



DIVISION FOR  
PALESTINIAN RIGHTS

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COMMITTEE ON THE EXERCISE  
OF THE INALIENABLE RIGHTS  
OF THE PALESTINIAN PEOPLE

RESOLUTIONS, DECISIONS AND VOTING RECORDS OF THE GENERAL ASSEMBLY,  
THE SECURITY COUNCIL THE ECONOMIC AND SOCIAL COUNCIL AND THE  
HUMAN RIGHTS COUNCIL RELATING TO THE QUESTION OF PALESTINE

**2021**

Introductory note

1. At the request of the Committee on the Exercise of the Inalienable Rights of the Palestinian People, the Secretariat prepared, in 1976, a compilation of resolutions, decisions and voting records of the General Assembly and the Security Council relating to the question of Palestine adopted from 1947 to 1975 (A/AC.183/L.2).
2. In 1980, the first addendum was issued (A/AC.183/L.2/Add.1), covering the years 1976 to 1979. Since 1980, addenda 2 to 42 have been prepared by the Secretariat.
3. The present document, covering actions in 2021 by the General Assembly's seventy-sixth session, the Security Council, the Economic and Social Council and the Human Rights Council is intended to bring the chronological compilation up to date.

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**GENERAL ASSEMBLY RESOLUTIONS**  
**Seventy-sixth session**

**Agenda item 38**  
**Question of Palestine**

**76/10. Peaceful settlement of the question of Palestine**

*The General Assembly,*

*Recalling* its relevant resolutions, including those adopted at its tenth emergency special session,

*Recalling also* its resolution [73/89](#) of 6 December 2018, entitled “Comprehensive, just and lasting peace in the Middle East”,

*Recalling further* relevant Security Council resolutions, including resolutions [242 \(1967\)](#) of 22 November 1967, [338 \(1973\)](#) of 22 October 1973, [478 \(1980\)](#) of 20 August 1980, [1397 \(2002\)](#) of 12 March 2002, [1515 \(2003\)](#) of 19 November 2003, [1544 \(2004\)](#) of 19 May 2004, [1850 \(2008\)](#) of 16 December 2008 and [2334 \(2016\)](#) of 23 December 2016,

*Having considered* the report of the Secretary-General submitted pursuant to the request made in its resolution [75/22](#) of 2 December 2020,<sup>1</sup>

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

*Reaffirming* the permanent responsibility of the United Nations with regard to the question of Palestine until it is resolved in all its aspects in accordance with international law and relevant resolutions,

*Convinced* that achieving a just, lasting and comprehensive settlement of the question of Palestine, the core of the Arab-Israeli conflict, is imperative for the attainment of comprehensive and lasting peace and stability in the Middle East,

*Stressing* that the principle of equal rights and self-determination of peoples is among the purposes and principles enshrined in the Charter of the United Nations,

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

*Recalling* its resolution [2625 \(XXV\)](#) of 24 October 1970, and reiterating the importance of maintaining and strengthening international peace founded upon freedom, equality, justice and respect for fundamental human rights and of developing friendly relations among nations irrespective of their political, economic and social systems or the level of their development,

*Emphasizing* the need for respect for, and the preservation of, the territorial integrity and unity of the Occupied Palestinian Territory, including East Jerusalem,

*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,<sup>2</sup> and recalling also its resolutions [ES-10/15](#) of 20 July 2004 and [ES-10/17](#) of 15 December 2006,

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<sup>1</sup> [A/76/299-S/2021/749](#).

<sup>2</sup> See [A/ES-10/273](#) and [A/ES-10/273/Corr.1](#).

*Reaffirming* the illegality of Israeli settlement activities and all other unilateral measures aimed at altering the demographic composition, character and status of the City of Jerusalem and of the Occupied Palestinian Territory as a whole, including the wall and its associated regime, demanding their immediate cessation, and condemning any use of force against Palestinian civilians in violation of international law, notably children,

*Condemning* the firing of rockets against Israeli civilian areas,

*Emphasizing* the importance of the safety, protection and well-being of all civilians in the whole Middle East region, and condemning all acts of violence and terror against civilians on all sides,

*Calling for* full respect for international law, including for the protection of civilian life, as well as for the promotion of human security, the de-escalation of the situation, the exercise of restraint, including from provocative actions and rhetoric, and the establishment of a stable environment conducive to the pursuit of peace,

*Stressing* the need for measures to be taken to guarantee the safety and protection of the Palestinian civilian population throughout the Occupied Palestinian Territory, particularly in the Gaza Strip, consistent with the provisions and obligations of international humanitarian law, and taking note of the report of the Secretary-General on the protection of the Palestinian civilian population,<sup>3</sup>

*Stressing also* the need to ensure 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,

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

*Recalling* the mutual recognition 27 years ago between the Government of the State of Israel and the Palestine Liberation Organization, the representative of the Palestinian people,<sup>4</sup> and stressing the urgent need for efforts to ensure full compliance with the agreements concluded between the two sides,

*Stressing* the need, in particular, for an immediate halt to all actions contrary to international law that undermine trust and prejudice final status issues,

*Urging* renewed and coordinated efforts by the international community aimed at restoring a political horizon and advancing and accelerating the conclusion of a peace treaty to achieve without delay an end to the Israeli occupation that began in 1967 by resolving all outstanding issues, including all final status issues, without exception, for a just, lasting and peaceful settlement of the Israeli-Palestinian conflict, in accordance with the internationally recognized basis of the two-State solution, and of the Arab-Israeli conflict, for the realization of a comprehensive peace in the Middle East,

*Recognizing* the efforts being undertaken by the Palestinian Government, with international support, to reform, develop, strengthen and preserve its institutions and infrastructure, despite the obstacles presented by the ongoing Israeli occupation, commending in this regard the ongoing efforts to develop the institutions of an independent Palestinian State, and stressing the need to promote intra-Palestinian reconciliation,

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<sup>3</sup> A/ES-10/794.

<sup>4</sup> See A/48/486-S/26560, annex.

*Expressing concern* about the risks posed to the significant achievements made, as confirmed by the positive assessments by the international institutions regarding readiness for statehood, owing to the negative impact of the current instability and financial crisis being faced by the Palestinian Government and the continued absence of a credible political horizon,

*Welcoming* the ongoing efforts of the Ad Hoc Liaison Committee for the Coordination of the International Assistance to Palestinians, chaired by Norway, and noting its recent meeting held with virtual and physical participation at the ministerial level in Oslo on 17 November 2021,

*Recognizing* the positive contribution of the United Nations Sustainable Development Cooperation Framework, which is aimed, inter alia, at enhancing development support and assistance to the Palestinian people and strengthening institutional capacity in line with Palestinian national priorities,

*Welcoming* the assistance extended by the Conference on Cooperation among East Asian Countries for Palestinian Development, held in Ramallah and Jericho in July 2019, in support of Palestinian efforts towards an independent Palestinian State through the sharing of the experience of East Asian countries in economic development and exploring effective means of cooperation, aimed at contributing to the promotion of Palestinian development, the Middle East peace process and regional stability,

*Taking note* of the application of Palestine for admission to membership in the United Nations, submitted on 23 September 2011,<sup>5</sup>

*Taking note also* of its resolution [67/19](#) of 29 November 2012, by which, inter alia, Palestine was accorded non-member observer State status in the United Nations, and taking note further of the follow-up report of the Secretary-General,<sup>6</sup>

*Acknowledging* the efforts being undertaken by civil society to promote respect for human rights and a peaceful settlement of the question of Palestine, stressing the need for the protection of civil society actors to allow them to conduct their work freely and without fear of attacks and harassment from any party, and rejecting any attack against civil society,

*Stressing* the urgency of achieving without delay an end to the Israeli occupation that began in 1967,

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

*Recalling* the Arab Peace Initiative, adopted by the Council of the League of Arab States at its fourteenth session, held in Beirut on 27 and 28 March 2002,<sup>7</sup> and stressing its importance in the efforts to achieve a just, lasting and comprehensive peace,

1. *Reiterates its call for* the achievement, without delay, of a comprehensive, just and lasting peace in the Middle East on the basis of the relevant United Nations resolutions, including Security Council resolution [2334 \(2016\)](#), the Madrid terms of reference, including the principle of land for peace, the Arab Peace Initiative and the Quartet road map,<sup>8</sup> and an end to the Israeli occupation that began in 1967, including of East Jerusalem, and reaffirms in this regard its unwavering support, in accordance with international law, for the two-State solution of Israel and Palestine, living side by side in peace and security within recognized borders, based on the pre-1967 borders;

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<sup>5</sup> [A/66/371-S/2011/592](#), annex I.

<sup>6</sup> [A/67/738](#).

<sup>7</sup> [A/56/1026-S/2002/932](#), annex II, resolution 14/221.

<sup>8</sup> [S/2003/529](#), annex.

2. *Stresses* the need to urgently exert collective efforts to launch credible negotiations on all final status issues in the Middle East peace process based on the long-standing terms of reference and clear parameters and within the time frame specified by the Quartet in its statement of 21 September 2010, and calls once more for the intensification of efforts by the parties, including through meaningful negotiations, with the support of the international community, towards the conclusion of a final just, lasting and comprehensive peace settlement;
3. *Calls for* the timely convening of an international conference in Moscow, as envisioned by the Security Council in its resolution 1850 (2008), for the advancement and acceleration of the achievement of a just, lasting and comprehensive peace settlement;
4. *Stresses* that compliance with and respect for the Charter of the United Nations and international law, including international humanitarian law and international human rights law, is a cornerstone of peace and security in the region;
5. *Calls upon* both parties to act responsibly and in compliance with international law and their previous agreements and obligations, in both their policies and actions, in order to, with the support of the Quartet and other interested parties, urgently reverse negative trends, including all measures taken on the ground that are contrary to international law, and create the conditions necessary for a credible political horizon and the advancement of peace efforts;
6. *Calls upon* Israel, the occupying Power, to comply strictly with its obligations under international law and to cease all of its measures that are contrary to international law, including all unilateral actions in the Occupied Palestinian Territory, including East Jerusalem, that are aimed at altering the demographic composition, character and status of the Territory and thus at prejudging the final outcome of peace negotiations, and recalls in this regard the principle of the inadmissibility of the acquisition of land by force and therefore the illegality of the annexation of any part of the Occupied Palestinian Territory, including East Jerusalem, which constitutes a breach of international law, undermines the viability of the two-State solution and challenges the prospects for the achievement of a peaceful settlement and of just, lasting and comprehensive peace;
7. *Stresses* the need, in particular, for an immediate halt to all settlement activities, land confiscation and home demolitions, for the pursuit of measures to ensure accountability, and for the release of prisoners and an end to arbitrary arrests and detentions;
8. *Also stresses* the need for respect for and preservation of the territorial unity, contiguity and integrity of all the Occupied Palestinian Territory, including East Jerusalem;
9. *Further stresses* the need for an immediate and complete cessation of all acts of violence, including military attacks, destruction and acts of terror, as well as all acts of provocation and incitement;
10. *Reaffirms its commitment*, in accordance with international law, to the two-State solution of Israel and Palestine, living side by side in peace and security within recognized borders, based on the pre-1967 borders;
11. *Underscores* in this regard the affirmation by the Security Council in its resolution [2334 \(2016\)](#) of its determination to examine practical ways and means to secure the full implementation of its relevant resolutions;
12. *Calls for*:
  - (a) The withdrawal of Israel from the Palestinian territory occupied since 1967, including East Jerusalem;

(b) The realization of the inalienable rights of the Palestinian people, primarily the right to self-determination and the right to their independent State;

(c) A just resolution of the problem of Palestine refugees in conformity with its resolution 194 (III) of 11 December 1948;

13. *Calls upon* all States, consistent with their obligations under the Charter and relevant Security Council resolutions, inter alia:

(a) Not to recognize any changes to the pre-1967 borders, including with regard to Jerusalem, other than those agreed by the parties through negotiations, including by ensuring that agreements with Israel do not imply recognition of Israeli sovereignty over the territories occupied by Israel in 1967;

(b) To distinguish, in their relevant dealings, between the territory of the State of Israel and the territories occupied since 1967;

(c) Not to render aid or assistance to illegal settlement activities, including not to provide Israel with any assistance to be used specifically in connection with settlements in the occupied territories, in line with Security Council resolution 465 (1980) of 1 March 1980;

(d) To respect and ensure respect for international law, in all circumstances, including through measures of accountability, consistent with international law;

14. *Urges* all States and the United Nations to continue and expedite the provision of economic, humanitarian and technical assistance to the Palestinian people and the Palestinian Government during this critical period in order to help to alleviate the serious humanitarian situation in the Occupied Palestinian Territory, including East Jerusalem, which is dire in the Gaza Strip, to rehabilitate the Palestinian economy and infrastructure and to support the development and strengthening of Palestinian institutions and Palestinian State-building efforts in preparation for independence;

15. *Requests* the Secretary-General, including through his Special Coordinator for the Middle East Peace Process and Personal Representative to the Palestine Liberation Organization and the Palestinian Authority, to continue his efforts with the parties concerned, and in consultation with the Security Council, including with regard to the reporting required pursuant to resolution 2334 (2016), towards the attainment of a peaceful settlement of the question of Palestine and the promotion of peace in the region.

*42nd plenary meeting  
1 December 2021*

**RECORDED VOTE ON RESOLUTION 76/10: 148-9-14**

In favour: Afghanistan, Albania, Algeria, Andorra, Angola, Antigua and Barbuda, Argentina, Armenia, Austria, Azerbaijan, Bahrain, Bangladesh, Barbados, Belarus, Belgium, Belize, Benin, Bhutan, Bolivia (Plurinational State of), Bosnia and Herzegovina, Botswana, Brunei Darussalam, Bulgaria, Burkina Faso, Cambodia, Chad, Chile, China, Colombia, Comoros, Costa Rica, Côte d'Ivoire, Croatia, Cuba, Cyprus, Democratic People's Republic of Korea, Denmark, Djibouti, Dominican Republic, Ecuador, Egypt, El Salvador, Eritrea, Estonia, Ethiopia, Fiji, Finland, France, Gambia, Georgia, Germany, Ghana, Greece, Guinea, Guyana, Iceland, India, Indonesia, Iran (Islamic Republic of), Iraq, Ireland, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Latvia, Lebanon, Lesotho, Libya,



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

Against: Australia, Canada, Hungary, Israel, Marshall Islands, Micronesia (Federated States of), Nauru, Palau, United States of America

Abstaining: Brazil, Burundi, Cameroon, Czech Republic, Guatemala, Haiti, Honduras, Madagascar, Papua New Guinea, Rwanda, Slovenia, South Sudan, Uruguay Vanuatu

## **76/12. Jerusalem**

*The General Assembly,*

*Recalling* its resolution [181 \(II\)](#) of 29 November 1947, in particular its provisions regarding the City of Jerusalem,

*Recalling also* its resolution [36/120 E](#) of 10 December 1981 and all its subsequent relevant resolutions, including resolution [56/31](#) of 3 December 2001, in which it, inter alia, determined that all legislative and administrative measures and actions taken by Israel, the occupying Power, which have altered or purported to alter the character and status of the Holy City of Jerusalem, in particular the so-called “Basic Law” on Jerusalem and the proclamation of Jerusalem as “the capital of Israel”, were null and void and must be rescinded forthwith, as well as its previous resolutions on Jerusalem,

*Recalling further* the Security Council resolutions relevant to Jerusalem, including resolutions [250 \(1968\)](#) of 27 April 1968, [251 \(1968\)](#) of 2 May 1968, [252 \(1968\)](#) of 21 May 1968, [267 \(1969\)](#) of 3 July 1969, [271 \(1969\)](#) of 15 September 1969, [298 \(1971\)](#) of 25 September 1971, [476 \(1980\)](#) of 30 June 1980, [672 \(1990\)](#) of 12 October 1990, [1073 \(1996\)](#) of 28 September 1996 and [1322 \(2000\)](#) of 7 October 2000,

*Recalling*, in particular, Security Council resolution [478 \(1980\)](#) of 20 August 1980, in which the Council, inter alia, decided not to recognize the “Basic Law” on Jerusalem, and such other actions by Israel that, as a result of this law, seek to alter the character and status of Jerusalem, and calling upon States to act in accordance with the provisions therein, as well as Council resolution [2334 \(2016\)](#) of 23 December 2016, in which the Council affirmed that it would not recognize any changes to the 4 June 1967 lines, including with regard to Jerusalem, other than those agreed by the parties through negotiations,

