



DIVISION FOR
PALESTINIAN RIGHTS

Bulletin

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

December 2015
Volume XXXVIII, Bulletin No. 12

Contents

	<i>Page</i>
I. UN Special Coordinator for Middle East Peace Process expresses concern over slow progress in resolving Duma arson attack case	1
II. General Assembly adopts nine resolutions related to Israeli-Palestinian conflict	1
III. Palestinian Rights Committee and OIC jointly hold International Meeting on Question of Jerusalem in Jakarta	33
IV. UN Assistant Secretary-General for Political Affairs briefs Security Council on situation in Middle East, including Palestinian question	38
V. General Assembly adopts resolution on right of Palestinian people to self-determination	41
VI. UN Rapporteurs express grave concern about harassment of human rights defenders in Hebron	42

Contents (cont'd)

	<i>Page</i>
VII. General Assembly adopts resolution on permanent sovereignty of Palestinian people in Occupied Palestinian Territory	43
VIII. Secretary-General submits report on situation of and assistance to Palestinian women	47

*The Bulletin can be found in the United Nations Information System
on the Question of Palestine (UNISPAL) on the Internet at:
<http://unispal.un.org>*

I. UN SPECIAL COORDINATOR FOR MIDDLE EAST PEACE PROCESS EXPRESSES CONCERN OVER SLOW PROGRESS IN RESOLVING DUMA ARSON ATTACK CASE

On 2 December 2015, United Nations Special Coordinator for the Middle East Peace Process Nickolay Mladenov issued the following statement:

Four months have passed since the arson attack against the Dawabsha family in the village of Duma in the occupied West Bank on 31 July. The brutal killing of toddler Ali, and his parents Reham and Sa'ad was a tragedy that has angered Palestinians and shocked Israelis.

Today, the only surviving member of the family -- four year-old Ahmed, is still being treated for his wounds at the Sheba Medical Centre.

The incident, which was widely condemned by leaders on all sides, regrettably, has still not been resolved. I am concerned by the slow progress and call on the Israeli authorities to move swiftly in bringing the perpetrators of this terrible crime to justice.

Amidst the current escalation of violence, it is essential that all firmly and consistently reject terrorism and act decisively to stop hatred and incitement.

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

On 9 and 10 December 2015, the General Assembly adopted resolutions on “Assistance to Palestine refugees” ([A/RES/70/83](#)); “Persons displaced as a result of the June 1967 and subsequent hostilities” ([A/RES/70/84](#)); “Operations of the United Nations Relief and Works Agency for Palestine Refugees in the Near East” ([A/RES/70/85](#)); “Palestine refugees’ properties and their revenues” ([A/RES/70/86](#)); “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/70/87](#)); “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/70/88](#)); “Israeli practices affecting the human rights of the Palestinian people in the Occupied Palestinian Territory, including East Jerusalem” ([A/RES/70/90](#)); and “Assistance to the Palestinian People” ([A/RES/70/108](#)). The text of the resolutions is reproduced below:

70/83. 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 69/86 of 5 December 2014,

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 60 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 2014,¹

Taking note also of the special report of the Commissioner-General, submitted pursuant to paragraph 21 of General Assembly resolution 302 (IV) and conveyed by the Secretary-General on 4 August 2015, regarding the severe financial crisis of the Agency and its effect on core services,²

Aware of the continuing 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 2016;

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

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

² A/70/272, annex.

³ A/48/486-5/26560, annex.

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 expenditures 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.

*70th plenary meeting
9 December 2015*

70/84. 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 69/87 of 5 December 2014,¹

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 2014,²

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

¹ A/70/308.

² *Official Records of the General Assembly, Seventieth Session, Supplement No. 13 (A/70/13); and ibid., Supplement No. 13A (A/70/13/Add.1).*

³ A/48/486-5/26560, annex.

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;

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-first session on the progress made with regard to the implementation of the present resolution.

*70th plenary meeting
9 December 2015*

70/85. 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 69/88 of 5 December 2014,

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 2014,¹

Taking note of the letter dated 16 June 2015 from the Chair of the Advisory Commission of the Agency to the Commissioner-General,²

Deeply concerned about the extremely critical financial situation of the Agency, caused in part by the structural underfunding

of the Agency, as well as its rising 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 provision of necessary Agency services to the Palestine refugees, including its emergency, recovery, reconstruction and development programmes in all fields of operation,

Taking note of the special report of the Commissioner-General, submitted pursuant to paragraph 21 of General Assembly resolution 302 (IV), and transmitted by the Secretary-General on 4 August 2015, regarding the severe financial crisis of the Agency and the negative implications for Agency services, including its education programme for some 500,000 Palestine refugee children in more than 685 schools and some 7,000 youth in 8 vocational training centres,³

Expressing appreciation for the mobilization of donors and host countries in response to the financial crisis, and expressing particular appreciation to the

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

² *Ibid., Supplement No. 13 (A/70/13), pp. 8-10.*

³ A/70/272, annex.

donors that extended generous support to avert the suspension of the Agency's education programme, while acknowledging the steadfast support of all other donors to the Agency,

Commending the Agency for the measures taken to address the financial crisis, including internal measures to contain costs,

Emphasizing the imperative of ensuring sustained and predictable financial support for the Agency, a pillar of stability for a registered population of 5.3 million Palestine refugees, including through the provision of the necessary resources to enable it to continue to deliver its vital services uninterrupted,

Welcoming the support for the Agency reaffirmed at the ministerial meeting convened on 26 September 2015 and 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,

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 69/133 of 12 December 2014 on the safety and security of humanitarian personnel and the protection of United Nations personnel and 68/102 of 13 December 2013 on the strengthening of the coordination of emergency humanitarian assistance of the United Nations, calling, inter alia, upon all

States to ensure respect for and 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 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,

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,

Deploring the conflict in and around the Gaza Strip in July and August 2014, and the

⁴ Resolution 22 A (I).

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

⁶ *Ibid.*, vol. 75, No. 973.

