



DIVISION FOR
PALESTINIAN RIGHTS

Bulletin

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

March 2018
Volume XLI, Bulletin No. 3

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I. PALESTINIAN RIGHTS COMMITTEE DELEGATION VISITS UGANDA

The Delegation from the Committee on the Exercise of the Inalienable Rights of the Palestinian People visited Kampala, Uganda, between 26 and 28 February 2018, and issued the following [statement](#) on 5 March:

The Committee Delegation consisted of:

Ambassador Fodé Seck (Senegal), Chair of the Committee
Ambassador Mahmoud Saikal (Afghanistan)
Vice-Chair of the Committee Ambassador Carmelo Inguanez (Malta)
Rapporteur of the Committee Ambassador Andy Rachmianto (Ambassador of Indonesia to Palestine)
Ambassador Antonio Izaguirrez (Ambassador of Cuba to Uganda)
Ambassador Riyad Mansour (State of Palestine), Observer of the Committee

The purpose of the Delegation visit was to:

- enhance political and diplomatic ties and support by Uganda for the two-State solution to the Question of Palestine;
- inform about the conditions of life for the Palestinian people under fifty years of Israeli occupation;
- share information about the Committee's mandate and its programme of work and activities, both at the United Nations headquarters in New York and abroad; and
- understand the evolving position of the African countries on the Question of Palestine as well as the regional dynamics in order to promote a united and principled regional position in support of the inalienable rights of the Palestinian people.

The Committee Delegation, over two and a half days, held high-level official meetings and events. It met with the President and the Prime Minister and other Government officials, as well as with the Speaker of Parliament and civil society organisations. A session with students at Makerere University and a reception with the diplomatic corps in Kampala and relevant interlocutors were also organised for purposes of an interactive exchange.

The Committee expresses its sincerest appreciation to the Government of Uganda for receiving the Delegation and reaffirming its support for the two-State solution, which will enable the Palestinian people to achieve their inalienable rights and legitimate national aspirations, including their right to self-determination and freedom in an independent State of Palestine based on the 1967 lines and including East Jerusalem, living side by side in peace with Israel.

II. UN HIGH COMMISSIONER FOR HUMAN RIGHTS ISSUES REPORT ON THE IMPLEMENTATION OF HUMAN RIGHTS COUNCIL RESOLUTIONS S-9/1 AND S-12/1

On 5 March 2017, the United Nations High Commissioner for Human Rights published his report on the Implementation of Human Rights Council Resolutions S-9/1 and S-12/1. The following are the conclusions and recommendations contained in the advance, unedited version of report ([A/HRC/37/38](#)):

67. This report documents violations of international humanitarian law by the duty bearers, and violations of international human rights law in the Occupied Palestinian Territory by the Government of Israel, the Palestinian Authority and the authorities in Gaza. It confirms patterns of violations previously reported by the Secretary-General and the High Commissioner for Human Rights. In addition to the grave nature of these violations, the persistent lack of accountability, and the shrinking space for media and human rights defenders, are of particular concern.

68. All previous recommendations made by the Secretary-General, the High Commissioner for Human Rights, and the United Nations human rights treaty bodies, remain pertinent. In particular, the High Commissioner recommends the following:

69. To the Government of Israel:

(a) Ensure that all incidents in which security personnel, including IDF, kill or injure any Palestinian, including in Gaza's so-called "access restricted areas", be promptly subjected to thorough, independent, impartial and effective criminal investigations;

(b) Immediately end all practices of collective punishment; in particular, immediately lift the blockade of Gaza and allow free movement of Palestinians across the Occupied Palestinian Territory. Any restrictions on the transfer of goods to and from Gaza must be consistent with international law. With due regard to legitimate security needs, Israel must respect international humanitarian law and international human rights law;

(c) Conduct prompt, thorough, independent, and impartial investigations into allegations of violations related to past escalations of hostilities, hold those responsible accountable; and ensure redress for victims;

(d) Ensure that the rules of engagement of ISF and their application are in line with international standards;

(e) Ensure that firearms are only used in case of imminent threat of death or serious injury, and never as a crowd-control measure; take all necessary measures to prevent incidents of excessive use of force; in particular, regulate the use of live ammunition, and adopt appropriate disciplinary and corrective sanctions for security force members who do not respect such regulations; ensure that security forces are adequately equipped and trained on the use of less-lethal weapons;

(f) Ensure that assistance and medical aid are rendered to any injured or affected persons at the earliest possible moment.

(g) End the practice of administrative detention and ensure that all administrative detainees are promptly charged (if relevant) or released, and that the rights of all those deprived of their liberty are respected, particularly all rights inherent to a fair trial, including the right to defense;

(h) Ensure that conditions of detention are in accordance with international human rights law; that detainees are not subject to torture or ill-treatment; ensure that any allegations of torture or other ill-treatment are promptly, thoroughly and effectively investigated by an independent and impartial body;

(i) Ensure that all children under the age of 18 years are treated with due consideration for their age, that they are detained only as a last resort and, if so, for the shortest possible time, and with a view to rehabilitate them;

(j) Ensure that human rights defenders and journalists are respected, protected, and permitted to conduct their activities safely, freely, and without harassment.

70. To the Government of the State of Palestine:

(a) Ensure that it fully discharges its human rights obligations towards Palestinians in Gaza and immediately lift any measures that compound the impact of the Israeli blockade on residents of the Strip;

(b) Ensure that the reconciliation process is continuously accompanied by, and anchored in respect for international law; all institutional and legal reform should be guided by the human rights obligations of the State of Palestine;

(c) Announce a formal moratorium on executions;

(d) Ensure that the code of conduct regulating the use of force in the context of law enforcement operations and its application are consistent with international human rights standards;

(e) Ensure that allegations of human rights violations be promptly subjected to thorough, independent, impartial and effective criminal investigation;

(f) End arbitrary detention, including the practices of repeated detention and administrative detention in lieu of criminal charges, and either charge or release all individuals currently held in such a manner; immediately end all practices that may amount to ill-treatment or torture;

(g) Respect, protect and fulfil the rights to freedoms of expression and peaceful assembly, and remove all unlawful restrictions of freedom of expression from statutory law.

71. To authorities in Gaza:

(a) Ensure, along with the Palestinian armed groups in Gaza, respect for international humanitarian law, particularly the principles of distinction, proportionality and precaution; and ensure accountability for grave violations through appropriate investigations and holding perpetrators accountable;

(b) Announce and implement an immediate moratorium on the use of the death penalty, and cease the practice of trying civilians before military courts;

(c) End arbitrary arrest and detention of individuals, and immediately end all practices that may amount to torture and ill-treatment;

(d) Ensure that all allegations of torture, ill-treatment and death in custody are promptly, impartially and independently investigated, and that those responsible are brought to justice;

(e) Respect and protect the rights to freedoms of expression, association and peaceful assembly, including the right of NGOs and media personnel to conduct their activities safely, freely and without harassment.

III. UN HIGH COMMISSIONER FOR HUMAN RIGHTS SUBMITS REPORT ON ISRAELI SETTLEMENTS

On 6 March 2017, the United Nations High Commissioner for Human Rights issued his report on Israeli settlements in the Occupied Palestinian Territory, including East Jerusalem, and the occupied Syrian Golan. The following are the conclusions and recommendations contained in the advanced, unedited version of report ([A/HRC/37/43](#)):

VI. Conclusions

68. During the period under review, a significant increase in settlement activity, including in East Jerusalem and Hebron, was witnessed. In Hebron, several factors led to a deterioration in the living conditions and to an increased coercive environment.

69. The establishment and expansion of settlements in the Occupied Palestinian Territory by Israel, including the legal and administrative measures that it has taken to provide socioeconomic incentives, security, infrastructure and social services to citizens of Israel residing in the West Bank, including East Jerusalem, amount to the transfer by Israel of its population into the Occupied Palestinian Territory, which is prohibited under international humanitarian law.⁴¹ The transfer of the population by an occupying State into an occupied territory is a grave breach of article 147 of the Fourth Geneva Convention and therefore a war crime.⁴² Several international bodies have confirmed the illegality of Israeli settlements in the Occupied Palestinian Territory and the occupied Syrian Golan, including the International Court of Justice, the Security Council, the General Assembly and the Human Rights Council.⁴³

70. Palestinians in Area C, the H2 area of Hebron, and East Jerusalem are subject to discriminatory practices, as well as reduced living space, increased tensions, violence and arrests due to the existence and growth of settlements.

⁴¹ Fourth Geneva Convention, art. 49 (6).

⁴² See also the Rome Statute of the International Criminal Court, art. 8 (2) (b) (viii).

⁴³ International Court of Justice, *Legal consequences of the construction of a wall in the Occupied Palestinian Territory*, advisory opinion of 9 July 2004, para. 120; Security Council resolutions 465 (1980) and 2334 (2016); General Assembly resolutions 71/97 and 72/86; and Human Rights Council resolution 31/36.

71. Palestinians in East Jerusalem face a restrictive planning, permit and construction regime, a lack of public services and shrinking public space. The lack of housing permits leads to the constant threat of demolition and displacement. These factors violate several rights and contribute to a coercive environment in East Jerusalem. Palestinians living in such a coercive environment may have no other choice but to leave, as previously documented in Area C and the H2 area of Hebron (A/HRC/31/43, para. 60; A/71/355, paras. 61-64), in contravention of the international prohibition of forcible transfer.

VII. Recommendations

72. On the basis of his findings, the United Nations High Commissioner for Human Rights recommends that the Israeli authorities:

(a) Halt immediately and reverse all settlement development and related activities in the Occupied Palestinian Territory, including occupied East Jerusalem, and the occupied Syrian Golan, including through the discontinuation of support for private settler organizations' initiatives aimed at the seizure of Palestinian properties and the forced eviction of their residents, in compliance with relevant United Nations resolutions, including Security Council resolutions 497 (1981) and 2334 (2016);

(b) End immediately all activity contributing to the creation of a coercive environment and/or increasing the risk of forcible transfer;

(c) Review planning laws and policies to ensure that they are compliant with the obligations of Israel under international human rights and international humanitarian law;

(d) Refrain from implementing evictions and demolition orders on the basis of discriminatory and illegal planning policies and practices that may lead to forcible transfer, including of Bedouin and herder communities;

(e) Take all steps necessary to ensure that Palestinians in East Jerusalem and Area C of the occupied West Bank are not denied access to, or discriminated against in the provision of, essential services, including electricity, water and sanitation, and natural resources, including land for agricultural purposes;

(f) Remove immediately all mines and minefields in the occupied Syrian Golan, which pose a risk to the local civilian population.

IV. UN SPECIAL COORDINATOR CONDEMNS THE ATTACK IN GAZA ON THE CONVOY OF PALESTINIAN PRIME MINISTER HAMDALLAH

The following [statement](#) was issued on 13 March 2018 by the United Nations Special Coordinator for the Middle East Peace Process, Nickolay Mladenov:

“I condemn the attack on the convoy of Palestinian Prime Minister Rami Hamdallah in Gaza earlier today and wish those injured a speedy recovery. This grave incident must be promptly investigated and the perpetrators brought to justice.

Until the legitimate Palestinian Authority is fully empowered in Gaza, Hamas has the responsibility to ensure that the Government is able to carry out its work in the Strip without fear of intimidation, harassment and violence.

