



DIVISION FOR
PALESTINIAN RIGHTS

Bulletin

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

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I. SPECIAL RAPPORTEUR CALLS FOR ACCOUNTABILITY TO END EXCESSIVE USE OF FORCE AGAINST PALESTINIAN PROTESTORS IN GAZA

On 5 March, the Special Rapporteur on the situation of human rights in the Palestinian territories occupied since 1967, Michael Lynk released the following [statement](#) welcoming the finding of the Commission of Inquiry into the 2018 Gaza protests. On the same day he introduced his report to the Human Rights Council ([A/HRC/40/73](#)) on Israel's exploitation of natural resources in the Occupied Palestinian Territory. The associated [press release](#) is reproduced below.

Israel's exploitation of natural resources in the Occupied Palestinian Territory for its own use is in direct violation of its legal responsibilities as an occupying power, says UN Special Rapporteur Michael Lynk.

“For nearly five million Palestinians living under occupation, the degradation of their water supply, the exploitation of their natural resources and the defacing of their environment, are symptomatic of the lack of any meaningful control they have over their daily lives,” Lynk said presenting a [report](#) to the Human Rights Council in Geneva.

“Israel's policy of usurping Palestinian natural resources and disregarding the environment has robbed the Palestinians of vital assets and means they simply cannot enjoy their right to development.

“Its approach to the natural resources of the Occupied Palestinian Territory has been to use them as a sovereign country would use its own assets, with vastly discriminatory consequences.”

The report, focusing on the impact of the occupation on the environment and natural resources, said people living under occupation should be able to enjoy the full panoply of human rights enshrined in international law, in order to protect their sovereignty over their natural wealth.

“However, Israeli practices in relation to water, extraction of other resources, and environmental protection, raise serious concerns.

“With the collapse of natural sources of drinking water in Gaza and the inability of Palestinians to access most of their water sources in the West Bank, water has become a potent symbol of the systematic violation of human rights in the Occupied Palestinian Territory,” the Special Rapporteur said.

“As of 2017, more than 96% of Gaza's coastal aquifer – the main source of water for residents of Gaza – has become unfit for human consumption. The reasons include over-extraction because of Gaza's extremely dense population, contamination with sewage and seawater, Israel's 12-year old blockade, and asymmetrical wars which has left Gaza's infrastructure severely crippled and with a near-constant electricity shortage.

The Rapporteur said natural and mineral wealth from the Dead Sea, which is partly within the occupied West Bank, were being extracted by Israel for its own benefit, while the Palestinians were denied any access to those resources.

“States are obligated to ensure that the enjoyment of human rights is not affected by environmental harm, and to adopt legal and institutional frameworks that protect against any environmental damage that interferes with the enjoyment of human rights,” Lynk said.

There are serious concerns about Israel’s practice of disposing of hazardous waste in so-called “sacrifice zones” in the West Bank. The impact of Israel’s practices may be felt not only by Palestinians, but also by Israelis and others in the region, the Rapporteur said.

The report also questioned the ongoing use of excessive force by Israeli security forces against demonstrators in Gaza, and the near humanitarian catastrophe in the territory caused by the blockade.

Lynk also expressed fears about the fate of Palestinian families in East Jerusalem – nearly 200 of whom are at risk of forced eviction – and concern for human rights defenders facing increasing attacks on their credibility and pressure on funding.

“We must understand that these issues and violations block any visible path to Palestinian self-determination, and are instead leading to a darker future that heralds danger to both peoples,” he said.

II. UN HIGH COMMISSIONER FOR HUMAN RIGHTS SAYS VIOLATIONS OF ECONOMIC AND SOCIAL RIGHTS CLOSELY LINKED WITH VIOLATIONS OF CIVIL AND POLITICAL RIGHTS

On 6 March, in her annual report and oral update to the Human Rights Council, the United Nations High Commissioner for Human Rights, Michelle Bachelet, made the following [observations](#):

...

In the occupied Palestinian territory, the devastating impact of the occupation on economic and social rights was closely linked with violations of civil and political rights. The High Commissioner noted that imposing economic hardship on Palestinians did not make Israelis safer, and she regretted Israel’s decision to cancel the temporary international protective presence in Hebron, which had helped to prevent and mitigate some human rights violations.

...

III. UNRWA COMMISSIONER-GENERAL ADDRESSES THE LEAGUE OF ARAB STATES MEETING IN CAIRO

On 6 March, the Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees (UNRWA), Pierre Krähenbühl, made the following [remarks](#) in his address to the League of Arab States meeting in Cairo:

Dear Mr Chairman,

Dear Secretary-General Dr. A. Abul Gheit, Your Excellencies, Ladies and Gentlemen,

Allow me to begin by thanking you for the renewed honour of addressing your distinguished Council.

