



DIVISION FOR
PALESTINIAN RIGHTS

Bulletin

on action by the United Nations system and
intergovernmental organizations
relevant to the question of Palestine

December 2016
Volume XXXIX, Bulletin No. 12

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I. UN SPECIAL COORDINATOR ENCOURAGES ISRAELI LEGISLATORS TO RECONSIDER “LEGALIZATION BILL” PROTECTING ILLEGAL SETTLEMENTS

On 6 December 2016, the United Nations Special Coordinator for the Middle East Peace Process, Nickolay Mladenov, issued the following [statement](#) on Israel’s “Legalization Bill”:

The so-called “Legalization bill” has the objective of protecting illegal settlements and outposts built on private Palestinian property in the West Bank. Some have pronounced it to be a step towards the annexation of the West Bank.

If adopted, it will have far reaching legal consequences for Israel, across the occupied West Bank and will greatly

diminish the prospect of Arab-Israeli peace.

I encourage Israeli legislators to reconsider this move.

I reiterate that all settlement activities are illegal under international law and run counter to the Middle East Quartet position that settlements are one of the main obstacles to peace.

II. GENERAL ASSEMBLY ADOPTS NINE RESOLUTIONS RELATED TO ISRAELI-PALESTINIAN CONFLICT

On 6 and 8 December 2016, the General Assembly adopted resolutions on “Assistance to Palestine refugees” ([A/RES/71/91](#)); “Persons displaced as a result of the June 1967 and subsequent hostilities” ([A/RES/71/92](#)); “Operations of the United Nations Relief and Works Agency for Palestine Refugees in the Near East” ([A/RES/71/93](#)); “Palestine refugees’ properties and their revenues” ([A/RES/71/94](#)); “Work of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories” ([A/RES/71/95](#)); “Applicability of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, to the Occupied Palestinian Territory, including East Jerusalem, and the other occupied Arab territories” ([A/RES/71/96](#)); Israeli settlements in the Occupied Palestinian Territory, including East Jerusalem, and the occupied Syrian Golan ([A/RES/71/97](#)); and “Israeli practices affecting the human rights of the Palestinian people in the Occupied Palestinian Territory, including East Jerusalem” ([A/RES/71/98](#)); and “Assistance to the Palestinian People” ([A/RES/71/126](#)). The text of the resolutions is reproduced below:

71/91. Assistance to Palestine refugees

The General Assembly,

Recalling its resolution 194 (III) of 11 December 1948 and all its subsequent resolutions on the question, including resolution [70/83](#) of 9 December 2015,

Recalling also its resolution 302 (IV) of 8 December 1949, by which, inter alia, it established the United Nations Relief and Works Agency for Palestine Refugees in the Near East,

Recalling further the relevant resolutions of the Security Council,

Aware of the fact that, for more than six decades, the Palestine refugees have suffered from the loss of their homes, lands and means of livelihood,

Affirming the imperative of resolving the problem of the Palestine refugees for the achievement of justice and for the achievement of lasting peace in the region,

Acknowledging the essential role that the Agency has played for over 65 years since its establishment in ameliorating the plight of the Palestine refugees through the provision of education, health, relief and social services and ongoing work in the areas of camp infrastructure, microfinance, protection and emergency assistance,

Taking note of the report of the Commissioner-General of the Agency covering the period from 1 January to 31 December 2015,¹

Taking note also of the update to the special report of 3 August 2015 of the Commissioner-General submitted pursuant to paragraph 21 of General Assembly resolution 302 (IV),² which was conveyed by the Secretary-General on 15 September 2016 to the President of the General Assembly, and expressing concern regarding the severe financial crisis of the Agency and the negative implications for the continued delivery of core programmes to the Palestine refugees in all fields of operation,

Aware of the growing needs of the Palestine refugees throughout all the fields of operation, namely, Jordan, Lebanon, the Syrian Arab Republic and the Occupied Palestinian Territory,

Expressing grave concern at the especially difficult situation of the Palestine refugees under occupation, including with regard to their safety, well-being and socioeconomic living conditions,

Expressing grave concern in particular at the grave humanitarian situation and socioeconomic conditions of the Palestine refugees in the Gaza Strip, and underlining the importance of emergency and humanitarian assistance and urgent reconstruction efforts,

Noting the signing of the Declaration of Principles on Interim Self-Government Arrangements on 13 September 1993 by the Government of Israel and the Palestine Liberation Organization³ and the subsequent implementation agreements,

1. *Notes with regret* that repatriation or compensation of the refugees, as provided for in paragraph 11 of General Assembly resolution 194 (III), has not yet been effected, and that, therefore, the situation of the Palestine refugees continues to be a matter of grave concern and the Palestine refugees continue to require assistance to meet basic health, education and living needs;

2. *Also notes with regret* that the United Nations Conciliation Commission for Palestine has been unable to find a means of achieving progress in the implementation of paragraph 11 of General Assembly resolution 194 (III), and reiterates its request to the Conciliation Commission to continue exerting efforts towards the implementation of that paragraph and to report to the Assembly on the efforts being exerted in this regard as appropriate, but no later than 1 September 2017;

3. *Affirms* the necessity for the continuation of the work of the United Nations Relief and Works Agency for Palestine Refugees in the Near East and the importance of its unimpeded operation and its provision of services, including emergency assistance, for the well-being, protection and human development of the Palestine refugees and for the stability of the region, pending the just resolution of the question of the Palestine refugees;

4. *Calls upon* all donors to continue to strengthen their efforts to meet the anticipated needs of the Agency, including with regard to increased

¹ Official Records of the General Assembly, Seventy-first Session, Supplement No. 13 (A/71/13).

² A/70/272, annex.

³ A/48/486-S/26560, annex.

expenditures and needs arising from conflicts and instability in the region and the serious socioeconomic and humanitarian situation, particularly in the Occupied Palestinian Territory, and those needs mentioned in recent emergency, recovery and reconstruction appeals and plans for the Gaza Strip and in the regional crisis response plans to address the situation of Palestine refugees in the Syrian Arab Republic and those Palestine refugees who have fled to countries in the region;

5. *Commends* the Agency for its provision of vital assistance to the Palestine refugees and its role as a stabilizing factor in the region and the tireless efforts of the staff of the Agency in carrying out its mandate;

6. *Decides* to extend the mandate of the Agency until 30 June 2020, without prejudice to the provisions of paragraph 11 of General Assembly resolution 194 (III).

*53rd plenary meeting
6 December 2016*

71/92. Persons displaced as a result of the June 1967 and subsequent hostilities

The General Assembly,

Recalling its resolutions 2252 (ES-V) of 4 July 1967, 2341 B (XXII) of 19 December 1967 and all subsequent related resolutions,

Recalling also Security Council resolutions 237 (1967) of 14 June 1967 and 259 (1968) of 27 September 1968,

Taking note of the report of the Secretary-General submitted in pursuance of its resolution 70/84 of 9 December 2015,¹

Taking note also of the report of the Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East covering the period from 1 January to 31 December 2015,²

Concerned about the continuing human suffering resulting from the June 1967 and subsequent hostilities,

Taking note of the relevant provisions of the Declaration of Principles on Interim Self-Government Arrangements of 13 September 1993³ with regard to the

modalities for the admission of persons displaced in 1967, and concerned that the process agreed upon has not yet been effected,

Taking note also of its resolution 67/19 of 29 November 2012,

1. *Reaffirms* the right of all persons displaced as a result of the June 1967 and subsequent hostilities to return to their homes or former places of residence in the territories occupied by Israel since 1967;

2. *Stresses* the necessity for an accelerated return of displaced persons, and calls for compliance with the mechanism agreed upon by the parties in article XII of the Declaration of Principles on Interim Self-Government Arrangements of 13 September 1993³ on the return of displaced persons;

3. *Endorses*, in the meantime, the efforts of the Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East to continue to provide humanitarian assistance, as far as practicable, on an emergency basis, and as a temporary measure, to persons in the area who are currently displaced and in serious need of continued assistance as a result of the June 1967 and subsequent hostilities;

¹ A/71/340.

² *Official Records of the General Assembly, Seventy-first Session, Supplement No. 13 (A/71/13).*

³ A/48/486-S/26560, annex.

4. *Strongly appeals* to all Governments and to organizations and individuals to contribute generously to the Agency and to the other intergovernmental and non-governmental organizations concerned for the above-mentioned purposes;

5. *Requests* the Secretary-General, after consulting with the Commissioner-

General, to report to the General Assembly before its seventy-second session on the progress made with regard to the implementation of the present resolution.

*53rd plenary meeting
6 December 2016*

71/93 Operations of the United Nations Relief and Works Agency for Palestine Refugees in the Near East

The General Assembly,

Recalling its resolutions 194 (III) of 11 December 1948, 212 (III) of 19 November 1948, 302 (IV) of 8 December 1949 and all subsequent related resolutions, including its resolution [70/85](#) of 9 December 2015,

Recalling also the relevant resolutions of the Security Council,

Having considered the report of the Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East covering the period from 1 January to 31 December 2015,¹

Taking note of the letter dated 31 May 2016 from the Chair of the Advisory Commission of the Agency addressed to the Commissioner-General,² and noting the extraordinary meeting of the Commission held on 8 September 2016,

Underlining that, at a time of heightened conflict and instability in the Middle East, the Agency continues to play a vital role in ameliorating the plight of the Palestine refugees through the provision of, inter alia, essential education, health, relief and social services programmes and emergency assistance to a registered population of 5.3 million refugees whose

situation has become extremely precarious, and in providing a crucial measure of stability in the region,

Deeply concerned about the extremely critical financial situation of the Agency, caused by the structural underfunding of the Agency, as well as by rising needs and expenditures resulting from the deterioration of the socioeconomic and humanitarian conditions and the conflicts and rising instability in the region and their significant negative impact on the ability of the Agency to deliver essential services to the Palestine refugees, including its emergency, recovery, reconstruction and development programmes in all fields of operation,

Taking note of the update to the special report of 3 August 2015 of the Commissioner-General, submitted pursuant to paragraph 21 of General Assembly resolution 302 (IV) and conveyed by the Secretary-General on 15 September 2016 to the President of the General Assembly, regarding the severe financial crisis of the Agency and the negative implications for the continued delivery of core Agency programmes to the Palestine refugees in all fields of operation,

Expressing appreciation for the efforts of donors and host countries to respond to the continuing financial crisis, and expressing particular appreciation to the

¹ *Official Records of the General Assembly, Seventy-first Session, Supplement No. 13 (A/71/13).*

² *Ibid.*, pp. 6 and 7.

donors that extended generous support following the special report of the Commissioner-General of 3 August 2015 and the update thereto, of 15 September 2016, while acknowledging the steadfast support of all other donors to the Agency, and stressing the need for urgent efforts to comprehensively address the recurrent funding shortfalls affecting the Agency's operations,

Recognizing the Agency's efforts to develop innovative and diversified means to mobilize resources, including through partnerships with international financial institutions, the private sector and civil society,

Commending the Agency for the measures taken to address the financial crisis, including internal measures to contain costs, and expressing profound concern that, despite stringent efficiency measures and controls on expenditures, the Agency's programme budget, which is funded primarily by voluntary contributions from Member States and intergovernmental organizations, faces persistent shortfalls that are increasingly threatening the delivery of the Agency's core programmes of assistance to the Palestine refugees,

Stressing the need to support the Agency's capacity to uphold its mandate and to avert the serious humanitarian, political and security risks that would result from any interruption or suspension of its vital work,

Recognizing that the recurring and growing financial shortfalls directly affecting the sustainability of the Agency's operations need to be remedied by examining new funding modalities designed to put the Agency on a stable financial footing to enable it to effectively carry out its core programmes in accordance with its mandate and commensurate with humanitarian needs,

Welcoming the affirmation in the New York Declaration for Refugees and Migrants, adopted by the General Assembly on 19 September 2016,³ that, inter alia, the Agency, along with other relevant organizations, requires sufficient funding to be able to carry out its activities effectively and in a predictable manner,

Welcoming also the support for the Agency reaffirmed at the ministerial meetings convened on 26 September 2015 and 4 May 2016, at the high-level conference convened on 2 June 2015 in New York to commemorate the sixty-fifth anniversary of the commencement of the Agency's operations and at other high-level meetings,

Recalling Articles 100, 104 and 105 of the Charter of the United Nations and the Convention on the Privileges and Immunities of the United Nations,⁴

Recalling also the Convention on the Safety of United Nations and Associated Personnel,⁵

Recalling further its resolutions [70/104](#) of 10 December 2015 on the safety and security of humanitarian personnel and the protection of United Nations personnel and [70/106](#) of 10 December 2015 on the strengthening of the coordination of emergency humanitarian assistance of the United Nations, calling upon, inter alia, all States to ensure respect for and the protection of all humanitarian personnel and United Nations and associated personnel, to respect the principles of humanity, neutrality, impartiality and independence for the provision of humanitarian assistance and to respect and ensure respect for the inviolability of United Nations premises,

Affirming the applicability of the Geneva Convention relative to the

³ Resolution [71/1](#).

⁴ Resolution 22 A (I).

⁵ United Nations, *Treaty Series*, vol. 2051, No. 35457.

Protection of Civilian Persons in Time of War, of 12 August 1949,⁶ to the Palestinian territory occupied since 1967, including East Jerusalem,

Aware of the continuing needs of the Palestine refugees in all fields of operation, namely Jordan, Lebanon, the Syrian Arab Republic and the Occupied Palestinian Territory,

Bearing in mind the 2030 Agenda for Sustainable Development,⁷ including the pledge that no one will be left behind, emphasizing that the Sustainable Development Goals apply to all, including refugees, and that the Agency's work in assisting the Palestine refugees is essential for their human development, and underscoring the Goals and targets on education, health care and youth, among others,

Gravely concerned about the extremely difficult socioeconomic conditions being faced by the Palestine refugees in the Occupied Palestinian Territory, including East Jerusalem, particularly in the refugee camps in the Gaza Strip, as a result of the recurrent military operations, continuing prolonged Israeli closures, the construction of settlements and the wall, and the severe economic and movement restrictions that in effect amount to a blockade, which have deepened unemployment and poverty rates among the refugees, with potentially lasting, long-term negative effects, while taking note of developments with regard to the situation of access there,

Deploing the conflict in and around the Gaza Strip in July and August 2014, and the civilian casualties caused, including the killing and injury of thousands of Palestinian civilians, including children, women and older persons, as well as the widespread destruction of or damage to thousands of

homes and civilian infrastructure, including schools, hospitals, water, sanitation and electricity networks, economic, industrial and agricultural properties, public institutions, religious sites and United Nations schools and facilities, as well as the internal displacement of hundreds of thousands of civilians, and any violations of international law, including humanitarian and human rights law, in this regard,

Deploing also attacks affecting United Nations installations, including Agency schools sheltering displaced civilians, and all other breaches of the inviolability of United Nations premises during the conflict in the Gaza Strip in July and August 2014, as reported in the summary by the Secretary-General of the report of the Board of Inquiry⁸ and by the independent commission of inquiry established pursuant to Human Rights Council resolution S-21/1,⁹ and stressing the imperative of ensuring accountability,

Gravely concerned about the lasting negative repercussions of the military operations in the Gaza Strip between December 2008 and January 2009, in November 2012 and in July and August 2014 on the humanitarian and socioeconomic situation of the Palestine refugees in the Gaza Strip, including high rates of food insecurity, poverty, displacement and depletion of coping capacities, and taking note in this regard of the United Nations country team report of 26 August 2016, entitled "Gaza: two years after",

Commending the Agency for its extraordinary efforts to provide shelter, emergency relief, medical, food, protection and other humanitarian assistance during the military operations of July and August 2014,

⁶ Ibid., vol. 75, No. 973.