I commend the Prime Minister’s leadership and continuing efforts to address the dire humanitarian situation in Gaza and achieve reconciliation. Those who inspired and perpetrated today’s attack seek to undermine these efforts and destroy the chances for peace. They must not be allowed to succeed.”

V. OCHA LAUNCHES US\$539 MILLION FUNDING APPEAL TO ADDRESS HUMANITARIAN NEEDS IN PALESTINE DURING 2018

On 14 March 2018, the United Nations Office for the Coordination of Humanitarian Affairs in the State of Palestine released the following [press release](#):

Today the Minister of Social Development of the State of Palestine, H.E. Dr. Ibrahim Al-Shaer, and the Humanitarian Coordinator, Mr. Jamie McGoldrick, launched the [Humanitarian Response Plan](#) (HRP) for 2018, to support the humanitarian needs of 1.9 million Palestinians in the occupied Palestinian territory (oPt).

The 2018 HRP appeals for US\$539.7 million to address urgent humanitarian needs of Palestinians in Gaza and the West Bank, including East Jerusalem. If funding is secured, humanitarian actors will be able to enhance the protection of Palestinians living under military occupation, improve vulnerable people’s access to basic services, and support the ability of Palestinians to cope with and overcome crises.

“In recent years, lack of funding has led to unfortunate reductions in humanitarian relief for Palestinians in acute need across Gaza and the West Bank, including Jerusalem,” said Minister Al-Shaer. “We have also seen regrettable attempts to politicize aid work.”

“For the first time, this year’s humanitarian plan was prepared as part of a three-year strategy,” said Mr. McGoldrick. “This approach enhances connections with other strategies, including those related to development efforts, while increased respect for international law and longer-term solutions are pursued.”

The 2018 plan consists of 240 projects to be implemented by 99 organizations, including 51 national and 35 international NGOs, and 13 UN agencies. Approximately 75 per cent of the requested funds target Gaza, where humanitarian needs are highest due to Israel’s prolonged

blockade and recurrent hostilities, further exacerbated by the impact of internal Palestinian divisions and Egypt's restrictions on the Rafah crossing.

“Here, in Gaza, we have some of the worst affected Palestinian families. Our strategy has been tailored to help them and other Palestinians in the oPt as much as possible, while advocating for an end to the policies that are generating humanitarian needs, including territorial fragmentation and the blockade, among other issues,” Mr. McGoldrick added. “To succeed, we need not only the generous support of donors, which is critical to avoiding further deterioration, but also strong political action to bring an end to this policy-driven crisis.”

“Gaza teeters on the edge of a catastrophe,” Minister Al-Shaer concluded. “Humanitarian needs will deepen in the Gaza Strip, in both severity and complexity, as long as the illegal Israeli blockade remains. The Palestinian government is keen to build synergies between humanitarian aid and development cooperation in the occupied Palestinian territory. Overall, ending the occupation is the most direct, practical and durable solution for Palestinian grievances.”

VI. UN SECRETARY-GENERAL ADDRESSES MINISTERIAL CONFERENCE ON SUPPORT FOR UNRWA

On 15 March 2018, UN Secretary-General António Guterres attended a ministerial conference on support for the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA), in Rome. Following are his remarks ([SG/SM/18935-PAL/2218](#)):

I thank Egypt, Jordan and Sweden for co-chairing this gathering. I also welcome the high-level presence of the League of Arab States, the Organization for Islamic Cooperation and the European Union. I would like to start by recalling a memorable encounter I had last year with students at an UNRWA school in Gaza.

We all know the pressures that Palestinians in Gaza face — the poverty and power shortages, the closures and restrictions, the periodic violence and fear that yet another conflict could erupt at any moment. Yet in that place of uncertainty, the young people with whom I met were composed in talking about their situation. They spoke with passion about their commitment to democracy and their thirst for human rights. They shared with me their desire to make a difference in the world.

In that place where hope is eroded daily, these students held on to their aspirations for the future. If only, I thought, the world could do more to respond to their plight, and more to translate their dreams into tangible improvements in their lives. That is precisely what UNRWA does every day with such steadfastness, not only in Gaza but in the camps, communities and countries across the region that host Palestinian refugees.

We have gathered today to fortify that mission and to uphold our responsibility as an international community to support and protect the vulnerable. We are here to help UNRWA overcome the worst financial crisis in its history.

In the early days of the United Nations, the General Assembly created United Nations Relief and Works Agency to provide Palestine refugees with assistance, and to help them achieve their human potential.

Today, UNRWA's mission is just as crucial as it was sixty-eight years ago. But until a just and lasting solution to the Israeli-Palestinian conflict is achieved, the work of UNRWA remains vital. Vital to providing life-saving humanitarian relief and health care. Vital to building the future of Palestinian society through education. Vital to ensuring human security, rights and dignity for over 5 million Palestine refugees.

UNRWA has a solid record of achievement. Its schools are among the best performing in the region. Its health, relief and social programmes are low-cost and high-impact.

And by keeping half a million children in school and millions of people healthy and nourished, UNRWA is contributing to stability in the occupied Palestinian territory, as well as in Jordan and Lebanon, and has undertaken extraordinary efforts to support Palestinians who have suffered as a result of the tragedy in Syria.

UNRWA is an asset to the international community that we must protect and support. Unfortunately, today's financial crisis places all of UNRWA's achievements at risk. Without a collective solution, UNRWA will soon run out of money. We must not allow this to happen. I have spoken to many of you about the situation. UNRWA's Commissioner-General has also been seeking your support. We sense a very high level of concern. Now we need high-level action to translate concern into cash.

I deeply appreciate the generosity of donors who support UNRWA, including those who have already pledged their contribution to its 2018 budget, including through multi-year agreements. We are also grateful to donors who have fast-tracked their contributions.

Recognizing the urgent needs, the United Nations Central Emergency Response Fund (CERF) is releasing an exceptional combined rapid response grant and loan allocation of \$30 million. I thank all donors to CERF who have made this possible.

But we must also recognize that the financial crisis facing the Agency today is unlike those in the past. It is far more grave, and threatens to cut programmes far more savagely. For 2018, with pledges reduced, UNRWA faces a shortfall not of millions, not even of tens of millions, but an estimated \$446 million.

Critical services could be reduced or eliminated entirely — from schools to sanitation, from medicine to microfinance to food security for some 1.7 million refugees in abject poverty or affected by conflict. This would have severe impacts — a cascade of problems that could push the suffering in disastrous and unpredictable directions.

So today I ask you to bridge the Agency's shortfall for 2018 with predictable, sustained and additional funding. I also appeal to you to increase support in the years ahead to ensure schooling, health care and food assistance.

Such spending is an investment with wide-ranging dividends — in the human development of the Palestinian people, in stability today and in a peaceful future in and beyond Palestine. It can also address some of the despair and other factors that lead to radicalization.

I commend UNRWA's dedicated and highly skilled workforce — the teachers, doctors, emergency responders and others who operate 700 schools and 140 clinics under often dire conditions. Let me also acknowledge the extraordinary solidarity of the host countries in accommodating Palestine refugees over seven decades.

As you know, I have prioritized UN reform and I appreciate the advances made by UNRWA and its current leadership. This reflects our commitment to all stakeholders, including beneficiaries in our field operations, to be effective while constantly enhancing our efficiency.

In that spirit, I appeal to all donors — each Government and organization in this room today — to step forward and give UNRWA what you can. Truly, what you can. If each of you does that, we will be able to address UNRWA's shortfall.

More importantly, we will send a strong message to Palestine refugees that we are committed to their rights, their well-being, and meeting their daily needs. To those who may question the expense, let me echo UNRWA's fundraising campaign: Dignity is priceless. As a matter of human solidarity, and as a matter of smart steps for peace, let us give UNRWA our full and generous support.

VII. UN SPECIAL RAPPORTEUR SUBMITS REPORT ON THE SITUATION OF HUMAN RIGHTS IN THE PALESTINIAN TERRITORIES OCCUPIED SINCE 1967

On 16 March 2018, the report of the United Nations Special Rapporteur on the situation of human rights in the Palestinian territories occupied since 1967, Michal Lynk, was published. The following are the concluding remarks and recommendations contained in the advanced, unedited version of report ([A/HRC/34/70](#))

IV. Conclusions

63. An occupying power has the duty, under international law, to ensure that the right to health – the enjoyment by the protected population of the highest attainable standard of physical and mental health – is fulfilled during the temporary period of occupation, consistent with its reasonable security needs. While fully respecting its legal obligation not to act covetously towards the territory and resources of the occupied territory, it would actively work to restore and enhance the health care system for the people under its effective control. It would not obstruct the access by patients and medical staff to hospitals and health clinics, either physically or bureaucratically. It would strive to create conditions of stability and security, so that the social determinants of health can advance, rather than retard, the flourishing of physical and mental wellbeing. It would promote equality of access to health care for all, with particular attention paid to the vulnerable and marginalized. The occupying power would actively work with the health institutions of the protected population to chart a progressive health care strategy for the future that also respected the coming restoration of full sovereignty. It would not discriminate. It would not torture or mistreat prisoners and detainees. It would not impose collective punishments of any sort. As a

priority, it would provide all the necessary health services and supplies that the medical institutions of the protected population are unable to deliver themselves. Ultimately, the occupying power would understand that leaving behind a thriving health care system, aligned with robust social determinants, at the end of the occupation provides the best opportunity for peace and prosperity to endure.

64. Measured against these obligations, Israel has been in profound breach of the right to health with respect to the Occupied Palestinian Territory. Its avaricious occupation – measured by the expanding settlement enterprise, the annexation of territory, the confiscation of private and public lands, the pillaging of resources, the publicly-stated ambitions for permanent control over all or part of the Territory, and the fragmentation of the lands left for the Palestinians – has had a highly disruptive impact upon health care and the broader social determinants for health for the Palestinians. While the Palestinian Authority (which governs in parts of the West Bank) and the authority in Gaza have some agency over the state of health care in the Occupied Palestinian territory, Israel’s conduct of the occupation bears the ultimate responsibility. At the heart of this chasm between the right to health and the harrowing conditions on the ground is what Dr. Paul Farmer has called the pathologies of power: the enormous gap in situations of structured inequality between those who control the power to decide and those without power who must bear the consequences of these rapacious decisions, until some combination of a vision for justice, an organized opposition and the display of an international conscience can bring these disparate relationships to an end. Palestinian, Israeli and international human rights organizations have persuasively demonstrated both the inequities in the health and social conditions in the Occupied Palestinian Territory and their substantive relationship to Israel’s occupation. That leaves to the rest of us the obligation to act decisively and effectively.