*Deploring* any action taken by any body, governmental or non-governmental, in violation of the above-mentioned resolutions, and reiterating that all measures which have altered the geographic, demographic and historical character and status of the Holy City of Jerusalem are null and void and must be rescinded in compliance with the relevant resolutions of the Security Council,

*Reaffirming* the 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,

*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,<sup>1</sup> and recalling also its resolution [ES-10/15](#) of 20 July 2004,

*Deploring*, in particular, Israeli construction and expansion of settlements in and around East Jerusalem, including measures regarding the so-called E-1 plan, construction of the wall, demolition of Palestinian homes and other civilian infrastructure, expulsions and displacement of numerous Palestinian families, including Bedouin families, restrictions on Palestinian access to and residence in East Jerusalem, including revocation of residency rights, and the further isolation of the city from the rest of the Occupied Palestinian Territory, and expressing grave concern over the continued closure of Palestinian institutions in the city as well as acts of provocation and incitement, including by Israeli settlers, including against holy sites,

*Expressing its serious concern* about the possible displacement of Palestinian families from homes that they have lived in for generations in the Sheikh Jarrah and Silwan neighbourhoods in East Jerusalem, and stressing its opposition to all such unilateral actions, which are illegal under international law and risk exacerbating the already tense and fragile environment,

*Expressing its concern* about the Israeli excavations undertaken in the Old City of Jerusalem, including in and around religious sites,

*Recalling* the Security Council press statement on Jerusalem of 17 September 2015, in which the Council called, inter alia, for the exercise of restraint, refraining from provocative actions and rhetoric and upholding unchanged the historic status quo at the Haram al-Sharif – in word and in practice, as well as for full respect for international law, including international human rights law and international humanitarian law, as may be applicable in Jerusalem,

*Reaffirming* that the international community, through the United Nations, has a legitimate interest in the question of the City of Jerusalem and in the protection of the unique spiritual, religious and cultural dimensions of the city, as foreseen in relevant United Nations resolutions on this matter,

*Reaffirming also* the importance and holiness of the City of Jerusalem for the three monotheistic religions,

*Having considered* the report of the Secretary-General on the situation in the Middle East,<sup>2</sup>

1. *Reiterates its determination* that any actions taken by Israel, the occupying Power, to impose its laws, jurisdiction and administration on the Holy City of Jerusalem are illegal and therefore null and void and have no validity whatsoever, and calls upon Israel to immediately cease all such illegal and unilateral measures;

2. *Stresses* that a comprehensive, just and lasting solution to the question of the City of Jerusalem should take into account the legitimate concerns of both the Palestinian and Israeli sides, in accordance with international law, and should include internationally guaranteed provisions to ensure the freedom of religion and of conscience of its inhabitants, as well as permanent, free and unhindered access to the holy places by people of all religions and nationalities;

3. *Also stresses* the need for the parties to observe calm and restraint and to refrain from provocative actions, incitement and inflammatory rhetoric, especially in areas of religious and cultural

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

<sup>2</sup> [A/76/194](#).

sensitivity, and expresses its grave concern, in particular, about the recent series of serious negative incidents in East Jerusalem;

4. *Calls for respect for the historic status quo at the holy places of Jerusalem, in word and in practice, and urges all sides to work immediately and cooperatively to defuse tensions and halt all provocations, incitement and violence at the holy sites in the City;*

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

*42nd plenary meeting  
1 December 2021*

**RECORDED VOTE ON RESOLUTION 76/12: 129-11-31**

In favour: Afghanistan, Algeria, Andorra, Angola, Antigua And Barbuda, Argentina, Armenia, Azerbaijan, Bahrain, Bangladesh, Barbados, Belarus, Belgium, Belize, Benin, Bhutan, Bolivia (Plurinational State of), Bosnia and Herzegovina, Botswana, Brunei Darussalam, Burundi, Cambodia, Chad, Chile, China, Comoros, Costa Rica, Côte d'Ivoire, Cuba, Cyprus, Democratic People's Republic of Korea, Djibouti, Ecuador, Egypt, El Salvador, Eritrea, Estonia, Ethiopia, Finland, France, Gambia, Georgia, Ghana, Greece, Guinea, Guyana, Iceland, Indonesia, Iran (Islamic Republic of), Iraq, Ireland, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Latvia, Lebanon, Lesotho, Libya, Liechtenstein, Luxembourg, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Monaco, Mongolia, Montenegro, Morocco, Mozambique, Namibia, Nepal, New Zealand, Nicaragua, Niger, Nigeria, North Macedonia, Norway, Oman, Pakistan, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Russian Federation, Saint Lucia, Saint Vincent and the Grenadines, Samoa, Saudi Arabia, Senegal, Serbia, Sierra Leone, Singapore, Somalia, South Africa, Spain, Sri Lanka, Sudan, Suriname, Sweden, Switzerland, Syrian Arab Republic, Tajikistan, Thailand, Timor-Leste, Trinidad and Tobago, Tunisia, Turkey, Turkmenistan, Uganda, United Arab Emirates, Uruguay, Uzbekistan, Venezuela (Bolivarian Republic of), Viet Nam, Yemen, Zambia, Zimbabwe

Against: Australia, Canada, Czech Republic, Guatemala, Hungary, Israel, Marshall Islands, Micronesia (Federated States of), Nauru, Palau, United States of America

Abstaining: Albania, Austria, Brazil, Bulgaria, Cameroon, Colombia, Croatia, Denmark, Dominican Republic, Fiji, Germany, Haiti, Honduras, India, Kenya, Lithuania, Madagascar, Netherlands, Panama, Papua New Guinea, Romania, Rwanda, San Marino, Slovakia, Slovenia, South Sudan, Togo, Tuvalu, Ukraine, United Kingdom of Great Britain and Northern Ireland, Vanuatu

**Agenda item 52**

**United Nations Relief and Works Agency for Palestine Refugees in the Near East**

**76/77. Assistance to Palestine refugees**

*The General Assembly,*

*Recalling its relevant resolutions, including those adopted at its tenth emergency special session,*

*Recalling also its resolution 73/89 of 6 December 2018, entitled "Comprehensive, just and lasting peace in the Middle East",*

*Recalling further relevant Security Council resolutions, including resolutions 242 (1967) of 22 November 1967, 338 (1973) of 22 October 1973, 478 (1980) of 20 August 1980, 1397 (2002) of 12 March 2002, 1515 (2003) of 19 November 2003, 1544 (2004) of 19 May 2004, 1850 (2008) of 16 December 2008 and 2334 (2016) of 23 December 2016,*

*Having considered* the report of the Secretary-General submitted pursuant to the request made in its resolution [75/22](#) of 2 December 2020,<sup>1</sup>

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

*Reaffirming* the permanent responsibility of the United Nations with regard to the question of Palestine until it is resolved in all its aspects in accordance with international law and relevant resolutions,

*Convinced* that achieving a just, lasting and comprehensive settlement of the question of Palestine, the core of the Arab-Israeli conflict, is imperative for the attainment of comprehensive and lasting peace and stability in the Middle East,

*Stressing* that the principle of equal rights and self-determination of peoples is among the purposes and principles enshrined in the Charter of the United Nations,

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

*Recalling* its resolution [2625 \(XXV\)](#) of 24 October 1970, and reiterating the importance of maintaining and strengthening international peace founded upon freedom, equality, justice and respect for fundamental human rights and of developing friendly relations among nations irrespective of their political, economic and social systems or the level of their development,

*Emphasizing* the need for respect for, and the preservation of, the territorial integrity and unity of the Occupied Palestinian Territory, including East Jerusalem,

*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,<sup>2</sup> and recalling also its resolutions [ES-10/15](#) of 20 July 2004 and [ES-10/17](#) of 15 December 2006,

*Reaffirming* the illegality of Israeli settlement activities and all other unilateral measures aimed at altering the demographic composition, character and status of the City of Jerusalem and of the Occupied Palestinian Territory as a whole, including the wall and its associated regime, demanding their immediate cessation, and condemning any use of force against Palestinian civilians in violation of international law, notably children,

*Condemning* the firing of rockets against Israeli civilian areas,

*Emphasizing* the importance of the safety, protection and well-being of all civilians in the whole Middle East region, and condemning all acts of violence and terror against civilians on all sides,

*Calling for* full respect for international law, including for the protection of civilian life, as well as for the promotion of human security, the de-escalation of the situation, the exercise of restraint, including from provocative actions and rhetoric, and the establishment of a stable environment conducive to the pursuit of peace,

*Stressing* the need for measures to be taken to guarantee the safety and protection of the Palestinian civilian population throughout the Occupied Palestinian Territory, particularly in the Gaza Strip,

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<sup>1</sup> [A/76/299-S/2021/749](#).

<sup>2</sup> See [A/ES-10/273](#) and [A/ES-10/273/Corr.1](#).

consistent with the provisions and obligations of international humanitarian law, and taking note of the report of the Secretary-General on the protection of the Palestinian civilian population,<sup>3</sup>

*Stressing also* the need to ensure 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,

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

*Recalling* the mutual recognition 27 years ago between the Government of the State of Israel and the Palestine Liberation Organization, the representative of the Palestinian people,<sup>4</sup> and stressing the urgent need for efforts to ensure full compliance with the agreements concluded between the two sides,

*Stressing* the need, in particular, for an immediate halt to all actions contrary to international law that undermine trust and prejudice final status issues,

*Urging* renewed and coordinated efforts by the international community aimed at restoring a political horizon and advancing and accelerating the conclusion of a peace treaty to achieve without delay an end to the Israeli occupation that began in 1967 by resolving all outstanding issues, including all final status issues, without exception, for a just, lasting and peaceful settlement of the Israeli-Palestinian conflict, in accordance with the internationally recognized basis of the two-State solution, and of the Arab-Israeli conflict, for the realization of a comprehensive peace in the Middle East,

*Recognizing* the efforts being undertaken by the Palestinian Government, with international support, to reform, develop, strengthen and preserve its institutions and infrastructure, despite the obstacles presented by the ongoing Israeli occupation, commending in this regard the ongoing efforts to develop the institutions of an independent Palestinian State, and stressing the need to promote intra-Palestinian reconciliation,

*Expressing concern* about the risks posed to the significant achievements made, as confirmed by the positive assessments by the international institutions regarding readiness for statehood, owing to the negative impact of the current instability and financial crisis being faced by the Palestinian Government and the continued absence of a credible political horizon,

*Welcoming* the ongoing efforts of the Ad Hoc Liaison Committee for the Coordination of the International Assistance to Palestinians, chaired by Norway, and noting its recent meeting held with virtual and physical participation at the ministerial level in Oslo on 17 November 2021,

*Recognizing* the positive contribution of the United Nations Sustainable Development Cooperation Framework, which is aimed, inter alia, at enhancing development support and assistance to the Palestinian people and strengthening institutional capacity in line with Palestinian national priorities,

*Welcoming* the assistance extended by the Conference on Cooperation among East Asian Countries for Palestinian Development, held in Ramallah and Jericho in July 2019, in support of Palestinian efforts towards an independent Palestinian State through the sharing of the experience of East Asian countries in economic development and exploring effective means of cooperation, aimed at contributing to the promotion of Palestinian development, the Middle East peace process and regional stability,

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<sup>3</sup> [A/ES-10/794](#).

<sup>4</sup> See [A/48/486-S/26560](#), annex.

*Taking note* of the application of Palestine for admission to membership in the United Nations, submitted on 23 September 2011,<sup>5</sup>

*Taking note also* of its resolution 67/19 of 29 November 2012, by which, inter alia, Palestine was accorded non-member observer State status in the United Nations, and taking note further of the follow-up report of the Secretary-General,<sup>6</sup>

*Acknowledging* the efforts being undertaken by civil society to promote respect for human rights and a peaceful settlement of the question of Palestine, stressing the need for the protection of civil society actors to allow them to conduct their work freely and without fear of attacks and harassment from any party, and rejecting any attack against civil society,

*Stressing* the urgency of achieving without delay an end to the Israeli occupation that began in 1967,

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

*Recalling* the Arab Peace Initiative, adopted by the Council of the League of Arab States at its fourteenth session, held in Beirut on 27 and 28 March 2002,<sup>7</sup> and stressing its importance in the efforts to achieve a just, lasting and comprehensive peace,

1. *Reiterates its call* for the achievement, without delay, of a comprehensive, just and lasting peace in the Middle East on the basis of the relevant United Nations resolutions, including Security Council resolution 2334 (2016), the Madrid terms of reference, including the principle of land for peace, the Arab Peace Initiative and the Quartet road map,<sup>8</sup> and an end to the Israeli occupation that began in 1967, including of East Jerusalem, and reaffirms in this regard its unwavering support, in accordance with international law, for the two-State solution of Israel and Palestine, living side by side in peace and security within recognized borders, based on the pre-1967 borders;

2. *Stresses* the need to urgently exert collective efforts to launch credible negotiations on all final status issues in the Middle East peace process based on the long-standing terms of reference and clear parameters and within the time frame specified by the Quartet in its statement of 21 September 2010, and calls once more for the intensification of efforts by the parties, including through meaningful negotiations, with the support of the international community, towards the conclusion of a final just, lasting and comprehensive peace settlement;

3. *Calls for* the timely convening of an international conference in Moscow, as envisioned by the Security Council in its resolution 1850 (2008), for the advancement and acceleration of the achievement of a just, lasting and comprehensive peace settlement;

4. *Stresses* that compliance with and respect for the Charter of the United Nations and international law, including international humanitarian law and international human rights law, is a cornerstone of peace and security in the region;

5. *Calls upon* both parties to act responsibly and in compliance with international law and their previous agreements and obligations, in both their policies and actions, in order to, with the support of the Quartet and other interested parties, urgently reverse negative trends, including all measures taken

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<sup>5</sup> A/66/371-S/2011/592, annex I.

<sup>6</sup> A/67/738.

<sup>7</sup> A/56/1026-S/2002/932, annex II, resolution 14/221.

<sup>8</sup> S/2003/529, annex.

on the ground that are contrary to international law, and create the conditions necessary for a credible political horizon and the advancement of peace efforts;

6. *Calls upon* Israel, the occupying Power, to comply strictly with its obligations under international law and to cease all of its measures that are contrary to international law, including all unilateral actions in the Occupied Palestinian Territory, including East Jerusalem, that are aimed at altering the demographic composition, character and status of the Territory and thus at prejudging the final outcome of peace negotiations, and recalls in this regard the principle of the inadmissibility of the acquisition of land by force and therefore the illegality of the annexation of any part of the Occupied Palestinian Territory, including East Jerusalem, which constitutes a breach of international law, undermines the viability of the two-State solution and challenges the prospects for the achievement of a peaceful settlement and of just, lasting and comprehensive peace;

7. *Stresses* the need, in particular, for an immediate halt to all settlement activities, land confiscation and home demolitions, for the pursuit of measures to ensure accountability, and for the release of prisoners and an end to arbitrary arrests and detentions;

8. *Also stresses* the need for respect for and preservation of the territorial unity, contiguity and integrity of all the Occupied Palestinian Territory, including East Jerusalem;

9. *Further stresses* the need for an immediate and complete cessation of all acts of violence, including military attacks, destruction and acts of terror, as well as all acts of provocation and incitement;

10. *Reaffirms its commitment*, in accordance with international law, to the two-State solution of Israel and Palestine, living side by side in peace and security within recognized borders, based on the pre-1967 borders;

11. *Underscores* in this regard the affirmation by the Security Council in its resolution [2334 \(2016\)](#) of its determination to examine practical ways and means to secure the full implementation of its relevant resolutions;

12. *Calls for*:

(a) The withdrawal of Israel from the Palestinian territory occupied since 1967, including East Jerusalem;

(b) The realization of the inalienable rights of the Palestinian people, primarily the right to self-determination and the right to their independent State;

(c) A just resolution of the problem of Palestine refugees in conformity with its resolution [194 \(III\)](#) of 11 December 1948;

13. *Calls upon* all States, consistent with their obligations under the Charter and relevant Security Council resolutions, inter alia:

(a) Not to recognize any changes to the pre-1967 borders, including with regard to Jerusalem, other than those agreed by the parties through negotiations, including by ensuring that agreements with Israel do not imply recognition of Israeli sovereignty over the territories occupied by Israel in 1967;

(b) To distinguish, in their relevant dealings, between the territory of the State of Israel and the territories occupied since 1967;

(c) Not to render aid or assistance to illegal settlement activities, including not to provide Israel with any assistance to be used specifically in connection with settlements in the occupied territories, in line with Security Council resolution 465 (1980) of 1 March 1980;

(d) To respect and ensure respect for international law, in all circumstances, including through measures of accountability, consistent with international law;

14. *Urges* all States and the United Nations to continue and expedite the provision of economic, humanitarian and technical assistance to the Palestinian people and the Palestinian Government during this critical period in order to help to alleviate the serious humanitarian situation in the Occupied Palestinian Territory, including East Jerusalem, which is dire in the Gaza Strip, to rehabilitate the Palestinian economy and infrastructure and to support the development and strengthening of Palestinian institutions and Palestinian State-building efforts in preparation for independence;

15. *Requests* the Secretary-General, including through his Special Coordinator for the Middle East Peace Process and Personal Representative to the Palestine Liberation Organization and the Palestinian Authority, to continue his efforts with the parties concerned, and in consultation with the Security Council, including with regard to the reporting required pursuant to resolution 2334 (2016), towards the attainment of a peaceful settlement of the question of Palestine and the promotion of peace in the region.