⁷ Resolution 70/1.

⁸ S/2015/286, annex.

⁹ See A/HRC/29/52.

Recognizing the need for the swift implementation of all aspects of the temporary tripartite agreement facilitated by the United Nations in September 2014, and stressing the urgent need for the lifting of all Israeli closures and restrictions on the Gaza Strip and for the reconstruction of destroyed homes and infrastructure,

Recalling, in this regard, its resolution [ES-10/18](#) of 16 January 2009 and Security Council resolution [1860 \(2009\)](#) of 8 January 2009, as well as the Agreement on Movement and Access of 15 November 2005,

Calling upon Israel to ensure the expedited and unimpeded import of all necessary construction materials into the Gaza Strip and to reduce the burdensome cost of importation of Agency supplies, while taking note of recent developments with regard to the tripartite agreement facilitated by the United Nations,

Expressing concern about the severe classroom shortage in the Gaza Strip and the consequent negative impact on the right to education of refugee children,

Stressing the urgent need for the advancement of reconstruction in the Gaza Strip, including by ensuring the timely facilitation of construction projects, including extensive shelter repair, and the need for the accelerated implementation of other urgent United Nations-led civilian reconstruction activities,

Welcoming contributions made to the Agency's emergency appeals for the Gaza Strip, and calling urgently upon the international community for continued support in accordance with the Agency's strategic response plan,

Urging the full disbursement of pledges made at the Cairo International Conference on Palestine: Reconstructing Gaza, held on 12 October 2014, for ensuring the provision of the necessary

humanitarian assistance and accelerating the reconstruction process,

Stressing that the situation in the Gaza Strip is unsustainable and that a durable ceasefire agreement must lead to a fundamental improvement in the living conditions of the Palestinian people in the Gaza Strip, including through the sustained and regular opening of crossing points, and must ensure the safety and well-being of civilians on both sides,

Affirming the need to support the Palestinian national consensus Government in its assumption of full government responsibilities in both the West Bank and the Gaza Strip, in all fields, as well as through its presence at Gaza's crossing points,

Noting with appreciation the progress made towards rebuilding the Nahr el-Bared refugee camp, commending the Government of Lebanon, donors, the Agency and other parties concerned for the continuing efforts to assist affected and displaced refugees, and emphasizing the need for additional funding to complete the reconstruction of the camp and end without delay the displacement from the camp of thousands of residents whose shelters have not been rebuilt,

Expressing deep concern at the critical situation of Palestine refugees in the Syrian Arab Republic and at the impact of the crisis on the Agency's installations and its ability to deliver its services, and regretting profoundly the loss of life and widespread displacement among refugees and the killing of 18 staff members of the Agency in the crisis since 2012,

Emphasizing the need for increased assistance to Palestine refugees in the Syrian Arab Republic as well as those who have fled to neighbouring countries, and emphasizing the necessity of ensuring open borders for Palestine refugees fleeing the crisis in the Syrian Arab Republic,

consistent with the principles of non-discrimination and non-refoulement under international law, and recalling in this regard the statement by the President of the Security Council of 2 October 2013¹⁰ and the New York Declaration for Refugees and Migrants,

Aware of the valuable work done by the Agency in providing protection to the Palestinian people, in particular Palestine refugees, and recalling the need for the protection of all civilians in situations of armed conflict,

Deploring the endangerment of the safety of the Agency's staff and the damage and destruction caused to the facilities and properties of the Agency during the period covered by the report of the Commissioner-General, and stressing the need to maintain the neutrality and safeguard the inviolability of United Nations premises, installations and equipment at all times,

Deploring also the breaches of the inviolability of United Nations premises, the failure to accord the property and assets of the Organization immunity from any form of interference and the failure to protect United Nations personnel, premises and property,

Deploring further the killing and injury of Agency staff members by the Israeli occupying forces in the Occupied Palestinian Territory since September 2000, including the 11 Agency personnel killed during the military operations in the Gaza Strip in July and August 2014,

Deploring the killing and wounding of refugee children and women sheltering in the Agency schools by the Israeli occupying forces during the military operations of July and August 2014,

Affirming the need for accountability and compensation to victims of violations of international law in accordance with international standards by all sides,

Deeply concerned about the continuing imposition of restrictions on the freedom of movement and access of the Agency's staff, vehicles and goods, and the injury, harassment and intimidation of the Agency's staff, which undermine and obstruct the work of the Agency, including its ability to provide essential basic and emergency services,

Recalling the statement of 15 July 1999 and the declarations adopted on 5 December 2001 and on 17 December 2014¹¹ by the Conference of High Contracting Parties to the Fourth Geneva Convention, including the call upon parties to facilitate the activities of the Agency, to guarantee its protection and to refrain from levying taxes and imposing undue financial burdens,

Aware of the agreement between the Agency and the Government of Israel,

Taking note of the agreement reached on 24 June 1994, embodied in an exchange of letters between the Agency and the Palestine Liberation Organization¹²

1. *Reaffirms* that the effective functioning of the United Nations Relief and Works Agency for Palestine Refugees in the Near East remains essential in all fields of operation;

2. *Expresses its appreciation* to the Commissioner-General of the Agency, as well as to all the staff of the Agency, for their tireless efforts and valuable work, particularly in the light of the difficult conditions, instability and crises faced during the past year;

¹⁰ S/PRST/2013/15; see *Resolutions and Decisions of the Security Council, 1 August 2013–31 July 2014 (S/INF/69)*.

¹¹ A/69/711-S/2015/1, annex.

¹² *Official Records of the General Assembly, Forty-ninth Session, Supplement No. 13 (A/49/13)*, annex I.

3. *Expresses special commendation* to the Agency for the essential role that it has played for more than 65 years since its establishment in providing vital services for the well-being, human development and protection of the Palestine refugees and the amelioration of their plight and for the stability of the region, and affirms the necessity for continuing the work of the Agency and its unimpeded operation and provision of services, pending the just resolution of the question of the Palestine refugees;

4. *Commends* the Agency for its extraordinary efforts, in cooperation with other United Nations agencies on the ground, to provide emergency humanitarian assistance, including shelter, food and medical aid, to refugees and affected civilians during and since the military operations in the Gaza Strip in July and August 2014, and recognizes its exemplary capacity to mobilize in emergency situations while continuously carrying out its core human development programmes;

5. *Expresses its appreciation* for the important support and cooperation provided by the host Governments to the Agency in the discharge of its duties;

6. *Also expresses its appreciation* to the Advisory Commission of the Agency, and requests it to continue its efforts and to keep the General Assembly informed of its activities;

7. *Takes note* with appreciation of the report of the Working Group on the Financing of the United Nations Relief and Works Agency for Palestine Refugees in the Near East¹³ and the efforts to assist in ensuring the financial security of the Agency, and requests the Secretary-General to provide the necessary services and assistance to the Working Group for the conduct of its work;

8. *Commends* the Agency for its six-year medium-term strategy for 2016–2021 and the Commissioner-General for his continuing efforts to increase the budgetary transparency and efficiency of the Agency, as reflected in the Agency's programme budget for the biennium 2016–2017;¹⁴

9. *Also commends* the Agency for sustaining its reform efforts, despite difficult operational circumstances, and recognizes its implementation of maximum efficiency procedures to reduce operational and administrative costs and to maximize the use of resources;

10. *Takes note* of the update to the special report of 3 August 2015 of the Commissioner-General, submitted pursuant to paragraph 21 of General Assembly resolution 302 (IV) and conveyed by the Secretary-General on 15 September 2016 to the President of the General Assembly, regarding the severe financial crisis of the Agency, and urges all States and international organizations to actively engage in efforts to address the conclusions and recommendations therein;

11. *Also takes note* of the letter dated 19 September 2016 from the President of the General Assembly appealing for active and collective engagement in efforts to urgently address the Agency's fragile state, including through action in support of the recommendations contained in the update to the special report;

12. *Commends* the Agency for its far-reaching measures to address its recurrent financial crisis, and encourages the Agency to continue its efforts to reduce the shortfalls in its programme budget in order to safeguard the delivery of core programmes;

13. *Calls upon* all donors and relevant stakeholders to support the Agency, with a

¹³ A/71/350.

¹⁴ Official Records of the General Assembly, Seventieth Session, Supplement No. 13A (A/70/13/Add.1).

view to ensuring a sustainable and stable financial situation for the Agency in order to safeguard core programmes, pending the just resolution of the question of the Palestine refugees;

14. *Takes note with appreciation* of the report of the Secretary-General on the strengthening of the management capacity of the Agency,¹⁵ and urges all Member States to carefully consider the conclusions and recommendations contained therein, including the continued provision of financial resources from the regular budget of the United Nations, in the light of the recurrent funding shortfalls faced by the Agency;

15. *Endorses* the efforts of the Commissioner-General to continue to provide humanitarian assistance, as far as is practicable, on an emergency basis and as a temporary measure, to persons in the area who are internally displaced and in serious need of continuing assistance as a result of recent crises in the Agency's fields of operation;

16. *Encourages* the Agency to provide increased assistance, in accordance with its mandate, to affected Palestine refugees in the Syrian Arab Republic as well as to those who have fled to neighbouring countries, as detailed in the Syrian regional crisis response plans, and calls upon donors to urgently ensure sustained support to the Agency in this regard in the light of the continuing grave deterioration of the situation and the growing needs of the refugees;

17. *Welcomes* the progress made thus far by the Agency in rebuilding the Nahr el-Bared refugee camp in northern Lebanon, and calls for donor funding to enable the expeditious completion of its reconstruction, for the continued provision of relief assistance to those displaced following its destruction in 2007 and for

the alleviation of their ongoing suffering through the provision of the necessary support and financial assistance until the reconstruction of the camp is complete;

18. *Encourages* the Agency, in close cooperation with other relevant United Nations entities, to continue to make progress in addressing the needs, rights and protection of children, women and persons with disabilities in its operations, including through the provision of necessary psychosocial and humanitarian support, in accordance with the Convention on the Rights of the Child,¹⁶ the Convention on the Elimination of All Forms of Discrimination against Women¹⁷ and the Convention on the Rights of Persons with Disabilities;¹⁸

19. *Recognizes* the acute protection needs of Palestine refugees across the region, and encourages the Agency's efforts to contribute to a coordinated and sustained response in accordance with international law, including the Agency's development of its protection framework and function in all field offices, including for child protection;

20. *Commends* the Agency for its provision of humanitarian and psychosocial support and other initiatives that provide recreational, cultural and educational activities for children in all fields, including in the Gaza Strip, and, recognizing their positive contribution, calls for full support for such initiatives by donor and host countries and encourages the building and strengthening of partnerships to facilitate and enhance the provision of these services;

21. *Calls upon* Israel, the occupying Power, to comply fully with the provisions of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949;⁶

¹⁵ A/65/705.

¹⁶ United Nations, *Treaty Series*, vol. 1577, No. 27531.

¹⁷ *Ibid.*, vol. 1249, No. 20378.

¹⁸ *Ibid.*, vol. 2515, No. 44910

22. *Also calls upon* Israel to abide by Articles 100, 104 and 105 of the Charter of the United Nations and the Convention on the Privileges and Immunities of the United Nations⁴ in order to ensure the safety of the personnel of the Agency, the protection of its institutions and the safeguarding of the security of its facilities in the Occupied Palestinian Territory, including East Jerusalem, at all times;

23. *Takes note* of the investigations into the incidents affecting the Agency's facilities during the conflict in the Gaza Strip in July and August 2014, and calls for ensuring accountability for all violations of international law;

24. *Urges* the Government of Israel to expeditiously reimburse the Agency for all transit charges incurred and other financial losses sustained as a result of the delays and restrictions on movement and access imposed by Israel;

25. *Calls upon* Israel particularly to cease obstructing the movement and access of the staff, vehicles and supplies of the Agency and to cease levying taxes, extra fees and charges, which affect the Agency's operations detrimentally;

26. *Reiterates its call upon* Israel to fully lift the restrictions impeding or delaying the import of necessary construction materials and supplies for the reconstruction and repair of thousands of damaged or destroyed refugee shelters, and for the implementation of suspended and urgently needed civilian infrastructure projects in refugee camps in the Gaza Strip, noting the alarming figures reflected in the United Nations country team report of 26 August 2016, entitled "Gaza: two years after";

27. *Requests* the Commissioner-General to proceed with the issuance of identification cards for Palestine refugees and their descendants in the Occupied Palestinian Territory;

28. *Notes with appreciation* the positive contribution of the Agency's microfinance and job creation programmes, encourages efforts to enhance the sustainability and benefits of microfinance services to a greater number of Palestine refugees, especially in view of the high unemployment rates affecting them, and youth in particular, welcomes the Agency's efforts to streamline costs and increase microfinance services through internal reform efforts, and calls upon the Agency, in close cooperation with the relevant agencies, to continue to contribute to the development of the economic and social stability of the Palestine refugees in all fields of operation;

29. *Reiterates its appeals* to all States, the specialized agencies and non-governmental organizations to continue and to augment their contributions to the programme budget of the Agency, to increase their special allocations for grants and scholarships for higher education to Palestine refugees and to contribute to the establishment of vocational training centres for Palestine refugees, and requests the Agency to act as the recipient and trustee for the special allocations for grants and scholarships;

30. *Urges* all States, the specialized agencies and non-governmental organizations to support the Agency's valuable and necessary work in assisting the Palestine refugees in all fields of operation by providing or increasing their contributions to the Agency in order to address the serious financial constraints and underfunding affecting its programme budget, noting that financial needs have been exacerbated by conflicts and instability in the recent period and the deteriorating humanitarian situation on the ground;

31. *Calls*, in this regard, for the full and timely funding by donors of the Agency's emergency, recovery and

reconstruction programmes as set out in its emergency appeals and response plans;

32. *Requests* the Secretary-General to facilitate broad consultations with Member States, notably host countries, members of the Advisory Commission and other donors, as well as with international financial institutions, to explore all potential ways and means, including through voluntary and assessed contributions, to ensure that the Agency's

funding is sufficient, predictable and sustained for the duration of its mandate, and requests the Secretary-General to report on the conclusions of those consultations and recommendations to the General Assembly by March 2017 for its consideration, without prejudice to the advice of relevant committees.