V. Recommendations

65. The Special Rapporteur recommends that the Government of Israel comply with international law and bring a complete end to its 50 years of occupation of the Palestinian territories occupied since 1967. The Special Rapporteur further recommends that the Government of Israel take the following immediate measures:

- (a) Comply fully with Security Council resolution 2334 (2016) concerning the settlements;
- (b) Ensure that Palestinian children are treated in accordance with the standards set forth in the Convention on the Rights of the Child, in particular with respect to arrest and detention;
- (c) End the blockade of Gaza, lift all restrictions on imports and exports, and facilitate the rebuilding of its housing and infrastructure, with due consideration given to justifiable security considerations;

66. With respect to the Right to Health, the Special Rapporteur recommends that the Government of Israel immediately take the following measures:

- (a) To ensure regular and reliable access, at all times, for all Palestinian patients who require specialized health care outside of their jurisdictions, consistent with genuine Israeli security concerns;

(b) To end the conditions which obstruct the free passage of Palestinian ambulances to access and transport patients to health care facilities in an expeditious fashion;

(c) To ensure the respect and protection of medical personnel and medical facilities as required by International Humanitarian Law;

(d) To substantially improve prison conditions and the provision of adequate health care for Palestinian prisoners and detainees;

(e) To remove the unnecessary barriers that prevent Palestinian health care staff from acquiring professional training and specialization elsewhere in the Occupied Palestinian Territory and abroad, and to receive training at their home institutions from international health professionals;

(f) To ensure that no one is subjected to torture or degrading treatment;

(g) To take meaningful steps to improve the many social determinants that influence health outcomes in the occupied Palestinian territory

(h) To comply fully with its obligations under international human rights and humanitarian law with respect to fulfilling the health needs of the protected population

VIII. UNSCO ISSUES ITS REPORT TO THE AD HOC LIAISON COMMITTEE OF DONORS

On 16 March 2018, the Office of the United Nations Coordinator for the Middle East Peace Process issued a [report](#) presented to a meeting of the Ad Hoc Liaison Committee on 20 March 2018 in Brussels. The following are the executive summary and the conclusion of the report:

Executive Summary

The political, humanitarian and economic developments of the past six months, underscore the urgent need for a resumption of meaningful negotiations between Israel and Palestine. Only a negotiated two-state solution, based on internationally recognized and agreed principles, and as enshrined in relevant UN Security Council resolutions, can bring lasting peace.

While the reporting period witnessed new opportunities, through Egyptian mediation, to return Gaza under the control of the Palestinian Authority (PA), this process has yet to bring economic, humanitarian and social relief to the people of Gaza. On the contrary, the humanitarian crisis in the Strip has only deepened amidst increasingly complicated electricity, water and public health concerns, and an uncertain political future. At the same time, the United States (US) decision to recognize Jerusalem as Israel's capital and subsequent withholding of funding from the United Nations Relief and Works Agency (UNRWA) have increased the levels of anxiety on the ground. The latter has also raised concerns over the international community's ability to effectively deal with the deteriorating humanitarian situation.

While levels of violence in the West Bank and Gaza over the period remained relatively low, the spike in incidents over the past three months and deteriorating humanitarian conditions remind

us of the potential for escalation. The period saw continued construction and expansion of illegal Israeli settlements in the West Bank, including East Jerusalem. It also witnessed further violations of human rights by all sides. The overall picture remains deeply worrying as hope continues to diminish for a political resolution to the conflict.

Once again, it is necessary to focus our collective attention on Gaza as it continues to present the greatest risk of escalation alongside an acute humanitarian crisis with the potential for a complete breakdown in service delivery. UNRWA services and other United Nations (UN) assistance in the form of donor-funded emergency fuel for critical infrastructure, as well as fuel purchased from Egypt, provides a critical lifeline for Gaza's health, sewage and water treatment facilities. To properly address the issues, a concerted and multi-tiered approach by the PA, Israel and the international community is required. First and foremost, we must tend to the humanitarian crisis which means ensuring that hospitals and health clinics function, essential drugs are available, sewage and water treatment is provided and the electricity situation is immediately improved. Second, increased efforts are needed to finalize the reconstruction of physical damages from the 2014 conflict, and simultaneously to revive Gaza's moribund economy, and revitalize its productive sectors. Third, in order to ensure that the Strip remains livable, the longer-term infrastructure projects underway to help meet current and future electricity needs and provide sewage treatment and clean drinking water, must move forward. Only by linking these three layers of intervention can we ensure a sustainable future for Gaza.

In addition to the commitment of the PA, Israel, and the international community, the success of these efforts, also requires a changed political reality. This means the resumption by the PA of its full responsibilities for the people, governance and infrastructure of Gaza. At the same time, Hamas must cease to undermine the PA's presence on the ground as well as its military build-up, including the construction of tunnels and the firing of rockets towards Israel. Critically, Israel's closure regime must also be fundamentally changed to allow for the recovery and development of the Strip through movement and access of people and goods. These are the minimum conditions required to put Gaza on the road to recovery and to prevent renewed conflict.

With completion of the outstanding reconstruction of damages from the 2014 conflict within reach, the main impediment is regrettably the lack of funding. Close to half of the US\$3.5 billion pledged at the 2014 Cairo conference has not been disbursed. This is required in order to fill the critical gap of some US\$200 million needed to complete the reconstruction of 3,000 totally destroyed, and 56,000 partially damaged, homes. Much of the reconstruction was facilitated through the temporary Gaza Reconstruction Mechanism (GRM). The GRM has enabled more than 100,000 private individuals, hundreds of private sector businesses and many international organizations to import material, which Israel considers have dual military and civilian use.

On 14 February 2018, Israel and the Palestinian Authority agreed to conduct a joint review of the GRM to improve its functionality, transparency and predictability and to review the restrictions on the import of "dual-use" items, with the aim of reducing the number of items with this designation. The review should form the basis for a discussion of the future of the mechanism and ways of facilitating a reinvigoration of the private sector economy in Gaza.

The focus on Gaza is not to diminish the situation in the West Bank where the Palestinian population continues to suffer from the prolonged protection crisis engendered by Israel's ongoing

military occupation. Indeed, movement restrictions, settlement expansion and demolitions continue to impact the lives of large numbers of Palestinians in the West Bank. The situation in Area C remains a serious concern where the majority of land remains off-limits to Palestinian development. Israel's control over Area C largely prevents Palestinian access to some of the West Bank's most fertile land and rich natural resources. The restrictive and discriminatory zoning and planning regime, and designation of land for exclusive Israeli use, continues to obstruct Palestinian development and further erodes the viability of Palestinian statehood. Only five out of the 110 community-driven local outline plans have been approved so far and less than 1% of Area C remains available for Palestinian construction.

Conclusion

As we review Palestine's development trajectory, it remains clear that the absence of a political process aimed at ending the conflict continues to be the single largest impediment to progress. This prolonged period of conflict management, of transition without end, some 25 years after the beginning of the Oslo process, will not lead to a solution that meets the needs and aspirations of Palestinians and Israelis.

Events over the reporting period only reinforce this notion. The volatility around the issue of Jerusalem accounted for an increase in violence over the past months. Continued Israeli settlement expansion, demolitions, closure, access and movement restrictions and other aspects of the military occupation continue to profoundly impact the humanitarian, social and political life of the Palestinian population and its ability to exercise fundamental rights, including the right to self-determination. Similarly, the continuation of terrorist attacks against Israelis and their glorification by Hamas and other Palestinian factions, the continued militant activities in Gaza, and the crippling political division between the West Bank and Gaza, place severe obstacles to addressing those needs and restoring a political horizon. Both parties must commit to implement previously signed agreements including fighting incitement, refraining from provocative action and increasing Palestinian authority over parts of the West Bank that will foster economic growth, reduce dependency and preserve the viability of the two-state solution.

Gaza presents the most urgent situation. The UNRWA funding cuts are likely to have a destabilizing effect on an already precarious context. There is no adequate alternative or replacement for the services that UNRWA delivers. As stated above, it is these services and other UN programmes that provide a lifeline for the population. Absent proper funding, the availability of health, education and sanitation services will decrease significantly posing threats to public health. It is therefore critical that at a minimum, the PA returns to Gaza and takes on the responsibilities for bringing relief and change to the population. Hamas and the other factions must not stand in the way of the return of the legitimate Palestinian authorities.

Additionally, renewed international engagement will be needed to help the parties overcome key obstacles, notwithstanding the need for the parties to deliver on their own responsibilities. Israel is urged to immediately cease settlement expansion and activities and review its policy of closure on Gaza. At the same time, the PA must return to governing its entire territory with a fresh commitment to all of its citizens.

This requires sustainable solutions to allow for the reduction of humanitarian interventions in the West Bank and also in Gaza. It requires renewed focus to finalize remaining reconstruction in

Gaza and to stimulate economic activity in Gaza and the West Bank, including East Jerusalem. This is entirely possible, but requires political will to ensure a political horizon.

A realistic approach to the situation is also critical. This is especially the case with regard to the combined funding gap for urgent humanitarian interventions, finalizing reconstruction and revitalizing the private sector economy as well as the medium to long term infrastructure projects that will ensure that Gaza is liveable. With competing priorities and a changing international environment, the parties need to be aware that the generous support of key donors is not to be taken for granted. The UN and partners will continue to highlight the key concerns and areas for intervention. But the parties need to make the difficult choices and compromises to achieve a long overdue resolution to this conflict.

IX. UN HIGH COMMISSIONER FOR HUMAN RIGHTS ISSUES REPORT ON ENSURING ACCOUNTABILITY AND JUSTICE FOR ALL VIOLATIONS OF INTERNATIONAL LAW IN THE OPT, INCLUDING EAST JERUSALEM

On 19 March 2018, the United Nations High Commissioner for Human Rights issued his report on “Ensuring accountability and justice for all violations of international law in the Occupied Palestinian Territory, including East Jerusalem”. The following are the conclusion and the recommendations contained in an advanced, unedited version of report ([A/HRC/37/41](#)):

V. Conclusion and recommendations

45. The High Commissioner has previously expressed “serious concerns regarding the lack of accountability related to past cycles of violence and escalation in Gaza and to incidents in the West Bank, including East Jerusalem, and in the access-restricted areas of the Gaza Strip”.⁴⁴ As reflected in the update provided in this report, these concerns continue today, particularly during the period under review in relation to lack of accountability for continued allegations of excessive use of force by Israeli forces, as well as allegations related to the 2014 escalation of hostilities in Gaza which remain unaddressed.

46. Alongside allegations related to use of force, the work of human rights defenders is increasingly challenged. Civil society organizations, journalists, and human rights defenders must be permitted the space to do their work, including calling for accountability for alleged violations of international human rights law and international humanitarian law. Measures which seek to hinder this work – for example through arrest and detention, or the passage of stigmatizing legislation – raise serious concerns about the exercise of the right to freedom of expression, and risk shrinking civic space.

47. Further, in the comprehensive review of recommendations aimed at ensuring accountability and justice for all violations of international law in the Occupied Palestinian Territory, including East Jerusalem, it was found that throughout the reports analyzed for the review, “general patterns of human rights violations and non-implementation of recommendations are not just symptoms of the conflict but further fuel the cycle of violence.”⁴⁵ As emphasized by

⁴⁴ See A/HRC/31/40/Add.1, para. 39.

⁴⁵ A/HRC/35/19 para. 81.

the Secretary-General, lack of accountability “compromises chances for sustainable peace and security. Tackling impunity must be the highest priority.”⁴⁶ The High Commissioner once again echoes this call.

48. Recalling the follow-up measures described in A/HRC/35/19, which remain valid, the High Commissioner further recommends the following:

(a) Calls upon Israel to fully comply with its obligations under international human rights law and international humanitarian law in the Occupied Palestinian Territory.

(b) Urges Israel to conduct prompt, thorough, effective, impartial and independent investigations of all alleged violations and abuses of international human rights law and international humanitarian law, in particular all alleged international crimes; further calls on Israel to ensure that all victims have access to remedies and reparation.

(c) Urges the State of Palestine to conduct prompt, thorough, effective, impartial and independent investigations of all alleged violations and abuses of international human rights law and international humanitarian law, in particular all allegations of international crimes; further calls on the State of Palestine to ensure that all victims have access to remedies and reparation.

