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The situation in the Middle East

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Report of the Secretary-General

Summary

The present report contains replies received from Member States in response to the note verbale dated 7 May 2013 from the Secretary-General concerning the implementation of the relevant provisions of General Assembly resolutions [67/24](#), entitled “Jerusalem”, and [67/25](#), entitled “The Syrian Golan”.

* [A/68/150](#).



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I. Introduction

1. The present report is submitted pursuant to General Assembly resolutions [67/24](#) and [67/25](#). In its resolution [67/24](#), the Assembly stressed that a comprehensive, just and lasting solution to the question of the City of Jerusalem should take into account the legitimate concerns of both the Palestinian and Israeli sides and should include internationally guaranteed provisions to ensure the freedom of religion and of conscience of its inhabitants, as well as permanent, free and unhindered access to the holy places by people of all religions and nationalities. In its resolution [67/25](#), which deals with Israeli policies in the Syrian territory occupied by Israel since 1967, the Assembly demanded once more that Israel withdraw from all the occupied Syrian Golan to the line of 4 June 1967 in implementation of the relevant Security Council resolutions.

2. On 7 May, in order to fulfil my reporting responsibility under resolutions [67/24](#) and [67/25](#), I addressed notes verbales to the Permanent Representative of Israel and the Permanent Representatives to the United Nations of other Member States, requesting them to inform me of any steps their Governments had taken or envisaged taking concerning the implementation of the relevant provisions of those resolutions. As at 31 August 2013, two replies had been received, from Cuba and Qatar. Those replies are reproduced in section II of the present report.

II. Replies received from Member States

Cuba

[Original: Spanish]

Cuba fully supports General Assembly resolution [67/25](#), entitled “The Syrian Golan”, and calls on all States Members of the United Nations to implement it promptly and rigorously.

The Syrian Golan, which has been occupied by Israel for more than 45 years, is Syrian territory. Cuba therefore considers that any legislative and administrative measures or actions taken or to be taken by Israel that purport to alter the legal status, physical nature or demographic composition of the occupied Syrian Golan or its institutional structure, as well as the Israeli measures to apply its jurisdiction and administration there, are null and void and have no legal effect.

Cuba reaffirms that the Israeli decision of 14 December 1981 to impose its laws, jurisdiction and administration on the occupied Syrian Golan, as well as the illegal construction and expansion of Israeli settlements in this territory since 1967, constitute a flagrant violation of international law, international conventions, the Charter of the United Nations and United Nations resolutions, in particular Security Council resolution [497 \(1981\)](#), and the Fourth Geneva Convention relative to the Protection of Civilian Persons in Time of War of 12 August 1949.

Cuba considers that, based on international law and the Charter of the United Nations, the acquisition of territory by force is inadmissible. It is unacceptable that the Syrian Golan, which has been occupied since 1967, remains under Israeli military occupation.

Israel must withdraw immediately from all the occupied Syrian Golan to the line of 4 June 1967, in implementation of Security Council resolutions [242 \(1967\)](#) and [338 \(1973\)](#), and end its unbridled efforts to seize the Golan from Syria.

Foreign occupation, the implementation of policies of expansion and aggression, racial discrimination, the establishment of settlements, the imposition of facts on the ground and the annexation of another State's territory by force, as have taken place in the Syrian Golan, are practices that are in violation of all international instruments and standards.

Cuba strongly condemns the brutal Israeli practices perpetrated in the prisons established during the occupation and reiterates its grave concern at the inhuman conditions of the Syrian detainees in the occupied Syrian Golan, which have led to the deterioration of their physical health and put their lives at risk, in blatant violation of international humanitarian law.

Cuba demands that Israel comply immediately and unconditionally with the provisions of the Fourth Geneva Convention relative to the Protection of Civilian Persons in Time of War of 12 August 1949 and apply them to the situation of the Syrian detainees in the occupied Syrian Golan.

The 120 members of the Movement of Non-Aligned Countries have expressed their unconditional support for and solidarity with the just demand and rights of Syria to regain its full sovereignty over the occupied Syrian Golan on the basis of the Arab Peace Initiative, the Madrid peace process and the formula of land for peace, in line with the relevant Security Council resolutions.

The continued occupation of the Syrian Golan and its de facto annexation constitute a stumbling block in the way of achieving a just, comprehensive and lasting peace in the region.

Qatar

[Original: Arabic]

The State of Qatar affirms the Arab character of Jerusalem and rejects all illegal Israeli measures aimed at the Judaization and annexation of the city and the displacement of its Jerusalemite inhabitants. It condemns the confiscation of land, the construction of settlement units in East Jerusalem and the excavation work beneath and around Al-Aqsa Mosque, which is consequently under threat of collapse. It calls on the relevant international organizations and institutions, in particular the United Nations Educational, Scientific and Cultural Organization, to shoulder their responsibilities in preserving holy Islamic and Christian sites.