*53rd plenary meeting
6 December 2016*

71/94. Palestine refugees' properties and their revenues

The General Assembly,

Recalling its resolutions 194 (III) of 11 December 1948 and 36/146 C of 16 December 1981 and all its subsequent resolutions on the question,

Taking note of the report of the Secretary-General submitted pursuant to its resolution 70/86 of 9 December 2015,¹ as well as that of the United Nations Conciliation Commission for Palestine for the period from 1 September 2015 to 31 August 2016,²

Recalling that the Universal Declaration of Human Rights³ and the principles of international law uphold the principle that no one shall be arbitrarily deprived of his or her property,

Recalling in particular its resolution 394 (V) of 14 December 1950, in which it directed the Conciliation Commission, in consultation with the parties concerned, to prescribe measures for the protection of the rights, property and interests of the Palestine refugees,

Noting the completion of the programme of identification and evaluation of Arab property, as announced by the Conciliation Commission in its

twenty-second progress report,⁴ and the fact that the Land Office had a schedule of Arab owners and a file of documents defining the location, area and other particulars of Arab property,

Expressing its appreciation for the preservation and modernization of the existing records, including the land records, of the Conciliation Commission, and stressing the importance of such records for a just resolution of the plight of the Palestine refugees in conformity with resolution 194 (III),

Recalling that, in the framework of the Middle East peace process, the Palestine Liberation Organization and the Government of Israel agreed, in the Declaration of Principles on Interim Self-Government Arrangements of 13 September 1993,⁵ to commence negotiations on permanent status issues, including the important issue of the refugees,

1. *Reaffirms* that the Palestine refugees are entitled to their property and to the income derived therefrom, in conformity with the principles of equity and justice;

¹ A/71/343.

² A/71/335.

³ Resolution 217 A (III).

⁴ Official Records of the General Assembly, Nineteenth Session, Annexes, Annex No. 11, document A/5700.

⁵ A/48/486-S/26560, annex.

2. *Requests* the Secretary-General to take all appropriate steps, in consultation with the United Nations Conciliation Commission for Palestine, for the protection of Arab property, assets and property rights in Israel;

3. *Calls once again upon* Israel to render all facilities and assistance to the Secretary-General in the implementation of the present resolution;

4. *Calls upon* all the parties concerned to provide the Secretary-General with any pertinent information in their possession concerning Arab property, assets and property rights in Israel that

would assist him in the implementation of the present resolution;

5. *Urges* the Palestinian and Israeli sides, as agreed between them, to deal with the important issue of Palestine refugees' properties and their revenues within the framework of the final status peace negotiations;

6. *Requests* the Secretary-General to report to the General Assembly at its seventy-second session on the implementation of the present resolution.

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71/95. Work of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories

The General Assembly,

Guided by the purposes and principles of the Charter of the United Nations,

Guided also by international humanitarian law, in particular the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949,¹ as well as international standards of human rights, in particular the Universal Declaration of Human Rights² and the International Covenants on Human Rights,³

Recalling its relevant resolutions, including resolutions 2443 (XXIII) of 19 December 1968 and [70/87](#) of 9 December 2015, and the relevant resolutions of the Human Rights Council, including resolutions S-12/1 of 16 October 2009,⁴ S-21/1 of 23 July 2014⁵ and [29/25](#) of 3 July 2015,⁶

Recalling also the relevant resolutions of the Security Council,

Taking into account 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,⁷ and recalling in this regard its resolution ES-10/15 of 20 July 2004,

Recalling the statement of 15 July 1999 and the declarations adopted on 5 December 2001 and on 17 December 2014⁸ by the Conference of High Contracting Parties to the Fourth Geneva Convention, and welcoming initiatives by States parties, both individually and collectively, according to article 1 of the Convention and aimed at ensuring respect for the Convention in the Occupied Palestinian Territory, including East Jerusalem,

Recalling also its resolution [58/292](#) of 6 May 2004,

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

² Resolution 217 A (III).

³ Resolution 2200 A (XXI), annex.

⁴ See *Official Records of the General Assembly, Sixty-fourth Session, Supplement No. 53A* ([A/64/53/Add.1](#)), chap. I.

⁵ *Ibid.*, *Sixty-ninth Session, Supplement No. 53* ([A/69/53](#)), chap. VI.

⁶ *Ibid.*, *Seventieth Session, Supplement No. 53* ([A/70/53](#)), chap. II.

⁷ See [A/ES-10/273](#) and Corr.1.

⁸ [A/69/711-S/2015/1](#), annex.

Taking note of 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,⁹

Taking note also of Human Rights Council resolution [31/36](#) of 24 March 2016,¹⁰

Convinced that occupation itself represents a gross and grave violation of human rights,

Noting with deep regret the onset of the fiftieth year of the Israeli occupation, and stressing the urgent need for efforts to reverse the negative trends on the ground and to restore a political horizon for advancing and accelerating meaningful negotiations aimed at the achievement of a peace agreement that will bring a complete end to the Israeli occupation that began in 1967 and the resolution of all core final status issues, without exception, leading to a peaceful, just, lasting and comprehensive solution for the question of Palestine,

Recognizing that the occupation and ensuing persistent and systematic violations of international law by Israel, including international humanitarian and human rights law, are considered to be the main sources of other Israeli violations and discriminatory policies against the Palestinian civilian population in the Occupied Palestinian Territory, including East Jerusalem,

Gravely concerned about the continuing detrimental impact of ongoing unlawful Israeli practices and measures in the Occupied Palestinian

Territory, including East Jerusalem, including the excessive use of force by the Israeli occupying forces against Palestinian civilians, resulting in the death and injury of civilians and the widespread destruction of property and vital infrastructure, including during the Israeli military operations in the Gaza Strip in July and August 2014, as well as ongoing settlement activities and construction of the wall, the internal forced displacement of civilians, the imposition of collective punishment measures, particularly against the civilian population in the Gaza Strip, where continuing severe restrictions on movement amount to a blockade, and the detention and imprisonment of thousands of Palestinians,

Expressing grave concern about tensions, instability and violence in the Occupied Palestinian Territory, including East Jerusalem, due to the illegal policies and practices of Israel, the occupying Power, including, in particular, provocations and incitements regarding the holy places of Jerusalem, including the Haram al-Sharif,

Gravely concerned about all acts of violence, intimidation and provocation by Israeli settlers against Palestinian civilians and properties, including homes, mosques, churches and agricultural lands,

Gravely concerned also by reports regarding serious human rights violations and grave breaches of international humanitarian law committed during the military operations in the Gaza Strip between December 2008 and January 2009, including the findings in the summary by the Secretary-General of the report of the Board of Inquiry¹¹ and in the report of the United Nations Fact-

⁹ [A/HRC/22/63](#).

¹⁰ See *Official Records of the General Assembly, Seventy-first Session, Supplement No. 53 (A/71/53)*, chap. IV, sect. A.

¹¹ See [A/63/855-S/2009/250](#).

Finding Mission on the Gaza Conflict,¹² and reiterating the necessity for serious follow-up by all parties to the recommendations addressed to them towards ensuring accountability and justice,

Deploring the killing and injury of thousands of civilians, including women and children, during the military operations in the Gaza Strip in July and August 2014,

Taking note of the report of the independent commission of inquiry established pursuant to Human Rights Council resolution S-21/1,¹³ and stressing the imperative of ensuring accountability for all violations of international humanitarian law and international human rights law in order to end impunity, ensure justice, deter further violations, protect civilians and promote peace,

Having considered the report of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories¹⁴ and the relevant reports of the Secretary-General,¹⁵

Recalling the Declaration of Principles on Interim Self-Government Arrangements of 13 September 1993¹⁶ and the subsequent implementation agreements between the Palestinian and Israeli sides,

Stressing the urgency of bringing a complete end to the Israeli occupation that began in 1967 and thus an end to the violation of the human rights of the Palestinian people, and of allowing for the realization of their inalienable human rights, including their right to

self-determination and their independent State,

Taking note of the application of Palestine for admission to membership in the United Nations, submitted on 23 September 2011,¹⁷

Recalling its resolution [67/19](#) of 29 November 2012, by which, inter alia, Palestine was accorded non-member observer State status in the United Nations, and taking note of the follow-up report of the Secretary-General,¹⁸

Noting the accession by Palestine to several human rights treaties and the core humanitarian law conventions, as well as other international treaties,

1. *Commends* the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories for its impartiality and efforts in performing the tasks assigned to it by the General Assembly in spite of the obstruction of its mandate;

2. *Reiterates* its demand that Israel, the occupying Power, cooperate, in accordance with its obligations as a State Member of the United Nations, with the Special Committee in implementing its mandate, and deplores the continued lack of cooperation in this regard;

3. *Deplores* those policies and practices of Israel that violate the human rights of the Palestinian people and other Arabs of the occupied territories, as reflected in the report of the Special Committee covering the reporting period;¹⁴

¹² [A/HRC/12/48](#).

¹³ [A/HRC/29/52](#).

¹⁴ [A/71/352](#).

¹⁵ [A/71/321](#), [A/71/392](#), [A/71/315](#), [A/71/355](#) and [A/71/364](#).

¹⁶ [A/48/486-S/26560](#), annex.

¹⁷ [A/66/371-S/2011/592](#).

¹⁸ [A/67/738](#).

4. *Expresses grave concern* about the critical situation in the Occupied Palestinian Territory, including East Jerusalem, particularly in the Gaza Strip, as a result of unlawful Israeli practices and measures, and especially condemns and calls for the immediate cessation of all illegal Israeli settlement activities and the construction of the wall, the lifting of the blockade of the Gaza Strip, as well as a complete cessation of the excessive and indiscriminate use of force and military operations against the civilian population, settler violence, the destruction and confiscation of properties, including home demolitions as a measure of reprisal, the forced displacement of civilians, all measures of collective punishment, and the detention and imprisonment of thousands of civilians;

5. *Requests* the Special Committee, pending complete termination of the Israeli occupation, to continue to investigate Israeli policies and practices in the Occupied Palestinian Territory, including East Jerusalem, and other Arab territories occupied by Israel since 1967, especially Israeli violations of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949,¹ and to consult, as appropriate, with the International Committee of the Red Cross according to its regulations in order to ensure that the welfare and human rights of the peoples of the occupied territories, including prisoners and detainees, are safeguarded and to report to the Secretary-General as soon as possible and whenever the need arises thereafter;

6. *Also requests* the Special Committee to submit regularly to the Secretary-General periodic reports on the current situation in the Occupied

Palestinian Territory, including East Jerusalem;

7. *Further requests* the Special Committee to continue to investigate the treatment and status of the thousands of prisoners and detainees, including children and women, in Israeli prisons and detention centres in the Occupied Palestinian Territory, including East Jerusalem, and other Arab territories occupied by Israel since 1967, and expresses grave concern about harsh conditions and ill-treatment of prisoners and recent hunger strikes, stressing the need for respect for all applicable rules of international law, including the Fourth Geneva Convention,¹ the United Nations Standard Minimum Rules for the Treatment of Prisoners (the Nelson Mandela Rules)¹⁹ and the United Nations Rules for the Treatment of Women Prisoners and Non-custodial Measures for Women Offenders (the Bangkok Rules),²⁰

8. *Requests* the Secretary-General:

(a) To provide the Special Committee with all necessary facilities, including those required for its visits to the occupied territories, so that it may investigate the Israeli policies and practices referred to in the present resolution;

(b) To utilize his good offices to facilitate and support the Special Committee in carrying out its mandate;

(c) To continue to make available such staff as may be necessary to assist the Special Committee in the performance of its tasks;

(d) To circulate regularly to Member States the periodic reports mentioned in paragraph 6 above;

¹⁹ Resolution [70/175](#), annex.

²⁰ Resolution [65/229](#), annex.

(e) To ensure the widest circulation of the reports of the Special Committee and of information regarding its activities and findings, by all means available, through the Department of Public Information of the Secretariat and, where necessary, to reprint those reports of the Special Committee that are no longer available;

(f) To report to the General Assembly at its seventy-second session on the tasks entrusted to him in the present resolution;

71/96. Applicability of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, to the Occupied Palestinian Territory, including East Jerusalem, and the other occupied Arab territories

The General Assembly,

Recalling its relevant resolutions, including resolution [70/88](#) of 9 December 2015,

Bearing in mind the relevant resolutions of the Security Council,

Recalling the Regulations annexed to the Hague Convention IV of 1907, the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949,¹ and relevant provisions of customary law, including those codified in Additional Protocol I² to the four Geneva Conventions,³

Having considered the report of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories⁴ and the relevant reports of the Secretary-General,⁵

Considering that the promotion of respect for the obligations arising from the Charter of the United Nations and other

9. *Decides* to include in the provisional agenda of its seventy-second session the item entitled “Report of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories”.

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instruments and rules of international law is among the basic purposes and principles of the United Nations,

Recalling the advisory opinion rendered on 9 July 2004 by the International Court of Justice,⁷ and also recalling General Assembly resolution ES-10/15 of 20 July 2004,

Noting in particular the Court’s reply, including that the Fourth Geneva Convention¹ is applicable in the Occupied Palestinian Territory, including East Jerusalem, and that Israel is in breach of several of the provisions of the Convention,

Recalling the Conference of High Contracting Parties to the Fourth Geneva Convention on measures to enforce the Convention in the Occupied Palestinian Territory, including East Jerusalem, held on 15 July 1999, as well as the declarations adopted by the reconvened Conference on 5 December 2001 and on 17 December 2014,⁶ and the urgent need for the parties to follow up the implementation of those declarations,

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

² *Ibid.*, vol. 1125, No. 17512.

³ *Ibid.*, vol. 75, Nos. 970–973.

⁴ [A/70/406](#) and Corr.1.

⁵ [A/70/133](#), [A/70/312](#), [A/70/341](#), [A/70/351](#) and [A/70/1](#).

⁶ [A/69/711-S/2015/1](#), annex.

Welcoming and encouraging the initiatives by States parties to the Convention, both individually and collectively, according to article 1 common to the four Geneva Conventions, aimed at ensuring respect for the Convention, as well as the continuing efforts of the depositary State of the Geneva Conventions in this regard,

Noting the accession by Palestine on 1 April 2014 to the Geneva Conventions and Additional Protocol I,

Stressing that Israel, the occupying Power, should comply strictly with its obligations under international law, including international humanitarian law,

1. *Reaffirms* that the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949,¹ is applicable to the Occupied Palestinian Territory, including East Jerusalem, and other Arab territories occupied by Israel since 1967;

2. *Demands* that Israel accept the de jure applicability of the Convention in the Occupied Palestinian Territory, including East Jerusalem, and other Arab territories occupied by Israel since 1967, and that it comply scrupulously with the provisions of the Convention;

3. *Calls upon* all High Contracting Parties to the Convention, in accordance with article 1 common to the four Geneva Conventions³ and as mentioned in the advisory opinion of the International Court of Justice of 9 July 2004,⁶ to continue to

exert all efforts to ensure respect for its provisions by Israel, the occupying Power, in the Occupied Palestinian Territory, including East Jerusalem, and other Arab territories occupied by Israel since 1967;

4. *Notes* the reconvening by Switzerland, the depositary State, of the Conference of High Contracting Parties to the Fourth Geneva Convention on 17 December 2014, and calls for efforts to uphold the obligations reaffirmed in the declarations adopted on 5 December 2001 and 17 December 2014;⁷

5. *Welcomes* initiatives by States parties, in accordance with article 1 of the Convention, aimed at ensuring respect for the Convention;

6. *Reiterates* the need for speedy implementation of the relevant recommendations contained in the resolutions adopted by the General Assembly, including at its tenth emergency special session and including resolution ES-10/15, with regard to ensuring respect by Israel, the occupying Power, for the provisions of the Convention;

7. *Requests* the Secretary-General to report to the General Assembly at its seventy-second session on the implementation of the present resolution.