*42nd plenary meeting  
1 December 2021*

**RECORDED VOTE ON RESOLUTION 76/77: 164-1-10**

In favour: Afghanistan, Albania, Algeria, Andorra, Angola, Antigua and Barbuda, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belgium, Belize, Bhutan, Bolivia (Plurinational State of), Bosnia and Herzegovina, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Cabo Verde, Cambodia, Chad, Chile, China, Colombia, Comoros, Congo, Costa Rica, Côte d'Ivoire, Croatia, Cuba, Cyprus, Czech Republic, Democratic People's Republic of Korea, Denmark, Djibouti, Dominican Republic, Ecuador, Egypt, El Salvador, Eritrea, Estonia, Ethiopia, Fiji, Finland, France, Gabon, Gambia, Georgia, Germany, Ghana, Greece, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, Hungary, Iceland, India, Indonesia, Iran (Islamic Republic of), Iraq, Ireland, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Latvia, Lebanon, Lesotho, Libya, Liechtenstein, Lithuania, Luxembourg, Malawi, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Monaco, Mongolia, Montenegro, Morocco, Mozambique, Namibia, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, North Macedonia, Norway, Oman, Pakistan, Panama, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, San Marino, Sao Tome and Principe, Saudi Arabia, Senegal, Serbia, Sierra Leone, Singapore, Slovakia, Slovenia, Somalia, South Africa, Spain, Sri Lanka, Sudan, Suriname, Sweden, Switzerland, Syrian Arab Republic, Tajikistan, Thailand, Timor-Leste, Togo, Tonga, Trinidad and Tobago, Tunisia, Turkey, Turkmenistan, Uganda, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, Uzbekistan, Vanuatu, Venezuela (Bolivarian Republic of), Viet Nam, Yemen, Zimbabwe

Against: Israel

Abstaining: Cameroon, Canada, Kiribati, Marshall Islands, Micronesia (Federated States of), Palau, Rwanda, United States of America, Uruguay, Zambia



## **76/78. 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 [75/94](#) of 10 December 2020,

*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 2020,<sup>1</sup>

*Taking note* of the letter dated 1 July 2021 from the Chair of the Advisory Commission of the Agency addressed to the Commissioner-General,<sup>2</sup>

*Underlining* that, at a time of heightened conflict and instability in the Middle East, the Agency continues to play a vital role in ameliorating the plight of the Palestine refugees through the provision of, inter alia, essential education, health, relief and social services programmes and emergency assistance to a registered population of more than 5.7 million refugees whose situation is extremely precarious, in mitigating the consequences of alarming trends in the Agency's areas of operation, including increasing violence, marginalization and poverty and the impact of the coronavirus disease (COVID-19) pandemic, and in providing a crucial measure of stability in the region,

*Recalling* its resolutions [2252 \(ES-V\)](#) of 4 July 1967 and [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, stressing the necessity of an accelerated return of displaced persons, and calling 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 1993<sup>3</sup> on the return of displaced persons,

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

*Taking note* of the report of the Secretary-General on the operations of the United Nations Relief and Works Agency for Palestine Refugees in the Near East,<sup>4</sup> submitted pursuant to resolution [71/93](#) of 6 December 2016, and the request contained therein for broad consultations to explore all ways and means, including through voluntary and assessed contributions, to ensure that the Agency's funding is sufficient, predictable and sustained for the duration of its mandate, and considering the recommendations contained in the report,

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<sup>1</sup> *Official Records of the General Assembly, Seventy-sixth Session, Supplement No. 13 (A/76/13).*

<sup>2</sup> *Ibid.*, pp. 7–8.

<sup>3</sup> [A/48/486-S/26560](#), annex.

<sup>4</sup> [A/71/849](#).

*Taking note also* of the report of 31 May 2021 of the Commissioner-General, submitted pursuant to paragraph 57 of the report of the Secretary-General and in follow-up to the update to the special report of 3 August 2015 of the Commissioner-General,<sup>5</sup> submitted pursuant to paragraph 21 of General Assembly resolution 302 (IV), regarding the severe financial crisis of the Agency and the negative implications for the continued delivery of core Agency programmes to the Palestine refugees in all fields of operation,

*Expressing appreciation* for the efforts of donors and host countries to respond to the Agency's unprecedented financial crisis, including through generous, additional contributions and, where possible, continued increases in voluntary contributions, while acknowledging the steadfast support of all other donors to the Agency,

*Welcoming* the contributions made to the Agency's emergency appeals, including for the Gaza Strip and for the Syrian Arab Republic, and calling urgently upon the international community to continue its support, since needs persist and these appeals remain severely underfunded,

*Noting* that contributions have not been predictable enough or sufficient to meet growing needs and remedy the persistent shortfalls, thereby undermining the Agency's operations and efforts to promote human development and meet Palestine refugees' basic needs, and stressing the need for further efforts to comprehensively address the recurrent funding shortfalls affecting the Agency's operations,

*Recognizing* the Agency's extensive efforts to rapidly develop innovative and diversified ways to address its financial shortfall and mobilize resources, including through the expansion of the donor base and partnerships with international financial institutions, the private sector and civil society, including through special digital campaigns,

*Commending* the Agency for the measures taken to address the financial crisis, despite difficult operational circumstances, including through the implementation of the medium-term strategy for 2016–2021 and various internal measures to contain expenditures, reduce operational and administrative costs, maximize the use of resources and reduce the funding shortfalls, and expressing profound concern that, despite such measures, the Agency's programme budget, which is funded primarily by voluntary contributions from Member States and intergovernmental organizations, faces persistent shortfalls that continue to threaten the delivery of the Agency's core programmes of assistance to the Palestine refugees,

*Encouraging* the Agency to sustain those reform efforts, while also taking all possible measures to protect and improve the quality of access to and the delivery of core programmes of assistance,

*Recalling* its resolution 65/272 of 18 April 2011, in which it requested the Secretary-General to continue to support the institutional strengthening of the Agency,

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

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

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<sup>5</sup> A/70/272, annex.

*Welcoming* the affirmation in the New York Declaration for Refugees and Migrants, adopted by the General Assembly on 19 September 2016,<sup>6</sup> that, inter alia, the Agency, along with other relevant organizations, requires sufficient funding to be able to carry out its activities effectively and in a predictable manner,

*Bearing in mind* the 2030 Agenda for Sustainable Development,<sup>7</sup> including the pledge that no one will be left behind, emphasizing that the Sustainable Development Goals apply to all, including refugees, and commending the efforts of the Agency's programmes to promote 10 of the 17 Goals, as indicated in the report of the Secretary-General,

*Welcoming* the joint efforts of host countries and donors to mobilize support for the Agency, including through extraordinary ministerial meetings, inter alia, the extraordinary ministerial conference held in Rome on 15 March 2018, the ministerial meeting convened at United Nations Headquarters in New York on 26 September 2019 and the extraordinary virtual ministerial pledging conference convened on 23 June 2020, hosted by Jordan and Sweden, aimed at urgently addressing the Agency's funding shortfall and the need for predictable multi-year funding, expanding donor support for the Agency and reaffirming support for its mandate,

*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,<sup>8</sup>

*Recalling also* the Convention on the Safety of United Nations and Associated Personnel,<sup>9</sup>

*Recalling further* its resolutions [75/125](#) of 11 December 2020 on the safety and security of humanitarian personnel and protection of United Nations personnel and [75/127](#) of 11 December 2020 on the strengthening of the coordination of emergency humanitarian assistance of the United Nations, calling upon, inter alia, all States to ensure respect for and the protection of all humanitarian personnel and United Nations and associated personnel, to respect the principles of humanity, neutrality, impartiality and independence for the provision of humanitarian assistance and to respect and ensure respect for the inviolability of United Nations premises,

*Affirming* the applicability of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949,<sup>10</sup> 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,

*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, evictions, the demolition of homes and livelihood properties causing forced transfers of civilians, 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,

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<sup>6</sup> Resolution [71/1](#).

<sup>7</sup> Resolution [70/1](#).

<sup>8</sup> Resolution [22 A \(I\)](#).

<sup>9</sup> United Nations, *Treaty Series*, vol. 2051, No. 35457.

<sup>10</sup> *Ibid.*, vol. 75, No. 973.

*Concerned* about plans and measures to interfere with or obstruct the operations of the Agency, including in East Jerusalem, contrary to international law and the Convention on the Safety of United Nations and Associated Personnel, and reiterating the need for the Agency to fully implement its mandate in support of Palestine refugees without interference, including in the Occupied Palestinian Territory, including East Jerusalem,

*Commending* the health-care staff of the Agency for their dedication in responding to the profound stresses caused to the health system by the high number of Palestinian civilian casualties in the recent period in the Gaza Strip,

*Commending also* the important role played by the Agency throughout its areas of operations to help to prevent and contain the spread of COVID-19,

*Expressing grave concern* in this regard about the lasting impact on the humanitarian and socioeconomic situation of the Palestine refugees in the Gaza Strip, including high rates of food insecurity, poverty, displacement and the depletion of coping capacities,

*Recalling* 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,

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

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

*Stressing* the urgent need for the provision of the necessary humanitarian assistance and funding support for the advancement of reconstruction and recovery in the Gaza Strip, including by ensuring the timely facilitation of construction projects, including extensive shelter repair, and the need for the accelerated implementation of other urgent United Nations-led civilian reconstruction activities, and calling upon Israel to ensure the expedited and unimpeded import of all necessary construction materials into the Gaza Strip and to reduce the burdensome cost of importation of Agency supplies, while taking note of the continued implementation of the tripartite agreement facilitated by the United Nations,

*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 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,

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

*Emphasizing* the continuing need for assistance to Palestine refugees in the Syrian Arab Republic, as well as those who have fled to neighbouring countries, including in particular Lebanon, where an unprecedented financial crisis is further affecting socioeconomic conditions among the refugees, 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<sup>11</sup> and the New York Declaration for Refugees and Migrants,

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

*Deploring* the endangerment of the safety of the Agency's staff and the damage and destruction caused to the facilities and properties of the Agency, and stressing the need to maintain the neutrality and safeguard the inviolability of United Nations premises, installations and equipment at all times,

*Deploring also* the breaches of the inviolability of United Nations premises, the failure to accord the property and assets of the Organization immunity from any form of interference, incursions or misuse, the failure to protect United Nations personnel, premises and property and any disruption caused to Agency operations by such violations,

*Deploring further* all attacks affecting United Nations installations, including Agency schools sheltering displaced civilians, and all other breaches of the inviolability of United Nations premises, including 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 Inquiry<sup>12</sup> and by the independent commission of inquiry established pursuant to Human Rights Council resolution S-21/1,<sup>13</sup> and stressing the imperative of ensuring accountability,

*Condemning* the killing, injury and detention contrary to international law of Agency staff members,

*Condemning also* the killing, wounding and detention contrary to international law of refugee children and women,

*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 2014<sup>14</sup> 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,<sup>15</sup>

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<sup>11</sup> S/PRST/2013/15; see *Resolutions and Decisions of the Security Council, 1 August 2013–31 July 2014* (S/INF/69).

<sup>12</sup> S/2015/286, annex.

<sup>13</sup> See A/HRC/29/52.

<sup>14</sup> A/69/711-S/2015/1, annex.

<sup>15</sup> *Official Records of the General Assembly, Forty-ninth Session, Supplement No. 13* (A/49/13), annex I.

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 seven decades since its establishment in providing vital services for the well-being, human development and protection of the Palestine refugees and the amelioration of their plight and for the stability of the region, and affirms the necessity for continuing the work of the Agency and its unimpeded operation and provision of services, pending the just resolution of the question of the Palestine refugees;
4. *Commends* the Agency for its extraordinary efforts, in cooperation with other United Nations agencies on the ground, to provide emergency humanitarian assistance, including shelter, food and medical aid, to refugees and affected civilians during periods of crisis and conflict, and recognizes its exemplary capacity to mobilize in emergency situations while continuously carrying out its core human development programmes;
5. *Endorses* in this regard the efforts of the Commissioner-General of the Agency 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, while reaffirming 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;
6. *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 purpose;
7. *Expresses its grave concern* about attempts to discredit the Agency despite its proven operational capacity, record of effective provision of humanitarian and development assistance and consistent implementation of its mandate in accordance with relevant resolutions and its regulatory framework, even under the most difficult circumstances;
8. *Reaffirms* the Agency's important role in providing humanitarian and development assistance to Palestine refugees, engaging with international human rights mechanisms, as appropriate, and in doing so contributing to the protection and resilience of Palestinian civilians, as outlined in the report of the Secretary-General on the protection of the Palestinian civilian population,<sup>16</sup> and contributing to regional stability;
9. *Expresses its appreciation* for the important support and cooperation provided by the host Governments to the Agency in the discharge of its duties;
10. *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;
11. *Takes note* of the report of the Working Group on the Financing of the United Nations Relief and Works Agency for Palestine Refugees in the Near East<sup>17</sup> and the efforts to assist in ensuring the

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<sup>16</sup> A/ES-10/794.

<sup>17</sup> A/76/306.

financial security of the Agency, and requests the Secretary-General to provide the necessary services and assistance to the Working Group for the conduct of its work;

12. *Expresses its deep appreciation* to all donor countries and organizations that have, inter alia, sustained, accelerated or increased their contributions to the Agency, helping to alleviate its recurrent financial crises, to mitigate imminent risks to its core and emergency programming and to prevent an interruption of essential assistance to Palestine refugees;

13. *Commends* the Agency for its six-year medium-term strategy for 2016–2021 and the Commissioner-General for his continuing efforts to increase the budgetary transparency and efficiency of the Agency, as reflected in the Agency's proposed programme budget for 2022;<sup>18</sup>

14. *Also commends* the Agency for sustaining its robust internal reform efforts, despite difficult operational circumstances, and recognizes its implementation of maximum efficiency procedures to contain expenditures, reduce operational and administrative costs, reduce its funding shortfalls and maximize the use of resources;

15. *Calls upon* the Agency to further enhance its internal governance and oversight mechanisms to ensure that the Agency's management is delivering on its mandate with transparency and accountability, while preserving the Agency's agility and operational response capacity;

16. *Takes note* of the report of the Secretary-General on the operations of the United Nations Relief and Works Agency for Palestine Refugees in the Near East and the conclusions and recommendations contained therein;

17. *Appeals* to States and organizations for the maintenance of their voluntary contributions to the Agency, as well as an increase in contributions where possible, in particular to the Agency's programme budget, including in the consideration of their allocation of resources for international human rights, peace and stability, development and humanitarian efforts, to support the Agency's mandate and its ability to meet the rising needs of the Palestine refugees and essential associated costs of operations;

18. *Appeals* to States and organizations not currently contributing to the Agency to urgently consider making voluntary contributions in response to the calls of the Secretary-General for expansion of the Agency's donor base, in order to stabilize funding and ensure greater sharing of the financial burden of supporting the Agency's operations, in accordance with the continuing responsibility of the international community as a whole to assist the Palestine refugees;

19. *Calls for* the provision by donors of early annual voluntary contributions, less earmarking, and multi-year funding, in line with the Grand Bargain on humanitarian financing announced at the World Humanitarian Summit, held in Istanbul, Turkey, in May 2016, in order to enhance the Agency's ability to plan and implement its operations with a greater degree of assurance regarding resource flows;

20. *Also calls for* the full and timely funding by donors of the Agency's emergency, recovery and reconstruction programmes as set out in its appeals and response plans;

21. *Requests* the Commissioner-General to continue efforts to maintain and increase traditional donor support and to enhance income from non-traditional donors, including through partnerships with public and private entities;

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<sup>18</sup> A/76/6 (Sect. 26).