2018 was without a doubt the most challenging year in UNRWA's proud history.

I say this with humility and in the knowledge that previous generations of UNRWA's staff and leadership faced the immediate consequences of momentous events like the 1948 original forced displacement of Palestinians, the 1967 war and the beginning of the occupation, armed conflict in Lebanon and later Syria, the intifadas and repeated wars in and the blockade of Gaza.

UNRWA is therefore an organization formed and shaped by the closest possible exposure to human suffering and injustice. And yet, never before had the very existence of the Agency been at such great risk as in 2018. In previous statements before your Council I described the challenges we faced last year as existential in nature.

Today, I am therefore all the more pleased to confirm to you that with your exemplary support, UNRWA was able to entirely over- come the historic 2018 shortfall of \$446 Million. 40 different countries and institutions increased their funding to UNRWA and every pledge made in 2018 was honoured before the end of the year.

Here at the League of Arab States, I wish to begin by expressing my sincere respect and appreciation to Secretary-General Abul Gheit for his constant attention and sustained advocacy on behalf of UNRWA.

Highest recognition goes to the Hashemite Kingdom of Jordan for the extraordinary leadership and initiatives in support of the Agency. I wish to warmly thank the Republic of Egypt, the Lebanese Republic and State of Palestine, for their constant outreach and attention.

The extraordinarily generous and crucial donations from the Kingdom of Saudi Arabia, the United Arab Emirates, the State of Qatar and the State of Kuwait deserve the highest recognition and my personal heartfelt gratitude.

You have contributed in decisive ways to the successful outcome of last year. You have shown remarkable solidarity with Palestine refugees and -together with partners in Europe, Asia, Africa and the Americas- sent a powerful and important message to Palestine refugees: that they are not forgotten.

This message was reinforced a few days ago in Abu Dhabi when the OIC's Council of Foreign Ministers adopted the Developmental Waqf for Palestine refugees, a very important step in the search to improve UNRWA's longer-term financial situation.

Excellencies, Ladies and Gentlemen,

I can confirm with great clarity that UNRWA will maintain its financial discipline. We reduced our costs by \$92 M last year and aim to make further savings of some \$60 M, which is the amount we will be losing from the United States this year.

If – in addition to our own efficiencies – every partner of UNRWA would maintain its funding levels in 2019, that would allow us to be financially stable, something very unique in our history.

I know however that this will require a lot of work and that UNRWA will again face delicate crisis moments this year, for example in relation to our emergency work in Gaza or the efforts required to keep our half a million students in school, in the West Bank, the Gaza Strip, Jordan, Lebanon and Syria, as well as our health-services, relief and emergency services. I wish to also emphasize the importance of preserving our ongoing operations in East Jerusalem.

At stake is defending the rights and dignity of Palestine refugees, contributing to regional stability and asserting the importance of robust multilateralism.

Excellencies,

I wish to conclude by underlining that the suffering of Palestine refugees is real and never anonymous. Allow me in this context to name the UNRWA students whose lives were lost in Gaza and Syria in 2018:

In Gaza, we lost:

Yasser, Shadi and Majdi (11 years old), Ezzedine (13),

Mohammad, Zakaria, Hussain, Mohammad and Wessal (14), Ala'a, Muath and Jamal (15)

Sadi (16)

In Syria, we lost:

Aya (12)

Muhammad, Qusai (14) Bahaa, Abd El-Ghafour (15)

Behind each of their names was a destiny, a hope and expectations.

To honour them and keep alive the hope of all students in UNRWA schools, allow me to say, once again, how proud we are of our remarkable partnership with the League of Arab States and its member states and how grateful we are for your trust.

I thank you.

IV. OIC AND EUROPEAN PARLIAMENT REAFFIRM THE ILLEGALITY OF ISRAELI SETTLEMENTS

On 7 March, the Organization for Islamic Cooperation and the European Parliament jointly issued this [press release](#) following a joint Symposium in Brussels on “The Expansion of the Israeli Settlements in the Palestinian Occupied Territory, Particularly in East Jerusalem”:

The Organisation of Islamic Cooperation (OIC) and the European Parliament jointly organized at the latter’s headquarters in Brussels on 6th March 2019 a Symposium on ‘The Expansion of the Israeli Settlements in the Palestinian Occupied Territory, Particularly in East Jerusalem’.

The meeting, attended by countries’ representatives, including EU parliamentarians, legal experts, journalists, diplomats and activists, reflected the collaborative spirit and willingness of OIC and EU to promote dialogue, partnership and cooperation, in fulfillment of the shared responsibilities towards common challenges, including the Palestinian question.

