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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

Report of the Second Committee

Rapporteur: Ms. Prathma Uprety (Nepal)

I. Introduction

1. At its 2nd plenary meeting, on 17 September 2021, the General Assembly, on the recommendation of the General Committee, decided to include in the agenda of its seventy-sixth session the item 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” and to allocate it to the Second Committee.

2. At its 1st meeting, on 1 October 2021, the Committee, taking into account the situation regarding the coronavirus disease (COVID-19) pandemic, the limitations on meetings held on United Nations premises as precautionary measures aimed at containing the spread of COVID-19, as well as available technological and procedural solutions, and bearing in mind the conference room paper of the Bureau of the Second Committee on the work of the Committee during the seventy-sixth session of the General Assembly,¹ approved the working arrangements of the Committee for the seventy-sixth session as set out in the organization of work of the Committee.²

3. The Committee convened a virtual informal meeting on 18 October 2021 to hear an introductory statement and hold a general discussion on the item. The proceedings of the virtual informal meeting are reflected in the annex to the present report. Attention is also drawn to the general debate held by the Committee at its 2nd to

¹ Available at www.un.org/en/ga/second/76/crp1bureaupaper.pdf.

² See A/C.2/76/L.1.



5th meetings, on 5, 6 and 8 October.³ Action on the item was taken at the 7th meeting, on 18 November.⁴

4. For its consideration of the item, the Committee had before it a note by the Secretary-General transmitting the report prepared by the Economic and Social Commission for Western Asia on the economic and social repercussions of the Israeli occupation on the living conditions of the Palestinian people in the Occupied Palestinian Territory, including East Jerusalem, and of the Arab population in the occupied Syrian Golan ([A/76/94-E/2021/73](#)).

II. Consideration of draft resolution [A/C.2/76/L.35](#)

5. At the 7th meeting, on 18 November, the Committee had before it a draft resolution 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” ([A/C.2/76/L.35](#)), submitted by Guinea, on behalf of the States that are members of the Group of 77 and China, taking into account also the provisions of General Assembly resolution [52/250](#) of 7 July 1998.

6. At the same meeting, the Committee was informed that the draft resolution had no programme budget implications.

7. Also at the same meeting, the Secretary of the Committee orally corrected operative paragraph 13 of draft resolution [A/C.2/76/L.35](#).⁵

8. Also at the 7th meeting, Turkey joined in sponsoring the draft resolution.

9. Before the adoption of the draft resolution, statements were made by the representatives of the Plurinational State of Bolivia and Guinea (on behalf of the Group of 77 and China).

10. Also at the same meeting, before the vote, statements in explanation of vote were made by the representatives of the United States of America and Israel.

11. Also at the 7th meeting, the Committee adopted draft resolution [A/C.2/76/L.35](#), as orally corrected, by a recorded vote of 157 to 7, with 14 abstentions (see para. 15). The voting was as follows:⁶

In favour:

Afghanistan, Albania, Algeria, Andorra, Angola, Antigua and Barbuda, Argentina, Armenia, Austria, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belgium, Belize, Bhutan, Bolivia (Plurinational State of), Bosnia and Herzegovina, Botswana, Brunei Darussalam, Bulgaria, Burkina Faso, Cabo Verde, Cambodia, Chile, China, Colombia, Costa Rica, Croatia, Cuba, Cyprus, Czechia, Democratic People’s Republic of Korea, Denmark, Djibouti, Dominican Republic, Ecuador, Egypt, El Salvador, Equatorial Guinea, Eritrea, Estonia, Ethiopia, Fiji, Finland, France, Gabon, Gambia, Georgia, Germany, Ghana, Greece, Grenada, Guinea, Guinea-Bissau, Guyana, Hungary, Iceland, India, Indonesia, Iran (Islamic Republic of), Iraq, Ireland, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lao People’s Democratic Republic, Latvia, Lebanon, Lesotho, Libya, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta,

³ See [A/C.2/76/SR.2](#), [A/C.2/76/SR.3](#), [A/C.2/76/SR.4](#) and [A/C.2/76/SR.5](#).

⁴ See [A/C.2/76/SR.7](#).

⁵ Ibid.

⁶ Subsequently, the delegation of Rwanda informed the Secretariat that it had intended to abstain.