22. *Encourages* the Agency to explore financing avenues in relation to the implementation of the Sustainable Development Goals;<sup>19</sup>

23. *Urges* States and organizations to actively pursue partnerships with and innovative support for the Agency, including as recommended in paragraphs 47, 48 and 50 of the report of the Secretary-General,<sup>20</sup> including through the establishment of endowments, trust funds or revolving fund mechanisms and assistance to the Agency to access humanitarian, development and peace and security trust funds and grants;

24. *Welcomes* pledges by States and organizations to provide diplomatic and technical support to the Agency, including engagement with international and financial development institutions, including the World Bank and the Islamic Development Bank, and, where appropriate, to facilitate support for the establishment of financing mechanisms that can provide assistance to refugees and in fragile contexts, including to meet the needs of the Palestine refugees, and calls for serious follow-up efforts;

25. *Urges* States and organizations to provide contributions to the waqf fund established by the Organization of Islamic Cooperation at the Islamic Development Bank in support of Palestine refugees through enhanced support to the Agency;

26. *Encourages* further progress with regard to the creation of a World Bank multi-donor trust fund;

27. *Requests* the Agency to continue to implement efficiency measures through its medium-term strategy and the development of a five-year proposal for stabilizing the Agency's finances, including specific and time-bound measures, and to continue to improve its cost efficiency and resource mobilization efforts;

28. *Calls upon* the members of the Advisory Commission and the Working Group on the Financing of the United Nations Relief and Works Agency for Palestine Refugees in the Near East to consider the relevant recommendations in the report of the Secretary-General, including to help the Agency to address resource mobilization challenges and to actively assist the Commissioner-General in the efforts to create sustainable, sufficient and predictable support for the Agency's operations;

29. *Takes note* of the recommendations of the Secretary-General regarding the support provided to the Agency from the regular budget of the United Nations;

30. *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;

31. *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;

32. *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

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<sup>19</sup> See resolution 70/1.

<sup>20</sup> A/71/849.



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;

33. *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,<sup>21</sup> the Convention on the Elimination of All Forms of Discrimination against Women<sup>22</sup> and the Convention on the Rights of Persons with Disabilities;<sup>23</sup>

34. *Also encourages* the Agency to continue to reduce the vulnerability and improve the self-reliance and resilience of Palestine refugees through its programmes;

35. *Recognizes* the acute protection needs of Palestine refugees across the region, and encourages the Agency's efforts to contribute to a coordinated and sustained response in accordance with international law, including the Agency's new protection strategic framework;

36. *Commends* the Agency for its humanitarian and psychosocial support programmes and other initiatives that provide recreational, cultural and educational activities for children in all fields, including in the Gaza Strip, 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;

37. *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;

38. *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 Nations 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;

39. *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;

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

41. *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 the remaining damaged or destroyed refugee shelters, and for the implementation of suspended and urgently needed civilian infrastructure projects in refugee camps in the Gaza Strip, noting the alarming figures reflected in the United Nations country team reports of 26 August 2016, entitled "Gaza: two years after", and of July 2017, entitled "Gaza ten years later";

42. *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

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<sup>21</sup> United Nations, *Treaty Series*, vol. 1577, No. 27531.

<sup>22</sup> *Ibid.*, vol. 1249, No. 20378.

<sup>23</sup> *Ibid.*, vol. 2515, No. 44910.

youth in particular, welcomes the Agency's efforts to streamline costs and increase microfinance services through internal reform efforts, and calls upon the Agency, in close cooperation with the relevant agencies, to continue to contribute to the development of the economic and social stability of the Palestine refugees in all fields of operation;

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

44. *Calls upon* the Commissioner-General to include, in the annual reporting to the General Assembly, assessments on the progress made to remedy the recurrent funding shortfalls of the Agency and ensure sustained, sufficient and predictable support for the Agency's operations, including through the implementation of the relevant provisions of the present resolution.

*49th plenary meeting  
9 December 2021*

**RECORDED VOTE ON RESOLUTION 76/78: 162-5-6**

In favour: Afghanistan, Albania, Algeria, Andorra, Angola, Antigua and Barbuda, Argentina, Armenia, Austria, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belgium, Belize, Bhutan, Bolivia (Plurinational State of), Bosnia and Herzegovina, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Cabo Verde, Cambodia, Chad, Chile, China, Colombia, Comoros, Congo, Costa Rica, Côte d'Ivoire, Croatia, Cuba, Cyprus, Czech Republic, Democratic People's Republic of Korea, Denmark, Djibouti, Dominican Republic, Ecuador, Egypt, El Salvador, Eritrea, Estonia, Ethiopia, Fiji, Finland, France, Gabon, Gambia, Georgia, Germany, Ghana, Greece, Grenada, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, Hungary, Iceland, India, Indonesia, Iran (Islamic Republic of), Iraq, Ireland, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Latvia, Lebanon, Lesotho, Libya, Liechtenstein, Lithuania, Luxembourg, Malawi, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Monaco, Mongolia, Montenegro, Morocco, Mozambique, Namibia, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, North Macedonia, Norway, Oman, Pakistan, Panama, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, San Marino, Sao Tome and Principe, Saudi Arabia, Senegal, Serbia, Sierra Leone, Singapore, Slovakia, Slovenia, Somalia, South Africa, Spain, Sri Lanka, Sudan, Suriname, Sweden, Switzerland, Syrian Arab Republic, Tajikistan, Thailand, Timor-Leste, Togo, Tonga, Trinidad and Tobago, Tunisia, Turkey, Turkmenistan, Uganda, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, Uzbekistan, Vanuatu, Venezuela (Bolivarian Republic of), Viet Nam, Yemen, Zimbabwe

Against: Canada, Israel, Marshall Islands, Micronesia (Federated States of), United States of America

Abstaining: Australia, Cameroon, Guatemala, Rwanda, Uruguay, Zambia

## 76/79. 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 [75/95](#) of 10 December 2020,<sup>1</sup> as well as that of the United Nations Conciliation Commission for Palestine for the period from 1 September 2020 to 31 August 2021,<sup>2</sup>

*Recalling* that the Universal Declaration of Human Rights<sup>3</sup> and the principles of international law uphold the principle that no one shall be arbitrarily deprived of his or her property,

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

*Noting* the completion of the programme of identification and evaluation of Arab property, as announced by the Conciliation Commission in its twenty-second progress report,<sup>4</sup> 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,<sup>5</sup> 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;

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<sup>1</sup> [A/76/289](#).

<sup>2</sup> [A/76/282](#).

<sup>3</sup> Resolution [217 A \(III\)](#).

<sup>4</sup> *Official Records of the General Assembly, Nineteenth Session, Annexes, Annex No. 11*, document [A/5700](#).

<sup>5</sup> [A/48/486-S/26560](#), annex.

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-seventh session on the implementation of the present resolution.

*49th plenary meeting  
9 December 2021*

**RECORDED VOTE ON RESOLUTION 76/79: 159-5-8**

In favour: Afghanistan, Albania, Algeria, Andorra, Angola, Antigua and Barbuda, Argentina, Armenia, Austria, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belgium, Belize, Bhutan, Bolivia (Plurinational State of), Bosnia and Herzegovina, Brunei Darussalam, Bulgaria, Burkina Faso, Cabo Verde, Cambodia, Chad, Chile, China, Colombia, Comoros, Congo, Costa Rica, Côte d'Ivoire, Croatia, Cuba, Czech Republic, Democratic People's Republic of Korea, Denmark, Djibouti, Dominican Republic, Ecuador, Egypt, El Salvador, Eritrea, Estonia, Ethiopia, Finland, France, Gabon, Gambia, Georgia, Germany, Ghana, Greece, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Hungary, Iceland, India, Indonesia, Iran (Islamic Republic of), Iraq, Ireland, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Latvia, Lebanon, Lesotho, Libya, Liechtenstein, Lithuania, Luxembourg, Malawi, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Monaco, Mongolia, Montenegro, Morocco, Mozambique, Namibia, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, North Macedonia, Norway, Oman, Pakistan, Panama, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, San Marino, Sao Tome and Principe, Saudi Arabia, Senegal, Serbia, Sierra Leone, Singapore, Slovakia, Slovenia, Somalia, South Africa, Spain, Sri Lanka, Sudan, Suriname, Sweden, Switzerland, Syrian Arab Republic, Tajikistan, Thailand, Timor-Leste, Tonga, Trinidad and Tobago, Tunisia, Turkey, Turkmenistan, Uganda, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, Uruguay, Uzbekistan, Vanuatu, Venezuela (Bolivarian Republic of), Viet Nam, Yemen, Zimbabwe

Against: Canada, Israel, Marshall Islands, Micronesia (Federated States of), United States of America

Abstaining: Australia, Brazil, Cameroon, Fiji, Honduras, Kiribati, Togo, Zambia

**Agenda item 53****Report of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories****76/80. 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,<sup>1</sup> as well as international standards of human rights, in particular the Universal Declaration of Human Rights<sup>2</sup> and the International Covenants on Human Rights,<sup>3</sup>*

*Recalling its relevant resolutions and the relevant resolutions of the Human Rights Council,*

*Recalling also the relevant resolutions of the Security Council, including resolution [2334 \(2016\)](#) of 23 December 2016,*

*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,<sup>4</sup> 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 2014<sup>5</sup> 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,*

*Convinced that occupation itself represents a grave violation of human rights, and deeply concerned by the ensuing persistent violations of international law committed by Israel, including international humanitarian and human rights law, including discriminatory policies against the Palestinian civilian population in the Occupied Palestinian Territory, including East Jerusalem,<sup>6</sup>*

*Gravely concerned by reports regarding serious human rights violations and grave breaches of international humanitarian law,*

*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,<sup>7</sup>*

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<sup>1</sup> United Nations, *Treaty Series*, vol. 75, No. 973.

<sup>2</sup> Resolution [217 A \(III\)](#).

<sup>3</sup> Resolution [2200 A \(XXI\)](#), annex.

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

<sup>5</sup> [A/69/711-S/2015/1](#), annex.

<sup>6</sup> See [A/63/855-S/2009/250](#) and [A/HRC/12/48](#).

<sup>7</sup> [A/HRC/22/63](#).

*Recalling* the report of the independent international commission of inquiry established pursuant to Human Rights Council resolution S-28/1,<sup>8</sup>

*Stressing* the need for 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 Territories<sup>9</sup> and the relevant reports of the Secretary-General,<sup>10</sup>

*Recalling* the Declaration of Principles on Interim Self-Government Arrangements of 13 September 1993<sup>11</sup> and the subsequent implementation agreements between the Palestinian and Israeli sides,

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

*Stressing* the urgency of bringing a complete end to the Israeli occupation that began in 1967, and 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, leading to a peaceful, just, lasting and comprehensive solution for the question of Palestine,

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, in spite of the obstruction of its mandate;

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

4. *Expresses grave concern* about the critical situation in the Occupied Palestinian Territory, including East Jerusalem, 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 the complete cessation of the excessive and indiscriminate use of force and military operations against the civilian population, settler violence, provocations and incitements regarding the holy places, the destruction and confiscation of properties, the forced displacement of civilians, the detention and imprisonment of thousands of civilians, and all measures of collective punishment against the Palestinian civilian population;

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,

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<sup>8</sup> A/HRC/40/74.

<sup>9</sup> A/76/360.

<sup>10</sup> A/76/304, A/76/333 and A/76/336.

<sup>11</sup> A/48/486-S/26560, annex.

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, as well as to submit to the Secretary-General annual reports on the current situation in the Occupied Palestinian Territory, including East Jerusalem;

6. *Also requests* the Special Committee to continue to investigate the treatment and status of the thousands of Palestinian and Arab prisoners and detainees, including children, women and elected representatives, in Israeli prisons and detention centres, and expresses grave concern about the harsh conditions of imprisonment 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,<sup>12</sup> the United Nations Standard Minimum Rules for the Treatment of Prisoners (the Nelson Mandela Rules)<sup>13</sup> and the United Nations Rules for the Treatment of Women Prisoners and Non-custodial Measures for Women Offenders (the Bangkok Rules);<sup>14</sup>

7. *Requests* the Secretary-General:

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

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

(c) To continue to task the Office of the United Nations High Commissioner for Human Rights with assisting the Special Committee in the performance of its tasks;

(d) To circulate to Member States the annual reports mentioned in paragraph 5 above and ensure the widest availability of the reports of the Special Committee and of information regarding its activities and findings through the Department of Global Communications of the Secretariat.

*49th plenary meeting  
9 December 2021*

#### **RECORDED VOTE ON RESOLUTION 76/80: 80-18-73**

In favour: Afghanistan, Algeria, Angola, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belize, Bhutan, Bolivia (Plurinational State of), Brunei Darussalam, Cabo Verde, Cambodia, Chad, Chile, China, Comoros, Congo, Cuba, Democratic People's Republic of Korea, Djibouti, Egypt, El Salvador, Gabon, Gambia, Ghana, Grenada, Guinea, Guinea-Bissau, Guyana, Indonesia, Iran (Islamic Republic of), Iraq, Jordan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Lebanon, Libya, Malaysia, Maldives, Mali, Mauritania, Mauritius, Morocco, Mozambique, Namibia, Nicaragua, Niger, Nigeria, Oman, Pakistan, Peru, Qatar, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Saudi Arabia, Senegal, Sierra Leone, Somalia, South Africa, Sri Lanka, Sudan, Suriname, Syrian Arab Republic, Tajikistan, Trinidad and Tobago, Tunisia, Turkey, Turkmenistan, Uganda, United Arab Emirates, Uzbekistan, Venezuela (Bolivarian Republic of), Viet Nam, Yemen, Zimbabwe

Against: Australia, Austria, Brazil, Canada, Colombia, Czech Republic, Dominican Republic, Guatemala, Honduras, Hungary, Israel, Liberia, Marshall Islands, Micronesia (Federated States of), Philippines, Slovenia, United Kingdom of Great Britain and Northern Ireland, United States of America

Abstaining: Albania, Andorra, Argentina, Armenia, Belarus, Belgium, Bosnia and Herzegovina, Bulgaria, Cameroon, Costa Rica, Côte d'Ivoire, Croatia, Cyprus, Denmark, Ecuador, Eritrea, Estonia, Ethiopia, Fiji, Finland, France, Georgia, Germany,

<sup>12</sup> United Nations, *Treaty Series*, vol. 75, No. 973.

<sup>13</sup> Resolution 70/175, annex.

<sup>14</sup> Resolution 65/229, annex.

Greece, Haiti, Iceland, India, Ireland, Italy, Jamaica, Japan, Kazakhstan, Latvia, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malawi, Malta, Mexico, Monaco, Mongolia, Montenegro, Myanmar, Netherlands, New Zealand, North Macedonia, Norway, Panama, Paraguay, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Rwanda, San Marino, Sao Tome and Principe, Serbia, Singapore, Slovakia, Spain, Sweden, Switzerland, Thailand, Timor-Leste, Togo, Tonga, Ukraine, Uruguay, Vanuatu, Zambia

## **76/82. Israeli settlements in the Occupied Palestinian Territory, including East Jerusalem, and the occupied Syrian Golan**

*The General Assembly,*

*Guided* by the principles and purposes of the Charter of the United Nations and the need to respect the obligations arising from the Charter and other instruments and rules of international law,

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

*Recalling* its relevant resolutions, including resolution [75/97](#) of 10 December 2020, 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, [904 \(1994\)](#) of 18 March 1994 and [2334 \(2016\)](#) of 23 December 2016, and stressing the need for their implementation,

*Recalling further* the Universal Declaration of Human Rights,<sup>1</sup>

*Recalling* the International Covenant on Civil and Political Rights,<sup>2</sup> the International Covenant on Economic, Social and Cultural Rights<sup>3</sup> and the Convention on the Rights of the Child,<sup>4</sup> and affirming that these human rights instruments must be respected in the Occupied Palestinian Territory, including East Jerusalem,

*Reaffirming* the applicability of 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,<sup>5</sup> and relevant provisions of customary law, including those codified in Additional Protocol I<sup>6</sup> to the four Geneva Conventions,<sup>7</sup> to the Occupied Palestinian Territory, including East Jerusalem, and to other Arab territories occupied by Israel since 1967, including 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 Convention,<sup>8</sup>

*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,<sup>9</sup> and recalling also General Assembly resolutions [ES-10/15](#) of 20 July 2004 and [ES-10/17](#) of 15 December 2006,

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<sup>1</sup> Resolution [217 A \(III\)](#).

