28. The situation in the Middle East, including the Palestinian question

Overview

During the period under review, the Security Council held 33 meetings in connection with the situation in the Middle East, including the Palestinian question, adopting two resolutions and one presidential statement. In 2008, discussions focused mainly on the deteriorating situation in the Gaza Strip. In December 2008 and January 2009, the Council held a series of meetings in response to a major Israeli military operation against Hamas in the Gaza Strip, which resulted in heavy civilian casualties, and adopted a resolution in response to the situation. For the most part, in 2009, the Council focused its efforts on responding to the ongoing situation in Gaza. The Council also continued to discuss developments in the West Bank and in Lebanon.

22 January 2008: briefing and discussion regarding the situation in the Gaza Strip

On 22 January 2008, in his briefing to the Council, the Under-Secretary-General for Political Affairs reported that the situation in the Gaza Strip had deteriorated since 15 January 2008, when the Israel Defense Forces entered Gaza and were engaged by Hamas militants in a heavy battle. In the fighting that followed, rockets and mortar attacks were launched at Israel by militants. As a result, 11 Israelis were injured, and one Ecuadorian national was killed by a sniper attack. A total of 42 Palestinians were killed and 117 injured by the Israel Defense Forces in ground incursions and air strikes. The Under-Secretary-General stated that while the violence had de-escalated in the past few days, the situation remained extremely fragile. He also recalled that the Gaza crossings had remained largely closed since the Hamas takeover in June 2007, except for imports to meet minimal humanitarian needs.\(^5\)

The Permanent Observer of Palestine condemned the military assaults by Israeli forces and the continuing siege of the Gaza Strip, emphasizing the severe humanitarian consequences, and called on the Council to take immediate measures to address the crisis.\(^6\) The representative of Israel pointed out the continuous rocket attacks directed at Israel from Gaza, and citing its inherent right under Article 51 of the Charter to protect and defend its people, asserted that continuing to choose Hamas would only lead to continued suffering for both Israelis and Palestinians.\(^7\) The representative of the United States stated that Hamas was responsible for the current

\(^5\) S/PV.5824, pp. 3-4.
\(^6\) Ibid., pp. 5-8.
\(^7\) Ibid., pp. 8-9.

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\(^a\) Belgium, Croatia, France, Italy, United Kingdom and United States.
\(^b\) Belgium, Croatia, France, Italy, Spain, United Kingdom and United States.
\(^c\) The Commissioner of the International Independent Investigation Commission made a second statement.
situation as a result of their policies and actions, especially the rain of rockets into southern Israel despite the complete Israeli withdrawal in 2005.512 Other speakers unanimously condemned the escalation of violence and expressed concern regarding the deteriorating humanitarian conditions in Gaza, and many also called for Israel to lift its blockade. Several speakers expressed concern that the escalation on the ground could very well undermine the hopes for the peace process which had been raised at the Annapolis conference in November 2007.

30 January 2008: destruction of the border fence between Egypt and the Gaza Strip

On 30 January 2008, in his briefing to the Council, the Under-Secretary-General for Political Affairs reported that entire sections of the border fence with Egypt had been destroyed by Palestinian militants, and that hundreds of thousands of Gazans had crossed the border. Levels of violence had been significantly reduced in the preceding week, but Palestinian militants continued to fire rockets and mortars, and Israel carried out incursions and air strikes on Gaza. Owing to the comprehensive closure of the border imposed by Israel, fewer trucks were able to enter Gaza, and the resulting low supplies had affected the humanitarian operations of the World Food Programme and other agencies.513

The representative of Palestine condemned Israel’s continued siege and aggression against the Gaza Strip, and emphasized the important role of the international community in promoting calm and stability, addressing the humanitarian situation and advancing the peace process.514 Regarding the situation in Gaza, the representative of Israel condemned the continued attacks by Hamas, while emphasizing its commitment to the vision of a two-State solution, exemplified in its willingness to engage in dialogue with the moderate Palestinian Authority.515 The majority of Council members expressed their concern regarding the continuing humanitarian crisis in Gaza as well as the deteriorating security situation in Lebanon. Several Council members expressed regret that the Council had been unable to reach a consensus on a draft presidential statement concerning the situation in Gaza and southern Israel. The representative of the United States noted that the lack of agreement on a text was not the result of a lack of concern about the humanitarian situation, but stressed that the Council needed to address the circumstances that had given rise to the situation, in particular by calling on Hamas to cease its acts of violence and make progress towards a two-State solution.516

26 February to 25 November 2008: briefings concerning the situation in the Middle East

On 26 February 2008, in his briefing to the Council, the Special Coordinator for the Middle East Peace Process and Personal Representative of the Secretary-General reported on the developments in the region, including the political negotiations between the Government of Israel and the Palestinian Authority and the situation in the West Bank, the Gaza Strip and southern Israel. He called upon all parties to work closely with the Quartet partners, countries of the region and the Council towards implementation of the road map.517 The Under-Secretary-General for Humanitarian Affairs and Emergency Relief Coordinator also briefed the Council, and reported on the grave humanitarian situation in Gaza, emphasizing that the situation was not sustainable and extremely damaging to the prospects for the current peace process.518

On 1 March 2008, the Secretary-General addressed the Council. Noting that there had been a deeply alarming escalation of violence in Gaza and southern Israel, resulting in many civilian deaths, he condemned the Palestinian rocket attacks and called for the immediate cessation of such acts of terrorism.519 On 25 March, the Council heard a briefing by the Under-Secretary-General for Political Affairs, in which he noted that violence had since spread to Jerusalem and the West Bank, with several serious incidents. He also reported that while the humanitarian situation remained serious, especially in Gaza, negotiations between the Government of Israel and the Palestinian Authority had resumed after a brief period of suspension.520 At the meetings, the representative of Palestine reiterated his call upon the Council to