Ambassador Ismat Jahan, Permanent Observer of the OIC to the EU underlined in her opening address that the cause of Palestine is a fundamental and critical issue for the OIC. Also speaking at the opening session, Ambassador Abdalrahim Alfarra of the Mission of Palestine in Brussels stressed the importance of implementing relevant resolutions and agreements concerning the two-state solution with all its implications.

Amb. Ali Goutali, Director of Palestine and al-Quds Affairs, addressed the meeting on behalf of the OIC General Secretariat. He expressed the OIC’s gratitude to the EU Parliament for co-organizing and hosting the event, which provided an opportunity to have an open and constructive debate about the Israeli illegal settlements, as a major obstacle to the two-state solution.

The OIC urged, in the statement, the European Union to play an effective role in inspiring and launching a multilaterally sponsored peace process, based on relevant UN Resolutions, and the Arab Peace Initiative. The OIC also indicated that recognizing the State of Palestine by EU Countries and supporting its accession as full-fledged member to the United Nations, would help attain the required objectives, in pursuit of the two-state solution, peace and stability in the region.

Dr. Ahmed Majdalani, Member of the Executive Committee of Palestine Liberation Organization; Ambassador Dr. Riyad Mansour, Permanent Observer of Palestine to the UN; and members of European Parliament (MEPs) also spoke as panellists.

V. UN RESIDENT COORDINATOR’S STATEMENT ON OCCASION OF INTERNATIONAL WOMEN’S DAY 2019

On 8 March, the UN Resident Coordinator for the Occupied Palestinian Territory, James McGoldrick, released the following [statement](#) on the occasion of International Women’s day 2019:

On this International Women’s Day, the United Nations acknowledges and celebrates the contributions of Palestinian women to the development of their communities. We also recognize the efforts made by Palestinian civil society and the Government of Palestine to promote gender equality and women’s empowerment in line with the Sustainable Development Goals.

While we celebrate the important progress, we are also cognizant of the many obstacles Palestinian women continue to face. This includes the context of continued military occupation as well as general concerns over safety and security, livelihoods, employment, political participation, access to education, health care and other services, including to victims and survivors of gender-based violence. We look forward to the Government of Palestine and other stakeholders working to bridge the gap between policy commitments and translating them into law and practice.

The United Nations believes in the importance of the empowerment of Palestinian women and girls as a crucial component of the realization of human rights, peace and security and in building a thriving Palestinian society.

VI. UN SPECIAL COORDINATOR'S STATEMENT ON GAZA ARRESTS

The Special Coordinator on the Middle East Peace Process, Nikolay Mladenov, issued the following [statement](#) on 17 March:

I strongly condemn the campaign of arrests and violence used by Hamas security forces against protesters, including women and children, in Gaza over the past three days.

I am particularly alarmed by the brutal beating of journalists and staff from the Independent Commission for Human Rights (ICHR) and the raiding of homes.

The long-suffering people of Gaza were protesting the dire economic situation and demanded an improvement in the quality of life in the Gaza Strip. It is their right to protest without fear of reprisal.

I call on all Palestinian factions to engage in earnest with Egypt in order to implement the Cairo Agreement (2017) in full.

The United Nations will continue its efforts to avoid escalation, relieve the suffering of people in Gaza, lift the closures, and support reconciliation.”

VII. ARAB LEAGUE-EU REAFFIRM COMMON POSITIONS ON MIDDLE EAST PEACE PROCESS

On 18 March, the Arab League and the European Union held a Summit at Sharm el-Sheikh in Egypt. The following are [excerpts](#) from the declaration related to the question of Palestine:

...

7. We reaffirmed our common positions on the Middle East Peace Process, including on the status of Jerusalem, and on the illegality under international law of Israeli settlements in the occupied Palestinian territories. We reiterated our commitment to reaching a two-state solution on the basis of all relevant UN resolutions, as the only realistic way to end the occupation that began in 1967, including of East Jerusalem, and to achieve a just, lasting and comprehensive peace between Israelis and Palestinians through direct negotiations between the parties that addresses all final status issues. We recalled the importance of upholding the historic status quo for the holy

sites in Jerusalem, including with regard to the Custodianship of the Hashemite Kingdom of Jordan. We reaffirmed the indispensable role of UNRWA and the need to support it politically and financially in order to allow it to continue fulfilling its UN mandate. We expressed our concern about the humanitarian, political, security and economic situation in the Gaza Strip, and called for all parties to take immediate steps to produce a fundamental change to the better in full respect of international law, including human rights and humanitarian law, especially with respect to the protection of civilians.

...