It affirms its commitment to the establishment of an independent Palestinian State on all Palestinian territories occupied since 1967, with Jerusalem as its capital, and rejects all of the illegitimate Israeli measures aimed at the annexation and Judaization of the city. It condemns all Israeli programmes, plans and policies, formal or informal, aimed at declaring that city to be the capital of the State of Israel. Qatar calls on the international community to apply the relevant authoritative international resolutions.

In his statement at the opening session of the 24th Arab summit held in Doha on 26 March 2013, His Highness Sheikh Hamad bin Khalifa Al Thani, Amir of the

State of Qatar, proposed the establishment of a \$1 billion fund to support Jerusalem. He announced that the State of Qatar would contribute \$250 million towards the fund. At the end of the meeting, the summit adopted resolution 579 of 26 March 2013, providing for “the establishment of a fund for the defence of Jerusalem, in the amount of one billion United States dollars, to fund projects and programmes preserving the Arab and Islamic character of Al-Quds al-Sharif, strengthening the steadfastness of its people, enabling the Palestinian economy to enhance its self-sufficiency, counteract its subservience to the Israeli economy and confront the policy of isolation and embargo. The Islamic Development Bank shall be responsible for managing the fund”.

In implementation of resolution 503 of 28 March 2010 adopted at the 22nd Arab summit held in Sirte, on the theme “Supporting the steadfastness of Jerusalem”, the International Conference for the Defence of Jerusalem was held in Doha on 26 and 27 February 2012 under the auspices of and attended by His Highness Sheikh Hamad bin Khalifa Al Thani. Participants included the Palestinian President; the Secretary-General of the League of Arab States; Arab ministers for foreign affairs; heads of international and regional organizations and bodies; human rights-related organizations and federations; clerics; intellectuals; legal and political figures; and historians, who, in a historic global mobilization, gathered to express solidarity with the Palestinian people in the city of Jerusalem, their legitimate rights and their well-established presence in that city. The Conference adopted the Doha Declaration, which includes the following points:

We welcome the call made by the Amir of Qatar, His Highness Sheikh Hamad bin Khalifa Al Thani, for Jerusalem and its liberty to become the focus of all Palestinians and the incentive for bringing about reconciliation and ending the division;

We appreciate and support the proposal of His Highness the Amir to apply to the Security Council for the adoption of a resolution concerning the establishment of an international commission to investigate all the measures that Israel has taken since it occupied the city in 1967 with a view to erasing the Arab and Islamic features of Jerusalem;

We welcome the suggestion put forward by His Highness with regard to the preparation of a comprehensive strategy for the various sectors and for the projects that are needed in Jerusalem, and the willingness of Qatar to use all the means available to it in accomplishing this strategy and making it a reality.

With regard to the Syrian Golan:

The State of Qatar affirms its solid support and backing for Syria’s just demand to recover the entire occupied Syrian Arab Golan up to the line of 4 June 1967, on the basis of the principles of the peace process and authoritative international resolutions and building on achievements within the framework of the Madrid peace conference (1991).

It affirms that the continued occupation of the Syrian Arab Golan since 1967 represents an ongoing threat to peace and security in the region and the world.

It condemns Israeli practices in the occupied Syrian Arab Golan in respect of the seizure of land and water resources.

It calls on the United Nations, the Security Council and the Human Rights Council to ensure Israeli respect for the Fourth Geneva Convention and the International Covenant on Civil and Political Rights and to seek to facilitate visits by the population of the occupied Syrian Arab Golan to their families and relatives in their motherland of Syria, via the Quneitra crossing, under the supervision of the International Committee of the Red Cross.

It urges compliance with the authoritative international resolutions requiring the non-recognition of any situation resulting from Israeli settlement activity in the occupied Arab lands, considering this to be illegal activity giving rise to neither right nor obligation and that the construction of settlements and housing of settlers therein represents a serious violation of the Geneva Conventions, a war crime under the First Protocol additional thereto and a violation of the principles of the peace process. The State of Qatar calls on the international community to uphold the authoritative international resolutions rejecting Israeli settlement activities in the occupied Syrian Arab Golan.

Syrian Arab Republic

[Original: Arabic]

Since the Israeli occupation of the Syrian Golan in 1967, the international community has consistently maintained its forceful rejection of that occupation, demanding that Israeli forces be withdrawn from all of the Syrian Golan. The General Assembly, in its resolution [67/25](#), reiterated its deep concern that Israel had not withdrawn from the occupied Syrian Golan, contrary to the relevant Security Council and General Assembly resolutions. It demanded that Israel withdraw from all the occupied Syrian Golan to the line of 4 June 1967 in implementation of the relevant Security Council resolutions. The Assembly also declared that the Israeli decision of 14 December 1981 to impose its laws, jurisdiction and administration on the Syrian Golan was null and void and had no validity whatsoever, as confirmed by the Security Council in its resolution [497 \(1981\)](#), and called upon Israel to rescind the decision immediately.