512 Ibid., p. 17-18.
513 S/PV.5827, pp. 2-5.
514 Ibid., pp. 5-8.
515 Ibid. pp. 8-11.
517 S/PV.5846, pp. 2-5.
518 Ibid., pp. 5-7.
519 S/PV.5847, pp. 2-3.
520 S/PV.5859, pp. 3-6.
shoulder its legal and moral obligations and provide Palestinians with urgently needed and effective protection. He condemned Israel’s military operations, noting that they had resulted in many civilian deaths, and urged the Council to take urgent and practical measures to ensure that Israel complied with its obligations under international law and ceased its illegal practices.521 The representative of Israel described the activities of Hamas against Israel as terrorism and condemned the repeated rocket attacks by Hamas. He asserted that the Islamic Republic of Iran was using proxies such as Hizbullah in Lebanon and Hamas among the Palestinians to draw the moderates into a “cosmic battle” with Israel.522

Many speakers condemned the continuation of violence, expressed concern regarding the precarious humanitarian situation in Gaza and the continuing settlement activities by Israel, and urged both parties to take steps to meet their obligations under the road map.

On 23 April, 28 May and 27 June 2008, the Council heard briefings by the Assistant Secretary-General for Political Affairs, the Special Coordinator for the Middle East Peace Process and the Director of the Asia and the Pacific Division of the Department of Political Affairs, respectively. In their briefings, they reported that efforts to advance the political process continued through direct bilateral negotiations, despite major episodes of violence, especially in and around Gaza, and that the serious humanitarian situation continued. However, an Egyptian-led effort to achieve a ceasefire in Gaza had succeeded and had taken effect on 19 June 2008, although sporadic violence had continued. There had also been a number of important political developments: the announcement of the start of indirect peace negotiations between Israel and the Syrian Arab Republic; new pledges of investment in the Palestinian economy and the announcement of new measures to improve conditions on the ground in the West Bank; and in Lebanon, an initiative by the League of Arab States to end the 18-month political impasse.523

On 22 July 2008, in his briefing to the Council, the Under-Secretary-General for Political Affairs reported that there were a number of encouraging developments across the Middle East, especially in Lebanon, where a major step forward had been taken with the announcement of a national unity Government on 11 July 2008; in the Gaza Strip, the ceasefire had held and there was a marked decline in violence; and indirect peace negotiations between Israel and the Syrian Arab Republic were continuing. However, he expressed concern about the lack of improvement in the situation on the ground in the West Bank.524

The representative of Palestine condemned the continued settlement activities by Israel as the main obstruction to the peace process. Also recalling that the month marked the fourth anniversary of the advisory opinion of the International Court of Justice on the construction of the wall in the Occupied Palestinian Territory, he characterized the wall as part of Israel’s “colonization attempts”, which, together with the large number of Israeli settlements and checkpoints restricting Palestinian movement, resulted in the severe fragmentation of the Occupied Palestinian Territory.525

Most speakers welcomed the positive developments in the region, in particular the formation of a unity Government in Lebanon and the ongoing indirect peace negotiations between Israel and the Syrian Arab Republic. In regard to the Palestinian question, a majority of the speakers noted that the settlement activities by Israel had impeded the peace process, and called upon Israel to freeze all settlement construction and dismantle unauthorized outposts.

On 20 August and 18 September 2008, the Under-Secretary-General for Political Affairs and the Special Coordinator for the Middle East Peace Process, respectively, briefed the Council on a number of significant developments in the region, including the announcement by Ehud Olmert, the Prime Minister of Israel, that he would not seek re-election, and the rise in internal Palestinian violence as Hamas initiated a campaign for total control over Gaza. The Egyptian-mediated ceasefire between Hamas and Israel that began on 19 June 2008 continued to hold, but the situation on the ground in the West Bank and East Jerusalem remained fragile.526

On 22 October and 25 November 2008, the Under-Secretary-General for Political Affairs reported

521 S/PV.5847, pp. 3-6; and S/PV.5859, pp. 6-10.
522 S/PV.5847, pp. 6-7; and S/PV.5859, pp. 10-13.
523 S/PV.5873, pp. 2-5; S/PV.5899, pp. 2-4; and S/PV.5927, pp. 2-4.
524 S/PV.5940, pp. 2-5.
525 Ibid., pp. 5-7.
526 S/PV.5963, pp. 2-4; and S/PV.5974, pp. 2-4.
on recent developments in the region, noting that bilateral negotiations between Israel and the Palestinian Authority continued. A Quartet meeting had been held on 9 November 2008 in which, for the first time, Israel and Palestine had jointly participated. While the ceasefire in Gaza brokered by Egypt continued to hold, he reported that the humanitarian situation remained dire, with the split between the Gaza Strip and the West Bank having increasingly adverse effects. While regretting the fact that the parties would likely fall short of their commitment made at the Annapolis conference to reach an agreement by the end of 2008, the Under-Secretary-General for Political Affairs welcomed the parties’ affirmation that they had engaged in direct, sustained and intensive negotiations. Nevertheless, he also noted, citing a number of recent violent incidents, that the gap between the political tracks and the situation on the ground remained large.527

26 September 2008: Settlement activities in the occupied Palestinian territories

On 26 September 2008, the Council convened a meeting at the request of Saudi Arabia,528 on behalf of the League of Arab States, to discuss the issue of continued Israeli settlement activities in the occupied Palestinian territories. In the view of the representative of Saudi Arabia, such activities were the one issue that threatened to bring down the whole peace process, and he requested that the meeting remain open until the Council reached an appropriate conclusion.529