VIII. HUMAN RIGHTS COUNCIL ADOPTS RESOLUTIONS ON ENSURING ACCOUNTABILITY AND JUSTICE FOR ALL VIOLATIONS OF INTERNATIONAL LAW, HUMAN RIGHTS SITUATION IN PALESTINE

On 22 March, the Human Rights Council adopted a draft resolution on ensuring accountability and justice for all violations of international law in the Occupied Palestinian Territory, including East Jerusalem. The resolution was adopted by 23-8 votes with 15 abstentions ([A/HRC/40/L.25](#)):

40/...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 17 December 2014 at the Conference of High Contracting Parties to the Fourth Geneva Convention on measures to enforce the Convention in the Occupied Palestinian Territory, including East Jerusalem, 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, S-21/1 of 23 July 2014 and S-28/1 of 18 May 2018,

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 international commission of inquiry on the protests in the Occupied Palestinian Territory, 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 and crimes against humanity, including the findings of the independent international commission of inquiry on the protests in the Occupied Palestinian Territory, of the independent commission of inquiry on the 2014 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 United Nations Fact-Finding Mission on the 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,

Deploping the non-cooperation by Israel with all Human Rights Council fact-finding missions, the independent commission of inquiry on the 2014 Gaza conflict and the independent international commission of inquiry on the protests in the Occupied Palestinian Territory, 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

¹ A/HRC/29/52.

² A/HRC/22/63.

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,

Recognizing the importance of the right to life and the right to freedom of peaceful assembly and association to the full enjoyment of all human rights,

1. *Welcomes* the report of the independent commission of inquiry on the protests in the Occupied Palestinian Territory;⁴

2. *Calls upon* all duty bearers and United Nations bodies to pursue the implementation of the recommendations contained in the reports of the independent international commission of inquiry on the protests in the Occupied Palestinian Territory, 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, in accordance with their respective mandates;

3. *Notes* the importance of the work of the independent international commission of inquiry on the protests in the Occupied Palestinian Territory, 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 of the information collected regarding grave violations in support of future accountability efforts, in particular information on alleged perpetrators of violations of international law;

³ A/HRC/12/48.

⁴ A/HRC/40/74.

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 human rights organizations, 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. *Condemns* the apparent intentional use of unlawful lethal and other excessive force by Israel, the occupying Power, against civilians, including against civilians with special protected status under international law, notably children, journalists, health workers and persons with disabilities, who pose no imminent threat to life;

9. *Calls upon* all parties to ensure that future demonstrations remain peaceful and to abstain from actions that could endanger the lives of civilians;

10. *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 they do not become involved in internationally unlawful conduct;

11. *Requests* the United Nations High Commissioner for Human Rights to strengthen the field presence of the Office of the High Commissioner in the Occupied Palestinian Territory, particularly in the occupied Gaza Strip, and to deploy the personnel and expertise necessary to monitor and document the ongoing violations of international law in the context of large-scale civilian protests in the Occupied Palestinian Territory, particularly in the occupied Gaza Strip, in accordance with the findings of the independent international commission of inquiry on the protests in the Occupied Palestinian Territory, to follow up on the implementation of the recommendations contained in the report of the commission of inquiry and to provide the Human Rights Council with an oral update at its forty-second session, and to present a report to the Council at its forty-third session, to be followed by an interactive dialogue;

12. *Decides* to remain seized of the matter

Also on 22 March, the Human Rights Council adopted the following draft resolution on the Right of the Palestinian people to self-determination by 41-3 votes with 2 abstentions ([A/HRC/40/L.26](#)):

40/...Right of the Palestinian people to self-determination

The Human Rights Council,

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

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

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

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

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

Recalling further General Assembly resolution 67/19 of 29 November 2012, Reaffirming the right of the Palestinian people to self-determination in accordance with the provisions of the Charter, relevant United Nations resolutions and declarations, and the provisions of international covenants and instruments relating to the right to self-determination as an international principle and as a right of all peoples in the world, and emphasizing that this jus cogens norm of international law is a basic prerequisite for achieving a just, lasting and comprehensive peace in the Middle East,

Deploring the plight of millions of Palestine refugees and displaced persons who have been uprooted from their homes, and expressing deep regret about the fact that more than half of the

Palestinian people continue to live in exile in refugee camps throughout the region and in the diaspora,

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

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

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

Noting that the failure to bring the occupation to an end after 50 years heightens the international responsibility to uphold the human rights of the Palestinian people, and expressing its deep regret that the question of Palestine remains unresolved 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 in contravention 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.

The Human Rights Council adopted the following draft resolution by 39-3 votes with 5 abstentions ([A/HRC/40/L.27](#)):

40/...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

¹ A/73/447 and A/HRC/40/73.