⁷ Resolution 70/1.

civilian casualties caused, including the killing and injury of thousands of Palestinian civilians, including children, women and the elderly, 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, as well as in November 2012, on the humanitarian and socioeconomic situation of the Palestine refugees in the Gaza Strip,

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

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,

Calling upon Israel to ensure the unimpeded import of essential 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 and by sustaining the swift entry of construction materials needed for projects managed by the Agency, 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 following the military operations in July and August 2014, and calling urgently upon the international community for continued support in accordance with the Agency's strategic response plan,

Welcoming also the convening of the Cairo International Conference on Palestine: Reconstructing Gaza, on 12 October 2014,

⁸ S/2015/286, annex.

⁹ See A/HRC/29/52.

and urging the timely and full disbursement of pledges for expediting the provision of humanitarian assistance and 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 concerned parties 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 ability to deliver its services, and regretting profoundly the loss of life among refugees and the killing of 14 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 2013,¹⁰

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,

Deploing 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 of and safeguard the inviolability of United Nations premises, installations and equipment at all times,

Deploing 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,

Deploing 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,

Deploing the killing and wounding of refugee children and women sheltering in the Agency schools by the Israeli occupying

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

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 Organization,¹²

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;

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;

4. *Commends* the extraordinary efforts of the Agency, 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 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

¹¹ A/69/711-5/2015/1, annex.

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

¹³ A/70/379.

assistance to the Working Group for the conduct of its work;

8. *Commends* the Agency's six-year medium-term strategy for 2016-2021 and the continuing efforts of the Commissioner-General 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 urges it to continue to apply maximum efficiency procedures to reduce operational and administrative costs and to maximize the use of resources;

10. *Takes note* of the special report of the Commissioner-General, submitted pursuant to paragraph 21 of General Assembly resolution 302 (IV) and transmitted by the Secretary-General on 4 August 2015, regarding the severe financial crisis of the Agency,³ and urges all States and international organizations to actively engage in efforts to address the conclusions and proposals therein;

11. *Commends* the Agency for its far-reaching measures to address its current financial crisis, and encourages the Agency to take further steps to reduce the deficit in its General Fund in order to safeguard the delivery of services, including the current provision of basic education to 500,000 children, primary health care to more than 3 million beneficiaries and assistance to 1.5 million of the most vulnerable Palestine refugees;

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

13. *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;

14. *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;

15. *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;

16. *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

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

¹⁵ A/65/705.

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;

17. *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

18. *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;

19. *Commends*, in this regard, the Agency's provision of humanitarian and psychosocial support and other initiatives that provide recreational, cultural and educational activities for children during the summer, 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;

20. *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

21. *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;

22. *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;

23. *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;

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

25. *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;

26. *Requests* the Commissioner-General to proceed with the issuance of identification cards for Palestine refugees and their

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

¹⁷ *Ibid.*, vol. 1249, No. 20378.

¹⁸ *Ibid.*, vol. 2515, No. 44910.

descendants in the Occupied Palestinian Territory;

27. *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, 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;

28. *Reiterates its appeals* to all States, the specialized agencies and non-governmental organizations to continue and to augment their contributions to the regular 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;

70/86. 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 69/89 of 5 December 2014,¹ as well as that of the United Nations Conciliation Commission for Palestine for

29. *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 regular budget, noting that financial needs have been exacerbated by conflicts and instability in the recent period and the deteriorating humanitarian situation on the ground;

30. *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;

31. *Urges* the Agency to further explore innovative and diversified means to mobilize resources, including through partnerships with international financial institutions, the private sector and civil society.

*70th plenary meeting
9 December 2015*

the period from 1 September 2014 to 31 August 2015,²

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

¹ A/70/340.

² A/70/319, annex.

³ Resolution 217 A (III).

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;

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-first session on the implementation of the present resolution.

*70th plenary meeting
9 December 2015*

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

⁵ A/48/486-5/26560, annex.

70/87. 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 69/90 of 5 December 2014, 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,

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

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

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

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/69/711-5/2015/1, annex.

⁹ A/HRC/22/63.

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, especially 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 Inquiry¹⁰ and in the report of the United Nations Fact-Finding Mission on the Gaza Conflict,¹¹ 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-21/1,¹² 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 Territories¹³ and the relevant reports of the Secretary-General,¹⁴

Recalling the Declaration of Principles on Interim Self-Government Arrangements of 13 September 1993¹⁵ 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 2011,¹⁶

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,

¹² A/HRC/29/52.

¹³ A/70/406 and Corr. 1.

¹⁴ A/70/133, A/70/312, A/70/341, A/70/351 and A/70/421.

¹⁵ A/48/486-5/26560, annex.

¹⁶ A/66/371-5/2011/592.

¹⁰ See A/63/855-5/2009/250.

¹¹ A/HRC/12/48.

and taking note of the follow-up report of the Secretary-General,¹⁷

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 efforts in performing the tasks assigned to it by the General Assembly and for its impartiality;

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;¹³

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) and

¹⁷ A/67/738.

the United Nations Rules for the Treatment of Women Prisoners and Non-custodial Measures for Women Offenders (the Bangkok Rules);¹⁸

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

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

(d) 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;

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

9. *Decides* to include in the provisional agenda of its seventy-first 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”.

*70th plenary meeting
9 December 2015*

¹⁸ Resolution 65/229, annex

70/88. 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 69/91 of 5 December 2014, *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 1² 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

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/70/421.

Charter of the United Nations and other 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,⁶ 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 2014,⁷ and the urgent need for the parties to follow up the implementation of those declarations,

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 on 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 See A/ES-10/273 and Corr.1.

⁷ A/69/711-5/2015/1, annex.

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-first session on the implementation of the present resolution.

*70th plenary meeting
9 December 2015*

70/89. 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 69/92 of 5 December 2014, as well as those resolutions adopted at its tenth emergency special session,

Recalling also the relevant resolutions of the Security Council, including resolutions 242 (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

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.