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⁷ See [A/ES-10/273](#) and Corr.1.

71/97. Israeli settlements in the Occupied Palestinian Territory, including East Jerusalem, and the occupied Syrian Golan

The General Assembly,

Guided by the principles of the Charter of the United Nations, and affirming the inadmissibility of the acquisition of territory by force,

Recalling its relevant resolutions, including resolution [70/89](#) of 9 December 2015, as well as those resolutions adopted at its tenth emergency special session,

Recalling also the relevant resolutions of the Security Council, including resolutions [2 \(1967\)](#) of 22 November 1967, [446 \(1979\)](#) of 22 March 1979, [465 \(1980\)](#) of 1 March 1980, [476 \(1980\)](#) of 30 June 1980, [478 \(1980\)](#) of 20 August 1980, [497 \(1981\)](#) of 17 December 1981 and [904 \(1994\)](#) of 18 March 1994,

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 to the occupied Syrian Golan,

Affirming that the transfer by the occupying Power of parts of its own civilian population into the territory it occupies constitutes a breach of the Fourth Geneva Convention¹ and relevant provisions of customary law, including those codified in Additional Protocol I² to the four Geneva Conventions,³

Recalling 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 also General Assembly

resolutions ES-10/15 of 20 July 2004 and ES-10/17 of 15 December 2006,

Noting that the International Court of Justice concluded that “the Israeli settlements in the Occupied Palestinian Territory (including East Jerusalem) have been established in breach of international law”,⁵

Taking note of the recent reports of the Special Rapporteur of the Human Rights Council on the situation of human rights in the Palestinian territories occupied since 1967,⁶

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,⁷

Recalling also the statement of 15 July 1999 and the declarations adopted on 5 December 2001 and on 17 December 2014⁸ by the Conference of High Contracting Parties to the Fourth Geneva Convention on measures to enforce the Convention in the Occupied Palestinian Territory, including East Jerusalem, aimed at ensuring respect for the Convention in the Occupied Palestinian Territory, including East Jerusalem,

Recalling further the Declaration of Principles on Interim Self-Government Arrangements of 13 September 1993⁹ and the subsequent implementation agreements between the Palestinian and Israeli sides,

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

² *Ibid.*, vol. 1125, No. 17512.

³ *Ibid.*, vol. 75, Nos. 970–973.

⁴ See [A/ES-10/273](#) and Corr.1.

⁵ *Ibid.*, advisory opinion, para. 120.

⁶ [A/HRC/31/73](#); see also [A/71/554](#).

⁷ [A/HRC/22/63](#).

⁸ [A/69/711-S/2015/1](#), annex.

⁹ [A/48/486-S/26560](#), annex.

Recalling the Quartet road map to a permanent two-State solution to the Israeli-Palestinian conflict,¹⁰ and emphasizing specifically its call for a freeze on all settlement activity, including so-called natural growth, and the dismantlement of all settlement outposts erected since March 2001, and the need for Israel to uphold its obligations and commitments in this regard,

Recalling also its resolution 67/19 of 29 November 2012,

Noting the accession by Palestine to several human rights treaties and the core humanitarian law conventions, as well as other international treaties,

Aware that Israeli settlement activities involve, inter alia, the transfer of nationals of the occupying Power into the occupied territories, the confiscation of land, the forced transfer of Palestinian civilians, including Bedouin families, the exploitation of natural resources, the fragmentation of territory and other actions against the Palestinian civilian population and the civilian population in the occupied Syrian Golan that are contrary to international law,

Bearing in mind the extremely detrimental impact of Israeli settlement policies, decisions and activities on the ongoing regional and international efforts to resume and advance the peace process, on the prospects for the achievement of peace in the Middle East in accordance with the two-State solution of Israel and Palestine, living side by side in peace and security within recognized borders, on the basis of the pre-1967 borders, and on the viability and credibility of that solution,

Expressing grave concern about the continuation by Israel, the occupying Power, of settlement activities in the Occupied Palestinian Territory, including

East Jerusalem, and condemning those activities as violations of international humanitarian law, relevant United Nations resolutions, the agreements reached between the parties and obligations under the Quartet road map and as actions in defiance of the calls by the international community to cease all settlement activities,

Condemning settlement activities in the Occupied Palestinian Territory, including East Jerusalem, and in the occupied Syrian Golan and any activities involving the confiscation of land, the disruption of the livelihood of protected persons, the forced transfer of civilians and the de facto annexation of land,

Deploring in particular Israel's construction and expansion of settlements in and around occupied East Jerusalem, including its so-called E-1 plan that aims to connect its illegal settlements around and further isolate occupied East Jerusalem, the continuing demolition of Palestinian homes and eviction of Palestinian families from the city, the revocation of Palestinian residency rights in the city, and ongoing settlement activities in the Jordan Valley, all of which further fragment and undermine the contiguity of the Occupied Palestinian Territory,

Taking note of the Quartet report of 1 July 2016,¹¹ and stressing its recommendations, as well as its recent statements, including of 30 September 2015, 23 October 2015, 12 February 2016 and 23 September 2016, in which the Quartet members concluded that, inter alia, the continuing policy of settlement construction and expansion, designation of land for exclusive Israeli use and denial of Palestinian development, including the recent high rate of demolitions, are steadily eroding the two-State solution,

¹⁰ S/2003/529, annex.

¹¹ S/2016/595, annex.

Deploring the continuing unlawful construction by Israel of the wall inside the Occupied Palestinian Territory, including in and around East Jerusalem, and expressing its concern, in particular, about the route of the wall in departure from the Armistice Line of 1949, which is causing humanitarian hardship and a serious decline of socioeconomic conditions for the Palestinian people, is fragmenting the territorial contiguity of the Territory and undermining its viability, and could prejudice future negotiations and make the two-State solution physically impossible to implement,

Deeply concerned that the wall's route has been traced in such a way as to include the great majority of the Israeli settlements in the Occupied Palestinian Territory, including East Jerusalem,

Condemning acts of violence and terror against civilians on both sides, and recalling the need to end all acts of violence, including acts of terror, provocation, incitement and destruction,

Condemning also all acts of violence, destruction, harassment, provocation and incitement by Israeli settlers in the Occupied Palestinian Territory, including East Jerusalem, against Palestinian civilians, including children, and their properties, including historic and religious sites, and agricultural lands, as well as acts of terror by several extremist Israeli settlers, and calling for accountability for the illegal actions perpetrated in this regard,

Taking note of the relevant reports of the Secretary-General¹²,

Noting the special meeting of the Security Council convened on 26 September 2008, as well as the meeting of the Council of 18 February 2011,

1. *Reaffirms* that the Israeli settlements in the Occupied Palestinian Territory, including East Jerusalem, and in the occupied Syrian Golan are illegal and an obstacle to peace and economic and social development;

2. *Calls upon* Israel to accept the de jure 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 to the occupied Syrian Golan and to abide scrupulously by the provisions of the Convention, in particular article 49, and to comply with all of its obligations under international law and cease immediately all actions causing the alteration of the character, status and demographic composition of the Occupied Palestinian Territory, including East Jerusalem, and of the occupied Syrian Golan;

3. *Reiterates its demand* for the immediate and complete cessation of all Israeli settlement activities in all of the Occupied Palestinian Territory, including East Jerusalem, and in the occupied Syrian Golan, and calls in this regard for the full implementation of all the relevant resolutions of the Security Council, including, inter alia, resolutions [446 \(1979\)](#), [452 \(1979\)](#) of 20 July 1979, [465 \(1980\)](#), [476 \(1980\)](#) and [1515 \(2003\)](#) of 19 November 2003;

4. *Calls for* the consideration of measures of accountability, in accordance with international law, in the case of continued non-compliance, stressing that compliance with and respect for international humanitarian law and international human rights law is a cornerstone for peace and security in the region;

5. *Stresses* that a complete cessation of all Israeli settlement activities is essential for salvaging the two-State solution on the basis of the pre-1967

¹² [A/71/315](#), [A/71/321](#), [A/71/352](#), [A/71/355](#), [A/71/364](#) and [A/71/392](#).

borders, and calls for affirmative steps to be taken immediately to reverse the negative trends on the ground that are imperilling the viability of the two-State solution;

6. *Demands* that Israel, the occupying Power, comply with its legal obligations, as mentioned in the advisory opinion rendered on 9 July 2004 by the International Court of Justice;⁴

7. *Reiterates its call for* the prevention of all acts of violence, destruction, harassment and provocation by Israeli settlers, especially against Palestinian civilians and their properties, including historic and religious sites and including in Occupied East Jerusalem, and their agricultural lands;

8. *Calls for* accountability for the illegal actions perpetrated by Israeli settlers in the Occupied Palestinian Territory, and stresses in this regard the need for the implementation of Security Council resolution 904 (1994), in which the Council called upon Israel, the occupying Power, to continue to take and implement measures, including the confiscation of arms, aimed at preventing illegal acts of violence by Israeli settlers, and called for measures to be taken to guarantee the safety and protection of the Palestinian civilians in the occupied territory;

9. *Stresses* the responsibility of Israel, the occupying Power, to investigate all acts of settler violence against Palestinian civilians and their properties and to ensure accountability for these acts;

10. *Encourages* all States and international organizations to continue to actively pursue policies that 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;

11. *Recalls*, in this regard, the statement of 15 July 1999 and the declarations adopted on 5 December 2001 and on 17 December 2014⁸ by the Conference of High Contracting Parties to the Fourth Geneva Convention on measures to enforce the Convention in the Occupied Palestinian Territory, including East Jerusalem, and welcomes in this regard initiatives by States parties, both individually and collectively, in accordance with article 1 of the Convention, aimed at ensuring respect for the Convention;

12. *Calls upon* the relevant United Nations bodies to take all necessary measures and actions within their mandates to ensure full respect for and compliance with Human Rights Council resolution 17/4 of 16 June 2011, See *Official Records of the General Assembly, Sixty-sixth Session, Supplement No. 53 (A/66/53)*, chap. III, sect. A. concerning the Guiding Principles on Business and Human Rights [A/HRC/17/31](#), annex. and other relevant international laws and standards, and to ensure the implementation of the United Nations “Protect, Respect and Remedy” Framework, which provides a global standard for upholding human rights in relation to business activities that are connected with Israeli settlements in the Occupied Palestinian Territory, including East Jerusalem;

13. *Requests* the Secretary-General to report to the General Assembly at its seventy-second session on the implementation of the present resolution.

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71/98. Israeli practices affecting the human rights of the Palestinian people in the Occupied Palestinian Territory, including East Jerusalem

The General Assembly,

Recalling the Universal Declaration of Human Rights,¹

Recalling also the International Covenant on Civil and Political Rights,² the International Covenant on Economic, Social and Cultural Rights² and the Convention on the Rights of the Child,³ and affirming that these human rights instruments must be respected in the Occupied Palestinian Territory, including East Jerusalem,

Reaffirming its relevant resolutions, including resolution [70/90](#) of 9 December 2015 as well as those adopted at its tenth emergency special session,

Recalling the relevant resolutions of the Human Rights Council,

Recalling also the relevant resolutions of the Security Council, and stressing the need for their implementation,

Having considered the report of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories⁴ and the report of the Secretary-General on the work of the Special Committee,⁵

Taking note of the recent reports of the Special Rapporteur of the Human Rights Council on the situation of human rights in the Palestinian territories occupied since 1967,⁶ as well as of other relevant recent reports of the Human Rights Council,

Taking note also of the recent report 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 the Arab population in the occupied Syrian Golan,⁷

Deeply regretting the onset of the fiftieth year of the Israeli occupation, and stressing the urgent need for efforts to reverse the negative trends on the ground and to restore a political horizon for advancing and accelerating meaningful negotiations aimed at the achievement of a peace agreement that will bring a complete end to the Israeli occupation that began in 1967 and the resolution of all core final status issues, without exception, leading to a peaceful, just, lasting and comprehensive solution of the question of Palestine,

Aware of the responsibility of the international community to promote human rights and ensure respect for international law, and recalling in this regard its resolution 2625 (XXV) of 24 October 1970,

Recalling the advisory opinion rendered on 9 July 2004 by the International Court of Justice,⁸ and recalling also General Assembly resolutions ES-10/15 of 20 July 2004 and ES-10/17 of 15 December 2006,

Noting in particular the Court's reply, including that the construction of the wall being built by Israel, the occupying Power, in the Occupied Palestinian Territory, including in and around East Jerusalem, and its associated regime are contrary to international law,

¹ Resolution 217 A (III).

² See resolution 2200 A (XXI), annex.

³ United Nations, *Treaty Series*, vol. 1577, No. 27531.

⁴ [A/71/352](#).

⁵ [A/71/315](#).

⁶ [A/HRC/28/78](#) and [A/HRC/31/73](#); see also [A/71/554](#).

⁷ [A/71/86-E/2016/13](#).

⁸ See [A/ES-10/273](#) and Corr.1.

Taking note of its resolution [67/19](#) of 29 November 2012,

Noting the accession by Palestine to several human rights treaties and the core humanitarian law conventions, as well as other international treaties,

Reaffirming the principle of the inadmissibility of the acquisition of territory by force,

Reaffirming also the applicability of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949,⁹ to the Occupied Palestinian Territory, including East Jerusalem, and other Arab territories occupied by Israel since 1967,

Reaffirming further the obligation of the States parties to the Fourth Geneva Convention⁹ under articles 146, 147 and 148 with regard to penal sanctions, grave breaches and responsibilities of the High Contracting Parties,

Recalling the statement of 15 July 1999 and the declarations adopted on 5 December 2001 and on 17 December 2014¹⁰ by the Conference of High Contracting Parties to the Fourth Geneva Convention on measures to enforce the Convention in the Occupied Palestinian Territory, including East Jerusalem, aimed at ensuring respect for the Convention in the Occupied Palestinian Territory, including East Jerusalem,

Reaffirming that all States have the right and the duty to take actions in conformity with international law and international humanitarian law to counter deadly acts of violence against their civilian population in order to protect the lives of their citizens,

Stressing the need for full compliance with the Israeli-Palestinian agreements reached within the context of the Middle East peace process,

including the Sharm el-Sheikh understandings, and the implementation of the Quartet road map to a permanent two-State solution to the Israeli-Palestinian conflict,¹¹

Stressing also the need for the full implementation of the Agreement on Movement and Access and the Agreed Principles for the Rafah Crossing, both of 15 November 2005, to allow for the freedom of movement of the Palestinian civilian population within and into and out of the Gaza Strip,

Gravely concerned by the tensions and violence in the recent period throughout the Occupied Palestinian Territory, including East Jerusalem and including with regard to the holy places of Jerusalem, including the Haram al-Sharif, and deploring the loss of innocent civilian life,

Recognizing that security measures alone cannot remedy the escalating tensions, instability and violence, and calling for full respect for international law, including humanitarian and human rights law, including for the protection of civilian life, as well as for the promotion of human security, the de-escalation of the situation, the exercise of restraint, including from provocative actions and rhetoric, and the establishment of a stable environment conducive to the pursuit of peace,

Expressing grave concern about the continuing systematic violation of the human rights of the Palestinian people by Israel, the occupying Power, including that arising from the excessive use of force and military operations causing death and injury to Palestinian civilians, including children, women and non-violent, peaceful demonstrators; the arbitrary imprisonment and detention of Palestinians, some of whom have been imprisoned for decades; the use of collective punishment; the closure of

⁹ United Nations, *Treaty Series*, vol. 75, No. 973.