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 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 violations 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 to provide the Gaza Strip with the assistance that it requires,

Stressing the need 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 rapid and unhindered access of humanitarian personnel, and the delivery of supplies and equipment, in order to allow such personnel to perform efficiently their task of assisting affected civilian populations, including refugees and internally displaced persons,

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

Deploing 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 transfers and deportations of civilians from or to 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 attack, 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, and regretting the unilateral decision by Israel not to renew its mandate, thereby dispensing with one of the few established mechanisms for conflict resolution between Israelis and Palestinians, which may therefore have a negative impact on the situation,

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

1. *Demands* that Israel, the occupying Power, 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; 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 the 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* about the so-called Basic Law: Israel as the Nation-State of the Jewish People, adopted by the Knesset, currently under judicial review, which has raised further concerns regarding compliance with international law, including the law of occupation, insofar as it applies to the Occupied Palestinian Territory, including East Jerusalem;

14. *Also 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;

15. *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;

16. *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;

17. *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 the 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, United Nations facilities, and agricultural lands, the large-scale internal displacement of civilians, and the excessive use of force by the Israeli occupying forces against Palestinian civilians in the context of protests in the West Bank and in the Gaza Strip;

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

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

20. *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;

21. *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 to take steps to prevent any further such threats, attacks, reprisals or acts of intimidation;

22. *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;

23. *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);

24. *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;

25. *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;

26. *Emphasizes* the need to preserve and develop 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;

27. *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;

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

The Council adopted the following draft resolution by 32-5 votes with 10 abstentions ([A/HRC/40/L.28](#)):

40/...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 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 as lawful a situation arising from breaches of peremptory norms of international law,

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

Recalling the advisory opinion rendered on 9 July 2004 by the International Court of Justice on the legal consequences of the construction of a wall in the Occupied Palestinian Territory, and recalling also General Assembly resolutions ES-10/15 of 20 July 2004 and ES-10/17 of 15 December 2006,

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-

¹ A/HRC/22/63.

called natural growth, and the dismantlement of all settlement outposts erected since March 2001, and the need for Israel to uphold its obligations and commitments in this regard,

Recalling 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, disruption to 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,

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, and deeply concerned that the magnitude, persistence and character of the settlement enterprise suggest that the occupation has been established with the intention of making it permanent, in violation of the prohibition of acquisition of territory resulting from the use of force,

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

Deploring in particular the construction and expansion of settlements by Israel in and around occupied East Jerusalem, including its so-called E-1 plan, which aims to connect its illegal settlements around and further isolate occupied East Jerusalem, the continuing demolition of Palestinian homes and eviction of Palestinian families from the city, the revocation of Palestinian residency rights in the city, and ongoing settlement activities in the 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

² A/67/738.

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, including the obligation to ensure respect for the Fourth Geneva Convention,

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

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

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

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

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

2. *Calls upon* Israel to accept the de jure applicability of the 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 the full participation of Palestinians in the political, social, economic and cultural life of the Occupied Palestinian Territory, including East Jerusalem, and prevent their full development in both the West Bank and the Gaza Strip;

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 the 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 for their obligations under international law with regard to these and all other illegal Israeli practices and measures in the Occupied Palestinian Territory, including East Jerusalem;

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 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 on the implementation of the provisions of the present resolution at its forty-third session, with particular emphasis on the policies and practices linked to the settlement enterprise that discriminate against the Palestinian population in the Occupied Palestinian Territory, including East Jerusalem;

17. Decides to remain seized of the matter.

IX. SECRETARY-GENERAL’S REPORT ON THE IMPLEMENTATION OF SECURITY COUNCIL RESOLUTION 2334 (2016)

On 26 March, the Special Coordinator for the Middle East Peace Process, Nikolay Mladenov, presented the Secretary-General’s ninth quarterly report ([S/2019/251](#)) on the implementation of Security Council resolution 2334 (2016) to the Security Council. The Observations of the Secretary-General contained in the report are reproduced below.

VII. Observations

54. The expansion of illegal Israeli settlements in the occupied West Bank, including East Jerusalem, continues unabated. The advancement, approval or tender of more than 3,000 units in the occupied West Bank is the largest batch since May 2018. I reiterate that the establishment of settlements in the Occupied Palestinian Territory, including East Jerusalem, has no legal effect and constitutes a flagrant violation of international law, as stated in resolution [2334 \(2016\)](#), and must cease immediately and completely. The existence and expansion of settlements fuel anger and disillusionment among the Palestinian population and significantly undermine the prospects for ending the occupation and achieving the two-State solution by systematically eroding the possibility of establishing a contiguous and viable Palestinian state. Moreover, attempts to pass legislation that would directly apply Israeli law to the territory of the occupied West Bank raise fears of future annexation plans.

55. The demolition and seizure of Palestinian structures also continues. The demolition of structures linked to vital water connections in Area C communities already suffering water shortages is particularly troubling. I am concerned by the continued pressure being placed on Palestinians in the occupied West Bank, including East Jerusalem. The forced eviction of Palestinians from their homes in East Jerusalem and the risk of high numbers of further evictions to facilitate the expansion of future settlements highlight the growing problem of Palestinians in East Jerusalem facing displacement. Such policies must be reversed and Israel should abide by its obligations under international law.

