

Concept Note

United Nations Security Council Arria-Formula Meeting Prospects for the Two-State Solution for Peace

Background:

1. On 23 December 2016, the United Nations Security Council adopted resolution 2334 (2016), reaffirming its relevant resolutions regarding the parameters of a peaceful solution to the Palestinian-Israeli conflict and its regional implications. The longstanding international consensus in this regard was clearly articulated in the resolution, which was broadly welcomed by the international community as a long-overdue initiative, in line with the Council's Charter duty to maintain international peace and security. As a solution remained elusive fifty years on since the onset of the Israeli occupation of the Palestinian and Arab territories in 1967 and seventy years since the General Assembly's decision in resolution 181 (II) to partition Mandate Palestine, most considered such action to be imperative.

2. Resolution 2334 (2016) is thus been considered politically and legally significant, not only for its unequivocal reaffirmation of the illegality of Israeli *settlement* policy and the renewed demand for complete cessation of all settlement activities, but also for the potential its implementation would provide towards salvaging the two-State solution on the 1967 lines and the possibility of a Palestinian-Israeli peace.

3. To this end, the Council explicitly urged intensification and acceleration of international and regional diplomatic efforts aimed at achieving a comprehensive, just and lasting peace in the Middle East and reaffirmed the basis of that peace: the relevant UN resolutions, the Madrid terms of reference, including the principle of land for peace, the Arab Peace Initiative, and the Quartet Roadmap. The resolution also underscored the importance of the ongoing efforts to advance the Arab Peace Initiative, the initiative of France for the convening of the international peace conference that took place in Paris on 15 January 2017, the recent efforts of the Quartet, as well as the efforts of Egypt and the Russian Federation to promote the launch of credible negotiations on all final status issues for attainment of a peace agreement.

4. At the same time, resolution 2334 underscored the need to actively foster conditions necessary for promoting peace. A direct call was made on the parties to act based on international law and previous agreements, to observe calm and restraint, including by prevention of all acts of violence against civilians, including acts of terror, and to refrain from provocative actions, incitement and inflammatory rhetoric. All such steps were deemed crucial for de-escalating the situation on the ground, rebuilding trust and confidence and demonstrating through policies and actions a genuine commitment to the two-State solution and peaceful coexistence.

5. Regrettably, the year following the resolution's adoption has witnessed the continuation of unlawful actions in violation of its provisions. While this has been explicitly referenced in the Secretary-General's quarterly reports to the Council on the implementation of resolution 2334,

absent serious efforts for follow-up and accountability, the peace process remains deadlocked and the situation has continued to deteriorate, with rising instability and tensions and further diminishment of the two-States solution's viability.

6. Israeli settlement activities in all manifestations have persisted and increased throughout the West Bank, including East Jerusalem, including construction and expansion of settlements and the wall, confiscation of land, home demolitions, displacement of Palestinian civilians, including threats at the forced transfer of entire communities, notably Bedouin communities, and measures attempting to de facto annex vast expanses of more Palestinian territory. All of this has been accompanied by measures of collective punishment against the Palestinian civilian population, as well as by ongoing rhetoric and incitement and violence against civilians on both sides, including Israeli settler violence.

7. The year also witnessed repeated crises regarding Jerusalem and the historic status quo at the holy sites in the City. Particularly impactful have been the July 2017 crisis concerning the historic status quo and the US decision on Jerusalem on the 6 December 2017 in direct contravention of the Security Council's resolutions.

8. At the same time, the humanitarian situation on the ground has continued to sharply deteriorate. Palestinians continue to experience high rates of unemployment, fragmentation and increasing vulnerability. In the Gaza Strip, humanitarian conditions are especially dire due to the Israeli blockade, the severe impact of recurrent outbreaks of hostilities, and the prolonged Palestinian division. Basic needs continue to be unmet and many lack access to basic services, including vital health care and clean drinking water, further exacerbated by a severe energy crisis. The critical financial shortfalls of UNRWA and the negative impact of the recent reduction in US funding to the Agency has also raised alarm, particularly as 80% of Gaza's population are dependent on the Agency's humanitarian services.

9. While civil society remains active in the Occupied Palestinian Territory and Israel, there are growing concerns regarding the shrinking space for civil society, particularly by human rights defenders and non-violent activists, including civilian protesters. To achieve democratic development and sustainable peace it is essential to maintain a vibrant civil society, as well as to include women (as per resolution 1325 (2000)) and youth (as per resolution 2250 (2015)) in decision making and peace negotiations.

10. There is broad agreement among the international community that addressing the root causes of the current situation and ending the occupation are the most important priorities to ensure respect for human rights, reduce humanitarian needs, build a viable economy and lay the foundations for lasting peace and stability. The engagement of the international community, and of the Security Council in particular, is deemed crucial for salvaging peace prospects, resolving all final-status issues and achieving a just and comprehensive solution for the Palestinian-Israeli conflict. This meeting will notably be aimed at discussing ways to improve the implementation of resolution 2334, one year after its adoption. Participants will be invited to contribute to a constructive discussion on concrete steps to reinvigorate the peace process.

Speakers' Focus Areas:

11. The meeting will allow for a comprehensive assessment by eminent personalities of the impact and implementation of resolution 2334 (2016) one year later and on the overall prospects for peace under the current circumstances. This should include, *inter alia*:

- Reflections, nearly a quarter-century after the Oslo accords, on the feasibility of a two-State solution and on why it remains the primary objective of the international community, based on UNSC resolutions and internationally agreed parameters regarding, *inter alia*: borders, Jerusalem and refugees;
- Reflections regarding whether viable alternatives to the two-State solution exist and on the potential for a credible collective process to advance a solution.
- Examination of States' obligations in accordance with international law, including international humanitarian law and the relevant UNSC resolutions.

Format and Modalities:

12. The meeting will be organized pursuant to paragraph 98 of Security Council Presidential Note S/2017/507 and all Council Members are invited to participate and make interventions. Active interaction with the presenters is encouraged.

13. The meeting will be convened on Thursday, 22 February 2018, at 10 o'clock in the morning at United Nations Headquarters in New York in Conference Room 1 .

14. The meeting will be open to attendance by other UN Member States and Observers, accredited NGOs, and media, without the right to make interventions.