¹⁰ [A/69/711-S/2015/1](#), annex.

¹¹ [S/2003/529](#), annex.

areas; the confiscation of land; the establishment and expansion of settlements; the construction of a wall in the Occupied Palestinian Territory in departure from the Armistice Line of 1949; the destruction of property and infrastructure; the forced displacement of civilians, including attempts at forced transfers of Bedouin communities; and all other actions by it designed to change the legal status, geographical nature and demographic composition of the Occupied Palestinian Territory, including East Jerusalem,

Gravely concerned by the ongoing demolition of Palestinian homes, as well as of structures provided as humanitarian aid, by Israel, the occupying Power, in particular in Occupied East Jerusalem, including if carried out as an act of collective punishment in violation of international humanitarian law, which has escalated at unprecedented rates, and by the revocation of residence permits and eviction of Palestinian residents of the City,

Deploring the conflict in and around the Gaza Strip in July and August 2014 and the civilian casualties caused, including the killing and injury of thousands of Palestinian civilians, including children, women and the elderly, the widespread destruction of thousands of homes and civilian infrastructure, including schools, hospitals, water, sanitation and electricity networks, economic, industrial and agricultural properties, public institutions, religious sites, and United Nations schools and facilities, the internal displacement of hundreds of thousands of civilians, and any violations of international law, including humanitarian and human rights law, in this regard,

Gravely concerned about the disastrous humanitarian situation and the critical socioeconomic and security

situation in the Gaza Strip, including that resulting from the prolonged closures and severe economic and movement restrictions that in effect amount to a blockade and deepen poverty and despair among the Palestinian civilian population, and from the continuing and vastly negative repercussions of the military operations between December 2008 and January 2009, in November 2012 and in July and August 2014, as well as about the firing of rockets into Israel,

Recalling the statement by the President of the Security Council of 28 July 2014,¹²

Stressing the need for the full implementation by all parties of Security Council resolution [1860 \(2009\)](#) of 8 January 2009 and General Assembly resolution ES-10/18 of 16 January 2009,

Stressing also that the situation in the Gaza Strip is unsustainable and that a durable ceasefire agreement must lead to a fundamental improvement in the living conditions of the Palestinian people in the Gaza Strip, including through the sustained and regular opening of crossing points, and ensure the safety and well-being of civilians on both sides, and regretting the lack of progress made in this regard,

Gravely concerned by reports regarding serious human rights violations and grave breaches of international humanitarian law committed during the military operations in the Gaza Strip between December 2008 and January 2009, including the findings in the summary by the Secretary-General of the report of the Board of Inquiry¹³ and in the report of the United Nations Fact-finding Mission on the Gaza Conflict,¹⁴ and the findings of the United Nations Headquarters

¹² [S/PRST/2014/13](#); see *Resolutions and Decisions of the Security Council, 1 August 2013–31 July 2014* ([S/INF/69](#)).

¹³ See [A/63/855-S/2009/250](#).

¹⁴ [A/HRC/12/48](#).

Board of Inquiry into certain incidents that occurred in the Gaza Strip between 8 July and 26 August 2014¹⁵ and of the independent commission of inquiry established pursuant to Human Rights Council resolution S-21/1,¹⁶ and reiterating the necessity for serious follow-up by all parties of the recommendations addressed to them towards ensuring accountability and justice,

Stressing the need for protection of human rights defenders engaged in the promotion of human rights issues in the Occupied Palestinian Territory, including East Jerusalem, to allow them to carry out their work freely and without fear of attacks and harassment,

Expressing deep concern about the short- and long-term detrimental impact of widespread destruction and the continued impeding of the reconstruction process by Israel, the occupying Power, on the human rights situation and on the socioeconomic and humanitarian conditions of the Palestinian civilian population,

Taking note, in this regard, of the United Nations country team report of 26 August 2016, entitled “Gaza: two years after”, and the alarming figures therein,

Expressing deep concern about the Israeli policy of closures and the imposition of severe restrictions, including through hundreds of obstacles to movement, checkpoints and a permit regime, all of which obstruct the freedom of movement of persons and goods, including medical and humanitarian goods, and the follow-up and access to donor-funded projects of development cooperation and humanitarian assistance, throughout the Occupied Palestinian Territory, including East Jerusalem, and impair the

Territory’s contiguity, consequently violating the human rights of the Palestinian people and negatively impacting their socioeconomic and humanitarian situation, which remains dire in the Gaza Strip, and the efforts aimed at rehabilitating and developing the Palestinian economy, while taking note of developments with regard to the situation of access there and the resumption of some trade from Gaza to the West Bank for the first time since 2007, and calling for the full lifting of restrictions,

Expressing grave concern that thousands of Palestinians, including many children and women, continue to be held in Israeli prisons or detention centres under harsh conditions, including, inter alia, unhygienic conditions, solitary confinement, the extensive use of administrative detention of excessive duration without charge and denial of due process, lack of proper medical care and widespread medical neglect, including for prisoners who are ill, with the risk of fatal consequences, and denial of family visits, that impair their well-being, and expressing grave concern also about the ill-treatment and harassment and all reports of torture of any Palestinian prisoners,

Expressing deep concern about the recent hunger strikes by numerous Palestinian prisoners in protest of the harsh conditions of their imprisonment and detention by the occupying Power, while taking note of the agreement reached in May 2012 on conditions of detention in Israeli prisons and calling for its full and immediate implementation,

Recalling the United Nations Standard Minimum Rules for the Treatment of Prisoners (the Nelson Mandela Rules)¹⁷ and the United Nations Rules for the Treatment of

¹⁵ See [S/2015/286](#), annex.

¹⁶ [A/HRC/29/52](#).

¹⁷ Resolution [70/175](#), annex.

Women Prisoners and Non-custodial Measures for Women Offenders (the Bangkok Rules),¹⁸ and calling for respect for those Rules,

Recalling also the prohibition under international humanitarian law of the deportation of civilians from occupied territories,

Deploring the practice of withholding the bodies of those killed, and calling for the release of the bodies that have not yet been returned to their relatives, in line with international humanitarian law and human rights law, in order to ensure dignified closure in accordance with their religious beliefs and traditions,

Stressing the need for the prevention of all acts of violence, harassment, provocation and incitement by extremist Israeli settlers and groups of armed settlers, especially against Palestinian civilians, including children, and their properties, including homes, agricultural lands and historic and religious sites, including in Occupied East Jerusalem, and deploring the violation of the human rights of Palestinians in this regard, including acts of violence leading to death and injury among civilians,

Convinced of the need for an international presence to monitor the situation, to contribute to ending the violence and protecting the Palestinian civilian population and to help the parties to implement the agreements reached, and in this regard recalling the positive contribution of the Temporary International Presence in Hebron,

Noting the continued efforts and tangible progress made in the Palestinian security sector, and noting also the continued cooperation that benefits both Palestinians and Israelis, in particular by promoting security and building confidence, and expressing the hope that

such progress will be extended to all major population centres,

Urging the parties to observe calm and restraint and to refrain from provocative actions, incitement and inflammatory rhetoric, especially in areas of religious and cultural sensitivity, including in East Jerusalem, and to take every possible step to defuse tensions and promote conditions conducive to the credibility and success of the peace negotiations,

Emphasizing the right of all people in the region to the enjoyment of human rights as enshrined in the international human rights covenants,

1. *Reiterates* that all measures and actions taken by Israel, the occupying Power, in the Occupied Palestinian Territory, including East Jerusalem, in violation of the relevant provisions of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949,⁹ and contrary to the relevant resolutions of the Security Council, are illegal and have no validity;

2. *Demands* that Israel, the occupying Power, cease all practices and actions that violate the human rights of the Palestinian people, including the killing and injury of civilians, the arbitrary detention and imprisonment of civilians, the forced displacement of civilians, including attempts at forced transfers of Bedouin communities, the destruction and confiscation of civilian property, including home demolitions, including if carried out as collective punishment in violation of international humanitarian law, and any obstruction of humanitarian assistance, and that it fully respect human rights law and comply with its legal obligations in this regard, including in accordance with relevant United Nations resolutions;

¹⁸ Resolution [65/229](#), annex.

3. *Also demands* that Israel, the occupying Power, comply fully with the provisions of the Fourth Geneva Convention of 1949⁹ and cease immediately all measures and actions taken in violation and in breach of the Convention;

4. *Calls for* urgent measures to ensure the safety and protection of the Palestinian civilian population in the Occupied Palestinian Territory, including East Jerusalem, in accordance with the relevant provisions of international humanitarian law and as called for by the Security Council in its resolution [904 \(1994\)](#) of 18 March 1994;

5. *Also calls for* full cooperation by Israel with the relevant special rapporteurs and other relevant mechanisms and inquiries of the Human Rights Council, including the facilitation of entry to the Occupied Palestinian Territory, including East Jerusalem, for monitoring and reporting on the human rights situation therein according to their respective mandates;

6. *Demands* that Israel, the occupying Power, cease all of its settlement activities, the construction of the wall and any other measures aimed at altering the character, status and demographic composition of the Occupied Palestinian Territory, including in and around East Jerusalem, all of which, inter alia, gravely and detrimentally impact the human rights of the Palestinian people, and the prospects for achieving without delay an end to the Israeli occupation that began in 1967 and a just, lasting and comprehensive peace settlement between the Palestinian and Israeli sides;

7. *Calls for* urgent attention to the plight and the rights, in accordance with international law, of Palestinian prisoners and detainees in Israeli jails, including those on hunger strike, calls for efforts between the two sides for the

further release of prisoners and detainees, and also calls for respect for the United Nations Standard Minimum Rules for the Treatment of Prisoners (the Nelson Mandela Rules)¹⁷ and the United Nations Rules for the Treatment of Women Prisoners and Non-custodial Measures for Women Offenders (the Bangkok Rules);¹⁸

8. *Condemns* all acts of violence, including all acts of terror, provocation, incitement and destruction, especially the excessive use of force by the Israeli occupying forces against Palestinian civilians, particularly in the Gaza Strip, which have caused extensive loss of life and vast numbers of injuries, including among thousands of children and women, massive damage and destruction to homes, economic, industrial and agricultural properties, vital infrastructure, including water, sanitation and electricity networks, religious sites and public institutions, including hospitals and schools, and United Nations facilities, and agricultural lands, and large-scale internal displacement of civilians;

9. *Expresses grave concern* at the firing of rockets against Israeli civilian areas resulting in loss of life and injury;

10. *Reiterates its demand* for the full implementation of Security Council resolution [1860 \(2009\)](#);

11. *Demands* that Israel, the occupying Power, comply with its legal obligations under international law, as mentioned in the advisory opinion rendered on 9 July 2004 by the International Court of Justice⁸ and as demanded in General Assembly resolutions ES-10/15 and ES-10/13 of 21 October 2003, and that it immediately cease the construction of the wall in the Occupied Palestinian Territory, including in and around East Jerusalem, dismantle forthwith the structure situated therein, repeal or

render ineffective all legislative and regulatory acts relating thereto, and make reparations for all damage caused by the construction of the wall, which has gravely impacted the human rights and the socioeconomic living conditions of the Palestinian people;

12. *Reiterates* the need for respect for the territorial unity, contiguity and integrity of all of the Occupied Palestinian Territory and for guarantees of the freedom of movement of persons and goods within the Palestinian territory, including movement into and from East Jerusalem, into and from the Gaza Strip, between the West Bank and the Gaza Strip, and to and from the outside world;

13. *Calls upon* Israel, the occupying Power, to cease its imposition of prolonged closures and economic and movement restrictions, including those amounting to a blockade on the Gaza Strip, and in this regard to fully implement the Agreement on Movement and Access and the Agreed Principles for the Rafah Crossing, both of 15 November 2005, in order to allow for the sustained and regular movement of persons and goods and for the acceleration of long overdue and massive reconstruction needs and economic recovery in the Gaza Strip, while noting the recent tripartite agreement facilitated by the United Nations in this regard;

14. *Urges* Member States to continue to provide emergency assistance to the

Palestinian people to alleviate the financial crisis and the dire socioeconomic and humanitarian situation, particularly in the Gaza Strip;

15. *Emphasizes* the need to preserve and develop the Palestinian institutions and infrastructure for the provision of vital public services to the Palestinian civilian population and the promotion of human rights, including civil, political, economic, social and cultural rights, and welcomes in this regard the formation of the Palestinian national consensus government under the leadership of President Mahmoud Abbas, consistent with the Palestine Liberation Organization commitments and the Quartet principles;

16. *Urges* all States and the specialized agencies and organizations of the United Nations system to continue to support and assist the Palestinian people in the early realization of their inalienable human rights, including their right to self-determination, as a matter of urgency, in the light of the onset of the fiftieth year of the Israeli occupation and the continued denial and violation of the human rights of the Palestinian people;

17. *Requests* the Secretary-General to report to the General Assembly at its seventy-second session on the implementation of the present resolution.