(d) Recommends that all parties respect international law, including international humanitarian law, in particular the principles of distinction, proportionality and precaution, and ensure accountability for grave violations;

(e) Reiterates the calls to all States and to relevant United Nations bodies to take all necessary measures to ensure full respect and compliance with the relevant resolutions of the Human Rights Council, the General Assembly and the Security Council, including resolution 2334.

(f) Calls upon all States parties to the Geneva Conventions to take measures to ensure the respect of the Conventions by all parties.

X. HUMAN RIGHTS COUNCIL ADOPTS FOUR RESOLUTIONS ON THE QUESTION OF PALESTINE

On 19 and 20 March 2018, the Human Rights Council adopted the following four draft resolutions related to the question of Palestine ([A/HRC/37/L.46](#), [A/HRC/37/L.47](#), [A/HRC/37/L.48](#) and [A/HRC/37/L.49](#)):

34/L.46 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, and 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

⁴⁶ A/71/364, para.6.

(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,¹ 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 General 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,

Deploing 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

¹ A/CONF.157/23.

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 70 years since the resolution 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. *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;

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

4. *Expresses grave concern* at the fragmentation and the changes in the demographic composition of the Occupied Palestinian Territory, including East Jerusalem, which are resulting from 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;

5. *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;

6. *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;

7. *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;

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

34/L.47 Human rights situation in the Occupied Palestinian Territory, including East Jerusalem

The Human Rights Council,

Recalling the Universal Declaration of Human Rights, the International Covenant on Civil and Political Rights, the International Covenant on Economic, Social and Cultural Rights, the Convention on the Rights of the Child and the Optional Protocol thereto on the involvement of children in armed conflict, the Convention on the Elimination of All Forms of Discrimination against Women, the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment and the International Convention on the Elimination of All Forms of Racial Discrimination, 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 relevant resolutions of the Human Rights Council,

Taking note of the recent reports of the Special Rapporteur on the situation of human rights in the Palestinian territories occupied since 1967,¹ and other relevant recent reports of the Human Rights Council,

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

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

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

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

¹ A/72/556 and A/HRC/37/75.

Jerusalem, through the construction of settlements, settler roads, the wall and other measures that are tantamount to de facto annexation of Palestinian land,

Emphasizing 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, and reaffirming the obligation of the States parties to the Fourth Geneva Convention under articles 146, 147 and 148 with regard to penal sanctions, grave breaches and responsibilities of the High Contracting Parties and to ensure respect for international humanitarian law,

Stressing the importance of accountability in preventing future conflicts and ensuring that there is no impunity for violations and abuses, thereby contributing to peace efforts and avoiding the recurrence of violations of international law, including international humanitarian law and international human rights law,

Expressing grave concern at the continuing violation of international humanitarian law and the systematic violation of the human rights of the Palestinian people by Israel, the occupying Power, including that arising from the excessive use of force and military operations causing death and injury to Palestinian civilians, including children and women, and to non-violent, peaceful demonstrators and to journalists, including through the use of live ammunition; the arbitrary detention of Palestinians, some of whom have been detained for decades; the use of collective punishment; the closure of areas; the confiscation of land; the establishment and expansion of settlements; the construction of a wall in the Occupied Palestinian Territory in departure from the Armistice Line of 1949; the forcible displacement of civilians, including of Bedouin communities; the policies and practices that discriminate against and disproportionately affect the Palestinian population in the Occupied Palestinian Territory, including East Jerusalem; the discriminatory allocation of water resources between Israeli settlers, who reside illegally in the Occupied Palestinian Territory, and the Palestinian population of the said Territory; the violation of the basic right to adequate housing, which is a component of the right to an adequate standard of living; the revocation of residency permits from Palestinians of East Jerusalem and their eviction from their city; the destruction of property and infrastructure, inter alia, homes of Palestinians; the hampering of humanitarian assistance and the destruction of, inter alia, structures provided as humanitarian aid, contributing to a coercive environment that leads to the forcible transfer of Palestinian civilians in the Occupied Palestinian Territory, including when carried out as an act of collective punishment in violation of international humanitarian law; incidents of harassment of and attacks on school children and attacks on educational facilities by Israeli settlers and as a result of Israeli military action; and all other actions designed to change the legal status, geographical nature and demographic composition of the Occupied Palestinian Territory, including East Jerusalem,

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

Gravely concerned in particular about the disastrous humanitarian situation and the critical socioeconomic and security situations in the Gaza Strip, including that resulting from the prolonged continuous closures and severe economic and movement restrictions that in effect amount to a blockade, and from the continuing and vastly negative repercussions of previous Israeli military operations, and about the firing of rockets into Israel,

Expressing deep concern at the detrimental impact of continued impediments to the reconstruction process on the human rights situation and on the socioeconomic and humanitarian conditions of the Palestinian civilian population, and calling upon the international community to step up its efforts in order to provide the Gaza Strip with the assistance that it requires,

Stressing the need also for all parties, in conformity with the relevant provisions of international humanitarian law, to cooperate fully with the United Nations and other humanitarian agencies and organizations and to ensure the safe 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,

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, taking into account Israeli concerns,

Expressing deep concern at 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,

Convinced that the Israeli occupation has gravely impeded the efforts to achieve sustainable development and a sound economic environment in the Occupied Palestinian Territory, including East Jerusalem, and expressing grave concern at the consequent deterioration of economic and living conditions,

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 in terms of access to roads, infrastructure, land, property, housing, natural resources and judicial mechanisms, resulting in widespread human rights violations of Palestinians,

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, lack of proper medical care, 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 the deportation of civilians from occupied territories,

Deploing 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,

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

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,

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

1. *Stresses* the need for Israel, the occupying Power, to withdraw from the Palestinian territory occupied since 1967, including East Jerusalem, so as to enable the Palestinian people to exercise its universally recognized right to self-determination;

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

3. *Demands* that Israel, the occupying Power, comply fully with the provisions of the Fourth Geneva Convention of 1949 and cease immediately all measures and actions taken in violation and in breach of the Convention;

4. *Also demands* that Israel, the occupying Power, cease all practices and actions that violate the human rights of the Palestinian people, and that it fully respect human rights law and comply with its legal obligations in this regard, including in accordance with relevant United Nations resolutions;

5. *Calls* for urgent measures to ensure the safety and protection of the Palestinian civilian population in the Occupied Palestinian Territory, including East Jerusalem, in accordance with the

relevant provisions of international humanitarian law and as called for by the Security Council in its resolution 904 (1994) of 18 March 1994;

6. *Deplores* the persistent non-cooperation of Israel with special procedure mandate holders and other United Nations mechanisms, and calls for full cooperation by Israel with the Human Rights Council and all its special procedures, relevant mechanisms and inquiries, and with the Office of the United Nations High Commissioner for Human Rights;

7. *Demands* that Israel, the occupying Power, cease all of its settlement activities, the construction of the wall and any other measures aimed at altering the character, status and demographic composition of the Occupied Palestinian Territory, including in and around East Jerusalem, all of which have, inter alia, a grave and detrimental impact on the human rights of the Palestinian people and the prospects for a peaceful settlement;

8. *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 as demanded by the General Assembly in its resolutions ES-10/15 of 20 July 2004 and ES-10/13 of 21 October 2003, and that it immediately cease the construction of the wall in the Occupied Palestinian Territory, including in and around East Jerusalem, dismantle forthwith the structure situated therein, repeal or render ineffective all legislative and regulatory acts relating thereto, and make 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;

9. *Calls upon* Israel to immediately cease any demolitions or plans for demolitions that would result in the forcible transfer or forced eviction of Palestinians, particularly in the vulnerable areas of the Jordan Valley, the periphery of Jerusalem and the South Hebron Hills, 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;

10. *Deplores* the illegal Israeli actions in occupied East Jerusalem, including the construction of settlements in various areas; the demolition of residential structures, the forced eviction of Palestinian inhabitants and the application of the policy of punitive home demolitions, in violation of their basic right to adequate housing and in violation of international humanitarian law; the ongoing policy of revoking the 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 city and of the territory as a whole, including those stemming from attempts aimed at illegally changing the status quo of holy sites;

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

12. *Urges* Israel to ensure that water resource allocation in the Occupied Palestinian Territory is not discriminatory and does not result in water shortages disproportionately affecting the Palestinian population of the West Bank, and to take urgent steps to facilitate the restoration of the

water infrastructure of the West Bank, 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;

13. *Expresses concern* at the Citizenship and Entry into Israel Law adopted by the Knesset, which suspends the possibility, with certain rare exceptions, of family reunification between Israeli citizens and persons residing in the Occupied Palestinian Territory, including East Jerusalem, thus adversely affecting the lives of many families;

14. *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;

15. *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 utilities, housing, education, work, health and an adequate standard of living via various measures, including import and export restrictions, that have a direct impact on livelihoods, economic sustainability and development throughout Gaza, aggravating the state of de-development in 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;

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

17. *Also condemns* the firing of rockets against Israeli civilian areas resulting in loss of life and injury;

18. *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 of the Gaza Strip, and stresses the need for the unhindered passage of ambulances at checkpoints, especially in times of conflict;

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 upon* Israel to end 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, and underscores the need to investigate all such acts, ensure accountability and effective remedies, and take steps to prevent any further such threats, attacks, reprisals or acts of intimidation;

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

22. *Calls* for urgent attention to be paid to the plight and the rights, in accordance with international law, of Palestinian prisoners and detainees in Israeli jails, and also calls for respect for the United Nations Standard Minimum Rules for the Treatment of Prisoners (the Nelson Mandela Rules) and the United Nations Rules for the Treatment of Women Prisoners and Non-custodial Measures for Women Offenders (the Bangkok Rules);

23. *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;

24. *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;

25. *Emphasizes* the need to preserve and develop the Palestinian institutions and infrastructure for the provision of vital public services to the Palestinian civilian population and the promotion of human rights, including civil, political, economic, social and cultural rights;

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

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

34/L.48 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 the 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 Human Rights Council resolution 19/17 of 22 March 2012, in which the Council decided to establish an independent international fact-finding mission to investigate the implications of the Israeli settlements on the human rights of the Palestinian people throughout the Occupied Palestinian Territory, including East Jerusalem,

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, 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 an unlawful 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,

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,

Taking note of the recent relevant reports of the Secretary-General, the Office of the United Nations High Commissioner for Human Rights, the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories and the treaty bodies monitoring compliance with the human rights treaties to which Israel is a party, and the recent reports of the Special Rapporteur on the situation of human rights in the Palestinian territories occupied since 1967,

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,¹

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,

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,

Recalling the Quartet road map to a permanent two-State solution to the Israeli-Palestinian conflict, 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,

Taking note of General Assembly resolution 67/19 of 29 November 2012, by which, inter alia, Palestine was accorded the status of non-member observer State in the United Nations, and also of the follow-up report thereon of the Secretary-General,²

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 destruction of property, including homes and projects funded by the international community, the forcible displacement of Palestinian civilians, including Bedouin families, the exploitation of natural resources, the conduct of economic activity for the benefit of the occupying Power, the disruption of the livelihood of protected persons, the de facto annexation of land and other actions against the Palestinian civilian population and the civilian population in the occupied Syrian Golan that are contrary to international law,

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,

¹ A/HRC/22/63.

² A/67/738.