The Secretary-General of the League of Arab States expressed regret that most of the four objectives agreed at the Annapolis conference — the establishment of a Palestinian state by the end of 2008; the resumption of Israeli-Palestinian negotiations; the immediate halt to all settlement activities; and the conclusion of a comprehensive peace that included all three tracks, Palestinian, Syrian and Lebanese — had not been attained. He pointed out that it was the responsibility of the Council to protect the legitimate rights of peoples, in this case those of the Palestinian people.530 The President of the Palestinian Authority drew the attention of Council members to the current situation in the West Bank, where three settlement blocs divided the West Bank into no less than four cantons. He reiterated that the settlement policy was illegal and that Palestine would not accept it, and urged the Council to assume its responsibilities and implement its previous resolutions.531 The representative of Israel, referring to earlier statements, stated that should a stranger be present at the meeting he would be under the impression that the Israeli settlements in the West Bank were the primary and single obstacle to peace in the region, and consider as irrelevant the actions of Hamas, the pursuit of nuclear arms by the Islamic Republic of Iran and its President’s calls for the destruction of Israel, and the continued transfer of weapons from the Islamic Republic of Iran and the Syrian Arab Republic to re-arm Hizbullah.532 The representative of the United States asked the States of the region to consider ways that they might reach out to Israel, to demonstrate that a comprehensive solution required full understanding that Israel belonged in and would remain in the Middle East as a valued partner. She expressed the view that the statement by the President of the Islamic Republic of Iran that week in the General Assembly, in which he called for the destruction of Israel, was simply unacceptable.533 Regarding the issue of Israeli settlements, the majority of Council members called for Israel to cease its settlement activities, but many members noted that they were but one of many aspects of the Palestinian question.

3 December 2008: incident involving a ship of the Libyan Arab Jamahiriya

On 3 December 2008, the Council convened a meeting at the request of the Libyan Arab Jamahiriya534 to discuss an incident on 1 December 2008 in which a Libyan ship carrying humanitarian aid bound for Gaza was intercepted by Israeli military vessels and forced to turn back. The representative of the Libyan Arab Jamahiriya characterized the Israeli action as piracy, and urged the Council to take effective steps to ensure compliance by Israel with international

527 S/PV.5999, pp. 2-5; and S/PV.6022, pp. 2-5.
528 S/2008/615. For a list of communications bringing disputes or situations to the attention of the Council, see part VI, sect. I.
529 S/PV.5983, pp. 2-3.
530 Ibid., pp. 3-5.
531 Ibid., pp. 5-7.
532 Ibid., pp. 7-9.
533 Ibid., pp. 10-12.
534 S/2008/754. For a list of communications bringing disputes or situations to the attention of the Council, see part VI, sect. I.
humanitarian law and the United Nations Convention on the Law of the Sea, and to hold it accountable for its “deliberate violations of the freedom of navigation on the high seas”. The representative of Israel expressed outrage that the Council had been compelled to meet “in order to promote the particular agenda of a certain Member State of the Council”, and stated that the meeting was a provocative abuse of procedure, nothing more. The representative of Palestine called upon the international community to shoulder its responsibility and exert serious efforts to redress the illegal situation in the Occupied Palestinian Territory, and bring an end to Israel’s illegal policies and practices. Several Council members felt that the subject of the meeting was not about the humanitarian situation in Gaza. The representative of the United States noted that the Council had been asked to meet by a Council member to react to a situation of its own making, and pointed to established mechanisms for transfer of humanitarian assistance which should have been utilized instead. Other Council members expressed regret that the delivery of humanitarian supplies to Gaza had been blocked. The representative of Italy pointed out that the real issue and top priority was to improve the living conditions in Gaza and respond swiftly to their urgent basic needs.

16 and 18 December 2008: adoption of resolution 1850 (2008) and related discussion

On 16 December 2008, the Secretary-General addressed the Council. He stressed, inter alia, that Palestinians had to see the establishment of a State of Palestine, alongside Israel, to coexist with it in peace and security. To that end, he emphasized that the situation on the ground in the West Bank and the Gaza Strip must be stabilized, and all tracks of the process intensified. The representative of the United States stated that it had sponsored the draft resolution before the Council, together with the Russian Federation, because it felt that it was incumbent upon the international community to provide support to the bilateral process. She noted that the draft resolution would confirm the irreversibility of the bilateral negotiations; reiterate the importance of fulfilling obligations under the road map; underscore that peace would be built upon mutual recognition, freedom from violence and terror, the two-State solution and previous agreements and obligations; and underline that the solution to the Israeli-Palestinian conflict should be aligned with efforts towards broader regional peace, such as the Arab Peace Initiative. Council members generally welcomed the fact that the Council was now ready to show its support towards the peace process through the adoption of the resolution, the first on the issue since 2004. The representative of the Libyan Arab Jamahiriya stated that his country welcomed, in principle, the attempt to adopt a resolution concerning the question of Palestine, but that it also believed that generalization of the question, deliberate ambiguity and disregard for confronting breaches of international law did not serve peace as much as they hindered it.

The Council then adopted resolution 1850 (2008), by 14 votes to none, with 1 abstention (Libyan Arab Jamahiriya), in which the Council declared its support for the negotiations initiated at Annapolis, Maryland, on 27 November 2007, and its commitment to the irreversibility of the bilateral negotiations. The resolution also called upon all States and international organizations to contribute to an atmosphere conducive to negotiations and to support the Palestinian government that was committed to the Quartet principles and the Arab Peace Initiative and respected the commitments of the Palestinian Liberation Organization, to assist in the development of the Palestinian economy, to maximize the resources available to the Palestinian Authority, and to contribute to the Palestinian institution-building programme in preparation for statehood.

On 18 December 2008, in his briefing to the Council, the Special Coordinator for the Middle East Peace Process welcomed the adoption by the Council of resolution 1850 (2008) two days earlier, in which the international community had sent a clear and united message of its commitment to the irreversibility of the process leading to the creation of a Palestinian State living in peace alongside a secure Israel. Regarding the situation in Gaza, he reported that while the ceasefire brokered by Egypt continued to hold six months after it had come into effect, several violent incidents had

535 S/PV.6030, pp. 2-3.
536 Ibid., pp. 3-4.
537 Ibid., pp. 4-6.
538 Ibid., pp. 6-8.
539 Ibid., p. 14.
540 S/PV.6045, pp. 2-3.
541 Ibid., pp. 3-4.
542 Ibid., pp. 7-8.
occurred, resulting in deaths and injuries on both sides. The humanitarian situation in Gaza remained grave, with limited access exacerbating the situation. In the West Bank, Palestinian Authority security forces continued their efforts to impose law and order and meet the road map commitments on security throughout the area. Despite obstacles to movement and access that remained across the West Bank, an easing of restrictions around the Nablus area had been instituted on 7 December 2008.543

The majority of speakers welcomed the recent adoption of resolution 1850 (2008) and stressed the importance of building on the current peace negotiations, including both the Israel-Palestine and the Israel-Syrian Arab Republic tracks. Several speakers expressed regret that the resolution included such shortcomings as the lack of a stronger and clearer message.