*53rd plenary meeting
6 December 2016*

71/126. Assistance to the Palestinian people

The General Assembly,

Recalling its resolution [70/108](#) of 10 December 2015, as well as its previous resolutions on the question,

Recalling also the signing of the Declaration of Principles on Interim Self-

Government Arrangements in Washington, D.C., on 13 September 1993, by the Government of the State of Israel and the Palestine Liberation Organization, the representative of the Palestinian people,¹

¹ [A/48/486-S/26560](#), annex.

and the subsequent implementation agreements concluded by the two sides,

Recalling further all relevant international law, including humanitarian and human rights law, and, in particular, the International Covenant on Civil and Political Rights,² the International Covenant on Economic, Social and Cultural Rights,² the Convention on the Rights of the Child³ and the Convention on the Elimination of All Forms of Discrimination against Women,⁴

Gravely concerned at the difficult living conditions and humanitarian situation affecting the Palestinian people, in particular women and children, throughout the occupied Palestinian territory, particularly in the Gaza Strip where economic recovery and vast infrastructure repair, rehabilitation and development are urgently needed, especially in the aftermath of the conflict of July and August 2014,

Conscious of the urgent need for improvement in the economic and social infrastructure of the occupied territory,

Welcoming, in this context, the development of projects, notably on infrastructure, to revive the Palestinian economy and improve the living conditions of the Palestinian people, stressing the need to create the appropriate conditions to facilitate the implementation of these projects, and noting the contribution of partners in the region and of the international community,

Aware that development is difficult under occupation and is best promoted in circumstances of peace and stability,

Noting the great economic and social challenges facing the Palestinian people and their leadership,

Emphasizing the importance of the safety and well-being of all people, in particular women and children, in the whole Middle East region, the promotion of which is facilitated, inter alia, in a stable and secure environment,

Deeply concerned about the negative impact, including the health and psychological consequences, of violence on the present and future well-being of children in the region,

Conscious of the urgent necessity for international assistance to the Palestinian people, taking into account the Palestinian priorities, and recalling in this regard the National Early Recovery and Reconstruction Plan for Gaza,

Expressing grave concern about the grave humanitarian situation in the Gaza Strip, and underlining the importance of emergency and humanitarian assistance and the need for the advancement of reconstruction in the Gaza Strip,

Welcoming the results of the Conference to Support Middle East Peace, convened in Washington, D.C., on 1 October 1993, the establishment of the Ad Hoc Liaison Committee for the Coordination of the International Assistance to Palestinians and the work being done by the World Bank as its secretariat and the establishment of the Consultative Group, as well as all follow-up meetings and international mechanisms established to provide assistance to the Palestinian people,

Underlining the importance of the Cairo International Conference on Palestine: Reconstructing Gaza, held on 12 October 2014, and urging the timely and full disbursement of pledges for expediting the provision of humanitarian assistance and the reconstruction process,

Recalling the International Donors' Conference for the Palestinian State, held

² See resolution 2200 A (XXI), annex.

³ United Nations, *Treaty Series*, vol. 1577, No. 27531.

⁴ *Ibid.*, vol. 1249, No. 20378.

in Paris on 17 December 2007, the Berlin Conference in Support of Palestinian Civil Security and the Rule of Law, held on 24 June 2008, and the Palestine Investment Conferences, held in Bethlehem from 21 to 23 May 2008 and on 2 and 3 June 2010, and the International Conference in Support of the Palestinian Economy for the Reconstruction of Gaza, held in Sharm el-Sheikh, Egypt, on 2 March 2009,

Welcoming the ministerial meetings of the Conference on Cooperation among East Asian Countries for Palestinian Development, convened in Tokyo in February 2013 and in Jakarta in March 2014, as a forum to mobilize political and economic assistance, including through exchanges of expertise and lessons learned, in support of Palestinian development,

Welcoming also the latest meetings of the Ad Hoc Liaison Committee for the Coordination of the International Assistance to Palestinians, held in Brussels on 27 May 2015 and in New York on 25 September 2013, 22 September 2014, 30 September 2015 and 19 September 2016,

Welcoming further the activities of the Joint Liaison Committee, which provides a forum in which economic policy and practical matters related to donor assistance are discussed with the Palestinian Authority,

Welcoming the implementation of the Palestinian National Development Plan 2011–2013 on governance, economy, social development and infrastructure and the adoption of the Palestinian National Development Plan 2014–2016: State-building to Sovereignty, and stressing the need for continued international support for the Palestinian State-building process, as outlined in the summary by the Chair of the meeting of the Ad Hoc Liaison Committee held on 22 September 2014,

Stressing the need for the full engagement of the United Nations in the process of building Palestinian institutions and in providing broad assistance to the Palestinian people,

Recognizing, in this regard, the positive contribution of the United Nations Development Assistance Framework, which is aimed, inter alia, at enhancing developmental support and assistance to the Palestinian people and strengthening institutional capacity in line with Palestinian national priorities,

Welcoming steps to ease the restrictions on movement and access in the West Bank, while stressing the need for further steps to be taken in this regard, and recognizing that such steps would improve living conditions and the situation on the ground and could promote further Palestinian economic development,

Welcoming also the tripartite agreement facilitated by the United Nations regarding access to the Gaza Strip, and calling for its full implementation and complementary measures that address the need for a fundamental change in policy that allows for the sustained and regular opening of the border crossings for the movement of persons and goods, including for humanitarian and commercial flows and for the reconstruction and economic recovery of Gaza,

Stressing that the situation in the Gaza Strip is unsustainable and that a durable ceasefire agreement must lead to a fundamental improvement in the living conditions of the Palestinian people in the Gaza Strip and ensure the safety and well-being of civilians on both sides,

Stressing also the urgency of reaching a durable solution to the crisis in Gaza through the full implementation of Security Council resolution [1860 \(2009\)](#) of 8 January 2009, including by preventing the illicit trafficking in arms and

ammunition and by ensuring the sustained reopening of the crossing points on the basis of existing agreements, including the 2005 Agreement on Movement and Access between the Palestinian Authority and Israel,

Stressing, in this regard, the importance of the effective exercise by the Palestinian Authority of its full government responsibilities in the Gaza Strip in all fields, including through its presence at the Gaza crossing points,

Noting the active participation of the United Nations Special Coordinator for the Middle East Peace Process and Personal Representative of the Secretary-General to the Palestine Liberation Organization and the Palestinian Authority in the activities of the Special Envoys of the Quartet,

Reaffirming the necessity of achieving a comprehensive resolution of the Arab-Israeli conflict in all its aspects, on the basis of relevant Security Council resolutions, including resolutions 2 (1967) of 22 November 1967, 338 (1973) of 22 October 1973, 1397 (2002) of 12 March 2002, 1515 (2003) of 19 November 2003, 1850 (2008) of 16 December 2008 and 1860 (2009), as well as the terms of reference of the Madrid Conference and the principle of land for peace, in order to ensure a political solution, with two States – Israel and an independent, democratic, contiguous, sovereign and viable Palestinian State – living side by side in peace and security and mutual recognition,

Having considered the report of the Secretary-General,⁵

Expressing grave concern about continuing violence against civilians,

1. *Takes note* of the report of the Secretary-General;⁵

2. *Expresses its appreciation* to the Secretary-General for his rapid response and ongoing efforts regarding assistance to the Palestinian people, including with regard to the emergency humanitarian needs in the Gaza Strip;

3. *Also expresses its appreciation* to the Member States, United Nations bodies and intergovernmental, regional and non-governmental organizations that have provided and continue to provide assistance to the Palestinian people;

4. *Stresses* the importance of the work of the United Nations Special Coordinator for the Middle East Peace Process and Personal Representative of the Secretary-General to the Palestine Liberation Organization and the Palestinian Authority and of the steps taken under the auspices of the Secretary-General to ensure the achievement of a coordinated mechanism for United Nations activities throughout the occupied territories;

5. *Urges* Member States, international financial institutions of the United Nations system, intergovernmental and non-governmental organizations and regional and interregional organizations to extend, as rapidly and as generously as possible, economic and social assistance to the Palestinian people, in close cooperation with the Palestine Liberation Organization and through official Palestinian institutions;

6. *Welcomes* the meetings of the Ad Hoc Liaison Committee for the Coordination of the International Assistance to Palestinians of 25 September 2013, 22 September 2014, 27 May and 30 September 2015 and 19 September 2016, the outcome of the Cairo International Conference on Palestine: Reconstructing Gaza, held on 12 October 2014, and the generous donor response to support the needs of the Palestinian people, and urges the rapid disbursement of donor pledges;

⁵ A/71/87-E/2016/67.

7. *Stresses* the importance of following up on the results of the Cairo International Conference on Palestine: Reconstructing Gaza to effectively promote economic recovery and reconstruction in a timely and sustainable manner;

8. *Calls upon* donors that have not yet converted their budget support pledges into disbursements to transfer funds as soon as possible, encourages all donors to increase their direct assistance to the Palestinian Authority in accordance with its government programme in order to enable it to build a viable and prosperous Palestinian State, underlines the need for equitable burden sharing by donors in this effort, and encourages donors to consider aligning funding cycles with the Palestinian Authority's national budget cycle;

9. *Calls upon* relevant organizations and agencies of the United Nations system to intensify their assistance in response to the urgent needs of the Palestinian people in accordance with priorities set forth by the Palestinian side;

10. *Expresses its appreciation* for the work of the United Nations Relief and Works Agency for Palestine Refugees in the Near East, and recognizes the vital role of the Agency in providing humanitarian assistance to the Palestinian people, particularly in the Gaza Strip;

11. *Calls upon* the international community to provide urgently needed assistance and services in an effort to alleviate the difficult humanitarian situation being faced by Palestinian women, children and their families and to help in the reconstruction and development of relevant Palestinian institutions;

12. *Stresses* the role that all funding instruments, including the European Commission's Palestinian-European Mechanism for the Management of

Socioeconomic Aid and the World Bank trust fund, have been playing in directly assisting the Palestinian people;

13. *Urges* Member States to open their markets to exports of Palestinian products on the most favourable terms, consistent with appropriate trading rules, and to implement fully existing trade and cooperation agreements;

14. *Calls upon* the international donor community to expedite the delivery of pledged assistance to the Palestinian people to meet their urgent needs;

15. *Stresses*, in this context, the importance of ensuring free humanitarian access to the Palestinian people and the free movement of persons and goods;

16. *Also stresses* the need for the full implementation by both parties of existing agreements, including the Agreement on Movement and Access and the Agreed Principles for the Rafah Crossing, of 15 November 2005, to allow for the freedom of movement of the Palestinian civilian population, as well as for imports and exports, within and into and out of the Gaza Strip;

17. *Further stresses* the need to ensure the safety and security of humanitarian personnel, premises, facilities, equipment, vehicles and supplies, as well as the need to ensure safe and unhindered access by humanitarian personnel and delivery of supplies and equipment, in order to allow such personnel to efficiently perform their task of assisting affected civilian populations;

18. *Urges* the international donor community, United Nations agencies and organizations and non-governmental organizations to extend to the Palestinian people, as rapidly as possible, emergency economic assistance and humanitarian assistance, particularly in the Gaza Strip, to counter the impact of the current crisis;

19. *Stresses* the need for the continued implementation of the Paris Protocol on Economic Relations of 29 April 1994, fifth annex to the Israeli-Palestinian Interim Agreement on the West Bank and the Gaza Strip, signed in Washington, D.C., on 28 September 1995,⁶ including with regard to the full, prompt and regular transfer of Palestinian indirect tax revenues;

20. *Requests* the Secretary-General to submit a report to the General Assembly at its seventy-second session, through the Economic and Social Council, on the implementation of the present resolution, containing:

⁶ [A/51/889-S/1997/357](#), annex.

(a) An assessment of the assistance actually received by the Palestinian people;

(b) An assessment of the needs still unmet and specific proposals for responding effectively to them;

21. *Decides* to include in the provisional agenda of its seventy-second session, under the item entitled “Strengthening of the coordination of humanitarian and disaster relief assistance of the United Nations, including special economic assistance”, the sub-item entitled “Assistance to the Palestinian people”.

*57th plenary meeting
8 December 2016*

III. UN HIGH COMMISSIONER FOR HUMAN RIGHTS URGES ISRAEL TO RECONSIDER BILL TO LEGALIZE OUTPOSTS

The following [press release](#) was issued on 8 December 2016 by the High Commissioner for Human Rights, Zeid Ra’ad Al Hussein:

United Nations High Commissioner for Human Rights Zeid Ra’ad Al Hussein on Thursday expressed deep concern over unprecedented proposed legislation in Israel that, if adopted, would allow the retroactive “legalization” of so-called Israeli outposts constructed on privately owned Palestinian land in the occupied West Bank. The Bill was approved by the Knesset at the first of three readings on Wednesday.

“In enabling the use of land privately-owned by Palestinians for Israeli settlements without the owners’ consent, this legislation would violate international law according to which Israel, as the occupying power, must respect the private property of Palestinians, regardless of whether or not compensation is provided,” the High Commissioner said. “I strongly urge lawmakers to reconsider their support for this bill, which if enacted, would have far-reaching consequences and would

seriously damage the reputation of Israel around the world.”

At least 570,000 Israeli settlers live in some 130 settlements and 100 outposts in the West Bank. “All Israeli settlements — whether outposts built without formal approval but often with the support of the Israeli authorities and which are currently illegal under Israeli law, or settlements approved by Israel — are clearly and unequivocally illegal under international law and constitute one of the main obstacles to peace,” he continued. “They are also the principal cause of a wide range of human rights violations inside the occupied West Bank, including East Jerusalem.”

The passing of this Bill would have an enormous impact on the landscape of the West Bank, further depriving Palestinians of their land and their livelihoods, and entrenching settlements. According to NGOs working on these issues, the law

would clear the way for the potential retroactive legalization of 55 illegal outposts and approximately 4,000 housing units in settlements and outposts built on over 800 hectares of private Palestinian land.

This would further add to the fragmentation of the Palestinian territory, and consequently would undermine any viable future Palestinian State on that territory. This would be the first time that the Knesset enacts a law with territorial

implications for the West Bank, beyond East Jerusalem. Statements by the Bill's supporters, including members of the Government, cast the Bill as a key step towards the de jure annexation of the land in the West Bank.

"This openly-stated ambition should alarm all those interested in seeing respect for international law, and all those who wish for a lasting peace for all the inhabitants of Israel and Palestine," the High Commissioner said.

IV. UN SECRETARY-GENERAL BRIEFS SECURITY COUNCIL ON THE SITUATION IN THE MIDDLE EAST, INCLUDING THE PALESTINIAN QUESTION

On 16 December 2016, Secretary-General Ban Ki-moon briefed the Council on the situation in the Middle East, including the Palestinian question. The text of the briefing is reproduced below ([S/PV.7839](#))

Today, I report to the Security Council for the last time on the situation in the Middle East. It saddens me that my last such briefing brings no sense of optimism for the future.

Some may ask why, given all the crises in the region, I have chosen to address the Council on the question of Palestine. To them, I say that while the Israeli-Palestinian conflict is not the cause of the wars in the Middle East, its resolution can create momentum for peace throughout the region. In 1947, on the basis of General Assembly resolution [181 \(II\)](#), the world recognized the two-State solution and called for the emergence of independent Arab and Jewish States. On 14 May 1948, the State of Israel was born. Almost seven decades later, the world still awaits the birth of the Palestinian State.

As the Security Council has made clear, Gaza and the West Bank, including East Jerusalem, have been under military occupation since 1967. These lands comprise the future Palestinian State, ultimately to be agreed by the parties through direct negotiations. History has

shown that peace and security can be built only on the basis of respect and mutual acceptance. The right of the Jewish people to have a State does not negate the right of the Palestinian people to statehood.

Yet Palestinian frustration and grievances are growing under the weight of nearly half a century of humiliating occupation. Ten years ago, the majority of both peoples believed in the two-State solution; today, that majority is unravelling. Leaders on both sides increasingly speak to their ever more radicalized constituencies, rather than to each other. The expanding Israeli settlement enterprise and an ever-more entrenched status quo is preventing Palestinian development and locking in Gaza. Some Israeli politicians increasingly call for the so-called full annexation of the West Bank. Gaza and the West Bank remain politically divided, and Palestinian factions fail to make the compromises necessary for national unity. Israelis feel that there is no end in sight to terrorism, as incitement and calls for Israel's obliteration continue unchallenged by Palestinian leaders.

