

UN 2753

UNITED NATIONS
INTEROFFICE MEMORANDUM



NATIONS UNIES
MEMORANDUM INTERIEUR

TO: Ms. Alicia Barcena
A: Chef de Cabinet
Executive Office of the Secretary-General

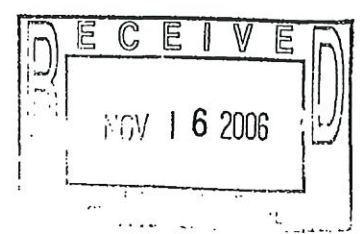
DATE: 13 November 2006

REFERENCE:

THROUGH
S/C DE:

FROM: *H.M.*
DE: Horst Heitmann, Director
Security Council Affairs Division, DPA

SUBJECT:
OBJET: Security Council: Report on activities



Attached please find, for the information of the Secretary-General, a note on the meeting of the Security Council on Saturday, 11 November 2006.

cc: ASG Kane (Officer-in-Charge, DPA)
USG Ibrahim Gambari (upon return)

NOV 16 2006

PROCEEDINGS OF THE SECURITY COUNCIL

Saturday, 11 November 2006

FORMAL MEETING NOTE

The situation in the Middle East, including the Palestinian Question

At its 5565th meeting (S/PV.5565), the Security Council, due to a negative vote by the United States, failed to adopt a Qatar-sponsored draft resolution (S/2006/878, attachment), *inter alia*, condemning Israeli military operations in the Gaza Strip. Ten Council members voted in favour of the text (Argentina, China, Congo, France, Ghana, Greece, Peru, Qatar, the Russian Federation and Tanzania) and four abstained (Denmark, Japan, Slovakia and United Kingdom).

Speaking before the vote, the United States held that the draft was not an evenhanded characterization of recent events, and that it did not advance the cause of peace. Expressing deep regret with the incident in Beit Hanoun, Ambassador Bolton pointed out that Israel had initiated an investigation into the events. With regard to the text itself, he stated that it was biased against Israel and politically motivated. He pointed out that the text equated legitimate Israeli military action with Palestinian terrorism, and held that it was not up to the Council to judge whether Israeli military operations were excessive and disproportionate. Finally, the United States held that the proposed fact finding mission was unnecessary and that a mechanism for protection of civilians would only raise false hope.

Following the vote, statements were made by the United Kingdom, Denmark, Japan, Slovakia, Congo, Qatar and the Permanent Observer of Palestine. While the four abstainers noted deep concern with recent events in Gaza, they stated that they could not support the current text. The United Kingdom, echoed by Slovakia, held that the draft remained unbalanced, and did not make equal appeals to both parties. Denmark held that the text did not reflect the complexities on the ground, while Japan called for further discussions on the draft.

Congo expressed disappointment with the failure to adopt the draft resolution, noting that if the Council was unable to express itself clearly in the face of such crimes, impunity would be allowed to reign. Pointing out that the majority of Council members had voted in favour of the draft, Qatar emphasized that the text was balanced, and asked "peoples and Member States" to judge the underpinnings of the decision themselves. He held the view that the Council was "shirking from its humanitarian responsibilities" by not putting an end to these "blatant and far reaching violations of humanitarian law". Finally, Qatar concluded that the Council's failure to react

today would only prolong the cycle of violence, and diminish the Council's credibility.

The Permanent Observer of Palestine stated that the Council had just sent two wrong messages. To the Israelis, he said, the Council had said that it could continue its behaviour beyond international law; and to the Palestinians, the Council had proved its inability to deal with justice in a proper way. He concluded by expressing his continued hope for peace and justice and belief in the principles of the UN Charter.

SJ/SCSB/SCAD/13 November 2006

Attachment:

Qatar: draft resolution

The Security Council,

Reaffirming its previous resolutions 242 (1967), 338 (1973), 446 (1979), 1322 (2000), 1397 (2002), 1402 (2002), 1403 (2002), 1405 (2002), 1435 (2002), 1515 (2003), and 1544 (2004),

Reaffirming the applicable rules and principles of international law, including humanitarian and human rights laws, in particular the Geneva Convention relative to the Protection of Civilian Persons in Time of War of 12 August 1949,

Expressing its grave concern at the continued deterioration of the situation on the ground in the Palestinian Territory occupied by Israel since 1967, during the recent period, particularly as a result of the excessive and disproportionate use of force by Israel, the occupying Power, which has caused extensive loss of civilian Palestinian life and injuries, including among children and women,

Condemning the military operations being carried out by Israel, the occupying Power, in the Gaza Strip, in particular the attack that took place in Beit Hanoun on 8 November 2006, which have caused loss of civilian life and extensive destruction of Palestinian property and vital infrastructure,

Condemning also the firing of rockets from Gaza into Israel,

1. *Calls upon* Israel, the occupying Power, to immediately cease its military operations that endangers the Palestinian civilian population in the Occupied Palestinian Territory, including East Jerusalem, and to immediately withdraw its forces from within the Gaza Strip to positions prior to 28 June 2006;

2. *Calls for* an immediate halt of all acts of violence and military activities between the Israeli and Palestinian side as was agreed in the Sharm El-Sheikh understandings of 8 February 2005;

3. *Requests* the Secretary-General to establish a fact-finding mission on the attack that took place in Beit Hanoun on 8 November 2006 within thirty days;

4. *Calls upon* Israel, the occupying Power, to scrupulously abide by its obligations and responsibilities under the Geneva Convention relative to the Protection of Civilian Persons in Time of War of 12 August 1949;

5. *Calls upon* the Palestinian Authority to take immediate and sustained action to bring an end to violence, including the firing of rockets on Israeli territory;

6. *Emphasizes* the need to preserve the Palestinian institutions, infrastructure and properties;

7. *Expresses grave concern* about the dire humanitarian situation of the Palestinian people and calls for the provision of emergency assistance to them;

8. *Calls upon* the international community, including the Quartet, to take immediate steps, to stabilize the situation and restart the peace process, including through the possible establishment of an international mechanism for protection of the civilian populations;

9. *Calls upon* the parties supported by the international community to take immediate steps including confidence-building measures, with the objective of resuming peace negotiations;

10. *Stresses* the importance of, and the need to achieve, a just, comprehensive, and lasting peace in the Middle East, based on all its relevant resolutions including its

resolutions 242 (1967), 338 (1973), 1397 (2002) and 1515 (2003), the Madrid terms of reference, the principle of land for peace, the Arab Peace Initiative adopted by the League of Arab States Summit in March 2002 in Beirut and the Road Map;

11. *Requests* the Secretary-General of the United Nations to report back to the Security Council on the implementation of this resolution in a timely manner;

12. *Decides* to remain seized of the matter.