Mauritania, Mauritius, Mexico, Monaco, Mongolia, Montenegro, Morocco, Mozambique, Namibia, Nepal, Netherlands, New Zealand, Nicaragua, Nigeria, North Macedonia, Norway, Oman, Pakistan, Panama, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Rwanda, Saint Kitts and Nevis, Saint Vincent and the Grenadines, Samoa, San Marino, Sao Tome and Principe, Saudi Arabia, Senegal, Serbia, Sierra Leone, Singapore, Slovakia, Slovenia, Somalia, South Africa, Spain, Sri Lanka, Sudan, Suriname, Sweden, Switzerland, Syrian Arab Republic, Tajikistan, Thailand, Timor-Leste, Trinidad and Tobago, Tunisia, Turkey, Turkmenistan, Uganda, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, Uruguay, Uzbekistan, Venezuela (Bolivarian Republic of), Viet Nam, Yemen, Zambia, Zimbabwe.

Against:

Canada, Israel, Marshall Islands, Micronesia (Federated States of), Nauru, Palau, United States of America.

Abstaining:

Australia, Brazil, Cameroon, Côte d'Ivoire, Guatemala, Haiti, Honduras, Kiribati, Papua New Guinea, South Sudan, Togo, Tonga, Tuvalu, Vanuatu.

12. After the vote and following the adoption of the draft resolution, statements in explanation of vote were made by the representatives of Slovenia (on behalf of the European Union and its member States) and the United Kingdom of Great Britain and Northern Ireland.

13. Following the adoption of the draft resolution, statements were also made by the representative of the Syrian Arab Republic and by the observer for the State of Palestine.

14. Also at the same meeting, statements in exercise of the right of reply were made by the representatives of Israel and the Syrian Arab Republic, and by the observer for the State of Palestine.

III. Recommendation of the Second Committee

15. The Second Committee recommends to the General Assembly the adoption of the following draft resolution:

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 General Assembly,

Recalling its resolution [75/236](#) of 21 December 2020, and taking note of Economic and Social Council resolution [2021/4](#) of 14 September 2020,

Recalling also its resolutions [58/292](#) of 6 May 2004 and [59/251](#) of 22 December 2004,

Reaffirming the principle of the permanent sovereignty of peoples under foreign occupation over their natural resources,

Guided by the principles of the Charter of the United Nations, affirming the inadmissibility of the acquisition of territory by force, and recalling relevant Security Council resolutions, including resolutions [242 \(1967\)](#) of 22 November 1967, [465 \(1980\)](#) of 1 March 1980, [497 \(1981\)](#) of 17 December 1981 and [2334 \(2016\)](#) of 23 December 2016,

Recalling its resolution [2625 \(XXV\)](#) of 24 October 1970,

Bearing in mind its resolution [70/1](#) of 25 September 2015, entitled “Transforming our world: the 2030 Agenda for Sustainable Development”,

Reaffirming the applicability of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949,¹ to the Occupied Palestinian Territory, including East Jerusalem, and other Arab territories occupied by Israel since 1967,

Recalling, in this regard, the International Covenant on Civil and Political Rights² and the International Covenant on Economic, Social and Cultural Rights,³ and affirming that these human rights instruments must be respected in the Occupied Palestinian Territory, including East Jerusalem, as well as in the occupied Syrian Golan,

Recalling also the advisory opinion rendered on 9 July 2004 by the International Court of Justice on the legal consequences of the construction of a wall in the Occupied Palestinian Territory,⁴ and recalling further its resolutions [ES-10/15](#) of 20 July 2004 and [ES-10/17](#) of 15 December 2006,

Recalling further its resolution [67/19](#) of 29 November 2012,

Taking note of the accession by Palestine to several human rights treaties and the core humanitarian law treaties, as well as to other international treaties,

¹ United Nations, *Treaty Series*, vol. 75, No. 973.

² See resolution [2200 A \(XXI\)](#), annex.

³ Ibid.

⁴ See [A/ES-10/273](#) and [A/ES-10/273/Corr.1](#).

Expressing its concern about the exploitation by Israel, the occupying Power, of the natural resources of the Occupied Palestinian Territory, including East Jerusalem, and other Arab territories occupied by Israel since 1967,

Expressing its grave concern about the extensive destruction by Israel, the occupying Power, of agricultural land and orchards in the Occupied Palestinian Territory, including the uprooting of a vast number of fruit-bearing trees and the destruction of farms and greenhouses, and the grave environmental and economic impact in this regard,