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,

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

⁶ A/HRC/25/67; see also A/70/392.

⁷ A/HRC/22/63.

⁸ A/69/711-S/2015/1, annex.

⁹ A/48/486-S/26560, annex.

¹⁰ S/2003/529, annex.

obligations under the Quartet road map and as actions in defiance of the calls by the international community to cease all settlement activities,

Deploring 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,

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-General,¹¹

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,^{Error! Bookmark not defined.}1 to the Occupied Palestinian Territory, including East Jerusalem, and to the

¹¹ A/70/133, A/70/312, A/70/341, A/70/351, A/70/406 and Corr.1 and A/70/421.

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. *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 borders;

5. *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

6. *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 agricultural lands;

7. *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 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;

8. *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;

9. *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;

10. *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;

11. *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 2011,¹² concerning the Guiding Principles on Business and Human Rights,¹³ 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;

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

*70th plenary meeting
9 December 2015*

¹² See *Official Records of the General Assembly, Sixty-sixth Session, Supplement No. 53 (A/66/53)*, chap. III, sect.
¹³ A. A/HRC/17/31, annex.

70/90. 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 69/93 of 5 December 2014 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,

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,

¹ Resolution 217 A (III).

² United Nations, *Treaty Series*, vol. 1577, No. 27531. A/70/406 and Corr. 1.

³ United Nations, *Treaty Series*, vol. 1577, No. 27531. A/70/406 and Corr. 1.

⁴ A/70/406 and Corr. 1.

⁵ A/70/341.

⁶ A/HRC/20/32; see also A/70/392.

Recalling the advisory opinion rendered on 9 July 2004 by the International Court of Justice,⁷ 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,

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 1949,⁸ 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 Convention⁸ 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 2014⁹ 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,¹⁰

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,

⁷ See A/ES-10/273 and Corr. 1.

⁸ United Nations, *Treaty Series*, vol. 75, No. 973.

⁹ A/69/711-5/2015/1, annex.

¹⁰ S/2003/529, annex.

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 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; 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, in this regard, by the ongoing demolition of Palestinian homes 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, 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 2014,¹¹

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

¹¹ S/PRST/2014/13; see *Resolutions and Decisions of the Security Council, 1 August 2013-31 July 2014* (S/INF/69).

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 Inquiry¹² and in the report of the United Nations Fact-finding Mission on the Gaza Conflict,¹³ and the findings of the United Nations Headquarters Board of Inquiry into certain incidents that occurred in the Gaza Strip between 8 July and 26 August 2014¹⁴ and of the independent commission of inquiry established pursuant to Human Rights Council resolution S-21/1,¹⁵ and reiterating the necessity for serious follow-up by all parties of the recommendations addressed to them towards ensuring accountability and justice,

Expressing deep concern about the short- and long-term detrimental impact of such 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,

Expressing deep concern also 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 situation and the efforts aimed at rehabilitating and developing the Palestinian economy, which remains that of a critical humanitarian situation in the Gaza Strip, 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

¹² See A/63/855-5/2009/250.

¹³ A/HRC/12/48.

¹⁴ See S/2015/286, annex.

¹⁵ A/HRC/29/52.

Prisoners (the Nelson Mandela Rules) and the United Nations Rules for the Treatment of Women Prisoners and Non-custodial Measures for Women Offenders (the Bangkok Rules),¹⁶ and calling for respect for those Rules,

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

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 1949,⁸ 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 including home demolitions, including if carried out as collective punishment in violation of international humanitarian law, 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;

3. *Also demands* that Israel, the occupying Power, comply fully with the provisions of the Fourth Geneva Convention of 1949⁸ and cease immediately all measures and actions taken in violation and in breach of the Convention;

¹⁶ Resolution 65/229, annex.

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;

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, and 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) and the United Nations Rules for the Treatment of Women Prisoners and Non-custodial Measures for Women Offenders (the Bangkok Rules);¹⁶

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 Justice⁷ 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;

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

*70th plenary meeting
9 December 2015*

70/108. Assistance to the Palestinian people

The General Assembly,

Recalling its resolution 69/242 of 19 December 2014, 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 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

¹ A/48/486-5/26560, annex.

² See resolution 2200 A (XXI), annex.

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 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, the Palestine Investment

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

⁴ *Ibid.*, vol. 1249, No. 20378.

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 for the mobilization of 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 and 30 September 2015,

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 for 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 242 (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 and 27 May and 30 September 2015, the outcome of the Cairo International Conference on Palestine:

⁵ A/70/76-E/2015/57.

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;

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;

⁶ A/51/889-5/1997/357, annex.

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

(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-first 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”.

*72nd plenary meeting
10 December 2015*

III. PALESTINIAN RIGHTS COMMITTEE AND OIC JOINTLY HOLD INTERNATIONAL MEETING ON QUESTION OF JERUSALEM IN JAKARTA

On 14 and 15 December 2015, the Committee on the Exercise of the Inalienable Rights of the Palestinian People, in cooperation with the Organization of Islamic Cooperation, held the International Meeting on the Question of Jerusalem in Jakarta, Indonesia. The theme of the Meeting was “Addressing the present and shaping the future of Jerusalem”. The following includes the message of the Secretary-General Ban Ki-moon delivered at the meeting by Douglas Broderick, Resident Coordinator of the United Nations in Indonesia (SG/SM/17413-GA/PAL/1354), as well as the Chair’s Summary issued after the event:

Secretary-General’s message

I am pleased to send greetings to all those taking part in this event organized jointly by the Committee on the Exercise of the Inalienable Rights of the Palestinian People and the Organization of Islamic Cooperation.

This meeting takes place against the backdrop of one of the most serious eruptions of Israeli-Palestinian violence in recent years. It is no coincidence that Jerusalem was one of the sparks that lit the fuse of this latest escalation, as it did in the early 2000s, when the intifada took so many Palestinian and Israeli lives.