The framework for peace remains unchanged — the establishment of two States, on the basis of the principle of land for peace and a just and comprehensive regional peace consistent with relevant Security Council resolutions, as well as with existing agreements signed between the parties. As I took office 10 years ago, the Middle East was still recovering from the years of the second Palestinian uprising and the war between Israel and Hizbullah in 2006. The reaffirmation by the League of Arab States of the [Arab Peace Initiative](#) and the convening of the Annapolis conference in 2007 brought some hope.

Despite early optimism, attempts to reach a final resolution failed to make headway and were upended with the eruption of conflict in Gaza in December 2008. Further attempts at peace in 2010 and 2013 were equally eclipsed by renewed hostilities. The summer of 2014 saw the most devastating conflict in Gaza to date. During the height of the fighting, I traveled to the region and met with regional and international partners, as well as with the leadership in Israel and Palestine, to push for a ceasefire. An agreement, sadly, came too slowly for those who paid a heavy price during those 50 days of horror. I said then and I continue to insist that without addressing the deeper causes of this conflict, such cycles of escalation will persist.

Yet another troubling measure of the current state of play is that, during my tenure, the Security Council has adopted only two resolutions on the Middle East peace process, the most recent almost eight years ago.

We are fast approaching a precipice as a direct result of the actions of those seeking to destroy the prospects for peace. But there is a way out of this deadlock — by both sides implementing the recommendations in the recent report of the Middle East Quartet. That would

demonstrate that Israelis and Palestinians are serious about building trust and laying the foundations for meaningful negotiations that would end the occupation based on the 1967 lines, establish a viable, independent Palestinian State, and resolve all final status issues.

But there are also major obstacles. As I have consistently stated, Israel's settlement activity beyond the 1967 line is in flagrant violation of international law and the [Fourth Geneva Convention](#). Settlements eat away at the land meant for a future Palestinian State. Over the past decade, the number of Israelis living in settlements in the West Bank, including East Jerusalem, has increased by some 30 per cent to about 600,000 people. A bill currently being debated in the Israeli legislature risks the regularization of more than 50 outposts and thousands of housing units built on private Palestinian land in the West Bank, which would be a clear violation of international law. If adopted, this legislation would for the first time apply Israeli law on the status of Palestinian land in the occupied West Bank. I strongly urge legislators to reconsider advancing the bill, which would have negative legal consequences for Israel and substantially diminish the chances for Arab-Israeli peace.

Bold steps by Israel to empower the Palestinian Authority, based on the transition envisioned in previous agreements, could bring benefits to the Palestinian people and increase Israeli security. Progress in this area, however, will be difficult unless the Palestinian authorities take brave and concrete steps to address incitement and violence. Acts and statements that glorify terror are unacceptable. I have repeatedly and strongly denounced incitement and all acts of terror. Stabbings, vehicle rammings and other attacks by Palestinians do nothing to advance their dream of statehood.

Israel must also understand that continued occupation and heavy-handed security responses — including the possible excessive use of force and the highly restrictive closure policy in Gaza — play into the hands of extremists. These actions risk undermining moderate voices, and further deepening the gulf between the two sides. I have also decried the practice of administrative detention and ill-treatment in detention by Israeli and Palestinian authorities alike. Similarly, executions of prisoners by Hamas in Gaza are absolutely unacceptable, and I continue to speak out against constraints on freedom of expression by Israeli and the Palestinian authorities, including against human rights defenders.

The absence of Palestinian unity throughout the occupied territory presents an obstacle to the two-State solution. The failure to organize Palestinian general elections has remained one of the clearest signs of this disunity and of the fragile Palestinian democratic process. The divisions between the West Bank and Gaza can be overcome only with the formation of a single, legitimate and inclusive Palestinian Government, on the basis of Palestine Liberation Organization principles. We must urge a renewal of the democratic legitimacy of Palestinian leadership and institutions and ensure that they represent all Palestinians. It is unacceptable that Hamas still boasts an anti-Semitic Charter that aspires to the obliteration of Israel. Hamas must once and for all renounce the use of violence and recognize the right of Israel to exist alongside a Palestinian State, in accordance with all relevant Security Council resolutions and previous agreements between the parties.

Over the past 10 years, the Palestinian Authority has made strides in building its institutions. In 2011, these achievements were recognized by the international community as being well positioned for establishment of a State. Palestine received

non-member observer State status in 2012, and I witnessed, alongside President Abbas, the raising of the Palestinian flag for the first time at the United Nations just last year. Still, Palestine's State-building and democratic governance aspirations continue to be undermined by the occupation and the lack of Palestinian national unity.

The centrality of the challenges facing Gaza cannot be overstated. Indiscriminate rocket fire by Hamas towards Israel for a decade has convinced many Israelis that there is no hope for peace. After three brutal conflicts, Israel's crippling closures and a decade-long political divide have left 2 million Palestinians trapped in a humanitarian tragedy, without hope for a political horizon. I have witnessed this devastation on my four trips to Gaza. I must warn, as I have repeatedly stated, that Gaza is a tinder box. It is almost certain to explode unless movement and access restrictions are lifted and humanitarian needs are addressed; unless rocket attacks, tunnel construction and smuggling stop; and unless progress is made towards establishing a Palestinian State, with Gaza as an integral and peaceful part.

I also want to take this opportunity to commend the efforts of United Nations colleagues working with such diligence and dedication to promote peace and prevent yet more violence. Let me begin by honouring the 24 United Nations staff members based in the occupied Palestinian territory who have been killed in the line of duty during my tenure. Their sacrifices shall never be forgotten. The United Nations Relief and Works Agency for Palestine Refugees in the Near East provides a much-needed element of stability for 5.3 million Palestine refugees across the region. It continues to face serious financial challenges. I urge Member States to honour their commitment and increase their contributions to the Agency.

The Office of the United Nations Special Coordinator for the Middle East Peace Process has been instrumental in bridging differences between all sides, facilitating negotiations and engaging with the region and international partners. The United Nations country team is working under difficult circumstances to provide relief to vulnerable Palestinians and to help build the institutions and policies of a future independent Palestinian State.

During the past 10 years, I have argued that we must never accept bias against Israel within United Nations bodies. Decades of political maneuverings have created a disproportionate volume of resolutions, reports and conferences criticizing Israel. In many cases, rather than helping the Palestinian cause, that reality has hampered the ability of the United Nations to fulfil its role effectively. At the same time, Israel must realize that the reality in which a democratic State governed by the rule of law keeps the Palestinian people under military occupation will continue to generate criticism and calls for accountability.

As we look to the future, I call on the Security Council to reaffirm without reservations that there is no alternative to the two-State solution. The status quo entrenches a one-State reality of perpetual occupation and conflict. We must not give up on the right of Palestine to exist, just as we must protect the right of Israel to exist in peace and security with its neighbours.

I urge the Council to explore the vast potential of incentives and begin immediately to develop, in consultation with the parties, an agreed framework for advancing a final resolution to the conflict on the basis of direct negotiations. The upcoming conference in France could be an opportunity to begin that discussion.

The [Arab Peace Initiative](#) presents a chance to develop a comprehensive settlement of the conflict. But there cannot be sustainable peace between Israelis and Arabs without progress towards Palestinian statehood.

Ten years ago, my predecessor, Kofi Annan, called for a revitalized Middle East Quartet, working closely with international and regional partners, to facilitate and sustain direct negotiations. I fully believe that architecture remains critical.

Since becoming Secretary-General, I have visited the region 11 times, including during periods of war. For 10 years, I pressed Israelis and Palestinians to start believing in a common future, bound by their undeniable historic, religious and national connections to the land. Those aspirations have not been fulfilled. I will continue to hope that the majority of Israelis and Palestinians are tired of the tug-of-war over historical narratives.

But hope alone will not end the occupation, or rid the Palestinian and Israeli peoples of their legitimate fears. There must be a major shift to courageous and concrete action by the parties that enables meaningful negotiations. The United Nations will continue to assist that process.

Ultimately, it is up to Israelis and Palestinians to make peace — we cannot do it for them. They must rebuild trust in each other as the only way to address the fears and suspicions that have led to the deep polarization we see today. At the same time, we all can — and must — contribute to building trust, so sorely needed in the Middle East and the world today. That work must begin now, before it is too late.

V. UN HIGH COMMISSIONER FOR HUMAN RIGHTS FINDS HUMAN RIGHTS DEFENDERS FACE INCREASING VIOLATIONS OF FUNDAMENTAL PROTECTIONS

On 16 December 2016, the Office of the United Nations High Commissioner for Human Rights (UNHCHR) issued the following [press release](#):

Human rights activists working in the Occupied Palestinian Territory face daily violations of some of the most fundamental protections afforded by international human rights and humanitarian laws, two United Nations independent experts said today.

“We have received a worrying number of complaints in recent months regarding human rights defenders who are arrested and, in many cases, arbitrarily detained, often apparently as a direct result of their important work in their communities,” said the United Nations Special Rapporteur on the Occupied Palestinian Territory, Michael Lynk, and the United Nations Special Rapporteur on human rights defenders, Michel Forst.

“Human rights work is critical to creating a just society and maintaining peace and security. These are the goals all parties ultimately share,” the experts stressed. “However, it appears that rights defenders are facing ever greater challenges in the OPT.”

The Special Rapporteurs drew special attention to the cases against Issa Amro, founder of the Hebron-based group Youth Against Settlements, and Farid al-Atrash, a lawyer from Hebron, who were arrested due to their participation in a peaceful protest in February of this year. Mr. Amro is currently facing trial in an Israeli military court on 18 charges dating back to 2010, including participation in a rally without a permit.

“This relatively unusual practice of bringing up stale charges, which were not pursued many years ago, strongly suggests that Mr. Amro is being unfairly targeted

due to his legitimate and peaceful human rights work,” the experts noted.

“Mr. Amro has been subject to a concerted pattern of harassment and intimidation by the Israeli authorities aimed at inhibiting his work as a human rights defender,” they said recalling previous warnings from United Nations human rights experts. “This trial appears to form part of this same pattern.”

The two Special Rapporteurs emphasized that charges of participation in a rally without a permit are nearly impossible to avoid for Palestinians in the West Bank who peacefully protest and oppose the almost 50 year-old occupation.

They noted that Israeli Military Order 101 (issued in 1967) effectively prohibits free association and assembly, in clear violation of the basic tenets of international human rights law.

“The right of all those who are seeking hope and participation in concrete, nonviolent action must be protected, particularly as we are seeing the deepening entrenchment of the Israeli occupation and the accompanying human rights violations,” they stressed.

Other cases

The Special Rapporteurs also recalled the case of HasaType [equation here.n](#) Safadi, media coordinator for Addameer human rights organization, whose three-month administrative detention order was renewed for an additional six months on 8 December. And the case of Salah Khawaja, a member of the Stop the Wall Campaign, who was arrested on 26

October and remains in detention without charges.

“We are also troubled by reports of harassment and threats made against groups seeking to promote accountability and engage with the International Criminal Court,” the United Nations experts said.

“We call on the Israeli authorities to ensure fair trial guarantees for human rights defenders and respect their unfettered exercise of fundamental freedoms of expression, peaceful assembly and association,” they said.

VI. GENERAL ASSEMBLY ADOPTS RESOLUTION ON THE RIGHT OF THE PALESTINIAN PEOPLE TO SELF-DETERMINATION

On 19 December 2016, the General Assembly considered the report of the Second Committee (A/71/483), entitled “Right of the peoples to self-determination” and adopted resolution [71/184](#). The text of the resolution is reproduced below:

The General Assembly,

Aware that the development of friendly relations among nations, based on respect for the principle of equal rights and self-determination of peoples, is among the purposes and principles of the United Nations, as defined in the Charter,

Recalling, in this regard, its resolution 2625 (XXV) of 24 October 1970, entitled “Declaration on Principles of International Law concerning Friendly Relations and Cooperation among States in accordance with the Charter of the United Nations”,

Bearing in mind the International Covenants on Human Rights,¹ the Universal Declaration of Human Rights,² the Declaration on the Granting of Independence to Colonial Countries and Peoples³ and the Vienna Declaration and Programme of Action adopted at the World Conference on Human Rights on 25 June 1993,⁴

The Special Rapporteurs will continue to follow these cases closely and recalled their outstanding requests to visit the Occupied Palestinian Territory at the earliest opportunity.

This statement has also been endorsed by Mr. Roland Adjovi, Chair-Rapporteur of the Working Group on Arbitrary Detention, Mr. David Kaye, Special Rapporteur on freedom of opinion and expression, and Mr. Maina Kiai, Special Rapporteur on the rights to freedom of peaceful assembly and of association.

Recalling the Declaration on the Occasion of the Fiftieth Anniversary of the United Nations,⁵

Recalling also the United Nations Millennium Declaration,⁶

*Recalling further 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,⁷ and noting in particular the reply of the Court, including on the right of peoples to self-determination, which is a right *erga omnes*,⁸*

Recalling the conclusion of the Court, in its advisory opinion of 9 July 2004, that the construction of the wall by Israel, the occupying Power, in the Occupied Palestinian Territory, including East Jerusalem, along with measures previously

¹ Resolution 2200 A (XXI), annex.

² Resolution 217 A (III).

³ Resolution 1514 (XV)

⁴ [A/CONF.157/24](#) (Part I), chap. III.

⁵ Resolution [50/6](#).

⁶ Resolution [55/2](#)

⁷ See [A/ES-10/273](#) and Corr.1.

⁸ *Ibid.*, advisory opinion, para. 88.

taken, severely impedes the right of the Palestinian people to self-determination,⁹

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 between the Palestinian and Israeli sides, based on the relevant resolutions of the United Nations, the Madrid terms of reference, including the principle of land for peace, the Arab Peace Initiative¹⁰ and the Quartet road map to a permanent two-State solution to the Israeli-Palestinian conflict,¹¹

Stressing also the need for respect for and preservation of the territorial unity, contiguity and integrity of all of the Occupied Palestinian Territory, including East Jerusalem, and recalling in this regard its resolution [58/292](#) of 6 May 2004,

Recalling its resolution [70/141](#) of 17 December 2015,

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

Affirming the right of all States in the region to live in peace within secure and internationally recognized borders,

1. *Reaffirms* the right of the Palestinian people to self-determination, including the right to their independent State of Palestine;

2. *Urges* all States and the specialized agencies and organizations of the United Nations system to continue to support and assist the Palestinian people in the early realization of their right to self-determination.

*65th plenary meeting
19 December 2016*

⁹ Ibid., para. 122.

¹⁰ [A/56/1026-S/2002/932](#), annex II, resolution [14/221](#).

¹¹ [S/2003/529](#), annex.