After 46 years of that occupation, Israel has turned a blind eye to internationally recognized resolutions, the demands made at international gatherings by the countries of the world for an end to the occupation, and their condemnation of the daily Israeli tyrannical practices and blatant violations of all international conventions and norms. There are no obstacles to the expansionist ambitions of Israel and no limits to its disregard for international law.

The Syrian Arab Republic has consistently stated that the realization of a just and comprehensive peace in the Middle East requires the implementation of the United Nations resolutions aimed at ending the Israeli occupation of the Syrian Golan and other Arab territories. The Syrian Arab Republic has affirmed that stance in all international forums, insisting on full implementation of the relevant international resolutions, in particular Security Council resolutions [242 \(1967\)](#), [338 \(1973\)](#) and [497 \(1981\)](#), in addition to the principle of land for peace, which was the basis for the Madrid peace process that was started in 1991, in order to ensure full withdrawal by Israel from all of the occupied Syrian Golan to the line of 4 June 1967. President Bashar Al-Assad has affirmed that position on more than one occasion.

The Syrian Arab Republic strongly condemns the continued Israeli practices that challenge the Arab and Syrian rights as upheld by the United Nations. In particular, in June 2011, the Israeli Government decided to build an illegal separation wall east of Majdal Shams in the occupied Syrian Golan, allegedly in order to prevent Palestinians and Syrians from crossing the ceasefire line and reaching occupied Majdal Shams. The Israeli Corps of Engineers in fact began constructing the wall at the beginning of July 2011, and an agreement was reached with Israeli contractors that it would be built to a height of eight metres.

The Government of the Syrian Arab Republic denounces the settlement policies enacted in the occupied Syrian Golan by the Israeli Government, paying no heed to Security Council or General Assembly resolutions, the most recent of which are Assembly resolution 67/25, which stresses the illegality of the Israeli settlement construction and other activities in the occupied Syrian Golan and Assembly resolution 67/122, which calls upon Israel to desist from changing the physical character, demographic composition, institutional structure and legal status of the occupied Syrian Golan and in particular to desist from the establishment of settlements. In a signal of its intention to intensify such policies, the Israeli Government has embarked on numerous settlement activities in the Golan. For example, the settlers' Regional Council and the Israeli occupiers' National Road Safety Authority have decided to develop and maintain the roads leading to Israeli settlements in the occupied Syrian Golan in order to ensure the safety of its residents and facilitate travel for tourists. The Head of the Regional Council for Israeli settlements in the occupied Syrian Golan has revealed a housing plan to absorb 1,500 new families in settlements in the occupied Syrian Golan and provide 750 new housing units. The Israeli Minister of Construction and Housing, Uri Ariel, has visited the occupied Syrian Golan to support and promote settlement activities, making it clear that the true intention of Israel is to reject peace.

In an effort to retain the current settlers, prevent their departure and attract new families to live there, the settlers' Regional Council has carried out a comprehensive survey of settlements in the occupied Syrian Golan. Its aim was to canvass the views and ideas of current residents in the Israeli settlements that are being built and developed, and to examine their living conditions.

The Syrian Arab Republic deplores the allocation of European Union funding to a survey entitled "Alternative tourism", which is intended to encourage tourism in Israeli settlements in the occupied Syrian Golan. The funding was announced at a conference held in Merom Golan, near the destroyed villages of Bab al-Hawa and Muwaysah. Over 100 experts and consultants on tourism attended and discussed ways to promote tourism in the occupied Syrian Golan.

The Government of the Syrian Arab Republic condemns all Israeli practices and actions aimed at controlling and plundering the resources of the Syrian Golan, in flagrant contravention of the principle that peoples under occupation have permanent sovereignty over their natural resources, and in open violation of Security Council resolution 497 (1981) and General Assembly resolution 67/229, entitled "Permanent sovereignty of the Palestinian people in the Occupied Palestinian Territory, including East Jerusalem, and of the Arab population in the occupied Syrian Golan over their natural resources". The Syrian Arab Republic again calls upon Member States of the United Nations to refuse to import natural products taken from the occupied territories or produced there, in order to comply

with international law and emphasize the need for Israel to respect that law. The Syrian Arab Republic also denounces the dangerous steps taken by the Israeli occupation authorities to drill for oil in the occupied Syrian Golan. Reports from various sources concur that the Israeli Ministry of Energy has authorized the United States company Genie Energy to drill for oil in the area. The Syrian Arab Republic drew the attention of the Security Council to that grave Israeli violation by a letter issued as an official document on 4 March 2013 (A/67/771-S/2013/122). It demanded that the Council compel Israel and its backers to refrain from such actions, which are an egregious violation of international law and United Nations resolutions.