Expressing its grave concern also about the widespread destruction caused by Israel, the occupying Power, to vital infrastructure, including water pipelines, sewage networks and electricity networks, in the Occupied Palestinian Territory, in particular in the Gaza Strip during the military operations of July and August 2014, which, inter alia, has polluted the environment and which negatively affects the functioning of water and sanitation systems and the water supply and other natural resources of the Palestinian people, and stressing the urgency of the reconstruction and development of water and other vital civilian infrastructure, including the project for the desalination facility for the Gaza Strip,

Expressing its grave concern further about the negative impact on the environment and on reconstruction and development efforts of unexploded ordnance that remains in the Gaza Strip as a result of the conflict in July and August 2014, and commending the efforts of the Mine Action Service of the United Nations for the safe removal of such ordnance,

Expressing its grave concern about the chronic energy shortage in the Gaza Strip and its detrimental impact on the operation of water and sanitation facilities, which threaten to further erode groundwater resources, of which only 5 per cent remains potable,

Recalling the 2009 report by the United Nations Environment Programme regarding the grave environmental situation in the Gaza Strip, and relevant reports by the United Nations country team, including “Gaza in 2020: a liveable place?”, “Gaza: two years after” and “Gaza ten years later”, and stressing the need for follow-up to the recommendations contained therein,

Deploing the detrimental impact of the Israeli settlements on Palestinian and other Arab natural resources, especially as a result of the confiscation of land and the forced diversion of water resources, including the destruction of orchards and crops and the seizure of water wells by Israeli settlers, and of the dire socioeconomic consequences in this regard,

Recalling the report of the independent international fact-finding mission to investigate the implications of the Israeli settlements on the civil, political, economic, social and cultural rights of the Palestinian people throughout the Occupied Palestinian Territory, including East Jerusalem,⁵

Aware of the detrimental impact on Palestinian natural resources being caused by the unlawful construction of the wall by Israel, the occupying Power, in the Occupied Palestinian Territory, including in and around East Jerusalem, and of its grave effect as well on the economic and social conditions of the Palestinian people,

Stressing the urgency of achieving without delay an end to the Israeli occupation that began in 1967 and a just, lasting and comprehensive peace settlement on all tracks, on the basis of Security Council resolutions 242 (1967), 338 (1973) of 22 October 1973, 425 (1978) of 19 March 1978, 1397 (2002) of 12 March 2002 and

⁵ A/HRC/22/63.

2334 (2016), the principle of land for peace, the Arab Peace Initiative⁶ and the Quartet performance-based road map to a permanent two-State solution to the Israeli-Palestinian conflict,⁷ as endorsed by the Council in its resolution 1515 (2003) of 19 November 2003 and supported by the Council in its resolution 1850 (2008) of 16 December 2008,

Stressing also, in this regard, the need for respect for the obligation upon Israel under the road map to freeze settlement activity, including so-called “natural growth”, and to dismantle all settlement outposts erected since March 2001,

Stressing further the need for respect and preservation of the territorial unity, contiguity and integrity of all of the Occupied Palestinian Territory, including East Jerusalem,

Recalling that the Security Council, in its resolution 2334 (2016), underlined that it would not recognize any changes to the 4 June 1967 lines, including with regard to Jerusalem, other than those agreed by the parties through negotiations,

Recalling also the need to end all acts of violence, including acts of terror, provocation, incitement and destruction,

Taking note of the report prepared by the Economic and Social Commission for Western Asia on the economic and social repercussions of the Israeli occupation on the living conditions of the Palestinian people in the Occupied Palestinian Territory, including East Jerusalem, and of the Arab population in the occupied Syrian Golan, as transmitted by the Secretary-General,⁸

1. *Reaffirms* the inalienable rights of the Palestinian people and of the population of the occupied Syrian Golan over their natural resources, including land, water and energy resources;
2. *Demands* that Israel, the occupying Power, cease the exploitation, damage, cause of loss or depletion and endangerment of the natural resources in the Occupied Palestinian Territory, including East Jerusalem, and in the occupied Syrian Golan;
3. *Recognizes* the right of the Palestinian people to claim restitution as a result of any exploitation, damage, loss or depletion or endangerment of their natural resources resulting from illegal measures taken by Israel, the occupying Power, and Israeli settlers in the Occupied Palestinian Territory, including East Jerusalem, and expresses the hope that this issue will be dealt with within the framework of the final status negotiations between the Palestinian and Israeli sides;
4. *Stresses* that the wall and settlements being constructed by Israel in the Occupied Palestinian Territory, including in and around East Jerusalem, are contrary to international law and are seriously depriving the Palestinian people of their natural resources, and calls in this regard for full compliance with the legal obligations affirmed in the 9 July 2004 advisory opinion of the International Court of Justice and in relevant United Nations resolutions, including General Assembly resolution ES-10/15;
5. *Calls upon* Israel, the occupying Power, to comply strictly with its obligations under international law, including international humanitarian law, and to cease immediately and completely all policies and measures aimed at the alteration of the character and status of the Occupied Palestinian Territory, including East Jerusalem;

⁶ A/56/1026-S/2002/932, annex II, resolution 14/221.