56. The situation in Gaza continues to be at risk of a major escalation, and the immense suffering of the people continues. I remain gravely concerned by the number of deaths and injuries of Palestinians along the Gaza perimeter fence. Serious concerns remain over Israel's use of force during the Gaza protests at the perimeter fence with Israel. Israeli security forces have the responsibility to exercise restraint and lethal force must be used only when strictly unavoidable in order to protect life. Force must not be used against medical personnel exclusively carrying out their medical duties. Children should never be the target of violence and Hamas and other militant groups have an obligation to protect children, ensuring that they are never put in harm's way. The indiscriminate launching of rockets and mortars towards Israeli civilian populations is prohibited by international humanitarian law and must immediately cease. The launching of incendiary and explosive devices towards Israel must also stop. The organizers of the demonstrations must ensure that protests remain peaceful.

57. The violent response by Hamas security forces against protesters, including women and children, in Gaza is unacceptable. The long-suffering people of Gaza have the right to protest without fear of reprisal.

58. There is no justification for terrorism and I call on all members of the international community to join the United Nations in condemning it unequivocally.

59. I am concerned by reports of increased number of settler attacks and incidents of harassment compared to the previous reporting period. I am very concerned about the Palestinian population, protective presence actors and human rights defenders in the H2 area of Hebron following the withdrawal of the Temporary International Presence in Hebron on 1 February 2019, particularly noting that parts of the H2 area were designated as closed military zones. I call on Israel to ensure the safety and security of the Palestinian population, to refrain from any steps that may cause further tension, to allow humanitarian actors and human rights defenders to carry out their activities freely and safely and to ensure that any attacks are thoroughly, impartially and independently investigated and the perpetrators held accountable.

60. Provocative and inflammatory rhetoric by Palestinian and Israeli officials during the reporting period also continues to deepen the divide and fuel mistrust and hatred between the parties, while undermining efforts to advance the goal of peace. Leaders have a responsibility to demonstrate a willingness to pursue compromise and to promote positive dialogue between both sides. Fuelling tensions, promoting conspiracy theories and cultivating hate between communities only serves to perpetuate the conflict.

61. I am deeply concerned about developments relating to the clearance revenues of the Palestinian Authority, in particular the political, economic and security implications for both Palestinians and Israelis, which undermine the Oslo Framework and the chances of achieving the two-State solution. At \$2.3 billion, clearance revenues account for over 65 per cent of the total annual revenue of the Palestinian Authority. Both sides need to engage in a constructive manner with the goal of restoring the revenue transfers in full, in line with the Paris Protocol on Economic Relations. They must do their utmost to prevent a further deterioration and to recommit, with the support of the international community, to the basic tenets enshrined in long-standing bilateral agreements.

62. I note the criticality of continued support for UNRWA, which requires \$1.2 billion in funding in 2019 for its regular programmes and humanitarian operations. To avoid any disruption in services in 2019, UNRWA needs its donors to maintain funding levels and to increase the number of multi-year agreements to ensure enhanced financial stability. The recent establishment of a developmental “Waqf” fund for Palestine refugees, as announced by the Council of Ministers of the Organization for Islamic Cooperation, is an important step in this regard. I call upon Member States to continue their support for UNRWA.

63. Regrettably, the few and modest affirmative steps taken by the parties were insufficient for reversing negative trends. Instead, the viability of the two-State solution is under increasingly grave threats. I once again call on all parties to refrain from unilateral steps that undermine the prospects for a two-State solution and that are not in line with bilateral agreements, including the Paris Protocol.

64. I remain deeply concerned by the deteriorating humanitarian and economic situation in Gaza. Taking into consideration its legitimate security concerns, I urge Israel to ease the restrictions on the movement of goods and people to and from Gaza, with the goal of ultimately lifting them. Only by fully lifting the debilitating closures, in line with Security Council resolution [1860 \(2009\)](#), can we hope to sustainably resolve the humanitarian crisis. Restrictive measures by the Palestinian Authority continue to compound the impact of the long-standing closures, further widening the intra-Palestinian political and administrative gap. Funding received to date has enabled the temporary increase in energy supply in Gaza and has supported the delivery of a large quantity of essential medicines and the performance of thousands of emergency surgeries. However, with the funding provided by Qatar for fuel for the Gaza power plant set to run out in April 2019, there is a real concern that, without additional funds or a sustainable solution for the energy crisis, energy outages will again reach 20 hours per day, significantly impacting the provision of essential services. This comes against a backdrop of rising needs, with humanitarian partners facing record-high funding cuts and an increasingly restricted operating space. The 2019 Humanitarian Response Plan, launched on 17 December, called for \$350 million for the Occupied Palestinian Territory, \$270 million of which is for Gaza. I urge donors to increase their contributions to allow for a modicum of relief to the needs of the population.