<sup>2</sup> See resolution [2200 A \(XXI\)](#), annex.

<sup>3</sup> *Ibid.*

<sup>4</sup> United Nations, *Treaty Series*, vol. 1577, No. 27531.

<sup>5</sup> *Ibid.*, vol. 75, No. 973.

<sup>6</sup> *Ibid.*, vol. 1125, No. 17512.

<sup>7</sup> *Ibid.*, vol. 75, Nos. 970–973.

<sup>8</sup> *Ibid.*, No. 973.

<sup>9</sup> See [A/ES-10/273](#) and [A/ES-10/273/Corr.1](#).



*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”,<sup>10</sup>

*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,<sup>11</sup> as well as of other relevant recent reports of the Council,

*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,<sup>12</sup>

*Recalling also* the Declaration of Principles on Interim Self-Government Arrangements of 13 September 1993<sup>13</sup> and the subsequent implementation agreements between the Palestinian and Israeli sides,

*Recalling further* the Quartet road map to a permanent two-State solution to the Israeli-Palestinian conflict,<sup>14</sup> 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* 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,

*Condemning* settlement activities by Israel, the occupying Power, in the Occupied Palestinian Territory, including East Jerusalem, as violations of international humanitarian law, relevant United Nations resolutions, the agreements reached between the parties and obligations under the Quartet road map and as actions in defiance of the calls by the international community to cease all settlement activities,

*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

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<sup>10</sup> Ibid., advisory opinion, para. 120.

<sup>11</sup> [A/HRC/40/73](#); see also [A/74/507](#).

<sup>12</sup> [A/HRC/22/63](#).

<sup>13</sup> [A/48/486-26560](#), annex.

<sup>14</sup> [S/2003/529](#), annex.

settlement activities in the Jordan Valley, all of which further fragment and undermine the contiguity of the Occupied Palestinian Territory,

*Deploring* the plans to demolish the Palestinian village of Khan al-Ahmar, in contravention of international law, which would have serious consequences with regard to the displacement of its residents, severely threaten the viability of the two-State solution and undermine the prospect of peace, given the area's sensitive location and importance for preserving the contiguity of the Palestinian territory, and demanding the cessation of such plans,

*Condemning* the demolition by Israel, in contravention of international law, of Palestinian buildings in the neighbourhood of Wadi al-Hummus in the village of Sur Bahir, south of occupied East Jerusalem,

*Taking note* of the Quartet report of 1 July 2016,<sup>15</sup> and stressing its recommendations, as well as its relevant statements in which the Quartet members concluded that, inter alia, the continuing policy of settlement construction and expansion, designation of land for exclusive Israeli use and denial of Palestinian development, including the recent high rate of demolitions, are steadily eroding the two-State solution,

*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 and in such a way as to include the great majority of the Israeli settlements in the Occupied Palestinian Territory, including East Jerusalem, and 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 prejudge future negotiations and make the two-State solution physically impossible to implement,

*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, including pursuant to Security Council resolution 2334 (2016),<sup>16</sup>

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. *Demands* that Israel accept the de jure 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 other Arab territories occupied by Israel since 1967, including the occupied Syrian Golan, and abide scrupulously by the provisions of the Convention, in particular article 49, and comply with all of its obligations under international law and cease immediately all actions

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<sup>15</sup> S/2016/595, annex.

<sup>16</sup> A/76/304, A/76/333 and A/76/336.

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 \(1980\)](#), [478 \(1980\)](#), [1515 \(2003\)](#) of 19 November 2003 and [2334 \(2016\)](#);

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. *Also stresses* the urgent need to reverse negative trends on the ground, including the building of settlements and the demolition of Palestinian homes, which are imperilling the viability of the two-State solution and entrenching a situation of unequal rights and discrimination, and are preventing the Palestinian people from exercising their fundamental rights;

6. *Recalls* the affirmation by the Security Council, in its resolution [2334 \(2016\)](#), that it will not recognize any changes to the 4 June 1967 lines, including with regard to Jerusalem, other than those agreed by the parties through negotiations;

7. *Stresses* that the occupation of a territory is to be a temporary, de facto situation, whereby the occupying Power can neither claim possession nor exert its sovereignty over the territory it occupies, recalls in this regard the principle of the inadmissibility of the acquisition of land by force and therefore the illegality of the annexation of any part of the Occupied Palestinian Territory, including East Jerusalem, which constitutes a breach of international law, undermines the viability of the two-State solution and challenges the prospects for a just, lasting and comprehensive peace settlement, and expresses its grave concern at recent statements calling for the annexation by Israel of areas in the Occupied Palestinian Territory;

8. *Condemns* in this regard 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 annexation of land, whether de facto or through national legislation;

9. *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;

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

11. *Calls for* accountability for the illegal actions perpetrated by Israeli settlers in the Occupied Palestinian Territory, stresses in this regard the need for the implementation of Security Council resolution [904 \(1994\)](#), in which the Council called upon Israel, the occupying Power, to continue to take and implement measures, including the confiscation of arms, aimed at preventing illegal acts of violence by Israeli settlers, and called for measures to be taken to guarantee the safety and protection of the Palestinian civilians in the occupied territory, recalls in this regard the report of the Secretary-General on the protection of the Palestinian civilian population,<sup>17</sup> and welcomes the Secretary-General's

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<sup>17</sup> [A/ES-10/794](#).

observations, including with respect to the expansion of existing protection mechanisms to prevent and deter violations;

12. *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;

13. *Calls upon* 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;

14. *Calls for* measures of accountability, consistent with international law, in the light of continued non-compliance with the demands for a complete and immediate cessation of all settlement activities, which are illegal under international law, constitute an obstacle to peace and threaten to make a two-State solution impossible, stressing that compliance with and respect for international humanitarian law and international human rights law is a cornerstone for peace and security in the region;

15. *Recalls*, in this regard, the statement of 15 July 1999 and the declarations adopted on 5 December 2001 and on 17 December 2014<sup>18</sup> 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, 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 and accountability, and calls upon all High Contracting Parties to the Convention to continue, individually and collectively, 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;

16. *Also recalls* that the Security Council, in its resolution [2334 \(2016\)](#), called upon all States to distinguish, in their relevant dealings, between the territory of the State of Israel and the territories occupied since 1967;

17. *Calls upon* all States, consistent with their obligations under international law and the relevant resolutions, not to recognize, and not to render aid or assistance in maintaining, the situation created by measures that are illegal under international law, including those aimed at advancing annexation in the Occupied Palestinian Territory, including East Jerusalem, and other Arab territories occupied by Israel since 1967;

18. *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,<sup>19</sup> concerning the Guiding Principles on Business and Human Rights<sup>20</sup> 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;

19. *Requests* the Secretary-General to report to the General Assembly at its seventy-seventh session on the implementation of the present resolution;

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<sup>18</sup> [A/69/711-S/2015/1](#), annex.

<sup>19</sup> See *Official Records of the General Assembly, Sixty-sixth Session, Supplement No. 53 (A/66/53)*, chap. III, sect. A.

<sup>20</sup> [A/HRC/17/31](#), annex.

20. *Decides* to include in the provisional agenda of its seventy-seventh session the item entitled “Israeli practices and settlement activities affecting the rights of the Palestinian people and other Arabs of the occupied territories”.

*49th plenary meeting  
9 December 2021*

**RECORDED VOTE ON RESOLUTION 76/82: 146-7-20**

In favour: Afghanistan, Albania, Algeria, Andorra, Angola, Antigua and Barbuda, Argentina, Armenia, Austria, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belgium, Belize, Bhutan, Bolivia (Plurinational State of), Bosnia and Herzegovina, Brunei Darussalam, Bulgaria, Burkina Faso, Cabo Verde, Cambodia, Chad, Chile, China, Comoros, Congo, Costa Rica, Côte d’Ivoire, Croatia, Cuba, Cyprus, Democratic People’s Republic of Korea, Denmark, Djibouti, Dominican Republic, Egypt, El Salvador, Eritrea, Estonia, Ethiopia, Finland, France, Gabon, Gambia, Georgia, Germany, Ghana, Greece, Grenada, Guinea, Guinea-Bissau, Guyana, Iceland, India, Indonesia, Iran (Islamic Republic of), Iraq, Ireland, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lao People’s Democratic Republic, Latvia, Lebanon, Lesotho, Libya, Liechtenstein, Lithuania, Luxembourg, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Monaco, Mongolia, Montenegro, Morocco, Mozambique, Namibia, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, North Macedonia, Norway, Oman, Pakistan, Panama, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, San Marino, Saudi Arabia, Serbia, Sierra Leone, Singapore, Slovakia, South Africa, Spain, Sri Lanka, Sudan, Suriname, Sweden, Switzerland, Syrian Arab Republic, Tajikistan, Thailand, Timor-Leste, Trinidad and Tobago, Tunisia, Turkey, Turkmenistan, Uganda, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, Uzbekistan, Venezuela (Bolivarian Republic of), Viet Nam, Yemen, Zimbabwe

Against: Canada, Hungary, Israel, Liberia, Marshall Islands, Micronesia (Federated States of), United States of America

Abstaining: Australia, Brazil, Cameroon, Colombia, Czech Republic, Ecuador, Fiji, Guatemala, Haiti, Honduras, Kiribati, Madagascar, Malawi, Rwanda, Sao Tome and Principe, Slovenia, Togo, Uruguay, Vanuatu, Zambia

**Agenda item 73 (b)**

**Strengthening of the coordination of humanitarian and disaster relief assistance of the United Nations, including special economic assistance: assistance to the Palestinian people**

**76/126. Assistance to the Palestinian people**

*The General Assembly,*

*Recalling* its resolution [75/126](#) of 11 December 2020, 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,<sup>1</sup> 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,<sup>2</sup> the International Covenant on

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<sup>1</sup>[A/48/486-S/26560](#), annex.

<sup>2</sup>See resolution [2200 A \(XXI\)](#), annex.

Economic, Social and Cultural Rights,<sup>3</sup> the Convention on the Rights of the Child<sup>4</sup> and the Convention on the Elimination of All Forms of Discrimination against Women,<sup>5</sup>

*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, and the Palestine Investment Conferences, held in Bethlehem from 21 to 23 May

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<sup>3</sup>Ibid.

<sup>4</sup>United Nations, *Treaty Series*, vol. 1577, No. 27531.

<sup>5</sup>Ibid., vol. 1249, No. 20378.

2008 and on 2 and 3 June 2010, and the International Conference in Support of the Palestinian Economy for the Reconstruction of Gaza, held in Sharm el-Sheikh, Egypt, on 2 March 2009,

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

*Welcoming also* the latest meetings of the Ad Hoc Liaison Committee for the Coordination of the International Assistance to Palestinians, held in Brussels on 27 May 2015, in New York on 25 September 2013, 22 September 2014, 30 September 2015, 19 September 2016, 18 September 2017, 27 September 2018 and 26 September 2019, by videoconference on 2 June 2020 and on 23 February 2021 and in Oslo on 17 November 2021,

*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 2014–2016, which is aimed, inter alia, at enhancing developmental support and assistance to the Palestinian people and strengthening institutional capacity in line with Palestinian national priorities,

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

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

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

*Stressing also* the urgency of reaching a durable solution to the crisis in Gaza through the full implementation of Security Council resolution [1860 \(2009\)](#) of 8 January 2009, including by preventing the illicit trafficking in arms and ammunition and by ensuring the sustained reopening of the crossing points on the basis of existing agreements, including the 2005 Agreement on Movement and Access between the Palestinian Authority and Israel,

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

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

*Reaffirming* the necessity of achieving a comprehensive resolution of the Arab-Israeli conflict in all its aspects, on the basis of relevant Security Council resolutions, including resolutions [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,<sup>6</sup>

*Expressing grave concern* about continuing violence against civilians,

1. *Takes note* of the report of the Secretary-General;
2. *Expresses its appreciation* to the Secretary-General for his rapid response and ongoing efforts regarding assistance to the Palestinian people, including with regard to the emergency humanitarian needs in the Gaza Strip;
3. *Also expresses its appreciation* to the Member States, United Nations bodies and intergovernmental, regional and non-governmental organizations that have provided and continue to provide assistance to the Palestinian people;
4. *Stresses* the importance of the work of the United Nations Special Coordinator for the Middle East Peace Process and Personal Representative of the Secretary-General to the Palestine Liberation Organization and the Palestinian Authority and of the steps taken under the auspices of the Secretary-General to ensure the achievement of a coordinated mechanism for United Nations activities throughout the occupied territories;
5. *Urges* Member States, international financial institutions of the United Nations system, intergovernmental and non-governmental organizations and regional and interregional organizations to extend, as rapidly and as generously as possible, economic and social assistance to the Palestinian people, in close cooperation with the Palestine Liberation Organization and through official Palestinian institutions;
6. *Welcomes* the meetings of the Ad Hoc Liaison Committee for the Coordination of the International Assistance to Palestinians of 25 September 2013, 22 September 2014, 27 May and 30 September 2015, 19 September 2016, 18 September 2017, 27 September 2018, 26 September 2019, 2 June 2020 and 23 February and 17 November 2021, the outcome of the Cairo International Conference on Palestine: Reconstructing Gaza, held on 12 October 2014, and the generous donor response to support the needs of the Palestinian people, and urges the rapid disbursement of donor pledges;

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<sup>6</sup>[A/76/78-E/2021/71](#).



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,<sup>7</sup> including with regard to the full, prompt and regular transfer of Palestinian indirect tax revenues;

20. *Requests* the Secretary-General to submit a report to the General Assembly at its seventy-seventh 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-seventh 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”.

*51st plenary meeting  
10 December 2021*

**adopted without a vote**

## **Agenda item 71 Right of peoples to self-determination**

### **76/150. 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,<sup>1</sup> the Universal Declaration of Human Rights,<sup>2</sup> the Declaration on the Granting of Independence to Colonial Countries and Peoples<sup>3</sup> and the Vienna Declaration and Programme of Action adopted at the World Conference on Human Rights on 25 June 1993,<sup>4</sup>

*Recalling* the Declaration on the Occasion of the Fiftieth Anniversary of the United Nations,<sup>5</sup>

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<sup>7</sup>A/51/889-S/1997/357, annex.

<sup>1</sup>Resolution 2200 A (XXI), annex.

<sup>2</sup>Resolution 217 A (III).

<sup>3</sup>Resolution 1514 (XV).

<sup>4</sup>A/CONF.157/24 (Part I), chap. III.

<sup>5</sup>Resolution 50/6.

*Recalling also* the United Nations Millennium Declaration,<sup>6</sup>

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

*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,<sup>9</sup>

*Stressing* the urgency of achieving without delay an end to the Israeli occupation that began in 1967 and a just, lasting and comprehensive peace settlement between the Palestinian and Israeli sides, based on the relevant resolutions of the United Nations, the Madrid terms of reference, including the principle of land for peace, the Arab Peace Initiative<sup>10</sup> and the Quartet road map to a permanent two-State solution to the Israeli-Palestinian conflict,<sup>11</sup>

*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 75/172 of 16 December 2020,

*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.

*53rd plenary meeting  
16 December 2021*

#### **RECORDED VOTE ON RESOLUTION 76/150: 168-5-10**

In favour: Afghanistan, Albania, Algeria, Andorra, Angola, Antigua and Barbuda, Argentina, Armenia, Austria, Azerbaijan, Bahrain, Bangladesh, Barbados, Belarus, Belgium, Belize, Benin, Bhutan, Bolivia (Plurinational State of), Bosnia and Herzegovina, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Burundi, Cabo Verde, Cambodia, Canada, Central African Republic, Chad, Chile, China, Colombia, Comoros, Costa Rica, Côte d'Ivoire, Croatia, Cuba, Cyprus, Czech Republic, Democratic People's Republic of Korea, Denmark, Djibouti, Dominican Republic, Ecuador, Egypt, El Salvador, Equatorial Guinea, Eritrea, Estonia, Eswatini, Ethiopia, Fiji, Finland, France, Gabon, Gambia, Georgia, Germany, Ghana, Greece, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Hungary, Iceland, India, Indonesia, Iran (Islamic

<sup>6</sup>Resolution 55/2.

<sup>7</sup>See A/ES-10/273 and A/ES-10/273/Corr.1.

<sup>8</sup>Ibid., advisory opinion, para. 88.

<sup>9</sup>Ibid., para. 122.

<sup>10</sup>A/56/1026-S/2002/932, annex II, resolution 14/221.

<sup>11</sup>S/2003/529, annex.