VII. GENERAL ASSEMBLY ADOPTS RESOLUTION ON PERMANENT SOVEREIGNTY OF PALESTINIAN PEOPLE IN THE OCCUPIED PALESTINIAN TERRITORY

On 21 December 2016, the General Assembly considered the report of the Second Committee ([A/71/470](#)), entitled “Permanent Sovereignty of the Palestinian People in the OPT and Golan Over their Natural Resources” and adopted the following resolution on ([71/247](#)): The text of the resolution is reproduced below:

The General Assembly,

Recalling its resolution [70/225](#) of 22 December 2015, and taking note of Economic and Social Council resolution 2016/14 of 25 July 2016,

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 [2 \(1967\)](#) of 22 November 1967, [465 \(1980\)](#) of 1 March 1980 and [497 \(1981\)](#) of 17 December 1981,

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,² 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,³ 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,

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 the 2012 and 2016 reports by the United Nations country team, entitled “Gaza in 2020: a liveable place?” and “Gaza: two years after”, respectively, and stressing the need for follow up to the recommendations contained therein,

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

² See resolution 2200 A (XXI), annex.

³ See A/ES-10/273 and Corr.1.

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,⁴

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 [2 \(1967\)](#), [338 \(1973\)](#) of 22 October 1973, [5 \(1978\)](#) of 19 March 1978 and [1397 \(2002\)](#) of 12 March 2002, the principle of land for peace, the Arab Peace Initiative⁵ resolution 14/221. and the Quartet performance-based road map to a permanent two-State solution to the Israeli-Palestinian conflict,⁶ as endorsed by the Security 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 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,⁷

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

⁴ A/HRC/22/63.

⁵ [A/56/1026-S/2002/932](#), annex II.

⁶ [S/2003/529](#), annex. 7 [A/71/86-E/2016/13](#).

⁷ [A/71/86-E/2016/13](#).

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 Justice³ 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. *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. *Requests* the Secretary-General to report to the General Assembly at its seventy-second 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 decides to include in the provisional agenda of its seventy-second 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”.

*66th plenary meeting
21 December 2016*

VIII. SECURITY COUNCIL ADOPTS RESOLUTION ON THE ILLEGALITY OF ISRAELI SETTLEMENTS IN THE OCCUPIED PALESTINIAN TERRITORY

On 23 December 2016, the Security Council adopted resolution [2334](#) by a vote of 14-0, with the United States abstaining. The text of the resolution is reproduced below:

The Security Council,

Reaffirming its relevant resolutions, including resolutions [242 \(1967\)](#), [338 \(1973\)](#), [446 \(1979\)](#), [452 \(1979\)](#), [465 \(1980\)](#), [476 \(1980\)](#), [478 \(1980\)](#), [1397 \(2002\)](#), [1515 \(2003\)](#), and [1850 \(2008\)](#),

Guided by the purposes and principles of the Charter of the United Nations, and reaffirming, inter alia, the inadmissibility of the acquisition of territory by force,

Reaffirming the obligation of Israel, the occupying Power, to abide scrupulously by its legal obligations and responsibilities under the Fourth Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, and *recalling* the advisory opinion rendered on 9 July 2004 by the International Court of Justice,

Condemning all measures aimed at altering the demographic composition, character and status of the Palestinian Territory occupied since 1967, including East Jerusalem, including, inter alia, the construction and expansion of settlements, transfer of Israeli settlers, confiscation of land, demolition of homes and displacement of Palestinian civilians, in violation of

international humanitarian law and relevant resolutions,

Expressing grave concern that continuing Israeli settlement activities are dangerously imperilling the viability of the two-State solution based on the 1967 lines,

Recalling the obligation under the Quartet Roadmap, endorsed by its resolution [1515 \(2003\)](#), for a freeze by Israel of all settlement activity, including “natural growth”, and the dismantlement of all settlement outposts erected since March 2001,

Recalling also the obligation under the Quartet roadmap for the Palestinian Authority Security Forces to maintain effective operations aimed at confronting all those engaged in terror and dismantling terrorist capabilities, including the confiscation of illegal weapons,

Condemning all acts of violence against civilians, including acts of terror, as well as all acts of provocation, incitement and destruction,

Reiterating its vision of a region where two democratic States, Israel and Palestine, live side by side in peace within secure and recognized borders,

Stressing that the status quo is not sustainable and that significant steps, consistent with the transition contemplated by prior agreements, are urgently needed in order to (i) stabilize the situation and to reverse negative trends on the ground, which are steadily eroding the two-State solution and entrenching a one-State reality, and (ii) to create the conditions for successful final status negotiations and for advancing the two-State solution through those negotiations and on the ground,

1. *Reaffirms* that the establishment by Israel of settlements in the Palestinian territory occupied since 1967, including East Jerusalem, has no legal validity and constitutes a flagrant violation under international law and a major obstacle to the achievement of the two-State solution and a just, lasting and comprehensive peace;

2. *Reiterates* its demand that Israel immediately and completely cease all settlement activities in the occupied Palestinian territory, including East Jerusalem, and that it fully respect all of its legal obligations in this regard;

3. *Underlines* that it will not recognize any changes to the 4 June 1967 lines, including with regard to Jerusalem, other than those agreed by the parties through negotiations;

4. *Stresses* that the cessation of all Israeli settlement activities is essential for salvaging the two-State solution, and calls for affirmative steps to be taken immediately to reverse the negative trends on the ground that are imperilling the two-State solution;

5. *Calls* upon all States, bearing in mind paragraph 1 of this resolution, to distinguish, in their relevant dealings, between the territory of the State of

Israel and the territories occupied since 1967;

6. *Calls* for immediate steps to prevent all acts of violence against civilians, including acts of terror, as well as all acts of provocation and destruction, calls for accountability in this regard, and calls for compliance with obligations under international law for the strengthening of ongoing efforts to combat terrorism, including through existing security coordination, and to clearly condemn all acts of terrorism;

7. *Calls upon* both parties to act on the basis of international law, including international humanitarian law, and their previous agreements and obligations, to observe calm and restraint, and to refrain from provocative actions, incitement and inflammatory rhetoric, with the aim, inter alia, of de-escalating the situation on the ground, rebuilding trust and confidence, demonstrating through policies and actions a genuine commitment to the two-State solution, and creating the conditions necessary for promoting peace;

8. *Calls upon* all parties to continue, in the interest of the promotion of peace and security, to exert collective efforts to launch credible negotiations on all final status issues in the Middle East peace process and within the time frame specified by the Quartet in its statement of 21 September 2010;

9. *Urges in this regard* the intensification and acceleration of international and regional diplomatic efforts and support aimed at achieving, without delay a comprehensive, just and lasting peace in the Middle East on the basis of the relevant United Nations resolutions, the Madrid terms of reference, including the principle of land for peace, the Arab Peace Initiative

and the Quartet Roadmap and an end to the Israeli occupation that began in 1967; and *underscores* in this regard the importance of the ongoing efforts to advance the Arab Peace Initiative, the initiative of France for the convening of an international peace conference, the recent efforts of the Quartet, as well as the efforts of Egypt and the Russian Federation;

10. *Confirms its determination* to support the parties throughout the negotiations and in the implementation of an agreement;

11. *Reaffirms* its determination to examine practical ways and means to secure the full implementation of its relevant resolutions;

12. *Requests* the Secretary-General to report to the Council every three months on the implementation of the provisions of the present resolution;

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

IX. UN SECRETARY-GENERAL WELCOMES ADOPTION OF SECURITY COUNCIL RESOLUTION 2334 (2016),

On 23 December 2016, the Spokesperson for Secretary-General Ban Ki-moon issued the following statement welcoming the adoption of Security Council resolution 2334 (2016) ([SG/SM/18394-SC-12658](#)):

The Secretary-General welcomes the adoption by the Security Council of resolution 2334 (2016) on the situation in the Middle East, including the Palestinian question. The resolution is a significant step, demonstrating the Council's much needed leadership and the international community's collective efforts to reconfirm that the vision of two States is still achievable.

The Secretary-General takes this opportunity to encourage Israeli and Palestinian leaders to work with the international community to create a conducive environment for a return to meaningful negotiations.

The United Nations stands ready to support all concerned parties in achieving this goal.

X. SECURITY COUNCIL APPROVES RESOLUTION THAT REAFFIRMS SETTLEMENTS HAVE NO LEGAL VALIDITY IN THE OCCUPIED PALESTINIAN TERRITORY

On 23 December 2017, the Security Council issued a press statement regarding the passage of resolution 2334 (2016) ([SC/12657](#))

The Security Council reaffirmed this afternoon that Israel's establishment of settlements in Palestinian territory occupied since 1967, including East Jerusalem, had no legal validity, constituting a flagrant violation under international law and a major obstacle to the vision of two States living side-by-side in peace and security, within internationally recognized borders.

Adopting resolution [2334](#) (2016) by 14 votes, with the United States abstaining, the Council reiterated its demand that Israel immediately and completely cease all settlement activities in the occupied Palestinian territory, including East Jerusalem. It 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 two sides through negotiations.

The Council called for immediate steps to prevent all acts of violence against civilians, including acts of terror, as well as all acts of provocation and destruction. It further called for the strengthening of ongoing efforts to combat terrorism, including through existing security coordination, and to clearly condemn all acts of terrorism. The Council called on both sides to observe calm and restraint, and to refrain from provocative actions, incitement and inflammatory rhetoric in order to de-escalate the situation on the ground and rebuild trust and confidence.

Also by the text, the Council called on all parties to continue to exert collective efforts to launch credible negotiations on all final-status issues in the Middle East peace process, and within the time frame specified by the Middle East Quartet (European Union, Russian Federation, United Nations, United States) in its statement of 21 September 2010. It called upon all States to

distinguish, in their relevant dealings, between the territory of the State of Israel and the territories occupied since 1967.

Explaining her delegation's abstention, the representative of the United States said it had been a long-standing position of her country that settlements undermined Israel's security and eroded prospects for peace and stability. She emphasized, however, that her vote today had not been straightforward. Explaining that Israel had been treated differently from other States for as long as it had been a member of the United Nations, she noted that during the course of 2016, 18 resolutions adopted in the General Assembly and others in the Human Rights Council had all condemned Israel. It was because of that bias that the United States had not voted in favour of the resolution, she said, emphasizing that her delegation would not have let the resolution pass had it not addressed terrorism and incitement to violence.

XI. UN OFFICE FOR THE COORDINATION OF HUMANITARIAN AFFAIRS REPORTS RECORD NUMBER OF DEMOLITIONS OF PALESTINIAN-OWNED STRUCTURES IN WEST BANK IN 2016

On 29 December 2016, the Office for the Coordination of Humanitarian Affairs (OCHA) issued the following press release:

Record number of demolitions and related displacement

Preliminary analysis of data collected by OCHA indicates that, during 2016 (until 28 December), the Israeli authorities demolished or seized 1,089 Palestinian-owned structures throughout the West Bank, including East Jerusalem, displacing 1,593 Palestinians and affecting the livelihoods of another 7,101. These are the highest West Bank demolition and displacement figures at least since OCHA started recording them in 2009. The vast majority of these structures were destroyed or seized for lack of Israeli-issued building permits.

In the Gaza Strip, as of end November, some 51,000 Palestinians are still displaced after losing their homes in the 2014 escalation, down from approximately 90,000 during the second half of 2015. Most displaced families are dependent on temporary shelter assistance provided by humanitarian organizations.

Casualty toll declines

By contrast, the casualty tolls have declined significantly. As of 27 December, 109 Palestinians and 13 Israelis were killed during 2016 in attacks and clashes in the occupied Palestinian territory and Israel. This represents a drop down from 169

Palestinian and 25 Israeli fatalities recorded during 2015. Of the Palestinian fatalities this year, 80 were perpetrators or alleged perpetrators of attacks and attempted attacks against Israelis.

OCHA also recorded 3,7 Palestinian and 205 Israeli injuries during the year, as of 27 December, compared with 15,477 and 304 injuries respectively in 2015. About 95 per cent of the Palestinian injuries in 2016 were recorded in the West Bank, including East Jerusalem, the vast majority during demonstrations and clashes. Similar to last year, about 58 per cent of the injuries resulted from tear gas inhalation requiring a medical intervention; 18 per cent from rubber, rubber-coated or sponge bullets; 16 per cent from live ammunition; and the rest from physical assault and other means.

Access of people becomes more limited as movement of goods improves

Movement and access of people generally became more limited. The Israeli-controlled Erez crossing on Gaza's northern border recorded a daily average of 531 exits of Palestinians during 2016 (until 30 November), down from 602 daily exits in 2015 and the 26,000 daily exits before the Second Intifada started in September 2000. Only certain categories of people, mainly medical and other humanitarian cases, merchants, and aid workers, are eligible for exit permits, subject to security checks. Between January and October 2016, 66 per cent of the permit applications by Palestinian patients to travel via Erez for treatment outside Gaza were approved on time, down from a 78 per cent during the same period in 2015.

This year too, the Egyptian-controlled Rafah crossing opened on an exceptional basis only, recording a monthly average of 3,306 crossings in both directions (until 30 November), down from a monthly average of 25,186 in 2013, before its closure, which was imposed in October 2014.

By contrast, OCHA recorded in 2016 some improvements in the movement of goods to and from Gaza. On average, 9,891 truckloads of goods have entered the Gaza Strip every month through the Kerem Shalom crossing during 2016 (until 30 November), up from 7,836 in 2015, but down from 11,176 in the first half of 2007, before the blockade was imposed. An average of 166 truckloads exited the coastal enclave monthly, up from 113 a month in 2015 and down from 961 monthly in the first half of 2007.

Inside of the West Bank, OCHA recorded 472 movement obstacles as of mid-December 2016, including 44 permanently staffed checkpoints (31 of them along the Barrier), 52 partially staffed checkpoints, 180 earth mounds, 72 roadblocks, and 124 road gates, half of which are normally closed. Although the cumulative number of obstacles is some 5 per cent higher than the equivalent figure by the end of 2015 (451), there are 15 fewer permanently staffed checkpoints than by the end of 2015, most of which were turned into partially staffed checkpoints, thus improving Palestinian movement through them. Additionally, by the end of 2016 there were 110 obstacles deployed within the Israeli-controlled area of Hebron city (H2).

Notes

- Monthly breakdowns of the first 10 months of 2016 and totals for previous years are available at <http://www.ochaopt.org/content/monthly-figures>
- Israeli fatalities exclude three civilians killed in an attack by a Palestinian citizen of Israel in Tel Aviv on 1 January 2016; the perpetrator is also excluded. OCHA's data on casualties include incidents that occurred outside the occupied Palestinian territory (oPt) only if they involved residents of the oPt as either victims or perpetrators.
- Casualty figures also exclude three Palestinians who died of wounds sustained in previous years.
- Daily averages of exits through Erez crossing are based on the number of scheduled opening days rather than calendar days.
- If a permit application to exit Gaza for medical treatment is not approved at least a day before the hospital appointment, the patient must reschedule and submit a new application.
- West Bank closure figures exclude eight checkpoints placed on the Green Line, as well as ad-hoc ('flying') checkpoints lacking permanent infrastructure.