Noting in this regard that the Israeli settlements fragment the West Bank, including East Jerusalem, into isolated geographical units, severely limiting the possibility of a contiguous territory and the ability to dispose freely of natural resources, both of which are required for the meaningful exercise of Palestinian self-determination,

Noting 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,

Deploing 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 Jordan Valley, all of which further fragment and undermine the contiguity of the Occupied Palestinian Territory,

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, which is 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,

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

Gravely concerned at all acts of 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, including homes, agricultural lands and historic and religious sites, and the acts of terror carried out by several extremist Israeli settlers, which are a long-standing phenomenon aimed at, inter alia, displacing the occupied population and facilitating the expansion of settlements,

Expressing concern at ongoing impunity for acts of settler violence against Palestinian civilians and their properties, 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 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, which precludes the Palestinian people from being able to exercise permanent sovereignty over their natural resources,

Noting that the agricultural sector, considered the cornerstone of Palestinian economic development, has not been able to play its strategic role because of the dispossession of land and

the denial of access for farmers to agricultural areas, water resources and domestic and external markets owing to the construction, consolidation and expansion of Israeli settlements,

Aware that numerous Israeli policies and practices related 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 Human Rights Council resolution 22/29 of 22 March 2013, in follow-up to the report of the independent international fact-finding mission to investigate the implications of Israeli settlements on the civil, political, economic, social and cultural rights of the Palestinian people throughout the Occupied Palestinian Territory, including East Jerusalem,

Recalling also 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,

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 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 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 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 calls in this regard for the full implementation of all relevant resolutions of the Security Council, 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 construction and expansion of settlements, the expropriation of land, the demolition of houses, the confiscation and destruction of property, the forcible transfer of Palestinians, including 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 declarations by Israeli officials calling for the annexation of Palestinian land, and reaffirms the prohibition of acquisition of territory resulting from the use of force;

7. *Also expresses its grave concern* at, and calls for the cessation of:

(a) The operation by Israel of a tramway linking the settlements with West Jerusalem, which is in clear violation of international law and relevant United Nations resolutions;

(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 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 Palestinians from full participation 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;

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

(a) To end without delay its occupation of the territories occupied since 1967, 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 confiscation of arms and 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, 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;

9. *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;

10. *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 of 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;

11. *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;

12. *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, 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;

13. *Calls upon* business enterprises to take all measures necessary to comply with their responsibilities under the Guiding Principles on Business and Human Rights and other 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;

14. *Requests* that all parties concerned, including United Nations bodies, implement and ensure the implementation of the recommendations contained in the report of the independent international fact-finding mission to investigate the implications of Israeli settlements on the civil, political, economic, social and cultural rights of the Palestinian people throughout the Occupied Palestinian Territory, including East Jerusalem, and endorsed by the Human Rights Council through its resolution 22/29, in accordance with their respective mandates;

15. *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;

16. *Requests* the United Nations High Commissioner for Human Rights to report to the Human Rights Council, at its fortieth session, on the human rights consequences of the establishment, maintenance and expansion of Israeli settlements, and to recommend, at the same session, ways for States to distinguish, in their relevant dealings, between the territory of the State of Israel and the territories occupied since 1967 and to fulfil their obligation to ensure respect for international humanitarian law;

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

37/L.49 Ensuring 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 relevant rules and principles of international law, including international humanitarian law and human rights law, in particular the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, which is applicable to the Occupied Palestinian Territory, including East Jerusalem,

Recalling also the Universal Declaration of Human Rights and the other human rights covenants, including the International Covenant on Civil and Political Rights, the International Covenant on Economic, Social and Cultural Rights and the Convention on the Rights of the Child,

Recalling further the statement of 15 July 1999 and the declarations adopted on 5 December 2001 and on 17 December 2014 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, at which the High Contracting Parties reaffirmed, inter alia, their commitment to uphold their obligation to ensure respect for the Convention in the Occupied Palestinian Territory, including East Jerusalem,

Recalling its relevant resolutions, including resolutions S-9/1 of 12 January 2009, 19/17 of 22 March 2012 and S-21/1 of 23 July 2014,

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,

Expressing its appreciation to the independent commission of inquiry on the 2014 Gaza conflict, and all other relevant United Nations mechanisms, as well as the treaty bodies and other United Nations bodies, for their reports,

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,

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

Emphasizing the importance of the safety and well-being of all civilians and reaffirming the obligation to ensure the protection of civilians in armed conflict,

Gravely concerned by reports regarding serious human rights violations and grave breaches of international humanitarian law, including possible war crimes, including the findings of the United Nations Fact-Finding Mission on the Gaza Conflict, of the independent international fact-finding mission to investigate the implications of Israeli settlements on the civil, political, economic, social and cultural rights of the Palestinian people throughout the Occupied Palestinian Territory,

including East Jerusalem, of the independent commission of inquiry on the 2014 Gaza conflict, and of the boards of inquiry convened by the Secretary-General,

Condemning all violations of human rights and of international humanitarian law, and appalled at the widespread and unprecedented levels of destruction, death and human suffering caused in the Occupied Palestinian Territory, including East Jerusalem,

Stressing the urgency of achieving without delay an end to the Israeli occupation that began in 1967, and affirming that this is necessary in order to uphold human rights and international law,

Deploing the non-cooperation by Israel with all Human Rights Council fact-finding missions and the independent commission of inquiry on the 2014 Gaza conflict and the refusal to grant access to, and cooperate with, international human rights bodies and a number of United Nations special procedures seeking to investigate alleged violations of international law in the Occupied Palestinian Territory, including East Jerusalem,

Regretting the lack of implementation of the recommendations contained in the reports of the independent commission of inquiry on the 2014 Gaza conflict,¹ the independent international fact-finding mission to investigate the implications of Israeli settlements on the civil, political, economic, social and cultural rights of the Palestinian people throughout the Occupied Palestinian Territory, including East Jerusalem,² and the United Nations Fact-Finding Mission on the Gaza Conflict,³ which follows a pattern of lack of implementation of recommendations made by United Nations mechanisms and bodies,

Alarmed that long-standing systemic 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, deter further violations, protect civilians and promote peace,

Regretting the lack of progress 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 civil and criminal legal system contributing to the denial of access to justice for Palestinian victims and of their right to an effective judicial remedy,

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,

Noting the accession by the State of Palestine on 2 January 2015 to the Rome Statute of the International Criminal Court,

1. *Welcomes* the report of the independent commission of inquiry on the 2014 Gaza conflict;¹
2. *Calls upon* all duty bearers and United Nations bodies to pursue the implementation of the recommendations contained in the reports of the independent commission of inquiry on the 2014

¹ A/HRC/29/52.

² A/HRC/22/63.

³ A/HRC/12/48.

Gaza conflict,¹ the independent international fact-finding mission to investigate the implications of Israeli settlements on the civil, political, economic, social and cultural rights of the Palestinian people throughout the Occupied Palestinian Territory, including East Jerusalem,² and the United Nations Fact-Finding Mission on the Gaza Conflict,³ in accordance with their respective mandates;

3. *Notes* the importance of the work of the independent commission of inquiry on the 2014 Gaza conflict, the independent international fact-finding mission to investigate the implications of Israeli settlements on the civil, political, economic, social and cultural rights of the Palestinian people throughout the Occupied Palestinian Territory, including East Jerusalem, and the United Nations Fact-Finding Mission on the Gaza Conflict and the information collected regarding grave violations in support of future accountability efforts, in particular information on alleged perpetrators of violations of international law;

4. *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 effective remedy to 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;

5. *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 should ensure credible and comprehensive accountability for all violations of international law in order to bring about sustainable peace;

6. *Calls upon* the parties concerned to cooperate fully with the preliminary examination of the International Criminal Court and with any subsequent investigation that may be opened;

7. *Denounces* all acts of intimidation, threats and delegitimization directed at civil society actors and human rights defenders involved in documenting and countering violations of international law and impunity in the Occupied Palestinian Territory, including East Jerusalem, and calls upon all States to ensure their protection;

8. *Calls upon* all States to promote compliance with international law, and all High Contracting Parties to the Fourth Geneva Convention to respect, and 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 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, including by ensuring that their public authorities and private entities do not become involved in internationally unlawful conduct, inter alia the provision of arms to end users known or likely to use the arms in the commission of serious violations of international humanitarian and/or human rights law;

9. *Recommends* that the General Assembly remain apprised of the matter until it is satisfied that appropriate action with regard to implementing the recommendations made by the United Nations Fact-Finding Mission on the Gaza Conflict in its report has been or is being taken appropriately at the national or international levels to ensure justice for victims and accountability for perpetrators;

10. *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 fortieth session;

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

XI. OFFICE OF THE QUARTET ISSUES ITS REPORT TO THE AD HOC LIAISON COMMITTEE

On 20 March 2018, the Office of the Quartet presented its [report](#) to a meeting of the Ad Hoc Liaison Committee in Brussels. The following is the executive summary:

Realizing progress on the ground now will benefit Palestinians (and Israelis), and has the potential to support, but never supplant final status negotiations, which aim to achieve an enduring peace agreement. This report provides an update on the Office of the Quartet's September 2017 report to the Ad Hoc Liaison Committee, which focused particular attention on energy and water, both of which are central to improving the lives of those most in need and creating the conditions under which economic growth can be realized. This report outlines the progress achieved against the benchmarks identified in the September 2017 report and the critical next steps required of the parties, the international community and other key actors. It focuses on the areas of energy, water, telecommunications, movement and trade, and the rule of law.

Important progress has been made in the telecommunications sector with the launch of Wataniya 2G service in Gaza in October 2017 and the 3G service in the West Bank on January 23, 2018, the latter provided by Jawwal and Wataniya. These developments pave the way for further expansion of 3G and 4G services, which would have a potentially transformative effect in the Palestinian territory.

In energy, the finalization of construction required for the Jenin substation will help to increase power evacuation from 40 to 60 megawatts (MW) by April 2018, though a number of final approvals from the Government of Israel remain required. Further progress in the sector will require that the parties conclude the negotiations and finalize the Power Purchase Agreement as soon as possible and ideally in advance of the forthcoming meeting of the AHLC. Donors, in turn, are encouraged to provide the outstanding financing of 24 million USD to cover the costs associated with procurement of equipment, transfer of assets, and capacity building needs. In Gaza, the restoration of the 120 MW from the Israel Electric Corporation (IEC) to Gaza is a welcome step, but the current situation, in which Gaza receives only 4-6 hours of electricity a day, remains unsustainable. While the reporting period has seen further progress in the Gas for Gaza project, further short-term measures are essential; in particular, the provision of an additional 25 MW supply from Israel (a first step to establishing a high voltage 161 kv line) and 23 MW from Egypt as well as and the deployment of renewable energy systems, which can supplement large scale generation and import.¹

In water, the operation of the Northern Gaza Emergency Sewage Treatment (NGEST) facility, is a welcome step, both as it will benefit Gazans, both by reducing pollution and by

¹ See Annex 1 for a Supply and Demand Forecast for Electricity in Gaza (2018-2030).

increasing the use of treated wastewater in agriculture. It will also help to increase donor confidence, showing that progress in the sector is possible, including on the Gaza Central Desalination Program. There is, however, an outstanding funding gap for NGEST of an estimated 16.8 million USD to cover operation and maintenance costs, as well as to enable cost recovery at the municipality level. Progress has also been realized over the reporting period in both furthering the Gaza Central Desalination Program, as well as in the increasing recognition of the need for the further bulk import of water in order to help bridge the gap in the requirements of potable water. On a separate matter, the parties are also encouraged to finalize and sign the Red Sea—Dead Sea Agreement.