Jerusalem, one of the oldest cities in the world, holds shrines sacred to billions of people worldwide — Muslims, Jews and Christians alike. What happens in Jerusalem reverberates around the world. Any action which could be interpreted as attempting to change the delicate balance, and particularly the status quo of the holy sites, carries with it the risk of conflict.

I welcome the understandings reached in October of this year between the Governments of Israel and Jordan to stabilize the situation around the Al-Haram Al-Sharif/Temple Mount. Israel's reaffirmation not to seek to divide the site and the commitment to enforcing the long-standing policy in which Muslims pray and non-Muslims visit the holy sites must be strictly upheld. I hope that increased coordination between the authorities concerned will help to ensure respect for the sanctity of the area.

I conveyed these messages to officials during my emergency visit to the region in October.

To address the wider escalation of violence, I also underlined the urgent need for leaders to rein in incitement, for Israeli security forces to ensure a calibrated use of force in response to incidents, and for all of us to address the prevailing lack of a political horizon to end the occupation and achieve a negotiated two-State solution.

Continued security cooperation between Palestinian and Israeli authorities remains integral to a peaceful resolution of the conflict. However, the violence cannot and will not be addressed by security measures alone. The anger we are witnessing is bred from nearly five decades of Israeli occupation. It is the result of fear, humiliation, frustration and mistrust. It has been fed by the wounds of decades of

bloody conflict, which will take a long time to heal. Palestinian youth in particular are tired of broken promises and they see no light at the end of the tunnel.

This is at heart a political conflict that will require serious negotiations by parties willing to make the necessary compromises, supported by regional partners and the international community. Only through a negotiated solution can a sustainable Palestinian State be established and Jerusalem emerge as a capital of two States, with arrangements for the holy sites acceptable to all.

As the current situation continues to deteriorate, and the settlement enterprise continues to expand, a growing one-State reality threatens to close the window of opportunity to reach the two-State goal.

In such a critical context, all parties must refrain from attempts to establish facts on the ground that alter the character of the Holy City or the demographics of the West Bank. Settlements in the West Bank, including East Jerusalem are illegal under international law and an obstacle to peace. Demolitions of houses and other measures of collective punishment are in contravention of Israel's obligation to protect civilians.

The violence and attacks against civilians, including rocket fire from Gaza, are unacceptable and must stop.

Let us empower the voices of all those on both sides who want peace to prevail. Let us stand up against extremists seeking to exploit the bloodshed.

I look forward to the revitalized Quartet realizing its full peacemaking potential, strengthened by its cooperation with regional partners and the international

community, to create the conditions for a return to meaningful negotiations.

The United Nations, and I personally, remain committed to helping the parties bring the occupation and this long-standing conflict to an end, in pursuit of the lasting vision of Israel and Palestine living side by side in peace and security.

In this spirit, please accept my best wishes for a successful event.

Chair's Summary

The **International Conference on the Question of Jerusalem** was convened in Jakarta, Indonesia on 14-15 December 2015, under the auspices of the Committee on the Exercise of the Inalienable Rights of the Palestinian People (CEIRPP) in cooperation with the Organization for Islamic Cooperation and the Government of the Republic of Indonesia. The Conference provided up-to-date information on the current situation in Jerusalem to inform policy and decision makers, civil society, and general public; a forum on how to enhance international efforts for a halt to unilateral Israeli actions, and discuss possible ways forward for Jerusalem and its inhabitants; and a venue for an open exchange among experts, practitioners, activists and academics.

Invited to the conference were all United Nations Members and Observers, inter-governmental organizations, UN Agencies, civil society organizations, think tanks, and the media. Fifty-five Member States and two Observer States participated. The Meeting was open to the public and generated significant media interest.

The **Minister of Foreign Affairs of Indonesia, H.E. Mrs. Retno L.P. Marsudi**, said support for all people under occupation including Palestine was a

constitutional mandate of Indonesia. Recalling the 60th anniversary of the Bandung declaration, she said Jakarta was a twin city of East Jerusalem. Indonesia was supporting Palestine politically; it co-sponsored the resolution to raise the Palestinian flag at the United Nations, and also built capacity for Palestinians. Despite the best intentions and efforts of the international community, however, Israel continued to impose a “reign of terror” in the Occupied Palestinian Territory. As the prolonged Israeli occupation further destabilized the region, she called on the Security Council to ensure Israeli compliance with international law. The issue of East Jerusalem was of strategic importance not just to Palestine and Israel, but for all Muslims, Christians and Jews. Indonesia envisaged East Jerusalem as the capital of the State of Palestine. While looking for a political solution, one of the areas to be examined is how people-to-people relations between Israelis and Palestinians can be strengthened. The spirit of co-existence is a necessary foundation for a meaningful peace process.

In his message to the Meeting at the opening session, the **Secretary-General of the United Nations** emphasized that the conference was taking place against the backdrop of one of the largest eruptions of violence in years. Jerusalem is sacred to billions including Muslims, Jews and Christians, and any action interpreted as changing the status quo carried the risk of conflict. He called on both sides to rein in incitement and for Israeli forces to use force in a calibrated way. Continued security cooperation between Israel and Palestine remained vital, but security measures alone could not solve what was in essence a political conflict. Parties must refrain from establishing facts on the ground, and attacks against civilians must stop. He looked forward to the revitalized Quartet, in

cooperation with regional partners, to create conditions for a return to negotiations.

The Vice Chair of the Committee on the Exercise of the Inalienable Rights of the Palestinian People, Ambassador Desra Percaya noted that Palestinian life in the occupied territory were characterized by the lack of freedom and prospects for the future in their own land. He emphasized that this conflict, including the latest round of tensions and violence around Jerusalem, was not about religion but about the dispossession of a land and people living under occupation. Injecting a religious dimension to the conflict should be avoided at all costs, he stressed. At the same time, the status quo of religious sites must be respected, in line with existing agreements between Israel and Jordan.