Many speakers welcomed the role of the Quartet in affirming the need to intensify the political process. A number of speakers also welcomed the recent positive developments in the indirect peace negotiations between Israel and the Syrian Arab Republic, and urged the parties to move forward to formal negotiations. The majority of speakers expressed concern regarding the humanitarian situation in Gaza, and that the deteriorating situation on the ground could undermine the peace process. While some speakers condemned the continued attacks by Hamas against southern Israel, other speakers asserted that Israel was exacerbating the situation by blocking humanitarian access.

31 December 2008 to 21 January 2009: hostilities in Gaza

On 31 December 2008, the Council convened a meeting at the request of the representatives of Egypt and the Libyan Arab Jamahiriya544 to discuss the situation in Gaza. The Secretary-General addressed the Council, reporting that a dramatic crisis was unfolding in Gaza and southern Israel, despite the Council’s call, four days earlier, for an end to the violence. He stated that the people of Gaza were living under heavy bombardment, which targeted Hamas facilities, smuggling tunnels and other Hamas infrastructure, as well as the former Palestinian Authority security structure, government buildings, residential homes, mosques and businesses. In southern Israel, there had been a continuous stream of rockets fired from Gaza, including longer-range rockets that were hitting major cities in Israel. Condemning both the rocket attacks by Palestinian militants and the excessive use of force by Israel, he called for, in the strongest possible terms, an immediate ceasefire that was fully respected by all parties.545

In the debate that followed, the representative of Palestine strongly condemned the Israeli military campaign that began on 27 December 2008, which had so far claimed the lives of over 380 people and injured over 1,800 others. Emphasizing the rapidly worsening humanitarian situation, he called for the Council to adopt a binding resolution that condemned Israeli action and ensured a lasting ceasefire.546 The representative of Israel stated that it had been compelled to launch a military operation after a recent escalation in attacks, and after months and years during which its civilians had been subjected to deliberate terrorist attacks by Hamas and other armed groups. Emphasizing that the targets of the operation were terrorists and their infrastructure alone, and that Israel was not at war with the Palestinian people, she strongly condemned Hamas for intentionally exposing civilians to the line of fire.547

Council members expressed profound dismay at the violence and called for an immediate ceasefire, and welcomed the efforts of all actors working to resolve the crisis. The representative of the United States stated that Hamas had to stop its rocket attacks and end illegal arms smuggling into Gaza for a ceasefire to be meaningful. He stressed that the decision by Hamas to break the ceasefire brokered by Egypt was responsible for the current crisis. He said that the situation was extremely complex and couldn’t be resolved by simple and one-sided declarations or unbalanced initiatives.548 The representatives of Egypt and the League of Arab States strongly condemned the failure of Israel to heed the calls of the international community to stop the violence and denounced the excessive use of force. They noted that the League of Arab States had called

543 S/PV.6049, pp. 2-6.
544 S/2008/842 and S/2008/843. For a list of communications bringing disputes or situations to the attention of the Council, see part VI, sect. I.
545 S/PV.6060, pp. 2-4.
546 Ibid., pp. 4-5.
547 Ibid., pp. 5-7.
for a binding resolution by the Council to compel Israel to immediately end its aggression and lift the blockade.\textsuperscript{549}

The representative of the Libyan Arab Jamahiriya introduced the text of a draft resolution, which, inter alia, strongly condemned the Israeli military attacks, and called upon Israel to immediately cease them.\textsuperscript{550} The representatives of South Africa and Indonesia expressed support for the draft resolution,\textsuperscript{551} while several other members of the Council stated that they would study the text.\textsuperscript{552}

On 6 and 7 January 2009, the Council discussed the situation in Gaza. The representative of France reported that his country had been engaged, together with Egypt, in an attempt to facilitate negotiations on a permanent ceasefire. Stressing that the immediate priority was to end the violence, he condemned both Israel’s ground offensive in Gaza and the continued rocket attacks against Israel.\textsuperscript{553} The Secretary-General subsequently briefed the Council, reporting that so far over 570 Palestinians had been killed and over 2,700 injured, according to Palestinian figures. Israel had confirmed that 5 soldiers had been killed and another 50 injured, in addition to 4 civilians killed and dozens injured. Reiterating his call for an immediate ceasefire, the Secretary-General urged the Council to act swiftly and decisively to end the crisis.\textsuperscript{554}

The President of the Palestinian National Authority strongly condemned the Israeli military operation and urged the Council to adopt a resolution calling for an immediate cessation of Israeli aggression, emphasizing that the Palestinian people were being subjected to a new tragedy of destruction.\textsuperscript{555} The representative of Israel stated that for over eight years its citizens in southern Israel had suffered almost daily missile attacks from Gaza, despite the removal of its forces from Gaza in 2005 in the hope for peace. She pointed out that Hamas had unilaterally announced an end to the ceasefire brokered six months ago. Condemning in strong terms the terrorist actions of the Hamas regime, she defended the ongoing military operation as a prerequisite for peace. Stressing that Israel respected its humanitarian responsibilities, she also maintained that failing to respond to terrorists simply because they were using civilians as cover was not an option.\textsuperscript{556} The representative of the United States, while expressing concern for the worsening situation in Gaza, urged a ceasefire that would not merely bring about the previous situation where hundreds of thousands of Israelis lived under the daily threat of rocket attacks, but one which could endure and bring real security. In that context, she emphasized that the focus of the Council should be on creating conditions that would lead to a real peace between Israelis and Palestinians.\textsuperscript{557}

Several speakers strongly condemned the Israeli military operation and disproportionate use of force, while others called for both sides to cease hostilities. Several speakers called for unity among Palestinians as a precondition for peace.