65. On a positive note, improvements in the Gaza Reconstruction Mechanism are expected to significantly enhance its effectiveness, functionality, predictability and transparency, to make it more user-friendly and to help stimulate economic activity. I also welcome the decision by Egypt to keep the Rafah border crossing open, with due respect for

its security concerns. In addition, I welcome the expansion of Gaza's fishing zone to 12 nautical miles in a small area off the Gaza coast, but remain concerned by ongoing arrests of and injuries to Palestinians fishing within permitted waters.

66. These are positive steps that can avert another violent confrontation between Israel and Hamas in Gaza, but any long-term solution requires restoring intra-Palestinian national unity, returning Gaza to the control of a legitimate Palestinian Government and lifting the crippling Israeli closures.

67. It is critical that the important Egyptian-led intra-Palestinian reconciliation efforts continue. The United Nations stands firm in its support of Egypt's efforts in this regard, and I call on all Palestinian factions to make serious efforts to ensure the reunification of Gaza and the West Bank under a single, democratic, national government. Only then can we hope to sustainably resolve the humanitarian crisis and begin the important task of development. Gaza is, and must remain, an integral part of a future Palestinian state as part of a two-State solution.

68. I remain greatly concerned by the state of our collective efforts and the weakening of the international consensus to achieve an end to the occupation and the realization of a negotiated two-State solution of the Israeli-Palestinian conflict, and I have repeatedly raised the alarm about the conflict's dangerous trajectory. Given the interconnected nature of conflicts throughout the region and the potential of the Palestinian-Israeli conflict to fuel extremist narratives worldwide, creating conditions for the parties to return to meaningful bilateral negotiations remains critical. In the absence of a political process to end the conflict, the United Nations partners in the Middle East Quartet provided a series of recommendations in the report of July 2016, which, if implemented effectively, would begin to establish such conditions.

69. The United Nations has advocated for a strengthened commitment to bilateral agreements and is implementing a series of humanitarian projects aimed at supporting Gaza and Palestinian reconciliation, and ultimately lifting the closures. We have continued to stress that the recommendations contained in the 2016 report of the Middle East Quartet remain deeply relevant. I reiterate that there is no viable alternative to the two-State solution, with Israel and Palestine living side by side in peace and security with Jerusalem as the capital of both States. What is needed, first and foremost, is the necessary leadership and political will to take concrete steps in support of ending the military occupation and realizing a lasting peace. Until that can be found, for yet another generation, Israelis and Palestinians are destined to spend their lives searching in vain for an elusive peace.

70. I express my deep appreciation to my Special Coordinator for the Middle East Peace Process, Nickolay Mladenov, for his outstanding service in what remains a challenging context. I pay tribute, too, to all staff working under difficult circumstances in the service of the United Nations.

X. UNICEF DEPLORES INCIDENT OF INTERFERENCE IN SCHOOL IN HEBRON

On 21 March, UNICEF issued the following [press release](#):

UNICEF condemns the entry on 19 March of Israeli soldiers into Ziad Jaber boys school – attended by 304 students – in Hebron’s H2 area in which a 10-year-old Palestinian boy was arrested.

Children everywhere have a right to learn in a safe and secure environment, free from fear, anxiety and danger.

While the child has since been released without charges, such incidents of entry by military forces into schools are all too common in the West Bank. They are highly traumatic for children and disruptive to their education.

UNICEF welcomes the expressed willingness of Israeli forces to issue directives that would forbid the entry of armed forces into schools and avails itself to support the implementation of these directives, in line with the Safe Schools Declaration which the Government of Israel is still reviewing.

UNICEF further reiterates its concern about the high numbers of Palestinian children who continue to be detained in military prisons.

XI. UNRWA RELEASES REPORT ON GREAT MARCH OF RETURN

On 29 March, UNRWA released the following [report](#) to mark one year of the start in Gaza demonstrations that became known as The Great March of Return. Below are the introduction and the conclusion:

Introduction

The so-called Great March of Return (GMR) protests began on 30 March 2018 – known as “Palestinian Land Day” – when 40,000-50,000 Palestinian men, women and children, the vast majority of them peaceful demonstrators, took to the perimeter fence separating Gaza from Israel, in popular protest, to demand the end of the Israeli blockade and the right of return for refugees. Weekly demonstrations have continued now for a year and have attracted large and diverse crowds, including women and children, elders, civil society, political activists and public figures. Initially protestors gathered every Friday after prayers in five sites along the fence, however, GMR activities have evolved during the past twelve months and have included night-time disruptions along the fence and demonstrations along the Gaza coastline .