The Minister for Foreign Affairs of the State of Palestine, H.E. Mr. Riad Al Malki said that Jerusalem was under attack. Israel attempted to blame Palestinians for a fire it had ignited. But Palestinians would continue struggling to fulfil their inalienable rights; yet, the world had failed to activate the existing mechanisms of protection and accountability. Resolutions and reports were not designed to describe realities but to trigger action, he stressed. It was the responsibility of States not to render aid or assistance to illegal Israeli actions. Furthermore, States must also consider settlers' organizations as criminal and terrorist organizations and act accordingly. The Security Council must adopt a resolution for ending the occupation with a clear timeframe to achieve a two-State solution based on the 1967 borders, including as regards Jerusalem. States must prohibit any ties between their Governments, their entities, their companies and their citizens with the occupation and notably the settlement regime by refusing to hold meetings with settlers, including

officials or members of Knesset, prohibiting companies from being involved in the occupation and banning settlement products. States must also condition their relations with Israel with its respect for the inalienable rights of the Palestinian people. States not only have a right but also a duty to recognize the State of Palestine on the 1967 borders, including East Jerusalem.

The Assistant Secretary-General of the Organization for Islamic Cooperation States, H.E. Mr. Samir Bakr recalled that the OIC was originally established to defend Jerusalem. The grave violations perpetrated by Israel to empty the Holy City of its Palestinian inhabitants in addition to the violations committed against Jerusalem's Islamic and Christian sanctuaries, represented an act of "ethnic cleansing" which constituted war crimes and crimes against humanity, which makes it incumbent on the international community to confront them, he opined. The continuation of the Israeli aggressions would further spread the conflict and risked giving it a religious dimension. The international community needed to ensure international protection for the Palestinian people. He paid tribute to the European Union for its policies in favour of the two-State vision, particularly the recent decision to label settlement products. However, much more was needed. The Security Council should adopt a resolution that provides a clear political reference and a specific timeframe for an end to the Israeli occupation, coupled with international guarantees and agreed mechanisms for its implementation.

In the **ensuing sessions**, participants discussed the situation in Jerusalem, the status of holy sites under international law, and international protection and human rights. Participants described a reality in which Israel implemented a discriminatory policy to weaken the Palestinian presence,

which some described as “ethnic cleansing”. Thousands of Palestinian homes are slated for demolition, with few building permits issued to Palestinians compared to illegal settlements which continue to flourish. Palestinians continued to face residency revocations. Following recent unrest Israel has used excessive force and punitive house demolitions, and targeted children. Contrary to Israeli rhetoric of a “united and indivisible” Jerusalem, the separation wall built during the second intifada had isolated over 100,000 Palestinian inhabitants of Jerusalem in a “no man’s land” with no municipal services, no law enforcement and with access obstructions to the rest of Jerusalem. A similar dynamic has recently been imposed on other Palestinian neighbourhoods in the wake of the current unrest. A participant identified a deliberate Israeli plan to purge Jerusalem of its Palestinian inhabitants, while another described it as an ad hoc response driven by developments.

On the **status of religious sites under international law**, it was noted that while the sovereignty over the city remains in dispute, pending a permanent status agreement, no State currently recognizes Israel’s claim to any part of the city, East or West, or to the holy places. After Jordan renounced all claims of sovereignty over East Jerusalem in 1988, it retained its custodianship over the holy places, which was reaffirmed by treaties with Israel and Palestine. Jordan is protecting the Al-Haram Al-Sharif for the Palestinian people pending the establishment of an independent State. Peace begins with respect for **human rights**, it was stressed, yet the Palestinians, a protected population under the laws of occupation, enjoy little effective **protection** either from the Occupying Power or the international community. The international community had an important role to play, but the issues of protections have been

subordinated to the politics of the conflict. A Palestinian participant called on States to sever cooperation with Israel, ban settlement products and impose sanctions, given its human rights record towards Palestinians.

The conference then considered **historical and contemporary models of coexistence**. It was pointed out that, contrary to popular belief, pre-1948 Jerusalem was never a segregated city. Arabs and Jews lived side by side and interacted with each other. Violence has hardened religious, political and ethnic identities since then. Militantly religious groups have formed on both sides. After 50 years of occupation Jerusalem is a city with a divided population susceptible to intermittent violent conflict. Al-Haram Al-Sharif (Temple Mount) is particularly contested, politicized and violent. While history could not be reversed, history teaches that physically partitioned cities do not prosper. Diversity, and also conflict, is the lifeblood of cities in general. Barriers between ethnic neighbourhoods offer a tempting solution in times of violent conflict but they create greater alienation and more extreme conflict down the road. Shared public spaces should be considered essential to a viable city. Indonesia’s experience as an amalgam of pluralism, inclusiveness and religious harmony can be drawn upon. It is important to mainstream the moderates on both sides and promote dialogue within the Palestinian and Israeli communities first and then between them. A participant questioned whether given the patchwork of settlements the city could be re-divided without violent upheavals and proposed an open city for all residents, with the political capitals removed to Tel Aviv and Ramallah. The representative of **Palestine** however said statements that Jerusalem could not be divided did not stand the test of reality.

In closing remarks, **Deputy Minister for Foreign Affairs of Indonesia**, Ambassador Hasan Kleib underlined the importance of protection of Jerusalem and access for people of all faiths, and peaceful coexistence as a way forward towards a sustainable future for Jerusalem. However, Israeli illegal actions to alter the status and demographic composition of the city are obstacles. Condemnations, however are not a policy, he stressed. The International Community should exercise its utmost efforts in mainstreaming the issue back again into the global arena. The members of the Palestinian Rights Committee must play a stronger role to confront these violations. The conference had been successful in putting the Palestine issue back on the international radar, he said. Indonesia will continue its unwavering and unconditional support until the freedom of Palestine prevails.

The Permanent Observer of the State of Palestine to the UN said it was

significant that the conference was convened in Indonesia, a large democracy with the biggest Muslim population in the world. Jerusalem was the heart of the State of Palestine and the issue of Jerusalem should be addressed within the framework of occupation. While Palestinians accepted three major religions having spiritual bonds with Jerusalem, this cannot be translated into a justification for a connection with a single State.