On 8 January 2009, the Council adopted resolution 1860 (2009), by 14 votes to none, with 1 abstention (United States), in which it stressed the urgency of and called for an immediate, durable and fully respected ceasefire, leading to the full withdrawal of Israeli forces from Gaza. The resolution called upon Member States to support international efforts to alleviate the humanitarian and economic situation in Gaza, and condemned all violence and hostilities directed against civilians and all acts of terrorism. It also encouraged tangible steps towards intra-Palestinian reconciliation, including in support of mediation efforts of Egypt and the League of Arab States as expressed in the resolution of 26 November 2008, and consistent with Security Council resolution 1850 (2008) and other relevant resolutions.

Following the adoption of resolution 1860 (2009), the Secretary-General made a statement, in which he expressed relief at the Council’s decision, and urged all parties to fully respect it.\textsuperscript{558}

In the debate that followed, the representative of the United Kingdom, which had introduced the draft resolution, welcomed the fact that the resolution showed a genuine consensus on a clear set of

\textsuperscript{549} Ibid., pp. 18-19 (Egypt); and p. 19 (League of Arab States).
\textsuperscript{550} Ibid., pp. 7-8.
\textsuperscript{551} Ibid., pp. 7-8 (South Africa); and pp. 10-11 (Indonesia).
\textsuperscript{552} Ibid., pp. 11-12 (Russian Federation); pp. 12-13 (United Kingdom); and pp. 17-18 (Croatia).
\textsuperscript{553} S/PV.6061, pp. 2-3.
\textsuperscript{554} Ibid., pp. 3-4.
\textsuperscript{555} Ibid., p. 4.
\textsuperscript{556} Ibid., pp. 6-8.
\textsuperscript{557} Ibid., pp. 11-12.
\textsuperscript{558} S/PV.6063, p. 3.
objectives.\textsuperscript{559} Most Council members welcomed the adoption of resolution 1860 (2009) and urged all parties to abide by it. The representative of the United States, who had abstained on the vote, stated that resolution 1860 (2009) was a step towards the Council’s goals of stabilization and normalization of Gaza through the implementation of a durable and fully respected ceasefire and an end to all terrorist activities. While emphasizing its support for the text, she explained that it had abstained because it had thought it important to see the outcomes of the Egyptian mediation efforts to understand what the resolution might have been supporting.\textsuperscript{560}

On 21 January 2009, the Council heard a statement by the Secretary-General, read on his behalf by the Under-Secretary-General for Political Affairs, in which he reported to the Council on his recent trip to the Middle East, including Gaza. While welcoming the declarations of unilateral ceasefires and the withdrawal of Israeli troops from Gaza, he drew the attention of Israel and the Syrian Arab Republic to the need for international humanitarian law to be respected, both in Gaza and in southern Israel, and for investigations and accountability where there were allegations of violations. He also expressed his view that the recent conflict was a symptom of broader problems and deeper conflicts which demanded political action.\textsuperscript{561}

\textbf{27 January 2009: humanitarian situation in the Gaza Strip following the ceasefire}

On 27 January 2009, in his briefing to the Council, the Under-Secretary-General for Humanitarian Affairs and Emergency Relief Coordinator, reporting on his recent trip to the Middle East, expressed his shock at the human suffering and destruction he witnessed. Citing figures released by the Palestinian Ministry of Health, he stated that 1,300 Palestinians had been killed and more than 5,300 were injured during the recent fighting in Gaza. He also reported that widespread destruction was caused to Gaza’s economic and civil infrastructure. He condemned both parties to the conflict: Hamas, for the reckless and cynical use of civilian installations and the indiscriminate firing of rockets against civilian populations; and Israel, for its failure to effectively protect civilians and humanitarian workers, and also for its lack of respect for international humanitarian law, particularly the principles of distinction and proportionality. He underlined that the kind of access restrictions that had been in place before the hostilities would be neither acceptable nor workable.\textsuperscript{562} The Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA), in her briefing to the Council, reported on the early-recovery activities being undertaken by UNRWA, in particular its aid to refugees displaced by the conflict.\textsuperscript{563}

On 18 February 2009, in his briefing to the Council, the Special Coordinator for the Middle East Peace Process reported that there were several realities which needed to be addressed if peace were to be advanced: the severe humanitarian, economic and political repercussions of the Gaza crisis; continued Palestinian divisions; a new political situation in Israel; the inconclusive results of the 2008 Israeli-Palestinian negotiations; unmet road map obligations, especially regarding settlements; and the freeze in indirect peace negotiations between Israel and the Syrian Arab Republic. He reiterated the Secretary-General’s belief that a comprehensive regional approach to peace, as embodied in the Arab Peace Initiative and resolutions of the Council, was required if bilateral efforts were to bear fruit.\textsuperscript{564}

\textbf{25 March 2009: situation in the Gaza Strip since the ceasefire}

On 25 March and 20 April 2009, in his briefings to the Council, the Under-Secretary-General for Political Affairs reported that since the unilateral ceasefires declared in Gaza, very little progress had been made on the key issues outlined in resolution 1860 (2009), including the establishment of a proper ceasefire regime in Gaza, unimpeded access for humanitarian assistance, opening of the crossings, prevention of illicit trafficking in arms and ammunition, and intra-Palestinian reconciliation. While there had been a significant drop in violent incidents, the situation remained fragile owing to the absence of a proper ceasefire regime. Regarding the humanitarian situation, although Israel had allowed limited amounts of food and supplies into Gaza, access remained strictly limited. He reiterated, inter alia, that it was important that the Quartet and the international

\textsuperscript{559} Ibid., pp. 3-4.
\textsuperscript{560} Ibid., pp. 4-5.
\textsuperscript{561} S/PV.6072, pp. 2-5.
\textsuperscript{562} S/PV.6077, pp. 2-4.
\textsuperscript{563} Ibid., pp. 4-6.
\textsuperscript{564} S/PV.6084, pp. 2-6.
community act with unity of purpose to help stabilize Gaza and reinvigorate the peace process. 565