Republic of), Iraq, Ireland, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Latvia, Lebanon, Lesotho, Libya, Liechtenstein, Luxembourg, Madagascar, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Monaco, Mongolia, Montenegro, Morocco, Myanmar, Namibia, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, North Macedonia, Norway, Oman, Pakistan, Panama, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Samoa, San Marino, Saudi Arabia, Senegal, Serbia, Seychelles, Sierra Leone, Singapore, Slovakia, Slovenia, Somalia, South Africa, Spain, Sri Lanka, Sudan, Suriname, Sweden, Switzerland, Syrian Arab Republic, Tajikistan, Thailand, Timor-Leste, Togo, Trinidad and Tobago, Tunisia, Turkey, Turkmenistan, Uganda, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, Uruguay, Uzbekistan, Vanuatu, Venezuela (Bolivarian Republic of), Viet Nam, Yemen, Zambia, Zimbabwe

Against: Israel, Marshall Islands, Micronesia (Federated States of), Nauru, United States of America

Abstaining: Australia, Cameroon, Honduras, Kiribati, Lithuania, Palau, Rwanda, Solomon Islands, South Sudan, Tonga

## **Agenda item 62**

### **Permanent sovereignty of the Palestinian people in the Occupied Palestinian Territory, including Jerusalem, and of the Arab population in the occupied Syrian Golan over their natural resources**

#### **76/225. 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 resource**

*The General Assembly,*

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

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

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

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

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

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

*Reaffirming* the applicability of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949,<sup>1</sup> 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 Rights<sup>2</sup> and the International Covenant on Economic, Social and Cultural Rights,<sup>3</sup> and affirming that these human rights

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<sup>1</sup> United Nations, *Treaty Series*, vol. 75, No. 973.

<sup>2</sup> See resolution [2200 A \(XXI\)](#), annex.

<sup>3</sup> *Ibid.*

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,<sup>4</sup> and recalling further its resolutions [ES-10/15](#) of 20 July 2004 and [ES-10/17](#) of 15 December 2006,

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

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

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

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

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

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

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

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

*Deploring* 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,

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

*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,<sup>5</sup>

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

*Stressing* the urgency of achieving without delay an end to the Israeli occupation that began in 1967 and a just, lasting and comprehensive peace settlement on all tracks, on the basis of Security Council resolutions 242 (1967), 338 (1973) of 22 October 1973, 425 (1978) of 19 March 1978, 1397 (2002) of 12 March 2002 and 2334 (2016), the principle of land for peace, the Arab Peace Initiative<sup>6</sup> and the Quartet performance-based road map to a permanent two-State solution to the Israeli-Palestinian conflict,<sup>7</sup> as endorsed by the Council in its resolution 1515 (2003) of 19 November 2003 and supported by the Council in its resolution 1850 (2008) of 16 December 2008,

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

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

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

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

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

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,

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<sup>5</sup> A/HRC/22/63.

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

<sup>7</sup> S/2003/529, annex.

<sup>8</sup> A/76/94-E/2021/73.

including East Jerusalem, and expresses the hope that this issue will be dealt with within the framework of the final status negotiations between the Palestinian and Israeli sides;

4. *Stresses* that the wall and settlements being constructed by Israel in the Occupied Palestinian Territory, including in and around East Jerusalem, are contrary to international law and are seriously depriving the Palestinian people of their natural resources, and calls in this regard for full compliance with the legal obligations affirmed in the 9 July 2004 advisory opinion of the International Court of Justice and in relevant United Nations resolutions, including General Assembly resolution [ES-10/15](#);

5. *Calls upon* Israel, the occupying Power, to comply strictly with its obligations under international law, including international humanitarian law, and to cease immediately and completely all policies and measures aimed at the alteration of the character and status of the Occupied Palestinian Territory, including East Jerusalem;

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

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

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

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

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

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

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

13. *Requests* the Secretary-General to report to the General Assembly at its seventy-sixth and seventy-seventh sessions, through the Economic and Social Council, on the economic and social repercussions of the Israeli occupation on the living conditions of the Palestinian people in the Occupied Palestinian Territory, including East Jerusalem, and of the Arab population in the occupied Syrian Golan,

and to the Assembly at its seventy-seventh session on the implementation of the present resolution, including with regard to the cumulative impact of the exploitation, damage and depletion by Israel of natural resources in the Occupied Palestinian Territory, including East Jerusalem, and in the occupied Syrian Golan, and with regard to the impact of such practices on the promotion of the Sustainable Development Goals,<sup>9</sup> and decides to include in the provisional agenda of its seventy-seventh session the item entitled “Permanent sovereignty of the Palestinian people in the Occupied Palestinian Territory, including East Jerusalem, and of the Arab population in the occupied Syrian Golan over their natural resources”.

*54th plenary meeting  
17 December 2021*

**RECORDED VOTE ON RESOLUTION 76/225: 156-7-15**

In favour: Afghanistan, Albania, Algeria, Andorra, Angola, Antigua and Barbuda, Argentina, Armenia, Austria, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belgium, Belize, Benin, Bhutan, Bolivia (Plurinational State of), Bosnia and Herzegovina, Botswana, Brunei Darussalam, Bulgaria, Burkina Faso, Cabo Verde, Cambodia, Central African Republic, Chad, Chile, China, Colombia, Comoros, Congo, Costa Rica, Croatia, Cuba, Cyprus, Czech Republic, Democratic People’s Republic of Korea, Denmark, Djibouti, Dominican Republic, Ecuador, Egypt, El Salvador, Eritrea, Estonia, Ethiopia, Fiji, Finland, France, Gambia, Georgia, Germany, Ghana, Greece, Grenada, Guinea-Bissau, Guyana, Hungary, Iceland, India, Indonesia, Iran (Islamic Republic of), Iraq, Ireland, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lao People’s Democratic Republic, Latvia, Lebanon, Lesotho, Libya, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Monaco, Mongolia, Montenegro, Morocco, Mozambique, Namibia, Nepal, Netherlands, New Zealand, Nicaragua, Nigeria, North Macedonia, Norway, Oman, Pakistan, Panama, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Saint Kitts and Nevis, Saint Lucia, Samoa, San Marino, Saudi Arabia, Senegal, Serbia, Sierra Leone, Singapore, Slovakia, Slovenia, Somalia, South Africa, Spain, Sri Lanka, Sudan, Suriname, Sweden, Switzerland, Syrian Arab Republic, Tajikistan, Thailand, Timor-Leste, Trinidad and Tobago, Tunisia, Turkey, Turkmenistan, Uganda, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, Uruguay, Uzbekistan, Venezuela (Bolivarian Republic of), Viet Nam, Yemen, Zambia

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

Abstaining: Australia, Brazil, Cameroon, Côte d’Ivoire, Guatemala, Haiti, Honduras, Kiribati, Papua New Guinea, Rwanda, Solomon Islands, South Sudan, Togo, Tonga, Tuvalu

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<sup>9</sup> See resolution 70/1.



## HUMAN RIGHTS COUNCIL RESOLUTIONS

### Agenda item 2

#### Annual report of the High Commissioner and reports of the Office of the High Commissioner and the Secretary-General

#### **46/03 Human rights situation in the Occupied Palestinian Territory, including East Jerusalem, and the obligation to ensure accountability and justice for all violations of international law in the Occupied Palestinian Territory, including East Jerusalem**

*The Human Rights Council,*

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

*Recalling* the Universal Declaration of Human Rights, the International Covenant on Civil and Political Rights, the International Covenant on Economic, Social and Cultural Rights and all relevant conventions, and affirming that these human rights instruments, among others, are applicable to and must be respected in the Occupied Palestinian Territory, including East Jerusalem,

*Recalling also* the relevant rules and principles of international law, including international humanitarian law, in particular the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949 (Fourth Geneva Convention), which is applicable to the Occupied Palestinian Territory, including East Jerusalem,

*Recalling further* the statement of 15 July 1999 and the declarations adopted on 5 December 2001 and 17 December 2014 at 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,

*Recalling* relevant resolutions of the Human Rights Council, the General Assembly and the Security Council,

*Recalling also* relevant United Nations reports, including the outcome reports of fact-finding missions and commissions of inquiry, and the important recommendations made therein, and calling upon all duty bearers and United Nations bodies to pursue the implementation of those recommendations,

*Stressing* the urgency of achieving without delay an end to the Israeli occupation that began in 1967,

*Affirming* the obligation of all parties to respect international humanitarian law and international human rights law,

*Emphasizing* the need for States to investigate and prosecute grave breaches of the Geneva Conventions of 1949 and other serious violations of international humanitarian law, to end impunity, to uphold their obligations to ensure respect and to promote international accountability,

*Regretting* the lack of progress made in the conduct of domestic investigations in accordance with international law standards, and aware of the existence of numerous legal, procedural and practical obstacles in the Israeli and Palestinian civil and criminal legal systems contributing to the denial of access to justice for Palestinian victims and of their right to an effective judicial remedy,

*Noting* the accession by the State of Palestine to several human rights treaties and the core humanitarian law conventions, and its accession on 2 January 2015 to the Rome Statute of the International Criminal Court,

*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,

*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,

*Reaffirming* the principle of the inadmissibility of the acquisition of territory by force, and deeply concerned at the fragmentation of the Occupied Palestinian Territory, including East Jerusalem, through settlement activities and other measures that are tantamount to de facto annexation of Palestinian land,

*Gravely concerned* that long-standing impunity for international law violations has allowed for the recurrence of grave violations without consequence, and stressing the need to ensure accountability for all violations of international humanitarian law and international human rights law in order to end impunity, ensure justice and access to effective remedy, deter further violations, protect civilians and promote peace,

*Expressing grave concern* at reports of serious human rights violations and grave breaches of international humanitarian law, including of possible war crimes and crimes against humanity, in the Occupied Palestinian Territory, including East Jerusalem, and all other actions designed to change the legal status, geographical nature and demographic composition of the Occupied Palestinian Territory, including East Jerusalem,

*Deploring* the continuing and negative consequences of the conflicts in and around the Gaza Strip, including all casualties, particularly among Palestinian civilians, including children, and ongoing violations of international law, and calling for full respect for international humanitarian and human rights law and for the principles of legality, distinction, precaution and proportionality,

*Gravely concerned* about the dire humanitarian, 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 about the short- and long-term detrimental impact of this situation, and the widespread destruction and continued impediments to the reconstruction process by Israel, the occupying Power, on the human rights situation,

*Expressing grave concern* at the firing of rockets into Israel,

*Stressing* the need to end immediately the closure of the Gaza Strip and 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, while taking into account Israeli security concerns,

*Stressing also* the need to end the Israeli policy of closures and the imposition of severe restrictions and checkpoints, several of which have been transformed into structures akin to permanent border crossings, other physical obstacles and a permit regime, which are applied in a discriminatory manner affecting the Palestinian population only and all of which obstruct the freedom of movement of persons and goods, including medical and humanitarian goods, throughout the Occupied Palestinian Territory, including East Jerusalem, and impair the Territory's contiguity, violating the human rights of the Palestinian people,

*Stressing further* the need for all parties, in conformity with relevant provisions of international humanitarian law, to cooperate fully with the United Nations and other humanitarian agencies and organizations and to ensure the rapid and unhindered access of humanitarian personnel, and the delivery of supplies and equipment, in order to allow such personnel to perform efficiently their task of assisting affected civilian populations, including refugees and internally displaced persons,

*Deploring* all policies and practices whereby Israeli settlers who reside illegally in the Occupied Palestinian Territory, including East Jerusalem, are accorded preferential treatment over the Palestinian population, and deploring also the widespread violations of the human rights of Palestinian civilians,

*Expressing deep concern* that thousands of Palestinians, including many children and women and elected members of the Palestinian Legislative Council, continue to be detained and held in Israeli prisons or detention

centres under harsh conditions, including unhygienic conditions, solitary confinement, restricted access to proper medical care, including in a time of pandemic, denial of family visits and denial of due process, that impair their well-being, and expressing deep concern also at the ill-treatment and harassment of Palestinian prisoners and all reports of torture,

*Recalling* 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), and calling for respect for those rules,

*Recalling also* the prohibition under international humanitarian law of individual and mass forcible transfers, and of the deportation of protected persons, from occupied territory, and the prohibition of deportation or transfer by the occupying Power of parts of its own civilian population into the territory it occupies,

*Deploring* the practice of withholding the bodies of those killed, and calling for the release of the bodies that have not yet been returned to their relatives, in accordance with international humanitarian law and human rights law,

*Recognizing* the work of Palestinian, Israeli and international civil society actors and human rights defenders in documenting and countering violations of international law in the Occupied Palestinian Territory, including East Jerusalem,

*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, and regretting the unilateral decision by Israel not to renew its mandate,

1. *Demands* that Israel, the occupying Power, withdraw from the Palestinian territory occupied since 1967, including East Jerusalem, and stresses that all efforts to end the Israeli-Palestinian conflict should be grounded in respect for international humanitarian law and international human rights law and relevant United Nations resolutions;

2. *Stresses* the imperative of credible and comprehensive accountability for all violations of international law in order to establish a sustainable peace;

3. *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 Fourth Geneva Convention, and contrary to the relevant resolutions of the Security Council are illegal and have no validity;

4. *Deplores* the persistent non-cooperation of Israel with the special procedures of the Human Rights Council and other United Nations mechanisms seeking to investigate alleged violations of international law in the Occupied Palestinian Territory, including East Jerusalem, and calls for full cooperation with the Council and all its special procedures, relevant mechanisms and inquiries, and with the Office of the United Nations High Commissioner for Human Rights;

5. *Demands* that Israel, the occupying Power, cease all illegal actions in the Occupied Palestinian Territory, including East Jerusalem, including the construction of settlements; the demolition of residential structures, including punitive home demolitions; the forced eviction of Palestinian inhabitants and the revocation of residency permits of Palestinians living in East Jerusalem through various discriminatory laws; excavations in and around religious and historic sites; and all other unilateral measures aimed at altering the character, status and demographic composition of the territory as a whole, all of which have, inter alia, a grave and detrimental impact on the human rights of the Palestinian people and the prospects for a just and peaceful settlement;

6. *Also 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 Justice and demanded by the General Assembly in its resolutions ES-10/13 of 21 October 2003 and ES-10/15 of 20 July

2004, 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 reparation for all damage caused by the construction of the wall, which has had a grave impact on the human rights and the socioeconomic living conditions of the Palestinian people;

7. *Calls upon* Israel to immediately cease any demolitions or plans for demolitions that would result in the forcible transfer or forced eviction of Palestinians, to facilitate the return of those Palestinian communities already subjected to forcible transfer or eviction to their original dwellings, and to ensure adequate housing and legal security of tenure;

8. *Expresses grave concern* at the restrictions imposed by Israel that impede the access of Christian and Muslim worshippers to holy sites in the Occupied Palestinian Territory, including East Jerusalem, and calls upon Israel to ensure non-discrimination on grounds of religion or belief and the preservation of and peaceful access to all religious sites;

9. *Urges* Israel to ensure that water resource allocation in the Occupied Palestinian Territory is not discriminatory, which has a broad impact on human rights, including in the Jordan Valley, affected by the destruction of the wells of local civilians, roof water tanks and other water and irrigation facilities under military and settler operation since 1967;

10. *Demands* that Israel, the occupying Power, comply fully with international law, including international humanitarian law and human rights law, and that it cease all measures and actions taken in breach of these bodies of law, and discriminatory legislation, policies and actions in the Occupied Palestinian territory that violate the human rights of the Palestinian people, including if carried out as collective punishment in violation of international humanitarian law, and any obstruction of humanitarian assistance, and that it fully respect human rights law and comply with its legal obligations in this regard;

11. *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;

12. *Demands* that Israel, the occupying Power, cease immediately its imposition of prolonged closures and economic and movement restrictions, including those amounting to a blockade on the Gaza Strip, which severely restricts the freedom of movement of Palestinians within, into and out of Gaza and their access to basic rights, and which has a direct impact on livelihoods, economic sustainability and development throughout Gaza, and in this regard calls upon Israel to implement fully the Agreement on Movement and Access and the Agreed Principles for the Rafah Crossing in order to allow for the sustained and regular movement of persons and goods and for the acceleration of long overdue reconstruction in the Gaza Strip, while taking into account Israeli security concerns;

13. *Condemns* all acts of violence, including all acts of terror, provocation, incitement and destruction, including unlawful lethal and other excessive use of force by Israeli occupying forces against Palestinian civilians, including against civilians with special protected status under international law and who pose no imminent threat to life;