The success of a pilot door to door program, with the first trucks moving on 11 March, is an important step forward in enabling trade. An expansion of this program in the coming months is now essential. Equally, the extension of opening hours at the Allenby/King Hussein Bridge crossing as of May 2018 is an important development, though further streamlining initiatives are necessary to accommodate both the current workload and future growth. In addition, opportunities for expanded trade, including facilitating market access for Gazan processed foods in the West Bank, have the potential to generate employment.

Discussions seeking an agreement on the transfer of some customs functions to the Palestinian customs department continued over the reporting period. Further progress has also been made toward finalizing a Value-Added Tax Clearance system and an examination for the potential expansion of the Al list of goods imported from Jordan and Egypt is now encouraged. Finally, further discussion on an easing of Palestinian Authority Security Forces (PASF) access to communities throughout the West Bank continued.

XII. ECOSOC ADOPTS DRAFT RESOLUTION ON THE SITUATION OF AND ASSISTANCE TO PALESTINIAN WOMEN

On 20 March 2018, the Economic and Social Council (ECOSOC) on the recommendation of the Commission on the Status of Women, adopted the following draft resolution “Situation of and assistance to Palestinian women” (document [E/CN.6/2018/L.3](#)):

The Economic and Social Council,

Having considered with appreciation the report of the Secretary-General,²

Recalling the Nairobi Forward-looking Strategies for the Advancement of Women,³ in particular paragraph 260 concerning Palestinian women and children, the Beijing Platform for Action, adopted at the Fourth World Conference on Women,⁴ and the outcomes of the

* On behalf of the States that are members of the Group of 77 and China, taking into account also the provisions of General Assembly resolution [52/250](#) of 7 July 1998.

² [E/CN.6/2018/6](#).

³ *Report of the World Conference to Review and Appraise the Achievements of the United Nations Decade for Women: Equality, Development and Peace, Nairobi, 15–26 July 1985* (United Nations publication, Sales No. E.85.IV.10), chap. I, sect. A.

⁴ *Report of the Fourth World Conference on Women, Beijing, 4–15 September 1995* (United Nations publication, Sales No. E.96.IV.13), chap. I, resolution 1, annex II.

twenty-third special session of the General Assembly, entitled “Women 2000: gender equality, development and peace for the twenty-first century”,⁵

Recalling also its resolution [2017/10](#) of 7 June 2017 and other relevant United Nations resolutions, including General Assembly resolution [57/337](#) of 3 July 2003 on the prevention of armed conflict and Security Council resolutions [1325 \(2000\)](#) of 31 October 2000 and [2122 \(2013\)](#) of 18 October 2013 on women and peace and security,

Recalling further the Declaration on the Elimination of Violence against Women⁶ as it concerns the protection of civilian populations,

Recalling the International Covenant on Civil and Political Rights,⁷ the International Covenant on Economic, Social and Cultural Rights⁶ and the Convention on the Rights of the Child,⁸ and reaffirming that these human rights instruments must be respected in the Occupied Palestinian Territory, including East Jerusalem,

Recalling also the relevant resolutions of the Human Rights Council,

Taking note of the accession by the State of Palestine to several human rights treaties and the core humanitarian law treaties,

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

Expressing deep concern about the grave situation of Palestinian women in the Occupied Palestinian Territory, including East Jerusalem, resulting from the severe impact of the ongoing illegal Israeli occupation and all of its manifestations,

Expressing grave concern about the increased difficulties being faced by Palestinian women and girls living under Israeli occupation, including as a result of the continuation of home demolitions, evictions of Palestinians, the revocation of residency rights and arbitrary detention and imprisonment, as well as high rates of poverty, unemployment, food insecurity, inadequate water supply and unsafe drinking water, a sanitation crisis, shortages of electricity and fuel, incidents of domestic violence and declining health, education and living standards, including the rising incidence of trauma and the decline in their psychological well-being, particularly in the Gaza Strip, where a humanitarian disaster continues to severely affect the situation of women and girls,

⁵ General Assembly resolution [S-23/2](#), annex, and resolution [S-23/3](#), annex.

⁶ General Assembly resolution [48/104](#).

⁷ See General Assembly resolution 2200 A (XXI), annex.

⁸ United Nations, *Treaty Series*, vol. 1577, No. 27531.

Deploing the dire economic and social conditions of Palestinian women and girls in the Occupied Palestinian Territory, including East Jerusalem, and the systematic violation of their human rights resulting from the severe impact of ongoing illegal Israeli practices, including the forced displacement and transfer of civilians, especially among the Bedouin community, and confiscation of land, particularly in connection with the construction and expansion of settlements and the wall, which continue to constitute a major obstacle to peace on the basis of the two-State solution based on the pre-1967 borders, and the continued imposition of closures and restrictions on the movement of persons and goods, including the permit regime throughout the Occupied Palestinian Territory, including East Jerusalem, which have detrimentally affected their right to health care, including access of pregnant women to health-care services for antenatal care and safe delivery, education, employment, development and freedom of movement,

Expressing grave concern about all acts of violence, intimidation and provocation by Israeli settlers against Palestinian civilians, including women and children, and properties, including homes, mosques, churches and agricultural lands, condemning acts of terror by several extremist Israeli settlers, and calling for accountability for the illegal actions perpetrated in this regard,

Gravely concerned by the tensions and violence over the recent period throughout the Occupied Palestinian Territory, including East Jerusalem, and deploring the loss of innocent civilian life, including among girls and women, as a result of excessive and indiscriminate use of force by Israeli occupying forces,

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

Taking note of the report and findings of the independent commission of inquiry established pursuant to Human Rights Council resolution S-21/1,⁹ 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, deter further violations, protect civilians and promote peace,

Gravely concerned, in particular, by the persisting disastrous humanitarian situation and socioeconomic conditions in the Gaza Strip, including those resulting from the Israeli military operations in July and August 2014, as well as the long-term negative impact of Israeli military operations from December 2008 to January 2009 and in November 2012, and the continuing imposition of a blockade consisting of the prolonged closure of border crossings and severe restrictions on the movement of persons and goods, as well as the continued impeding of the reconstruction process by Israel, the occupying Power, which has

⁹ [A/HRC/29/52](#).

detrimentally affected every aspect of the lives of the civilian population, especially women and children, in the Gaza Strip,

Stressing the need for measures to be taken to guarantee the safety and protection of the Palestinian civilian population throughout the Occupied Palestinian Territory, including East Jerusalem, consistent with the provisions and obligations under international humanitarian law,

Stressing also the importance of providing assistance, especially emergency assistance, to alleviate the dire socioeconomic and humanitarian situation being faced by Palestinian women and their families, and recognizing the essential efforts and support being provided by the United Nations agencies and other humanitarian aid organizations on the ground, particularly in response to the grave humanitarian crisis in the Gaza Strip,

Recalling the convening of the Cairo International Conference on Palestine: Reconstructing Gaza, on 12 October 2014, and urging the timely and full disbursement of pledges for expediting the provision of humanitarian assistance and the reconstruction process, which is essential for alleviating the distress of Palestinian women and their families,

Expressing grave concern that Palestinian women and girls continue to be held in Israeli prisons or detention centres under harsh conditions, including, inter alia, unhygienic conditions, solitary confinement, extensive use of administrative detention of excessive duration without charge and denial of due process, and noting that women and girls also face gender-specific challenges, including inadequate access to medical care, risks associated with pregnancy and giving birth in prison and sexual harassment,

Reiterating the importance of increasing the role of women in peacebuilding and decision-making with regard to conflict prevention and the peaceful resolution of conflicts as part of efforts to ensure the safety and well-being of all women in the region, and stressing the importance of women's equal participation and involvement in all efforts for the achievement, maintenance and promotion of peace and security,

1. *Reaffirms* that the Israeli occupation remains the major obstacle for Palestinian women with regard to their advancement, self-reliance and integration in the development of their society, and stresses the importance of efforts to increase their role in decision-making with regard to conflict prevention and resolution and to ensure their equal participation and involvement in all efforts for the achievement, maintenance and promotion of peace and security;

2. *Calls upon* the international community, in this regard, to continue to provide urgently needed assistance, especially emergency assistance, and services, bearing in mind, inter alia, the 2030 Agenda for Sustainable Development¹⁰ and national priorities, in an effort to alleviate the dire humanitarian crisis being faced by Palestinian women and their families, in particular for addressing the humanitarian crisis and immense reconstruction and recovery needs in the Gaza Strip, and to help in the reconstruction of relevant Palestinian institutions, with the integration of a gender perspective into all of its international assistance programmes, commends the achievements of the Palestinian Government in

¹⁰ General Assembly resolution [70/1](#).

constructing the institutions of an independent Palestinian State, as confirmed by international institutions, including by the World Bank, the International Monetary Fund and the United Nations, and calls for continued support of these efforts;

3. *Calls upon* international donors to fulfil without delay all pledges made on 12 October 2014 at the Cairo International Conference on Palestine: Reconstructing Gaza, in order to expedite the provision of humanitarian assistance and the reconstruction process, which is essential for alleviating the distress of Palestinian women and their families;

4. *Demands* that Israel, the occupying Power, comply fully with the provisions and principles of the Universal Declaration of Human Rights,¹¹ the Regulations annexed to the Hague Convention IV of 18 October 1907, the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949,¹² and all other relevant rules, principles and instruments of international law, including the International Covenants on Human Rights,⁶ in order to protect the rights of Palestinian women and their families;

5. *Urges* the international community to continue to give special attention to the promotion and protection of the human rights of Palestinian women and girls and to intensify its measures to improve the difficult conditions being faced by Palestinian women and their families living under Israeli occupation;

6. *Calls upon* Israel to facilitate the return of all refugees and displaced Palestinian women and children to their homes and properties, in compliance with the relevant United Nations resolutions;

7. *Urges* the international community to make renewed efforts aimed at advancing and accelerating the conclusion of a peace treaty based on clear parameters and with a defined time frame to attain without delay an end to the Israeli occupation that began in 1967 by resolving all outstanding issues, including all core 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 as a whole, for the realization of a comprehensive peace in the Middle East;

8. *Requests* the Commission on the Status of Women to continue to monitor and take action with regard to the implementation of the Nairobi Forward-looking Strategies for the Advancement of Women,² in particular paragraph 260 concerning Palestinian women and children, the Beijing Platform for Action³ and the outcomes of the twenty-third special session of the General Assembly, entitled “Women 2000: gender equality, development and peace for the twenty-first century”;⁴

9. *Requests* the Secretary-General to continue to review the situation, to assist Palestinian women by all available means, including those set out in his report,¹ and to submit to the Commission on the Status of Women at its sixty-third session a report, including information provided by the Economic and Social Commission for Western Asia, on the gender-specific impact of the occupation and the progress made in the implementation of the present resolution.

¹¹ General Assembly resolution 217 A (III).

¹² United Nations, *Treaty Series*, vol. 75, No. 973.

XIII. WELCOMING US\$100 MILLION PLEDGED FOR UNRWA, UN SECRETARY-GENERAL ENCOURAGES MORE SUPPORT TO CLOSE FUNDING SHORTFALL

On 23 March 2018, the United Nations Secretary-General António Guterres issued the following statement ([SG/SM/18952-PAL/2219](#)):

The Secretary-General is grateful for the generous pledges of approximately \$100 million made at the extraordinary ministerial conference entitled “Preserving Dignity and Sharing Responsibility — Mobilizing Collective Action for UNRWA [United Nations Relief and Works Agency for Palestine Refugees in the Near East]”, which was held in Rome on 15 March.