On 25 March, the representative of Palestine stated that since the adoption in December 2008 of resolution 1850 (2008), there had been a dramatic deterioration on all fronts in the situation on the ground in the Occupied Palestinian Territory, including East Jerusalem. He condemned Israel’s subsequent aggression, which was evidence of its blatant disrespect for the Council, the peace process and all legal norms. Pointing to the final tally of over 1,400 Palestinian deaths and the physical destruction of much of the infrastructure in Gaza, he called upon Israel to lift its punitive blockade. He also condemned Israel’s continued settlement activities in the West Bank. 566 The representative of Israel reiterated his Government’s commitment to the peace process, citing advancements in relations between Israel and the Palestinian Authority. Regarding the situation in Gaza, he drew attention to the fact that rockets continued to be launched into Israel from Gaza, and emphasized that Israel would not tolerate a return to the status quo ante, with continued terrorist attacks jeopardizing civilians in southern Israel. He also drew the attention of the Council to the situation regarding Corporal Gilad Shalit, who had been held hostage by Hamas since June 2006, and called for his release. 567

The majority of speakers welcomed the relative calm in Gaza, but expressed concern for the grave humanitarian situation, and stressed the need for a more permanent, sustainable ceasefire. Several speakers called for investigations into allegations of serious violations of international law committed by either or both sides. Regarding Israeli settlement activities in the West Bank, several speakers condemned such actions as counter to Israel’s obligations under the road map and as violations of international law.

11 May to 27 July 2009: peace process in the Middle East and the situation in the Gaza Strip

At the meeting on 11 May 2008, the representative of the Russian Federation stressed, inter alia, the primary importance of the rapid resumption of negotiations between Israel and the Palestinian Authority. He highlighted the key elements towards a solution in the Middle East: the two-State solution; the Arab Peace Initiative; the terms of reference agreed at the Madrid Conference; the road map; resolutions 242 (1967) and 338 (1973), and other relevant Security Council resolutions. 568 Many Council members regretted the lack of progress towards a durable ceasefire in Gaza, as set out in resolution 1860 (2009), and stressed the need to create the necessary conditions for the resumption of political negotiations that would lead to a comprehensive peace. Several speakers emphasized the importance of intra-Palestinian reconciliation, while other speakers stressed the importance of pursuing a comprehensive approach on all tracks of the peace process.

The Secretary-General reported that the past three months had witnessed almost no progress on the implementation of resolutions 1850 (2008) and 1860 (2009). He expressed his deep concern regarding the situation in and around the Gaza Strip, where internal Palestinian divisions and tensions between Israel and Hamas were trapping the civilian population in a vortex of hopelessness. He emphasized that the situation on the ground could easily deteriorate unless real momentum was quickly generated, and in that context called on the parties to pursue an irreversible effort towards the two-State solution, including by fully implementing commitments on the ground. 569

The President of the Council then made a statement, 570 in which the Council stressed the urgency of reaching comprehensive peace in the Middle East, and that vigorous diplomatic action was needed to attain the goals set by the international community — lasting peace in the region, 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.

Between June and September 2009, the Council heard two briefings by the Special Coordinator for the Middle East Peace Process 571 and two by the Assistant Secretary-General for Political Affairs. 572 They

565 S/PV.6100, pp. 2-6; and S/PV.6107, pp. 2-5.
566 S/PV.6100, pp. 6-10.
567 Ibid., pp. 10-12.
568 Ibid., pp. 2-3.
569 S/PV.6123, pp. 3-4.
571 6150th meeting (S/PV.6150, pp. 2-5); and 6190th meeting (S/PV.6190, pp. 2-5).
572 6171st meeting (S/PV.6171, pp. 2-6); and 6182nd meeting (S/PV.6182, pp. 2-5).
reported on ongoing diplomatic efforts to reinvigorate the peace process, including the upcoming Quartet meeting, the Arab foreign ministers’ meeting and the bilateral meeting between the United States and Israel. Regarding the situation in the Gaza Strip, there had been a notable and welcome drop in violence during the reporting period, but Hamas continued to assert its control over institutions and organizations in Gaza, with reports of violence against Fatah members. There had been a serious development within Gaza when an armed radical group calling itself Jund Ansar Allah became involved in a violent clash with Hamas, in which 28 people were killed and over 100 wounded. The event highlighted, among others, concerns regarding the radicalization of certain elements within Gaza. It was noted that the Secretary-General had also issued a statement on 9 September stressing the illegality of settlement activity and calling on Israel to implement its obligations under the road map to freeze all settlement activity, including natural growth, and to dismantle outposts erected since March 2001, as called for by the Quartet.

On 27 July 2009, the representative of Palestine welcomed several recent developments, in particular the reaffirmation of the Arab Peace Initiative by the League of Arab States in March, and the adoption by the Council of a presidential statement on 11 May 2009. The representative of Israel drew the attention of Council members to the situation on the border between Lebanon and the Syrian Arab Republic, where Hizbullah continued to build its military infrastructure, posing a threat to Israel, Lebanon and the region. Regarding Gaza, he condemned Hamas’s continued rejection of the State of Israel, and called for an end to violence and acceptance of previous agreements between Israel and the Palestinian Authority. Many speakers expressed concern regarding settlement activities in the West Bank and called for their immediate end. The majority of speakers also called upon Israel to improve the humanitarian conditions in Gaza.

14 October to 17 December 2009: discussion and briefings concerning the situation in the Middle East

On 14 October 2009, in his briefing to the Council, the Under-Secretary-General for Political Affairs reported that while political efforts to resolve the Arab-Israeli conflict had continued, there had been no significant progress on the ground and some worrying developments had emerged. On 21 September, the Israeli and Palestinian leaders held their first face-to-face meeting since 2008. The United States, supported by other Quartet members, was continuing diplomatic efforts to relaunch negotiations. However, tensions on the ground increased, with several confrontations taking place in East Jerusalem. Tensions among Palestinians were also heightened in the aftermath of the deferral of consideration by the Human Rights Council of the report of the United Nations Fact-Finding Mission on the Gaza Conflict, headed by Justice Richard Goldstone, which had been presented to the Human Rights Council on 29 September 2009. Regarding the situation in Gaza, the Under-Secretary-General reported that there was a worrying increase in violence.