The Committee Vice Chair acknowledged the fruitful exchanges during the conference. While Jerusalem was the most difficult of the final status issues, and it was fraught with religious significance, he reiterated that this conflict was not about religion. Any attempt to portray it in these terms would only serve those who want to present the Palestinian cause as an extremist and intractable issue, justifying a strong security response appealing to the fears of the international community, and thus perpetuating the occupation.

IV. UN ASSISTANT SECRETARY-GENERAL FOR POLITICAL AFFAIRS BRIEFS SECURITY COUNCIL ON SITUATION IN MIDDLE EAST, INCLUDING PALESTINIAN QUESTION

On 16 December 2015, United Nations Assistant Secretary-General for Political Affairs Miroslav Jenča briefed the Security Council on the situation in the Middle East, including the Palestinian question. The following are excerpts from the briefing ([S/PV.7584](#)):

Some two months ago, the Secretary-General visited Jerusalem and Ramallah to support collective efforts to stop the violence that had begun to erupt in Israel, the occupied West Bank, including East Jerusalem, and Gaza.

It is sad that over the past few weeks, despite a decline in attacks, the bloodshed has not stopped. With some 7 Israelis and 34 Palestinians having been killed during the reporting period. Stabbings, vehicle attacks and shootings by Palestinians targeting

Israelis continue to claim victims on an almost daily basis — including, just two days ago, serious injury to a one-and-a-half-year-old baby, one of eleven victims of a car-ramming in Jerusalem — as suspected assailants are shot and killed in return and clashes continue to result in Palestinian deaths. Hebron continues to be a hotspot and the most volatile component of the current escalation.

On behalf of the Secretary-General, I reiterate the United Nations firm

condemnation of all terrorist attacks. Leaders on all sides have the responsibility to stop incitement and to consistently and unequivocally stand against acts of terror and violence in all its forms.

The current circumstances should not be accepted as the new normal. Israelis and Palestinians should not be resigned to living under the threat of violence. However, a comprehensive strategy to limit that threat cannot rely uniquely on enhanced security measures; it must also address the primary elements motivating Palestinian anger. I am pleased to report some positive developments in this regard. Tensions have calmed around the flashpoint of Al-Haram al-Sharif/Temple Mount, and efforts are under way to implement the understandings reached between Israel and Jordan. The situation remains precarious and requires both sides to maintain an active and open communication.

Perceived impunity for settler violence against Palestinians has also driven violence. On a positive note, four months after the Dawabsha family was brutally murdered, a number of arrests have been made. I take this opportunity to underscore the need to charge and swiftly bring the perpetrators of that terrible crime to justice. At the same time, grave concerns persist on a range of issues that continue to undermine prospects for ending the violence and rebuilding trust. The injustices associated with an occupation that shows no prospect of ending feed into a perspective — particularly among young people — that they have nothing to lose by sacrificing their lives.

Palestinians continue to endure extensive movement restrictions, intensified by the ongoing violence, that negatively impact access to basic services and livelihoods. Ongoing demolitions against Palestinian communities in the Jordan valley, such as in Al-Hadidiya village a few days ago, remain

troubling — all the more so as the relief provided to these households has been repeatedly seized by the Israeli security forces, despite the onset of winter. Israeli authorities have also carried out two punitive demolitions against the families of those convicted or accused of attacks. Such acts are a clear violation of international law, aggravate an already tense environment and may be counterproductive.

Turning to Gaza, during the past month, Palestinian militants fired 10 rockets towards Israel, two of which impacted Israeli territory, without injury. Palestinian militants in Gaza also conducted cross-border shooting at the Israel Defense Forces (IDF) on two occasions. The IDF retaliated with four airstrikes. The United Nations reiterates its condemnation of the firing of rockets by militants from Gaza towards Israel. These indiscriminate attacks on civilian areas must stop.

Despite persistent security, governance challenges and funding shortages, the reconstruction process is advancing. More than 90 per cent of damaged schools and hospitals have been repaired, while repairs have either been completed or are ongoing on about half of all partially damaged homes. The key challenge is reconstruction of those homes — indeed, those neighbourhoods — that were completely destroyed during the war, and in that regard progress has been slow. Reviving the economy and productive sectors also remains a major outstanding task. Donors need to accelerate efforts to translate pledges into disbursements, particularly for housing reconstruction. And let us not forget that repairing the damage from the most recent hostilities will not fix the underlying chronic problems of Gaza.

Last week's global launch of humanitarian funding appeals included a \$571-million projected funding needed for

Palestine. It covers a range of interventions from the provision of legal assistance and the safe disposal of unexploded ordnance in Gaza to the provision of basic services, such as water and health care. The appeal represents a 19-per cent reduction as compared to 2015, but remains elevated due largely to Gaza's significant humanitarian needs in the aftermath of the 2014 hostilities.

A political horizon to end the conflict now seems more distant than ever. Leaders on both sides cannot continue to ignore the underlying causes perpetuating violence and fuelling extremism on all sides. It is extremist voices that currently resonate — voices that want to capitalize on the darkest of human emotions, while seeking to sabotage any genuine effort to rebuild trust. But where are the voices urging restraint? Where are the proponents of peace, tolerance and a shared Israeli-Palestinian future? How can we begin to shift the momentum back towards these advocates of reason? These questions demand answers, first and foremost, from Israeli and Palestinian leaders. It is for them to choose whether they will show leadership in building sustainable peace and security, or allow the future of their people to drift in uncertainty as radicalism and extremism take over.

Welcome Israeli statements committing to a two-State solution have yet to be followed by actions demonstrating the sincerity of that commitment. The settlement enterprise continues to deepen its roots within the occupied West Bank. The transition to greater Palestinian civil authority contemplated by prior agreements has yet to begin. Progress in the areas of housing, water, energy, communications, agriculture and natural resources are lagging.