The meeting was an exceptional demonstration of high-level support for UNRWA’s mandate and a recognition for the continued necessity of its work in support of over 5.3 million Palestine refugees. Almost 20 donors pledged additional contributions, including Qatar, Norway, Turkey, Canada, India, Switzerland and many others. The pledges made in Rome represent an important first step, yet a lot of work remains to fully close the critical shortfall.

The Secretary-General encourages all Member States and the private sector to provide support to UNRWA in order to close the still critical funding shortfall. He reiterates that the services provided by UNRWA to Palestine refugees are essential and contribute to bring stability to the region.

XIV. UN SPECIAL COORDINATOR BRIEFS THE SECURITY COUNCIL ON THE IMPLEMENTATION OF SECURITY COUNCIL RESOLUTION 2334

On 26 March 2018, the United Nations Special Coordinator for the Middle East Peace Process, Nickolay Mladenov, briefed the Security Council on the implementation of resolution [2334](#) (2016). The following is his briefing ([S/PV.8214](#))

On behalf of the Secretary-General, I devote my regular briefing on the situation in the Middle East today to introducing the fifth report on the implementation of resolution 2334 (2016), covering the period from 18 December 2017 to 25 March 2018. I will focus on the developments on the ground in accordance with the provisions of the resolution, including on the regional and international efforts to advance the peace process.

Let me reiterate from the outset that developments on the ground cannot be divorced from the broader context of continued military occupation of Palestinian territory, uncertainties about the future of the peace process and the two-State solution, unilateral actions that undermine peace efforts, and continued turmoil in the wider region.

Allow me to also express my continued concern over the \$446-million funding gap for the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA). It must be bridged urgently to ensure that UNRWA can provide basic services to Palestine refugees, including to school half a million children across the Middle East, until a just and lasting peace is achieved. I welcome the approximately \$100 million pledged at the recent

Extraordinary Ministerial Conference in Rome. I encourage Member States to consider urgently providing additional new funding for UNRWA's critical work.

In its paragraph 2, resolution 2334 (2016) calls on Israel to “immediately and completely cease all settlement activities in the occupied Palestinian territory, including East Jerusalem” and to fully respect all its legal obligations in this regard. No such steps were taken during the reporting period. I reiterate that the United Nations considers all settlement activities to be a violation of international law and a major obstacle to peace.

Israel advanced 22 plans for some 1,500 housing units in Area C settlements. Around a dozen units were approved for construction — significantly lower than the 1,200 units approved during the previous three-month period. Ten tenders for some 900 housing units in seven Area C settlements were also announced. Official figures released last week show that construction starts in Area C settlements declined in 2017 to nearly half the number of 2016, which was the highest in over a decade. The plans include 15 temporary housing units near Gush Etzion, south of Bethlehem, in an area outside the jurisdiction of nearby settlements. These units are planned for residents of the Netiv Ha'avot outpost whose homes are slated for demolition on 15 June.

In response to the January shooting attack that killed a rabbi from the Havat Gilad outpost, on 4 February the Israeli Government approved the establishment of a new settlement to absorb its residents. Havat Gilad is built almost entirely on privately owned Palestinian land.

In related potentially significant legislative developments, in January the Knesset passed an amendment to the Basic Law on Jerusalem as the capital of Israel. By requiring a super-majority of 80 votes in the Knesset, the change will make it more difficult for Israel to transfer territories that are currently within the Israeli-defined Jerusalem municipality boundaries to a future Palestinian State. Conversely, it also makes it somewhat easier to change those municipal boundaries, by lowering the previously required Knesset threshold to a simple majority. On 7 March, the Knesset also approved an amendment to Israel's law on entry to Israel, allowing the revocation of the permanent residency status of Palestinians in East Jerusalem who are involved in terrorist activities, treason or espionage, as defined in Israeli law. On 25 February, the Government endorsed a bill transferring jurisdiction over certain categories of petitions related to decisions by Israeli authorities in the West Bank from the High Court of Justice to the Court for Administrative Affairs in Jerusalem. The bill's sponsors have described it as a step towards equating legal procedures and norms in the West Bank and Israel.

The Israeli authorities have continued to demolish Palestinian-owned structures across the occupied West Bank, including in East Jerusalem, albeit at last year's relatively low rate. Ninety-two structures, including 15 that were donor-funded, were demolished, for reasons that included a lack of building permits, which are nearly impossible for Palestinians to obtain. As a result, 104 Palestinians, including 42 children, were displaced, affecting the livelihoods of more than 360 people. The demolition of two donor-funded classrooms serving 26 children in the Palestinian Bedouin community of Abu Nuwar was particularly worrying. For at least three years now, the United Nations has been warning that Israel has been putting steady pressure on Abu Nuwar residents to move. The community is in the strategic E-1 area

planned for the expansion of Ma'ale Adumim, which would result in the creation of a continuous built-up area between the settlement and East Jerusalem, further dividing East Jerusalem from the rest of the West Bank.

Similarly, on 21 March the Bedouin village of Umm Al-Hiran also came under renewed threat as Israeli authorities posted eviction notices on homes indicating that evictions could take place at any time between 14 and 29 April. In late December, in the Masafer Yatta area of Hebron, where there are demolition orders on most structures, the Israel Defense Forces (IDF) blocked several access routes and issued a military order requiring Palestinians to obtain permits to cross, limiting access to services and livelihoods for some 1,400 residents in 12 communities.

Turning to the persistent problem of violence, the reporting period was characterized by continuing demonstrations and clashes following the announcement on 6 December in which the United States recognized Jerusalem as Israel's capital, and the growing tensions in the West Bank, including in East Jerusalem and along the Gaza fence. Israeli security forces killed 23 Palestinians, including six children, in various incidents, including reported attacks against Israelis, demonstrations, clashes and military operations in the occupied Palestinian territory. Five Israelis — three civilians and two soldiers — were killed by Palestinians in separate attacks in the West Bank, including in East Jerusalem. On 5 February, a resident of the Har Bracha settlement was stabbed to death at the entrance to the Ariel settlement. On 9 January, a rabbi from the Havat Gilad outpost was killed in a drive-by shooting. Two of the three alleged perpetrators were killed by Israeli security forces during subsequent search-and-arrest operations. On 18 March, an Israeli civilian was stabbed to death in Jerusalem's Old City. The alleged assailant, a Palestinian man from the West Bank town of Aqraba, was shot dead by Israeli security forces. On 10 March, a Palestinian teenager was shot dead during clashes with Israeli security forces and settlers in the village of Urif, after confrontations turned violent between Palestinian villagers and residents of the nearby Yitzhar settlement.

During the reporting period, there was a worrying escalation of violence in and around the Gaza Strip. Improvised explosive devices placed near the Gaza fence by Palestinian militants exploded on three occasions, wounding four Israeli soldiers in one incident on 17 February. On each occasion, Israeli forces responded with air strikes and shelling against Hamas targets. The Israeli military also announced that it had destroyed three tunnels either fully inside Gaza or leading from Gaza into Israeli territory. On 13 January, before the escalation, the IDF also destroyed a tunnel extending from Gaza into Israel and Egypt under the Kerem Shalom crossing. In addition, 33 rockets were fired from Gaza towards Israel, of which 11 landed in Israel itself. The IDF retaliated against Hamas military sites in Gaza. No injuries were reported on either side.

On 13 March, an improvised explosive device targeting the convoy of Palestinian Prime Minister Hamdallah and the Head of Palestinian General Intelligence exploded in Gaza, with minor injuries to six people. No one has claimed responsibility for that so far. On 22 March, Hamas security forces conducted an operation in the Nuseirat camp in Gaza, reportedly targeting the chief suspect in the bombing of the Prime Minister's convoy. During the operation, the suspect and an accomplice were critically wounded and later succumbed

to their wounds. Two members of Hamas's security forces were also killed during the incident.

Despite the call in Security Council resolution 2334 (2016) for the parties to refrain from acts of provocation, incitement and inflammatory rhetoric, such statements have continued. Fatah's official social-media pages continued to feature posts glorifying the perpetrators of past violence against Israeli civilians, including terror attacks that killed civilians and children. In addition, Palestinian officials continued to make statements denying the historical and religious connection of Jews to Jerusalem and its holy sites. One senior religious leader made the false claim that Jews had lived in historical Jerusalem for only 70 or 80 years. Others continue to describe Israel as a colonial project. I urge the Palestinian leadership to continue to speak out against violence in general and to condemn specific attacks against civilians. Senior Israeli officials also made provocative statements encouraging annexation of all or parts of the occupied West Bank and categorically rejecting the notion of a two-State solution. Some claimed that Palestinians are an invented people; others referred to Palestinians as bloodthirsty barbarians; and one political leader called for more injuries and deaths in Gaza, complaining that Israeli military strikes responding to rocket fire were not producing enough casualties among militants. I urge political leaders to refrain from provocative statements and actions that fuel an already tense environment.

Resolution 2334 (2016) reiterated the calls by the Middle East Quartet for affirmative steps to be taken to reverse negative trends on the ground that are imperilling a two-State solution. The period has witnessed both positive and negative actions by the parties in that regard. In January, after years of negotiations, Israel approved the operation of local Palestinian 3G service in the West Bank, allowing Palestinian telecommunications companies to offer higher speed data services and somewhat improve their competitiveness.

There were two high-level meetings, in Paris on 15 February between the Israeli and Palestinian Ministers of Economy, and on 19 February in Ramallah between the Israeli Minister of Finance and the Palestinian Prime Minister and Minister of Finance, aimed at discussing a range of economic and infrastructure issues concerning the West Bank and Gaza. On 18 February, Israel's Ministerial Committee for Legislation endorsed a bill that would allow Israel to withhold tax revenues that are collected by Israel on behalf of the Palestinian Authority. The amount withheld would be equivalent to the money used for payments to the families of Palestinian perpetrators of attacks on Israelis or for prisoners held in Israeli jails. On 5 March, the Knesset advanced a more restrictive version of the same bill.

Meanwhile, implementation of the intra-Palestinian agreement of 12 October between Fatah and Hamas has stalled. In February and March, Egypt hosted delegations from the two parties in an effort to advance the process of returning Gaza to the control of the Palestinian Authority. I also held multiple meetings with senior Palestinian and Egyptian officials in support of that process.

On 4 March, the Palestinian Government approved a \$5.1 billion budget for 2018, while presenting the option that if it were empowered in Gaza, it could amend the budget and absorb up to 20,000 Gaza civil servants as well.

In Gaza, the electricity supply remains far below people's needs, with power cuts of up to 20 hours per day. Without emergency fuel, 55 sewage pools are at a significant risk of overflowing and the functioning of 48 water desalination plants has been reduced to around 20 per cent of their working capacity. Water is piped to households for only a few hours a day, every four or five days. Basic services continue to function thanks to United Nations-distributed, donor-funded fuel for generators, which is expected to last, at best, only until September. Over 40 per cent of essential medicines remain at zero stock due to the lack of funding.

After a 10-year delay, the Northern Gaza Emergency Sewage Treatment project finally began operating on 1 March, albeit at minimum capacity. More sustainable energy supply and other infrastructure projects need to be urgently pursued in order to allow it to function at full capacity.