In an endeavour to exploit the resources and bounty of the occupied Syrian Golan, the expansionist Israel Land Authority has granted the settlers 915 dunums of land in the area to establish four vineyards, showrooms to market agricultural goods including wine products and vines, visitor centres, restaurants and housing units.

The intention of Israel to exploit the resources of the occupied Syrian Golan was reflected in statements made at the first business conference held at the Khasfin settlement in the occupied Syrian Golan. Eli Malka, Head of the Regional Council for settlements in the occupied Syrian Golan, said that population growth in the settlements would underpin the Israeli economy in the Golan. The Israeli Minister of Finance used the conference to invite businessmen and Israeli companies to invest in the Golan, availing themselves of very attractive Government incentives.

The Syrian Arab Republic again condemns the Israeli occupying authorities for extracting water from Mas'adah Lake in the occupied Syrian Golan and diverting it to settlement farms in December 2010. That Israeli measure, which contravenes international law and the Fourth Geneva Convention of 1949, has created an economic and environmental catastrophe of enormous proportions for Syrian citizens in the occupied Syrian Golan, whose losses are estimated at some \$20 million.

The Syrian Arab Republic, in accordance with international law and United Nations resolutions, demands that the General Assembly and the international community assume their responsibility to prevent Israel from persisting in its sustained violations, particularly the plundering of the natural resources of occupied Arab territories, including water, in the occupied Syrian Golan.

The Syrian Arab Republic reiterates its rejection of the Israeli Knesset decision of 22 November 2010 providing that a referendum should be held one year before withdrawal from the occupied Syrian Golan and East Jerusalem. That decision violates and shows contempt for international law, which stipulates that territory may not be acquired by force. It is also incompatible with Security Council resolution 497 (1981).

The Government of the Syrian Arab Republic reaffirms the request it has made to the Secretary-General, the United Nations High Commissioner for Human Rights, the President of the Human Rights Council and the President of the International Committee of the Red Cross to bring pressure to bear on Israel to ensure that the Syrian prisoners detained in its jails are kept in more humane health conditions. It expresses its rejection of the sham trials of those prisoners, such as the trial of Majid al-Sha'ir before the Israeli District Court in Nazareth on 14 July 2010. Mr. al-Sha'ir

was sentenced to five and a half years in prison, and his son, Fida' al-Sha'ir, was sentenced to three years in prison, on the charge of passing information to the Syrian motherland. The Syrian Arab Republic insists that those international bodies firmly condemn the arbitrary and inhumane conditions imposed by the Israeli occupation authorities on the prisoners Majid and Fida' al-Sha'ir. The authorities have prevented certain members of their families from visiting them, citing spurious pretexts. The wife of Majid al-Sha'ir is not permitted to see her husband and her son at the same time during her visits. That situation has impelled Fida' al-Sha'ir to begin an open-ended hunger strike until he is granted appropriate and humane contact with his family.

The Syrian Arab Republic denounces the Israeli occupation authorities' imprisonment of a number of youths, including the former prisoner Bishr al-Maqt and the President of the Golan Sports Union, Dr. Zahir Bathish, and the questioning of other youths, including the former prisoner Sidqi al-Maqt. The youths had objected to a sporting event held at the Majdal Shams sports stadium under the aegis of the Israel Football Association. The youths were released, but some of them were sentenced to house arrest for terms of various lengths and forbidden from approaching the stadium. The National Document issued by the people of the Syrian Golan in 1981 forbids the entering of any facility of the occupation and participation in any of its activities, including Israeli football.

The Government of the Syrian Arab Republic also emphasizes its request to the above-mentioned international parties to bring pressure to bear on Israel to cease taking unjust decisions preventing citizens in the occupied Syrian Golan from visiting their homeland, Syria, through the Qunaitra crossing. Those arbitrary Israeli practices contravene the Geneva Conventions and all international humanitarian instruments and norms. They serve only to inflict material, mental and physical suffering on Syrian citizens in the occupied Syrian Golan. The Israeli occupation authorities recently exceeded all legal and moral bounds by preventing the young Syrian woman Umaymah Nasir from crossing from the occupied village of Buq'ata into the motherland in order to attend her father's funeral.

The Government of the Syrian Arab Republic emphasizes that in order to ensure permanent stability and security in the Middle East, measures must be taken to implement relevant international resolutions without bias or selectivity, and to invoke the Geneva Conventions in order to bring pressure to bear on Israel, the occupying Power, to comply with the wishes of the international community for the realization of a just and comprehensive peace in the Middle East.