In the course of the past several months, the United Nations and its international partners have consistently advocated for Palestinian unity as well as for fundamental changes in Israeli policies on the ground. Such changes should bring about tangible improvements to Palestinian lives by strengthening Palestinian institutions, security and its economy. Without such steps, it is difficult to see how the parties can return to meaningful negotiations so as to reach a just and sustainable solution to this long-standing conflict.

Even as we speak, the envoys of the Middle East Quartet are in Israel and Palestine. They continue their efforts to promote significant steps on the ground, consistent with prior agreements that can restore hope to the Palestinian people and preserve the viability of a negotiated two-State solution. In addition, we continue to look to the Security Council for any additional guidance on developing a new peace architecture for resolving the conflict.

Turning to Lebanon, let me reiterate the United Nations support for the leadership of Prime Minister Tammam Salam under difficult conditions. While Lebanon remains resilient in the face of serious challenges emanating from the conflict in Syria, the political paralysis in the country is preventing it from managing those challenges effectively.

We note the discussions in Lebanon on the question of the presidency, which has now been vacant for over 18 months. The Secretary-General has consistently stressed the importance of Lebanese parties showing flexibility to enable the election of a president without delay. We sincerely hope that the current efforts can lead to an opening that will enable the institutions of State to function effectively.

...

Overcoming today's challenges in Israel and Palestine will require unprecedented vision by Israeli and Palestinian leadership to see beyond today's confrontations and take bold steps to create a peaceful future. I call upon them to let go of their immediate

political fears and focus on the greater good of achieving a sustainable long-term peace for the Palestinian and Israeli peoples. The United Nations remains committed to supporting those efforts in every possible way.

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

On 17 December 2015, the General Assembly adopted the following resolution on "The right of the Palestinian people to self-determination" ([A/RES/70/141](#)):

70/141. The right of the Palestinian people to self-determination

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

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 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

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.

⁹ Ibid., para. 122.

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 69/165 of 18 December 2014,

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.

*80th plenary meeting
17 December 2015*

¹⁰ A/56/1026-5/2002/932, annex II, resolution 14/221.

¹¹ S/2003/529, annex.

VI. UN RAPPORTEURS EXPRESS GRAVE CONCERN ABOUT HARASSMENT OF HUMAN RIGHTS DEFENDERS IN HEBRON

On 18 December 2015, the Special Rapporteur on the situation of human rights defenders, Michel Frost, and the Special Rapporteur on the situation of human rights in the Palestinian territories occupied since 1967, Makarim Wibisono, expressed their grave concern about reports of harassment against human rights defenders in Hebron in the Occupied Palestinian Territory. The following is the related press release issued by the Office of the United Nations High Commissioner for Human Rights:

United Nations independent experts today expressed grave concerns at continued reports that human rights defenders are being subjected to physical attacks, harassment, arrest and detention, and death threats, particularly in Hebron in the Occupied Palestinian Territory (OPT), in an apparent bid by Israeli authorities and settler elements to stop their peaceful and important work.

“Amidst a charged and violent atmosphere over past months in the OPT, Palestinian and international defenders are providing a ‘protective presence’ for

Palestinians at risk of violence, and documenting human rights violations,” said the UN Special Rapporteur the situation of human rights defenders, Michel Forst.

“The continued harassment of human rights defenders in the OPT, who are exercising their rights to freedoms of expression and association, is simply unacceptable. It should cease immediately,” Mr. Forst stressed.

Earlier this month, a group of UN human rights experts urged the Israeli Government to ensure a protective environment where

human rights defenders in the Occupied Palestinian Territory can work without unlawful restriction and without fear of retaliatory acts.

“We recently addressed concerns to the Israeli Government regarding retaliatory acts by Israeli authorities against members of one organisation based in Hebron, Youth Against Settlements, after its Centre was subjected to raids and settlers allegedly called for it to be closed,” noted the UN Special Rapporteur the situation of human rights in the OPT, Makarim Wibisono.

“The Centre has now effectively been shut down as a result of the Israeli military declaring the surrounding area a military zone,” Mr. Wibisono said. “We urge Israeli authorities to lift this military order.”

The experts’ statement has been endorsed by the Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment, Mr. Juan E. Méndez, and by the Special Rapporteur on the rights to freedom of peaceful assembly and of association, Mr. Maina Kiai.

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

On 22 December 2015, the General Assembly adopted the following resolution on “Permanent sovereignty of the Palestinian people in the Occupied Palestinian Territory, including East Jerusalem, and of the Arab population in the occupied Syrian Golan over their natural resources” ([A/RES/70/225](#)):

70/225. Permanent sovereignty of the Palestinian people in the Occupied Palestinian Territory, including East Jerusalem, and of the Arab population in the occupied Syrian Golan over their natural resources

The General Assembly,

Recalling its resolution 69/241 of 19 December 2014, and taking note of Economic and Social Council resolution 2015/17 of 20 July 2015,

Recalling also its resolutions 58/292 of 6 May 2004 and 59/251 of 22 December 2004,

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

Guided by the principles of the Charter of the United Nations, affirming the inadmissibility of the acquisition of territory by force, and recalling relevant Security Council resolutions, including

resolutions 242 (1967) of 22 November 1967, 465 (1980) of 1 March 1980 and 497 (1981) of 17 December 1981,

Recalling its resolution 2625 (XXV) of 24 October 1970,

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

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

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 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 the thousands of items of unexploded ordnance that remain in the Gaza Strip as a result of the conflict in July and August 2014,

Recalling the 2009 report by the United Nations Environment Programme regarding the grave environmental situation in the Gaza Strip, and the 2012 report, “Gaza in 2020: A liveable place?”, by the United Nations country team in the Occupied Palestinian Territory, and stressing the need for follow-up to the recommendations contained therein,

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

Recalling the report of the independent international fact-finding mission to investigate the implications of the Israeli settlements on the civil, political, economic, social and cultural rights of the Palestinian

² See resolution 2200 A (XXI), annex.

³ See A/ES-10/273 and Corr.1.