In addition to a rapidly deteriorating humanitarian situation, Gaza's economy remains on the brink of collapse. Urgent interventions, alongside increased commitment to short-, medium- and long-term projects, provided the basis for discussions at the meeting of the Ad Hoc Liaison Committee for the Coordination of International Assistance to Palestinians on 20 March in Brussels. Two preparatory meetings — one in Cairo and the other in Washington, D.C., respectively — helped develop a series of priority engagements aimed at improving the electricity, water and health situations in Gaza.

A European Union (EU)-hosted pledging conference for the Gaza Central Desalination Plant, which also took place on 20 March, saw Member States commit some \$565 million — nearly 80 per cent of the project's costs — thereby enabling the tendering process to begin. That is a positive development for the people and infrastructure of Gaza. Nevertheless, it is only one, albeit important project required to ensure that Gaza remains livable beyond the foreseeable future.

In a welcome development, over the past two months, Israel has approved thousands of pending residential cases, more than 130 private-sector projects and over 1,200 requests for the import of items that Israel considers to be of dual civilian and military use. On 14 February, at a trilateral meeting convened by the United Nations, Israel and the Palestinian Authority agreed to continue with the Gaza Reconstruction Mechanism and conduct a joint review in order to improve the functionality, transparency and predictability of the Mechanism.

Resolution 2334 (2016) calls upon all States to distinguish in their relevant dealings between the territory of the State of Israel and the territories occupied since 1967. There are two developments to report in that regard. On 23 January, the Danish Parliament passed a resolution with reference to resolution 2334 (2016), and in line with European Union policy, urging that future agreements between Denmark and Israel clearly state their inapplicability to occupied territory and encouraging the Government to strengthen its guidance to private and public investors.

Also in January, the European Commission signed a financing agreement with Israel, allowing the latter's participation in the Joint Operational Programme of the Mediterranean Sea Basin Programme under the European Neighbourhood and Partnership Instrument for 2014-2020. In continuation of an existing EU practice, the agreement includes a territorial clause stating that

“in accordance with EU policy, the agreement shall not apply to the geographic areas that came under the administration of the State of Israel after 5 June 1967”.

Regrettably, the reporting period saw no progress towards advancing the goal of a lasting peace, as also called for in the resolution.

On 31 January, Norway and the European Union convened an extraordinary meeting of the Ad Hoc Liaison Committee, in which support for the two-State solution, in line with relevant United Nations resolutions, was reiterated. The participants stated their support for ongoing efforts to restore unity between the West Bank and Gaza under the control of the legitimate Palestinian Authority, by focusing, inter alia, on urgent projects that address pressing electricity, water and humanitarian needs.

Speaking before the Security Council on 20 February (see [S/PV.8183](#)), Palestinian President Abbas called for an international peace conference to be held by the middle of the year to form a multilateral mechanism in support of the parties to negotiate all permanent-status issues within a specific time frame and secure full United Nations membership for the State of Palestine and mutual recognition of Palestinian and Israeli statehood on the 1967 lines. On 23 February, the United States announced that it would move its embassy to Jerusalem on 14 May, which will coincide with the seventieth anniversary of Israel's declaration of independence.

In closing, I would like to share some broad observations concerning the provisions of the resolution on the reporting period.

First, Israel's illegal settlement expansion and related activities continue to further threaten the viability of the two-State solution and erode the prospects for peace. The latest decision to establish a new settlement — for the second time since the adoption of resolution 2334 (2016), following Amihai in May 2017 — is particularly troubling. Meanwhile, Palestinian development remains extremely restricted. In Area C alone, there are nearly 13,000 outstanding demolition orders against Palestinian-owned structures, of which some 500 are ready for execution. Less than 1 per cent of Area C, comprising over 60 per cent of the West Bank and critical to the contiguity of a future Palestinian State, is available for Palestinian construction under approved plans.

Secondly, violence and incitement continue to fuel hatred, division, distrust and fear. Continuing terror attacks on Israelis and the attempt on the life of the Palestinian Prime Minister illustrate the growing risk of destabilization and the empowerment of radicals and extremists. The use of force by Israel must also be calibrated. Israel must uphold its responsibilities under international human rights and humanitarian law. Lethal force should be used only as a last resort, with any resulting fatalities properly investigated by the

authorities. I once again urge the security forces to exercise maximum restraint in order to avoid casualties.

I note the developing Palestinian plans for a march on the Gaza fence on 30 March. I call on all sides to exercise restraint and to take the necessary steps to avoid a violent escalation. It is imperative that civilians, in particular children, not be targeted and that all actors refrain from putting children at risk at any time. I also take this opportunity to reiterate my call on Hamas to provide full information on the two Israeli soldiers and two civilians who are being held in Gaza, as required by international humanitarian law.

Thirdly, steps taken on the ground in Area C and Gaza are welcome, but far from transformative. The relaxation on the import of certain dual-use items and the increased number of permits issued to business people in Gaza are nevertheless important developments that need to be sustained and augmented. Economic development, critical as it is, is no substitute for sovereignty and statehood. Efforts aimed at achieving both must proceed in parallel.

Fourthly, the terrorist attack against the convoy of Prime Minister Hamdallah in Gaza was a serious attempt to derail the Cairo process and its perpetrators must be brought to justice. In that respect, I call on Palestinian factions to engage earnestly with Egypt and move forward on the implementation of the Cairo agreement. That includes the paying of salaries for civil servants and the full empowerment of the Government in Gaza. A fully empowered Palestinian Authority in Gaza remains key to lifting the closures, alleviating the humanitarian and development crisis in Gaza, and furthering national aspirations for statehood.

I commend the Prime Minister's commitment to continuing his efforts towards reconciliation and commend Egypt for its tireless efforts in that regard. The United Nations remains committed to supporting Egyptian efforts to advance the process and welcomes the efforts of the international community for a more coordinated engagement in alleviating the humanitarian crisis in Gaza.

I note with concern, however, that reports have emerged today, indicating that Hamas has set up a checkpoint at the Erez, or Beit Hanoun, crossing, which controls the entrance of national and international personnel into Gaza and the exit of all Gaza identification holders. As per the intra-Palestinian agreement of 12 October, all checkpoints should be handed over to the Palestinian Authority.

Fifthly, I remain greatly concerned by the state of our collective efforts to advance peace. Long-held international consensus positions on final status issues, including on Jerusalem and refugees, and United Nations principles must remain the guiding framework of a negotiated process towards the ultimate goal of a two-State solution. Any deviation from those principles would be dangerous. Resolution 2334 (2016) states in paragraph 3 that the Security Council

“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”.

All final-status issues should be resolved on the basis of relevant United Nations resolutions, bilateral agreements and international law.

As the Secretary-General has repeatedly reminded the Council, the United Nations strongly urges Israelis, Palestinians and the international community to take concrete measures that will reverse the current course of the conflict and advance the goal of a just and sustainable peace, based on the two-State solution. Generations of Palestinian and Israeli lives have been shaped by the conflict. It is time to begin building a different future, based on mutual respect, dignity and the belief that even the deepest and most painful divisions can be resolved if there is a genuine desire for change.

XV. UN SECRETARY-GENERAL CALLS FOR INDEPENDENT INVESTIGATION INTO CLASHES AT THE GAZA FENCE BETWEEN ISRAELI SECURITY FORCES AND PALESTINIANS

On 30 March 2018, the Spokesman for the UN Secretary-General issued the following statement ([SG/SM/18967-PAL/2220](#)):

The Secretary-General is deeply concerned about the clashes at the Gaza fence today between Palestinians participating in the “Great Return March” and Israeli Security Forces, which resulted in at least 15 deaths and a large number of injured. His thoughts are with the families of the victims.

The Secretary-General calls for an independent and transparent investigation into these incidents.

He also appeals to those concerned to refrain from any act that could lead to further casualties and in particular any measures that could place civilians in harm's way.

This tragedy underlines the urgency of revitalizing the peace process aiming at creating the conditions for a return to meaningful negotiations for a peaceful solution that will allow Palestinians and Israelis to live side by side peacefully and in security. The Secretary-General reaffirms the readiness of the United Nations to support these efforts.

XVI. UN ASSISTANT SECRETARY-GENERAL FOR POLITICAL AFFAIRS BRIEFS MEETING OF THE SECURITY COUNCIL ON CLASHES AT THE GAZA FENCE

On 30 March 2018, the Security Council held an emergency meeting in which Assistant Secretary-General for Political Affairs Tayé-Brook Zerihoun briefed the Council. The following is his briefing ([S/PV.8219](#)):

As Council members know, today's March of Return near the Gaza fence has, unfortunately, resulted in violence. Based on the information at our disposal, around 30,000 people participated in and around a march at various locations in Gaza. Soon after the demonstration started, the situation deteriorated in several locations. Late afternoon, local time, the Palestinian Health Ministry in Gaza confirmed that at least 15 Palestinians had

been killed and more than 1,000 had been injured, including by tear gas suffocation. Several of the casualties were reportedly the result of live ammunition used by the Israeli security forces during the march, but also following armed clashes between Palestinian and Israeli security forces, including the shelling of a Hamas observation point.

Reports indicate that most of the demonstrators stayed well away from the border fence and did not engage in violence. However, there are also reports that some protesters engaged in stone throwing and violent behaviour — some reportedly carrying weapons. According to Israeli security forces reports,

militants tried to get through the fence in an attempt to plant explosives. Palestinians reportedly also sent a nine-year-old girl across the fence, but Israeli troops were able to send her safely back. Hamas leaders reportedly were also present at some of the gatherings. Prior to the march, Israel had increased its forces around the border, deploying snipers, special units and drones, and sent out warnings that it would act to prevent any breach of the border fence or violation of Israel's sovereignty.

Violence also broke out in the West Bank, with an estimated 900 Palestinians demonstrating, mostly in central West Bank cities, such as Ramallah and Hebron. According to the Palestine Red Crescent Society, 27 Palestinians were wounded during clashes near Nablus.

In his Security Council briefing earlier this week (see [S/PV.8214](#)), Special Coordinator Mladenov noted the developing Palestinian plans for today's march, and called on all to exercise restraint and to take the necessary steps to avoid violent escalation. In statements to the media, he reiterated those calls and emphasized the need to ensure that civilians, particularly children, should not be put in harm's way. The Office of the Special Coordinator for the Middle East Peace Process and Personal Representative of the Secretary-General to the Palestine Liberation Organization and the Palestinian Authority (UNSCO) has also engaged with the Israel Defense Forces and Palestinian factions, particularly in Gaza, to reinforce the same messages.

In order to ensure the safety and security of United Nations personnel, the Department of Safety and Security issued repeated security advisories to all staff. Throughout the day, UNSCO has been in contact with both Palestinian and Israeli security forces and will continue to do so as more demonstrations are expected throughout the next six weeks. There is fear that the situation might deteriorate in the coming days. We will continue to underline that it is imperative that civilians, in particular children, not be targeted and that all actors refrain from putting children at risk at any time. Israel must uphold its responsibilities under international human rights and humanitarian law. Lethal force should be used only as a last resort, with any resulting fatalities properly investigated by the authorities. We therefore also continue to urge Israeli security forces to exercise maximum restraint to avoid casualties.

The developments in Gaza today are another painful reminder of the consequences of a missing peace between Israel and Palestine and the need to step up our efforts in support of a peaceful resolution of the conflict. As the Secretary-General and the Special Coordinator have repeatedly reminded the Security Council, the United Nations strongly urges

Palestinians, Israelis and the international community to take concrete measures to reverse the current course of the conflict and advance the goal of a just and sustainable peace based on the two-State solution.