The representative of Palestine expressed regret that despite various diplomatic efforts, there had been no real progress towards peace. He drew the attention of Council members to the findings of the report, which had concluded, inter alia, that Israel failed to take the precautions required by international law to avoid or minimize loss of civilian life, injury to civilians and damage to civilian property, and urged the Council and other United Nations bodies to act on the report’s recommendations. The representative of Israel condemned the recent rise in attacks by Hamas originating in Gaza, as well as attacks by Hizbullah from southern Lebanon. He also emphasized the dangers inherent in the Iranian regime’s support for terrorism and pursuit of nuclear weapons capabilities. He dismissed the findings of the report as one-sided, biased and wrong; a legitimization of terrorism; a diversion from reality; and a shift to a narrative that was destructive to the peace process.

While most speakers expressed concern regarding the continuing humanitarian crisis in Gaza, they generally welcomed the ongoing diplomatic engagements aimed at the resumption of Israeli-Palestinian negotiations. While several speakers called for implementation of the recommendations of the report, others stated that the report needed careful

573 S/PV.6171, pp. 24-27.
574 Ibid., pp. 27-28.
review. Other Council members stated that while the allegations contained within the report were grave, it was a matter to be considered by the Human Rights Council. The representative of the United States expressed serious concerns about the report, particularly its “unbalanced” focus on Israel, overly broad scope of its recommendations and its sweeping conclusions of law.\textsuperscript{579}

On 24 November 2009, the Council heard a briefing by the Assistant Secretary-General for Political Affairs,\textsuperscript{580} and on 17 December 2009, a briefing by the Special Coordinator for the Middle East Peace Process.\textsuperscript{581} They reported that despite diplomatic efforts by the United States, it had not been possible to resume Israeli-Palestinian negotiations, and there was now a worrying impasse, even as security and economic efforts continued on the ground. On 26 November 2009 Israel announced that it would restrain certain settlement activity for 10 months, which was welcome but fell considerably short of Israel’s commitments under the road map. The Palestinian Authority continued efforts to meet road map commitments, in particular improving the security situation, while also pursuing initiatives to build the economy and build institutions. They reported that the humanitarian situation in the Gaza Strip remained serious, and that there had been several rocket attacks from Gaza into southern Israel, as well as Israeli air strikes and incursions, although violence was at a comparatively restrained level.\textsuperscript{581}

Meetings: the situation in the Middle East, including the Palestinian question

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<td>Letter dated 21 January 2008 from the Chargé d’affaires a.i. of the Permanent Mission Saudi Arabia to the United Nations addressed to the President of the Security Council (S/2008/31)</td>
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<td>Rule 37 Under-Secretary-General for Political Affairs, Permanent Observer for the League of Arab States (LAS) to the United Nations Other Palestine</td>
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<td>Letter from Palestine requesting an invitation (S/2008/51)</td>
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<td>Rule 37 Israel, Lebanon, Syria Arab Republic Rule 39 Under-Secretary-General for Political Affairs Other Palestine</td>
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<td>5847th 1 March 2008</td>
<td>Letter dated 1 March 2008 from the Permanent Representative of the Libyan Arab Jamahiriya addressed to the President of the Security Council (S/2008/142)</td>
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<tr>
<td>5873rd 23 April 2008</td>
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<td>5899th 28 May 2008</td>
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<td>5927th</td>
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<td><strong>Rule 39</strong></td>
<td>Director of the Asia and the Pacific Division of the Department of Political Affairs</td>
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<td>5940th</td>
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<td>5983rd</td>
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<td>Letter dated 22 September 2008 from the Chargé d'affaires a.i. of the Permanent Mission of Saudi Arabia to the United Nations addressed to the President of the Security Council (<a href="#">S/2008/615</a>)</td>
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<td>Letter from Palestine requesting an invitation (<a href="#">S/2008/623</a>)</td>
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<td>6022nd 25 November 2008</td>
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<td>Rule 39 Under-Secretary-General for Political Affairs</td>
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<tr>
<td>6030th 3 December 2008</td>
<td>Letters from the representative of the Libyan Arab Jamahiriya regarding the interception of a Libyan ship by Israel (S/2008/753) and a related request for an emergency meeting of the Council (S/2008/754)</td>
<td>Rule 37 Israel Other Palestine</td>
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<td>6045th 16 December 2008</td>
<td>Draft resolution submitted by Russian Federation and United States (S/2008/787)</td>
<td>Rule 37 15 Member States Other Palestine</td>
<td>Secretary-General, all Council members except Croatia</td>
<td>Resolution 1850 (2008) 14-0-1 (Libyan Arab Jamahiriya)</td>
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<td>6049th 18 December 2008</td>
<td>Letter from Palestine requesting an invitation (S/2008/794)</td>
<td>Rule 39 Special Coordinator for the Middle East Peace Process, Chairman of the Committee on the Exercise of the Inalienable Rights of the Palestinian People Other Palestine</td>
<td>All Council members' and all invitees</td>
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*Note: Rule 39 is applicable to all meetings and sub-items listed.*
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<td>Letter dated 31 December 2008 from the Permanent Representative of the Libyan Arab Jamahiriya to the United Nations addressed to President of the Security Council (S/2008/843)</td>
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### Part I. Consideration of questions under the responsibility of the Security Council for the maintenance of international peace and security

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<td>Resolution 1860 (2009) 14-0-1 (United States)</td>
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<td>Letter from Palestine requesting an invitation (S/2009/24)</td>
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<td>6084th 18 February 2009</td>
<td>Draft resolution submitted by United Kingdom (S/2009/23)</td>
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<td>6100th 25 March 2009</td>
<td>Draft resolution submitted by United Kingdom (S/2009/153)</td>
<td><strong>Rule 37</strong> Palestine</td>
<td>26 Member States&quot; except Afghanistan&quot;</td>
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"Rule 37 Requires a two-thirds majority of affirmative votes for a resolution to be adopted. Resolution 1860 (2009) was adopted by the Security Council on 21 January 2009, with 14 votes for, 0 votes against, and 1 vote abstaining (United States)."
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**Other**
Palestine