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 242 (1967), 338 (1973) of 22 October 1973, 425 (1978) of 19 March 1978 and 1397 (2002) of 12 March 2002, the principle of land for peace, the Arab Peace Initiative⁵ 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 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

⁴ A/HRC/22/63.

⁵ A/56/1026-5/2002/932, annex II, resolution 14/221.

⁶ S/2003/529, annex.

⁷ A/70/82-E/2015/13.

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. *Calls upon* Israel to cease its destruction of vital infrastructure, including water pipelines, sewage networks and electricity networks, which, inter alia, has 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. *Calls for* the immediate and safe removal of all unexploded ordnance in the Gaza Strip and for support for the efforts of the United Nations Mine Action Service in this regard, and welcomes the efforts exerted by the Service to date;

10. *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;

11. *Requests* the Secretary-General to report to the General Assembly at its seventy-first 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-first 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”.

*81st plenary meeting
22 December 2015*

VIII. SECRETARY-GENERAL SUBMITS REPORT ON SITUATION OF AND ASSISTANCE TO PALESTINIAN WOMEN

On 22 December 2015, Secretary-General Ban Ki-moon submitted to the General Assembly his report on the “Situation of and assistance to Palestinian women”. The following are the conclusions and recommendations contained in the report (E/CN.6/2016/6):

62. The reporting period was marked by the intensification of the humanitarian impact of the 2014 conflict and the slow pace of the recovery effort in Gaza. Women and girls in Gaza continued to experience displacement, loss of livelihood, limited access to basic services, restrictions on the movement of people and goods in and out of Gaza, and the continuous threat of violence, including gender-based violence. In the West Bank, including East Jerusalem, settlement expansion and settler violence, the demolition of homes and livelihood structures, and restrictions on the freedom of movement persisted. Those violations have high costs for all Palestinian women, and in particular, for women in Bedouin communities faced with demolition orders, women working in agriculture, women living in communities targeted by settler violence, and girls whose access to education is impeded by violence. Efforts should be intensified to protect women from all forms of violence and reconstruction efforts in Gaza should be expedited. A gender perspective should be central to the relief and recovery work of the United Nations system and gender equality programming should be adequately financed.

63. Insecurity and poverty have continued to exacerbate gender-based discrimination and gender inequality in the State of Palestine, leading to elevated levels of violence against women and girls. In support of the Government of Palestine’s efforts to combat gender-based violence, the United Nations has worked to improve women’s access to justice in relation to

gender-based violence, through initiatives for strengthening the rule of law. United Nations entities should further deepen their efforts to support survivors of gender-based violence, developing a comprehensive approach that ensures access to the full range of quality essential multisectoral services. Taking into account the comparative advantages and expertise of individual entities across the United Nations system, such a holistic approach should include ensuring access to quality health care, psychosocial counselling, legal services and material and financial assistance. Further, United Nations entities should continue to work with all key actors and groups to prevent gender-based violence, including with men and boys, to address the root causes, risk factors and structural issues that lead to violence. The Government of Palestine should also be supported in developing normative frameworks in line with international standards and defining national standards on ending violence against women.

64. Limited economic opportunities exist for Palestinian women and a major gender gap persists in labour market participation. High unemployment rates, especially among young women, are particularly worrisome. The existing vulnerability in the two main sectors where women find employment, the services sector and agriculture, compounded by increased care burdens owing to a lack of access to water, energy and markets, all contribute to women’s deteriorating economic situation. Assistance should aim to increase women’s access to decent work, including in non-traditional sectors, and

address women's economic vulnerability resulting from the concentration of their employment in informal and unpaid work.

65. The lack of access to justice for Palestinian women and girls remains a grave concern, with outdated and discriminatory laws, social restrictions, a lack of physical access to judicial institutions and the fragmentation of territory all posing challenges. United Nations entities should provide assistance to governance mechanisms that seek to modernize and harmonize legislation on gender equality and women's human rights. Assistance to transitional security and justice sectors, as well as informal justice mechanisms, should build the capacity of those sectors to apply women's human rights standards throughout the justice system, on the basis of the State of Palestine's accession to seven core human rights treaties.

66. Many of the recommendations put forward in previous reports regarding improvements in the areas of education, health and political participation for Palestinian women and girls have not yet been fully implemented and continue to require sustained effort. In particular, renewed efforts should be made to ensure that Palestinian women play a leading role in reconciliation efforts. All relevant actors must insist on women's participation in negotiations and contribute to providing an enabling environment for Palestinian women to express their views and form coalitions across political factions. Support to Palestinian women's non-governmental organizations should be a central aspect of the United Nations system's gender equality and women's empowerment agenda.

67. Data disaggregated by sex and age and gender-sensitive analysis are essential to all efforts to advance the situation of women

and girls in Palestine. The Palestinian Central Bureau of Statistics and a number of United Nations entities have made improvements to systems for gender-sensitive collection and analysis of data and are able to collect disaggregated data of quality on a range of issues. However, data gaps remain as regards women's economic roles, their access to property rights and gender-based violence. The Palestinian Central Bureau of Statistics will conduct a census in 2017, which provides an important opportunity to address some of those gaps. Additional specialized surveys, including on sexual violence, employment and time-use, and enhanced registration and reporting mechanisms are necessary to improve the quality and availability of data and its analysis.

68. The United Nations will continue working towards the realization of a just, lasting and comprehensive peace in the Middle East. Improving the situation of Palestinian women remains inextricably linked to such efforts. The development by the Government of Palestine of a national strategy on the implementation of Security Council resolution 1325 (2000) makes an important contribution in this regard, highlighting a national commitment to women's empowerment and the protection of women's human rights. The adoption of Security Council resolution 2242 (2015) on women, peace and security reiterates the importance of such national plans and calls for adequate resourcing for their implementation. In this regard, United Nations system entities should continue to support national efforts to deliver on the Palestinian national strategy on the implementation of Security Council resolution 1325 (2000), and all other efforts to achieve commitments to women, peace and security in the State of Palestine.