14. *Also condemns* the firing of rockets against Israeli civilian areas resulting in loss of life and injury, and calls for an end to all actions by militants and armed groups contrary to international law;

15. *Calls upon* all States to promote compliance with international law and all High Contracting Parties to the Fourth Geneva Convention to respect and ensure respect for international humanitarian law in the Occupied Palestinian Territory, including East Jerusalem, in accordance with article 1 common to the Geneva

Conventions, and to fulfil their obligations under articles 146, 147 and 148 of the said Convention with regard to penal sanctions, grave breaches and the responsibilities of the High Contracting Parties;

16. *Urges* all States to refrain from transferring arms when, in accordance with applicable national procedures and international obligations and standards, they assess that there is a clear risk that such arms might be used to commit or facilitate serious violations or abuses of international human rights law or serious violations of international humanitarian law;

17. *Reiterates* the responsibility of Israel, the occupying Power, to respect the right to health of all persons within the Occupied Palestinian Territory and to facilitate the immediate, sustained and unfettered passage of humanitarian relief, including the access of medical personnel, their equipment, transport and supplies to all areas under occupation, including the Gaza Strip, and the granting of exit permits for patients in need of medical treatment outside the Gaza Strip, and stresses the need for the unhindered passage of ambulances at checkpoints, especially in times of conflict;

18. *Calls upon* Israel, the occupying Power, to comply immediately with its international law obligations to the protected occupied population, and ensure non-discriminatory access to vaccines for immunization against the coronavirus disease (COVID-19) in the Occupied Palestinian Territory, including East Jerusalem, including in coordination with the Government of the State of Palestine;

19. *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;

20. *Calls* for an end to all harassment, threats, intimidation and reprisals against human rights defenders and civil society actors who peacefully advocate for the rights of Palestinians in the Occupied Palestinian Territory, including by cooperating with United Nations human rights bodies, calls for their protection, and underscores the need to investigate all such acts and to ensure accountability and effective remedies;

21. *Expresses deep concern* at the conditions of the Palestinian prisoners and detainees, including minors, in Israeli jails and detention centres, and at the continued use of administrative detention, and calls upon Israel to explicitly prohibit torture, including psychological torture and other cruel, inhuman or degrading treatment or punishment; to fully respect and abide by its international law obligations towards all Palestinian prisoners and detainees in its custody, including ensuring access to medical care and vaccinations, including in the context of the ongoing pandemic; to implement fully the agreement reached in May 2012 for a prompt and independent investigation into all cases of death in custody; and to release immediately all Palestinian prisoners, including Palestinian legislators, detained in violation of international law;

22. *Demands* that Israel cease its policy of transferring prisoners from the Occupied Palestinian Territory into the territory of Israel, and respect fully its obligations under article 76 of the Fourth Geneva Convention;

23. *Urges* Israel to ensure that any arrest, detention and/or trial of Palestinian children is in line with the Convention on the Rights of the Child, including by refraining from holding criminal proceedings against them in military courts that, by definition, fall short of providing the necessary guarantees to ensure respect for their rights and that infringe upon their right to non-discrimination;

24. *Emphasizes* the need to ensure that all those responsible for violations of international humanitarian law and international human rights law are held to account through appropriate, fair and independent national or international criminal justice mechanisms, and to ensure the provision of an effective remedy for all victims, including full reparations, and stresses the need to pursue practical steps towards these goals to ensure justice for all victims and to contribute to the prevention of future violations;

25. *Requests* the United Nations High Commissioner for Human Rights to report on the implementation of the present resolution to the Human Rights Council at its forty-ninth session, to be followed by an interactive dialogue;

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

*48th meeting  
23 March 2021*

**RECORDED VOTE ON RESOLUTION 2021/46/3: 32-6-8**

In favour: Argentina, Armenia, Bangladesh, Bolivia (Plurinational State of), Burkina Faso, China, Côte d'Ivoire, Cuba, Denmark, Eritrea, Fiji, France, Gabon, Germany, Indonesia, Italy, Japan, Libya, Mauritania, Mexico, Namibia, Netherlands, Pakistan, Poland, Republic of Korea, Russian Federation, Senegal, Somalia, Sudan, Uruguay, Uzbekistan and Venezuela (Bolivarian Republic of)

Against: Austria, Brazil, Bulgaria, Cameroon, Malawi and Togo

Abstaining: Bahamas, Czechia, India, Marshall Islands, Nepal, Philippines, Ukraine and United Kingdom of Great Britain and Northern Ireland

**Agenda item 7**

**Human rights situation in Palestine and other occupied Arab territories**

**46/25. Right of the Palestinian people to self-determination**

*The Human Rights Council,*

*Guided* by the purposes and principles of the Charter of the United Nations, in particular the provisions of Articles 1 and 55 thereof, which affirm the right of peoples to self-determination, reaffirming the need for the scrupulous respect of the principle of refraining in international relations from the threat or use of force, as specified in the Declaration on Principles of International Law concerning Friendly Relations and Cooperation among States in accordance with the Charter of the United Nations, adopted by the General Assembly in its resolution 2625 (XXV) of 24 October 1970, and affirming the inadmissibility of acquisition of territory resulting from the threat or use of force,

*Guided also* by the provisions of article 1 of the International Covenant on Economic, Social and Cultural Rights and article 1 of the International Covenant on Civil and Political Rights, which affirm that all peoples have the right to self-determination,

*Guided further* by the International Covenants on Human Rights, the Universal Declaration of Human Rights and the Declaration on the Granting of Independence to Colonial Countries and Peoples, in particular article 1 thereof, and by the provisions of the Vienna Declaration and Programme of Action, adopted on 25 June 1993 by the World Conference on Human Rights, and in particular Part I, paragraphs 2 and 3, relating to the right of self-determination of all peoples and especially those subject to foreign occupation,

*Recalling* General Assembly resolutions 181 A and B (II) of 29 November 1947 and 194 (III) of 11 December 1948, and all other relevant United Nations resolutions, including those adopted by the Assembly, the Commission on Human Rights and the Human Rights Council, that confirm and define the inalienable rights of the Palestinian people, particularly their right to self-determination,

*Recalling also* Security Council resolutions 242 (1967) of 22 November 1967, 338 (1973) of 22 October 1973, 1397 (2002) of 12 March 2002 and 1402 (2002) of 30 March 2002,

*Recalling further* General Assembly resolution 67/19 of 29 November 2012,

*Reaffirming* the right of the Palestinian people to self-determination in accordance with the provisions of the Charter, relevant United Nations resolutions and declarations, and the provisions of international covenants and instruments relating to the right to self-determination as an international principle and as a right of all peoples in the world, and emphasizing that this jus cogens norm of international law is a basic prerequisite for achieving a just, lasting and comprehensive peace in the Middle East,

*Deploring* the plight of millions of Palestine refugees and displaced persons who have been uprooted from their homes, and expressing deep regret about the fact that more than half of the Palestinian people continue to live in exile in refugee camps throughout the region and in the diaspora,

*Affirming* the applicability of the principle of permanent sovereignty over natural resources to the Palestinian situation as an integral component of the right to self-determination,

*Recalling* the conclusion of the International Court of Justice, in its advisory opinion of 9 July 2004, that the right to self-determination of the Palestinian people, which is a right *erga omnes*, is severely impeded by Israel, the occupying Power, through the construction of the wall in the Occupied Palestinian Territory, including East Jerusalem, which, together with the Israeli settlement enterprise and measures previously taken, results in serious violations of international humanitarian and human rights law, including the forcible transfer of Palestinians and Israeli acquisition of Palestinian land,

*Considering* that the right to self-determination of the Palestinian people is being violated further by Israel through the existence and ongoing expansion of settlements in the Occupied Palestinian Territory, including East Jerusalem,

*Noting* that the failure to bring the occupation to an end after 50 years heightens the international responsibility to uphold the human rights of the Palestinian people, and expressing its deep regret that the question of Palestine remains unresolved 73 years since General Assembly resolution 181 (II) on partition,

*Reaffirming* that the United Nations will continue to be engaged on the question of Palestine until the question is resolved in all its aspects in accordance with international law,

1. *Reaffirms* the inalienable, permanent and unqualified right of the Palestinian people to self-determination, including their right to live in freedom, justice and dignity and the right to their independent State of Palestine;
2. *Also reaffirms* the need to achieve a just, comprehensive and lasting peaceful solution to the Israeli-Palestinian conflict, in conformity with international law and other internationally agreed parameters, including all relevant United Nations resolutions;
3. *Calls upon* Israel, the occupying Power, to immediately end its occupation of the Occupied Palestinian Territory, including East Jerusalem, and further reaffirms its support for the solution of two States, Palestine and Israel, living side by side in peace and security;
4. *Expresses grave concern* at any action taken in contravention of the General Assembly and Security Council resolutions relevant to Jerusalem;
5. *Also expresses grave concern* at the fragmentation and the changes in the demographic composition of the Occupied Palestinian Territory, including East Jerusalem, which are the result of Israel's continuing construction and expansion of settlements, forcible transfer of Palestinians and construction of the wall, stresses that this fragmentation, which undermines the possibility of the Palestinian people realizing their right to self-determination, is incompatible with the purposes and principles of the Charter of the United Nations, and emphasizes in this regard the need for respect for and preservation of the territorial unity, contiguity and integrity of all of the Occupied Palestinian Territory, including East Jerusalem;

6. *Confirms* that the right of the Palestinian people to permanent sovereignty over their natural wealth and resources must be used in the interest of their national development, the well-being of the Palestinian people and as part of the realization of their right to self-determination;

7. *Calls upon* all States to ensure their obligations of non-recognition, non-aid or assistance with regard to the serious breaches of peremptory norms of international law by Israel, in particular of the prohibition of the acquisition of territory by force, in order to ensure the exercise of the right to self-determination, and also calls upon them to cooperate further to bring, through lawful means, an end to these serious breaches and a reversal of Israel's illegal policies and practices;

8. *Urges* all States to adopt measures as required to promote the realization of the right to self-determination of the Palestinian people, and to render assistance to the United Nations in carrying out the responsibilities entrusted to it by the Charter regarding the implementation of this right;

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

*51st meeting  
24 March 2021*

**RECORDED VOTE ON RESOLUTION 2021/46/25: 42-2-3**

In favour: Argentina, Armenia, Austria, Bahamas, Bahrain, Bangladesh, Bolivia (Plurinational State of), Brazil, Bulgaria, Burkina Faso, China, Côte d'Ivoire, Cuba, Denmark, Eritrea, Fiji, France, Gabon, Germany, India, Indonesia, Italy, Japan, Libya, Mauritania, Mexico, Namibia, Nepal, Netherlands, Pakistan, Philippines, Poland, Republic of Korea, Russian Federation, Senegal, Somalia, Sudan, Togo, Ukraine, Uruguay, Uzbekistan and Venezuela (Bolivarian Republic of)

Against: Czechia, Marshall Islands and United Kingdom of Great Britain and Northern Ireland

Abstaining: Cameroon and Malawi

**46/26. Israeli settlements in the Occupied Palestinian Territory, including East Jerusalem, and in the occupied Syrian Golan**

*The Human Rights Council,*

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

*Reaffirming* that all States have an obligation to promote and protect human rights and fundamental freedoms, as stated in the Charter and elaborated in the Universal Declaration of Human Rights, the International Covenants on Human Rights and other applicable instruments,

*Recalling* all relevant resolutions of the Commission on Human Rights, the Human Rights Council, the Security Council and the General Assembly reaffirming, inter alia, the illegality of the Israeli settlements in the occupied territories, including in East Jerusalem,

*Recalling also* all relevant United Nations reports, including reports by mechanisms of the Human Rights Council, and calling upon all duty bearers and United Nations bodies to pursue the implementation of the recommendations contained therein,

*Noting* the accession by the State of Palestine to several human rights treaties and the core humanitarian law conventions, and its accession on 2 January 2015 to the Rome Statute of the International Criminal Court,

*Reaffirming* the applicability of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949 (Fourth Geneva Convention), to the Occupied Palestinian Territory, including East Jerusalem, and to the occupied Syrian Golan,



*Recalling* the declarations adopted at the Conferences of High Contracting Parties to the Fourth Geneva Convention, held in Geneva on 5 December 2001 and 17 December 2014, and reaffirming that States should not recognize as lawful a situation arising from breaches of peremptory norms of international law,

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

*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, and recalling also General Assembly resolutions ES-10/15 of 20 July 2004 and ES-10/17 of 15 December 2006,

*Expressing grave concern* at the continuing construction by Israel of the wall inside the Occupied Palestinian Territory, including in and around East Jerusalem, in violation of international law, and expressing its concern in particular at the route of the wall in departure from the Armistice Line of 1949, and in such a way as to include the great majority of the Israeli settlements in the Occupied Palestinian Territory, including East Jerusalem, thereby causing humanitarian hardship and a serious decline in socioeconomic conditions for the Palestinian people, fragmenting the territorial contiguity of the Territory and undermining its viability, creating a fait accompli on the ground that could be tantamount to de facto annexation in departure from the Armistice Line of 1949, and making the two-State solution physically impossible to implement,

*Noting* that the International Court of Justice concluded, inter alia, that the Israeli settlements in the Occupied Palestinian Territory, including East Jerusalem, had been established in breach of international law,

*Expressing its grave concern* at any action taken by any body, governmental or non-governmental, in violation of the Security Council and General Assembly resolutions relevant to Jerusalem,

*Expressing its grave concern also* at the calls made by Israeli officials for the annexation of Palestinian lands,

*Noting* that Israel has been planning, implementing, supporting and encouraging the establishment and expansion of settlements in the Occupied Palestinian Territory, including East Jerusalem, since 1967, through, inter alia, the granting of benefits and incentives to settlements and settlers,

*Affirming* that the Israeli settlement policies and practices in the Occupied Palestinian Territory, including East Jerusalem, seriously endanger the viability of the two-State solution, undermining the physical possibility of its realization and entrenching a one-State reality of unequal rights,

*Noting* in this regard that the Israeli settlements fragment the West Bank, including East Jerusalem, into isolated geographical units, severely undermining the exercise of Palestinian self-determination, and deeply concerned that the magnitude, persistence and character of the settlement enterprise suggest that the occupation has been established with the intention of making it permanent, in violation of the prohibition of acquisition of territory resulting from the use of force,

*Noting also* that the settlement enterprise and the impunity associated with its persistence, expansion and related violence continue to be a root cause of many violations of the Palestinians' human rights, and constitute the main factors perpetuating Israel's belligerent occupation of the Palestinian Territory, including East Jerusalem, since 1967,

*Deploring in particular* the construction and expansion of settlements by Israel in and around occupied East Jerusalem, including its so-called E-1 plan, which 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 West Bank, including East Jerusalem, all of which further fragment and undermine the contiguity of the Occupied Palestinian Territory,

*Gravely concerned* about all acts of terror, violence, destruction, harassment, provocation and incitement by extremist Israeli settlers and groups of armed settlers in the Occupied Palestinian Territory, including East Jerusalem, against Palestinian civilians, including children, and their properties, which are a long-standing phenomenon aimed at, inter alia, displacing the occupied population and facilitating the expansion of settlements, and stressing the need for Israel to investigate and to ensure accountability for all of these acts,

*Aware* of the detrimental impact of the Israeli settlements on Palestinian and other Arab natural resources, especially as a result of the confiscation of land, denial of access to farmers and the dispossession of their land and crops, the forced diversion of water resources, the destruction of orchards and crops and the seizure of water wells by Israeli settlers, and of the dire socioeconomic consequences in this regard, including the loss of livelihoods in the agricultural sector, which precludes the Palestinian people from being able to exercise permanent sovereignty over their natural resources,

*Aware also* that numerous Israeli policies and practices relating to settlement activity in the Occupied Palestinian Territory, including East Jerusalem, amount to blatant discrimination, including through the creation of a system privileging Israeli settlements and settlers against the Palestinian people, and in violation of their human rights,

*Recalling* the Guiding Principles on Business and Human Rights, which place responsibilities on all business enterprises to respect human rights by, inter alia, refraining from contributing to human rights abuses arising from conflict, and call upon States to provide adequate assistance to business enterprises to assess and address the heightened risks of abuses in conflict-affected areas, including by ensuring that their current policies, legislation, regulations and enforcement measures are effective in addressing the risk of business involvement in gross human rights abuses,

*Noting* that, in situations of armed conflict, business enterprises should respect the standards of international humanitarian law, and concerned that some business enterprises have, directly and indirectly, enabled, facilitated and profited from the construction and growth of the Israeli settlements in the Occupied Palestinian Territory,

