure accountability for continued Israeli violations and grave breaches of international law, including humanitarian and human rights law,

Reaffirming the permanent responsibility of the United Nations towards the question of Palestine until it is satisfactorily resolved in all its aspects in accordance with international law and relevant resolutions,

Convinced that achieving a just, lasting and comprehensive solution to the question of Palestine, the core of the Arab-Israeli conflict, is imperative for the attainment of a future of sustainable peace, security and stability in the Middle East,

Stressing that a lasting solution can only be achieved by peaceful means, based on an enduring commitment to mutual recognition, freedom from violence, incitement and terror, and the two-State solution, building upon previous agreements and obligations,

Urging both parties to act on the basis of international law, relevant United Nations resolutions and their previous agreements and obligations in order to create the appropriate conditions for expediting, including through negotiations, the achievement of a comprehensive, just and lasting solution that resolves all core final status issues, including the Palestine refugees, Jerusalem, settlements, borders, security, water and prisoners,

Recalling the obligation to ensure the safety and well-being of all civilians and ensure their protection in situations of armed conflict, including foreign occupation,

Stressing the importance of maintaining and strengthening international peace founded upon freedom, equality, justice and respect for fundamental human rights,

Reaffirming the right of all States in the region to live in peace within secure and internationally recognized borders,

1. *Affirms* its determination to contribute to the attainment, without delay, of a peaceful solution that ends the Israeli occupation that began in 1967, and fulfils the vision of two States: an independent, sovereign, democratic, contiguous and viable State of Palestine living side by side with the State of Israel in peace and security within recognized borders, based on the pre-1967 borders;
2. *Urges* the intensification of efforts, including, *inter alia*, through negotiations, for the achievement of a comprehensive, just, lasting and peaceful solution to the Israeli-Palestinian conflict, on the basis of the relevant United Nations resolutions, including resolutions 242 (1967), 338 (1973), 1397 (2002), 1515 (2003) and 1850 (2008), and the Madrid terms of reference, including the principle of land for peace, the Arab Peace Initiative and the Quartet Roadmap;
3. *Calls*, on the basis of the above principles, for:
 - (a) The full withdrawal of Israel, the occupying Power, from all of the Palestinian territory occupied since 1967, including East Jerusalem, as rapidly as possible and to be fully completed within a specified timeframe, not to exceed November 2016, and the achievement of the independence and sovereignty of the State of Palestine and the right to self-determination of the Palestinian people;
 - (b) A just resolution of the status of Jerusalem as the capital of two States;
 - (c) A just resolution of the problem of the Palestine refugees in conformity with General Assembly resolution 194 (III) of 11 December 1948;
4. *Calls also upon* all parties to abide by their obligations under international humanitarian law, including the Geneva Convention relative to the Protection of Civilian Persons in Time of War of 12 August 1949;
5. *Demands* an end to all Israeli military operations, reprisals, forced displacement of civilians, and all acts of violence and hostilities;
6. *Reiterates its demand* for the complete cessation of all Israeli settlement activities in the Palestinian territory occupied since 1967, including East Jerusalem;
7. *Demands* an end to all measures of collective punishment by Israel, the occupying Power, against the Palestinian civilian population, including in the Gaza Strip, and *calls* in this regard for the full lifting of the Israeli blockade and the opening of all of the Gaza Strip's border crossings, on the basis of resolution 1860 (2009) and all relevant agreements reached, to enable the sustained and regular movement of persons and goods in both directions, which is essential for fulfilling humanitarian needs and urgently advancing reconstruction and economic recovery needs;
8. *Calls upon* the parties to observe calm and restraint, including by consolidating the 26 August 2014 ceasefire agreement, to halt the deterioration of the situation and to refrain from provocative actions, incitement and inflammatory rhetoric, including in particular with regard to Occupied East Jerusalem;

9. *Calls also* for measures to be taken to guarantee the safety and protection of the Palestinian civilian population throughout the Occupied Palestinian Territory, including East Jerusalem, including, *inter alia*, through the deployment of an international presence;
10. *Calls* for the immediate and expanded provision of humanitarian assistance to the Palestinian civilian population, particularly in the Gaza Strip, to alleviate the grave humanitarian crisis, including through the provision of urgent additional contributions to the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA), recognizing the vital role played by the Agency, along with other United Nations agencies and humanitarian organizations, in addressing critical humanitarian needs and providing emergency aid and protection to affected civilians, including the displaced;
11. *Calls* on Member States to contribute to the urgent reconstruction and economic recovery needs of the Palestinian people in the Gaza Strip in coordination with the United Nations and the Palestinian government, including through the Conference to be co-chaired by Norway and Egypt in Cairo on 12 October 2014;
12. *Calls* upon the parties and the international community to urgently undertake the measures required, individually and collectively, for the implementation of this resolution;
13. *Requests* the Secretary-General to report to the Council within 30 days of the adoption of this resolution on options and a framework for the establishment of an international presence, pursuant to paragraph 9 of this resolution, and to report every 30 days thereafter to the Council on the implementation of the relevant provisions of this resolution;
14. *Decides* to remain seized of the matter.