Assistant Secretary-General for Political Affairs
Special Coordinator for the Middle East Peace Process
Under-Secretary-General for Political Affairs
Chairman of the Committee on the Exercise of the Inalienable Rights of the Palestinian People
Palestine (Minister for Foreign Affairs)
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\[a\] Cuba (on behalf of the Non-Aligned Movement), Egypt, Israel, Jordan, Lebanon, Pakistan (on behalf of the Organization of the Islamic Conference (OIC)), Saudi Arabia (on behalf of the Group of Arab States), Slovenia (on behalf of the European Union) and Syrian Arab Republic.

\[b\] Cuba (on behalf of the Non-Aligned Movement), Israel, Lebanon, Pakistan (on behalf of OIC), Slovenia (on behalf of the European Union), Sudan and Syrian Arab Republic.

\[c\] The representatives of Israel, the Syrian Arab Republic, the Sudan and Cuba (on behalf of the Non-Aligned Movement) each made a second statement.

\[d\] Argentina, Cuba (on behalf of the Non-Aligned Movement), Iran (Islamic Republic of), Israel, Japan, Jordan, Lebanon, Malaysia, Qatar and Syrian Arab Republic.

\[e\] The following Member States were represented at the ministerial level: Belgium (Minister for Foreign Affairs), Costa Rica (Minister for Foreign Affairs), Croatia (Minister for Foreign Affairs), France (Minister for Foreign Affairs), Indonesia (Minister for Foreign Affairs), Italy (Minister for Foreign Affairs), Saudi Arabia (Minister for Foreign Affairs), South Africa (Minister for Foreign Affairs), United Kingdom (Secretary of State for Foreign and Commonwealth Affairs), United States (Secretary of State) and Russian Federation (Deputy Minister for Foreign Affairs). Palestine was represented by the President of the Palestinian National Authority.

\[f\] The representatives of the Libyan Arab Jamahiriya and the United States each made a second statement.

\[g\] The following Council members were represented at the ministerial level: Russian Federation (Minister for Foreign Affairs), United Kingdom (Secretary of State for Foreign and Commonwealth Affairs), United States (Secretary of State) and China (Vice Minister for Foreign Affairs).

\[h\] Australia, Brazil, Cuba (on behalf of the Non-Aligned Movement), Iceland, Iran (Islamic Republic of), Israel, Japan, Lebanon, Morocco, Norway, Pakistan, Qatar, Syrian Arab Republic, Turkey and Venezuela (Bolivarian Republic of).

\[i\] France made a statement on behalf of the European Union.

\[j\] The representative of Israel and the Special Coordinator for the Middle East Peace Process each made a second statement.

\[k\] Argentina, Australia, Bolivia, Brazil, Cuba (on behalf of the Non-Aligned Movement), Czech Republic (on behalf of the European Union), Ecuador, Egypt, Iceland, Indonesia, Iran (Islamic Republic of Iran), Israel, Jordan, Lebanon, Malaysia, Morocco, Nicaragua, Norway, Pakistan, Paraguay (on behalf of the Southern Common Market (MERCOSUR)), Qatar, Saudi Arabia and Venezuela (Bolivarian Republic of).

\[l\] The following Council members were represented at the ministerial level: France (Minister for Foreign Affairs), Libyan Arab Jamahiriya (Secretary of the General People’s Committee for Foreign Liaison and International Cooperation), Turkey (Minister for Foreign Affairs), United Kingdom (Secretary of State for Foreign and Commonwealth Affairs), United States (Secretary of State) and Russian Federation (Deputy Minister for Foreign Affairs).

\[m\] Afghanistan, Algeria, Australia, Bangladesh, Brazil, Cuba (on behalf of the Non-Aligned Movement), Czech Republic (on behalf of the European Union), Ecuador, Egypt, Indonesia, Iran (Islamic Republic of), Israel, Jordan, Lebanon, Malaysia, Mali, Mauritania, Morocco, Nicaragua, Norway, Pakistan, Qatar, Republic of Korea, South Africa, Syrian Arab Republic and Venezuela (Bolivarian Republic of).

\[n\] The Islamic Republic of Iran, Israel and the Syrian Arab Republic each made a second statement.

\[o\] The following Council members were represented at the ministerial level: Austria (Federal Minister for European and International Affairs), Burkina Faso (Minister for Foreign Affairs), Costa Rica (Minister for Foreign Affairs), Croatia (State Secretary for Foreign Affairs), Japan (State Secretary for Foreign Affairs), Russian Federation (Minister for Foreign Affairs), Turkey (Minister for Foreign Affairs) and United Kingdom (Secretary of State for Foreign and Commonwealth Affairs).

\[p\] Bangladesh, Brazil, Cuba, Ecuador, Egypt (on behalf of the Non-Aligned Movement), Indonesia, Iran (Islamic Republic of) Israel, Jordan, Lebanon, Malaysia, Morocco, Nicaragua, Norway, Pakistan, Qatar, Saudi Arabia, South Africa, Sweden (on behalf of the European Union), Switzerland, Syrian Arab Republic and Tunisia.

\[q\] Australia, Bangladesh, Brazil, Cuba, Ecuador, Egypt (on behalf of the Non-Aligned Movement), Iceland, Indonesia, Iran (Islamic Republic of), Israel, Jordan, Liechtenstein, Malaysia, Maldives, Morocco, Nicaragua, Norway, Pakistan, South Africa, Sri Lanka, Sudan (on behalf of the Group of Arab States), Sweden (on behalf of the European Union), Switzerland, Syrian Arab Republic (on behalf of OIC), United Republic of Tanzania and Venezuela (Bolivarian Republic of).