⁷ S/2003/529, annex.

⁸ A/76/94-E/2021/73.

6. *Also calls upon* Israel, the occupying Power, to bring a halt to all actions, including those perpetrated by Israeli settlers, harming the environment, including the dumping of all kinds of waste materials, in the Occupied Palestinian Territory, including East Jerusalem, and in the occupied Syrian Golan, which gravely threaten their natural resources, namely water and land resources, and which pose an environmental, sanitation and health threat to the civilian populations;

7. *Further calls upon* Israel to cease its destruction of vital infrastructure, including water pipelines, sewage networks and electricity networks, and to cease its demolition and confiscation of Palestinian homes and civilian infrastructure, agricultural lands and water wells, which, inter alia, have a negative impact on the natural resources of the Palestinian people, stresses the urgent need to advance reconstruction and development projects in this regard, including in the Gaza Strip, and calls for support for the necessary efforts in this regard, in line with the commitments made at, inter alia, the Cairo International Conference on Palestine: Reconstructing Gaza, held on 12 October 2014;

8. *Calls upon* Israel, the occupying Power, to remove all obstacles to the implementation of critical environmental projects, including sewage treatment plants in the Gaza Strip and the reconstruction and development of water infrastructure, including the project for the desalination facility for the Gaza Strip;

9. *Also calls upon* Israel not to impede Palestinian development and export of discovered oil and natural gas reserves;

10. *Calls for* the immediate and safe removal of all unexploded ordnance in the Gaza Strip and for support for the efforts of the Mine Action Service of the United Nations in this regard, and welcomes the extensive efforts exerted by the Mine Action Service to date;

11. *Encourages* all States and international organizations to continue to actively pursue policies to ensure respect for their obligations under international law with regard to all illegal Israeli practices and measures in the Occupied Palestinian Territory, including East Jerusalem, particularly Israeli settlement activities and the exploitation of natural resources;

12. *Underscores*, in this regard, the call by the Security Council, in its resolution [2334 \(2016\)](#), upon all States to distinguish, in their relevant dealings, between the territory of the State of Israel and the territories occupied since 1967;

13. *Requests* the Secretary-General to report to the General Assembly at its seventy-sixth and seventy-seventh sessions, through the Economic and Social Council, on the economic and social repercussions of the Israeli occupation on the living conditions of the Palestinian people in the Occupied Palestinian Territory, including East Jerusalem, and of the Arab population in the occupied Syrian Golan, and to the Assembly at its seventy-seventh session on the implementation of the present resolution, including with regard to the cumulative impact of the exploitation, damage and depletion by Israel of natural resources in the Occupied Palestinian Territory, including East Jerusalem, and in the occupied Syrian Golan, and with regard to the impact of such practices on the promotion of the Sustainable Development Goals,⁹ and decides to include in the provisional agenda of its seventy-seventh session the item 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”.

⁹ See resolution [70/1](#).

Annex

General discussion

1. In accordance with its agreed organization of work ([A/C.2/76/L.1](#)), the Committee held a general discussion of the item in an informal virtual meeting on 18 October 2021, at which the Director of the Emerging and Conflict-related Issues Division of the Economic and Social Commission for Western Asia made an introductory statement and responded to a comment made by the observer for the State of Palestine.
2. At the same informal virtual meeting, the Committee heard statements by the observer for the State of Palestine, as well as by the representatives of Guinea (on behalf of the Group of 77 and China), Libya (on behalf of the Group of Arab States), Qatar, the Syrian Arab Republic, Malaysia, Iraq, the United Arab Emirates, Saudi Arabia, Cuba, South Africa, Bangladesh, Indonesia, Egypt, Maldives, the Bolivarian Republic of Venezuela, Nicaragua, the Islamic Republic of Iran and Bahrain.
3. Statements delivered under the item that were provided to the Secretariat are available in the eStatements section of the *Journal of the United Nations*.¹

¹ See <https://journal.un.org/en/meeting/officials/793cd100-a51a-ec11-8311-0abf1fa886b5/2021-10-18>.