*Emphasizing* the importance for States to act in accordance with their own national legislation on promoting compliance with international humanitarian law with regard to business activities that result in human rights abuses,

*Concerned* that economic activities facilitate the expansion and entrenchment of settlements, aware that the conditions of harvesting and production of products made in settlements involve, inter alia, the exploitation of the natural resources of the Occupied Palestinian Territory, including East Jerusalem, and calling upon all States to respect their legal obligations in this regard, including the obligation to ensure respect for the Fourth Geneva Convention,

*Aware* that products wholly or partially produced in settlements have been labelled as originating from Israel, and concerned about the significant role that the production and trade of such products plays in helping to support and maintain the settlements,

*Aware also* of the role of private individuals, associations and charities in third States that are involved in providing funding to Israeli settlements and settlement-based entities, contributing to the maintenance and expansion of settlements,

*Noting* that a number of business enterprises have decided to disengage from relationships or activities associated with the Israeli settlements owing to the risks involved,

*Expressing its concern* at the failure of Israel, the occupying Power, to cooperate fully with the relevant United Nations mechanisms, in particular the Special Rapporteur on the situation of human rights in the Palestinian territories occupied since 1967,

1. *Reaffirms* that the Israeli settlements established since 1967 in the Occupied Palestinian Territory, including East Jerusalem, and in the occupied Syrian Golan are illegal under international law, and constitute a major obstacle to the achievement of the two-State solution and a just, lasting and comprehensive peace, and to economic and social development;

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

3. *Demands* that Israel, the occupying Power, immediately cease all settlement activities in all the Occupied Palestinian Territory, including East Jerusalem, and in the occupied Syrian Golan, and in this regard calls for the full implementation of all relevant Security Council resolutions, including, inter alia, resolutions 446 (1979) of 22 March 1979, 452 (1979) of 20 July 1979, 465 (1980) of 1 March 1980, 476 (1980) of 30 June 1980, 497 (1981) of 17 December 1981, 1515 (2003) of 19 November 2003 and 2334 (2016) of 23 December 2016;

4. *Also demands* that Israel, the occupying Power, comply fully with its legal obligations, as mentioned in the advisory opinion rendered on 9 July 2004 by the International Court of Justice, including to cease forthwith the works of construction of the wall being built in the Occupied Palestinian Territory, including in and around East Jerusalem, to dismantle forthwith the structure therein situated, to repeal or render ineffective forthwith all legislative and regulatory acts relating thereto, and to make reparation for the damage caused to all natural or legal persons affected by the construction of the wall;

5. *Condemns* the continuing settlement and related activities by Israel, including the transfer of its nationals into the occupied territory, the construction and expansion of settlements, the expropriation and de facto annexation of land, the demolition of homes and community infrastructure, disruptions to the livelihood of protected persons, the confiscation and destruction of property, including humanitarian relief consignments, the forcible transfer of Palestinian civilians or the threat thereof, including of entire communities, and the construction of bypass roads, which change the physical character and demographic composition of the occupied territories, including East Jerusalem and the Syrian Golan, constitute a violation of international humanitarian law, in particular article 49 of the Fourth Geneva Convention, and of international human rights law, and undermine the viability of the two-State solution;

6. *Expresses its grave concern* at and calls for the cessation of:

(a) The conduct of economic activities in the Occupied Palestinian Territory, including East Jerusalem, for the benefit of the settlement enterprise and associated activities;

(b) The expropriation of Palestinian land, the demolition of Palestinian homes, demolition orders, forced evictions and “relocation” plans, the obstruction and destruction of humanitarian assistance, including projects funded by the international community, and the creation of a coercive environment and unbearable living conditions by Israel in areas identified for the expansion and construction of settlements, and other practices aimed at the forcible transfer of the Palestinian civilian population, including Bedouin communities and herders, and further settlement activities, including the denial of access to water and other basic services by Israel to Palestinians in the Occupied Palestinian Territory, including East Jerusalem, particularly in areas slated for settlement expansion, and including the appropriation of Palestinian property through, inter alia, the declaration of “State lands”, closed “military zones”, “national parks” and “archaeological sites” to facilitate and advance the expansion or construction of settlements and related infrastructure, in violation of Israel’s obligations under international humanitarian law and international human rights law;

(c) Israeli measures in the form of policies, laws and practices that have the effect of preventing the full participation of Palestinians in the political, social, economic and cultural life of the Occupied Palestinian Territory, including East Jerusalem, and prevent their full development in both the West Bank and the Gaza Strip;

7. *Calls upon* Israel, the occupying Power:

(a) To end without delay its occupation of the territories occupied since 1967, which may be contrary to international law, to reverse the settlement policy in the occupied territories, including East Jerusalem and the Syrian Golan, and, as a first step towards the dismantlement of the settlement enterprise, to stop immediately the expansion of existing settlements, including so-called natural growth and related activities, to prevent any new installation of settlers in the occupied territories, including in East Jerusalem, and to discard its so-called E-1 plan;

(b) To put an end to all of the human rights violations linked to the presence of settlements, especially of the right to self-determination, and to fulfil its international obligations to provide effective remedy for victims;

(c) To take immediate measures to prohibit and eradicate all policies and practices that discriminate against and disproportionately affect the Palestinian population in the Occupied Palestinian Territory, including East Jerusalem, by, inter alia, putting an end to the system of separate roads for the exclusive use of Israeli settlers, who reside illegally in the said territory, the complex combination of movement restrictions consisting of the wall, roadblocks and a permit regime that only affects the Palestinian population, the application of a two-tier legal system that has facilitated the establishment and consolidation of the settlements, and other violations and forms of institutionalized discrimination;

(d) To cease the requisition and all other forms of unlawful appropriation of Palestinian land, including so-called State land, and its allocation for the establishment and expansion of settlements, and to halt the granting of benefits and incentives to settlements and settlers;

(e) To put an end to all practices and policies resulting in the territorial fragmentation of the Occupied Palestinian Territory, including East Jerusalem, and which are isolating Palestinian communities into separate enclaves and deliberately changing the demographic composition of the Occupied Palestinian Territory;

(f) To take and implement serious measures, including the confiscation of arms and the enforcement of criminal sanctions, with the aim of ensuring full accountability for and preventing all acts of violence by Israeli settlers, and to take other measures to guarantee the safety and protection of Palestinian civilians and Palestinian properties in the Occupied Palestinian Territory, including East Jerusalem;

(g) To bring to a halt 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 population;

(h) To cease the exploitation, damage to, cause of loss or depletion and endangerment of the natural resources of the Occupied Palestinian Territory, including East Jerusalem, and of the occupied Syrian Golan;

8. *Welcomes* the adoption of the European Union Guidelines on the eligibility of Israeli entities and their activities in the territories occupied by Israel since June 1967 for grants, prizes and financial instruments funded by the European Union since 2014;

*Urges* all States and international organizations to ensure that they are not taking actions that either recognize, aid or assist the expansion of settlements or the construction of the wall in the Occupied Palestinian Territory, including East Jerusalem, and to continue to actively pursue policies that ensure respect for their obligations under international law with regard to these and all other illegal Israeli practices and measures in the Occupied Palestinian Territory, including East Jerusalem;

10. *Reminds* all States of their legal obligations as mentioned in the advisory opinion of the International Court of Justice of 9 July 2004 on the legal consequences of the construction of a wall in the Occupied Palestinian Territory, including not to recognize the illegal situation resulting from the construction of the wall, not to render aid or assistance in maintaining the situation created by such construction, and to ensure compliance by Israel with international humanitarian law as embodied in the Fourth Geneva Convention;

11. *Calls upon* all States:

(a) To distinguish, in their relevant dealings, between the territory of the State of Israel and the territories occupied since 1967, including not to provide Israel with any assistance to be used specifically in connection with settlements in these territories with regard to, inter alia, the issue of trade with settlements, consistent with their obligations under international law;

(b) To implement the Guiding Principles on Business and Human Rights in relation to the Occupied Palestinian Territory, including East Jerusalem, and to take appropriate measures to help to ensure that businesses domiciled in their territory and/or under their jurisdiction, including those owned or controlled by them, refrain from committing, contributing to, enabling or benefiting from the human rights abuses of Palestinians, in accordance with the expected standard of conduct in the Guiding Principles and relevant international laws and standards, by taking appropriate steps in view of the immitigable nature of the adverse impact of their activities on human rights;

(c) To provide guidance to individuals and businesses on the financial, reputational and legal risks, including the possibility of liability for corporate involvement in gross human rights abuses and the abuses of the rights of individuals, of becoming involved in settlement-related activities, including through financial transactions, investments, purchases, the importation of settlement products, procurements, loans, the provision of services, and other economic and financial activities in or benefiting Israeli settlements, to inform businesses of these risks in the formulation of their national action plans for the implementation of the Guiding Principles on Business and Human Rights, and to ensure that their policies, legislation, regulations and enforcement measures effectively address the heightened risks of operating a business in the Occupied Palestinian Territory, including East Jerusalem;

(d) To increase monitoring of settler violence with a view to promoting accountability;

12. *Calls upon* business enterprises to take all measures necessary to comply with their responsibilities under the Guiding Principles on Business and Human Rights and relevant international laws and standards with respect to their activities in or in relation to the Israeli settlements and the wall in the Occupied Palestinian Territory, including East Jerusalem, to avoid the adverse impact of such activities on human rights, and to avoid contributing to the establishment, maintenance, development or consolidation of Israeli settlements or the exploitation of the natural resources of the Occupied Palestinian Territory;

13. *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, on the Guiding Principles on Business and Human Rights 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;

14. *Requests* the United Nations High Commissioner for Human Rights to report on the implementation of the provisions of the present resolution to the Human Rights Council at its forty-ninth session;

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

**RECORDED VOTE ON RESOLUTION 2021/46/26: 36-3-8**

In favour: Argentina, Armenia, Bahrain, Bangladesh, Bolivia (Plurinational State of), Burkina Faso, China, Côte d'Ivoire, Cuba, Denmark, Eritrea, Fiji, France, Gabon, Germany, India, Indonesia, Italy, Japan, Libya, Mauritania, Mexico, Namibia, Nepal, Netherlands, Pakistan, Philippines, Poland, Republic of Korea, Russian Federation, Senegal, Somalia, Sudan, Uruguay, Uzbekistan and Venezuela (Bolivarian Republic of)

Against: Czechia, Marshall Islands and United Kingdom of Great Britain and Northern Ireland

Abstaining: Austria, Bahamas, Brazil, Bulgaria, Cameroon, Malawi, Togo and Ukraine

**Thirtieth special session****S-30/1. Ensuring respect for international human rights law and international humanitarian law in the Occupied Palestinian Territory, including East Jerusalem, and in Israel**

*The Human Rights Council,*

*Guided* by the purposes and principles of the Charter of the United Nations and the Universal Declaration of Human Rights,

*Reaffirming* that all States have an obligation to promote and protect human rights and fundamental freedoms, as affirmed in the Charter and in the Universal Declaration of Human Rights, the International Covenants on Human Rights and other applicable instruments,

*Reaffirming also* the applicability of international human rights law and international humanitarian law, in particular 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,

*Reaffirming further* that all High Contracting Parties to the Fourth Geneva Convention are under the obligation to respect and ensure respect for the obligations arising from the said Convention in relation to the Occupied Palestinian Territory, including East Jerusalem, and recalling their obligations under articles 146, 147 and 148 with regard to penal sanctions and grave breaches,

*Recalling* all relevant resolutions of the Human Rights Council, the General Assembly and the Security Council,

*Recalling also* the report of the Secretary-General submitted to the General Assembly pursuant to Assembly resolution ES-10/20 of 13 June 2018,<sup>1</sup> and the need for the operationalization of the protection options contained therein,

*Recalling further* the Guiding Principles on Business and Human Rights, which place responsibilities on all business enterprises to respect human rights by, inter alia, refraining from contributing to human rights abuses arising from conflict,

*Firmly convinced* that justice and respect for the rule of law and human rights are the indispensable bases for peace, and stressing that long-standing and systemic impunity for international law violations has thwarted justice, created a protection crisis and undermined all efforts to achieve a just and peaceful solution that warrants action in line with international law and relevant United Nations resolutions,

1. *Decides* to urgently establish an ongoing independent, international commission of inquiry, to be appointed by the President of the Human Rights Council, to investigate in the Occupied Palestinian Territory, including East Jerusalem, and in Israel all alleged violations of international humanitarian law and all alleged violations and abuses of international human rights law leading up to and since 13 April 2021, and all underlying

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<sup>1</sup> A/ES-10/794.

root causes of recurrent tensions, instability and protraction of conflict, including systematic discrimination and repression based on national, ethnic, racial or religious identity;

2. *Also decides* that the commission of inquiry shall:

(a) Establish the facts and circumstances that may amount to such violations and abuses and of crimes perpetrated;

(b) Collect, consolidate and analyse evidence of such violations and abuses and of crimes perpetrated, and systematically record and preserve all information, documentation and evidence, including interviews, witness testimony and forensic material, in accordance with international law standards, in order to maximize the possibility of its admissibility in legal proceedings;

(c) Have the capacity to document and verify relevant information and evidence, including through field engagement and by cooperating with judicial and other entities, as appropriate;

(d) Identify, where possible, those responsible, with a view to ensuring that perpetrators of violations are held accountable;

(e) Identify patterns of violations over time by analysing the similarities in the findings and recommendations of all United Nations fact-finding missions and commissions of inquiry on the situation;

(f) Make recommendations, in particular on accountability measures, all with a view to avoiding and ending impunity and ensuring legal accountability, including individual criminal and command responsibility, for such violations, and justice for victims;

(g) Make recommendations on measures to be taken by third States to ensure respect for international humanitarian law in the Occupied Palestinian Territory, including East Jerusalem, in accordance with article 1 common to the Geneva Conventions, and in fulfilment of their obligations under articles 146, 147 and 148 of the Fourth Geneva Convention, including by ensuring that they do not aid or assist in the commission of internationally wrongful acts;

(h) Report on its main activities on an annual basis to the Human Rights Council under agenda item 2 as of its fiftieth session, and to the General Assembly as of its seventy-seventh session;

3. *Calls upon* all relevant parties to cooperate fully with the commission of inquiry and to facilitate its access;

4. *Calls upon* all States, and encourages civil society, the media and other relevant stakeholders, to cooperate fully with the commission of inquiry to allow it to effectively fulfil its mandate and, in particular, to provide it with any information or documentation they may possess or come to possess, as well as any other form of assistance pertaining to their respective mandates;

5. *Calls upon* relevant organs, bodies and agencies of the United Nations system to cooperate fully with the commission of inquiry and to respond promptly to any request made by it, including with regard to access to all relevant information and documentation;

6. *Requests* the Secretary-General to allocate the resources necessary for the implementation of the present resolution and for the Office of the United Nations High Commissioner for Human Rights to provide the logistical and technical resources necessary to support the functioning of the commission of inquiry;

7. *Urges* all States to refrain from transferring arms when they assess, in accordance with applicable national procedures and international obligations and standards, that there is a clear risk that such arms might be used to commit or facilitate serious violations or abuses of international human rights law or serious violations of international humanitarian law;

8. *Calls upon* all States, international agencies and other donors to urgently mobilize humanitarian support for the Palestinian civilian population in the Occupied Palestinian Territory, including East Jerusalem, and to address their prevailing needs, and calls upon Israel, the occupying Power, to ensure the unimpeded delivery of that humanitarian assistance;

9. *Requests* the United Nations High Commissioner for Human Rights to provide an oral update on the progress made in the implementation of the present resolution to the Human Rights Council at its forty-eighth session;

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

*2nd meeting  
27 May 2021*

**RECORDED VOTE ON RESOLUTION S-30/1: 24-9-14**

In favour: Argentina, Armenia, Bahrain, Bangladesh, Bolivia (Plurinational State of), Burkina Faso, China, Côte d'Ivoire, Cuba, Eritrea, Gabon, Indonesia, Libya, Mauritania, Mexico, Namibia, Pakistan, Philippines, Russian Federation, Senegal, Somalia, Sudan, Uzbekistan and Venezuela (Bolivarian Republic of)

Against: Austria, Bulgaria, Cameroon, Czechia, Germany, Malawi, Marshall Islands, United Kingdom of Great Britain and Northern Ireland and Uruguay

Abstaining: Bahamas, Brazil, Denmark, Fiji, France, India, Italy, Japan, Nepal, Netherlands, Poland, Republic of Korea, Togo and Ukraine]

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