While protests have continued to be largely non-violent and the vast majority of those in attendance are unarmed, there are often reported incidents of stone throwing as well as tire burning, attempts to damage the fence and, since April, some demonstrators flew kites or balloons towards Israel that carried burning rags and damaged Israeli property, including agricultural land. Israeli Security Forces (ISF) have, throughout the past twelve months, responded to these civilian demonstrations with the use of tear gas, rubber-coated bullets and

live ammunition. According to OCHA figures, as of 22 March 2019, the ISF have killed 195 Palestinians (including 41 children) and injured nearly 29,000 people (including over 7,000 wounded with live ammunition).

Palestine refugees make up more than two-thirds of the Gaza population of nearly two million people. Most refugees live in the towns and cities of Gaza but a substantial portion (more than 500,000 people) live in eight overcrowded and impoverished refugee camps. UNRWA provides services ranging from education, health and relief and social services to these Palestine refugees as mandated by the UN General Assembly.

UNRWA has monitored the effects of the GMR on Palestine refugees and has echoed other parts of the UN in raising concern about the excessive use of force by the ISF and supported calls for investigations to ensure accountability for any violations of international law. The Agency has also been providing assistance to those individuals and families affected by the GMR primarily through its 22 primary health facilities and its psychosocial counsellors who work in its health centres and schools. The ongoing violence has put a severe strain on the entire health system in Gaza, including the services provided by UNRWA.

This report provides an overview of the information collected by UNRWA through its operations, as well as testimonies of staff and beneficiaries, that demonstrate the impact of the GMR on Palestine refugees and on the Agency's services.

Conclusion

In the twelve months of GMR demonstrations, more Palestinians have been injured than during the 2014 Gaza hostilities, more Palestinians have been killed than during the 2012 Gaza hostilities, and responding to the violence has brought an already strained health system to the brink of collapse. UNRWA has witnessed first-hand the profound impact on the lives of Palestine refugees (including children) who make up the majority of Palestinians in Gaza, as well as the immense pressure it has placed on the Agency's services.^{xi}

Serious concerns have been raised about the excessive use of force deployed by the ISF in circumstances where individuals are unarmed and pose no imminent or serious threat.^{xii} The consequences are seen both in the shockingly high number of casualties and in the very personal accounts of lives changed forever. It should be noted that the use of live ammunition pre-dates the GMR in Gaza and affects also the West Bank where the ISF have increasingly used live ammunition against Palestinians in recent years in response to protests and

^{xi} In 2018, UNRWA also experienced an unprecedented funding crisis following the withdrawal of US Government funding which led to a shortfall of \$446 million. This caused cuts to services and severe disruption to operations, particularly in Gaza.

^{xii} The Commission of Inquiry found that with the exception of two incidents, there was reasonable grounds to believe that in all other cases it examined, the use of live ammunition by ISF was unlawful, see report of the Independent International Commission of Inquiry on the Protests in the Occupied Palestinian Territory (A/HRC/40/74), para 884. It found "reasonable grounds to believe that the Israeli security forces killed and maimed Palestinian demonstrators who did not pose an imminent threat of death or serious injury to others when they were shot, and where there shooting did not thwart any such threat. Less lethal alternatives remained available and substantial defences were in place, rendering the use of lethal force neither necessary nor proportionate." Para, 885. https://www.ohchr.org/EN/HRBodies/HRC/RegularSessions/Session40/Documents/A_HRC_40_74_CRP2.18March.pdf

demonstrations, and during operations including in and around refugee camps.^{xiii} UNRWA reiterates its long-standing call for accountability for violations of international law, including with regard to the excessive use of force. Failure to bring such accountability, risks a cycle of impunity that will place further lives at risk across the entire occupied Palestinian territory.

The GMR is symptomatic of the rising level of frustration and despair among Palestinians living in the Gaza Strip who have endured 12 years of blockade, more than 50 years of occupation and, for Palestine refugees, 70 years of a lack of a just and lasting solution to their plight. There is no one in Gaza untouched by these effects which have restricted the movement of people and goods, devastated the Gaza economy, and resulted in record high unemployment and rising dependency on food aid. Use of force in response to GMR demonstrations in the past twelve months and the resulting physical and psychological consequences, have compounded an already severe situation for those in Gaza.

While UNRWA will continue to provide services in Gaza in accordance with its mandate, it is clear the situation is not sustainable. Political solutions, including a just and lasting solution to the plight of Palestine refugees, are urgently needed.

^{xiii} In 2018 alone, the ISF carried out approximately 7,000 security operations in the West Bank overall, while UNRWA recorded 695 ISF operations occurring in and around Palestine refugee camps. Live ammunition was fired in the context of many of these operations, at times resulting in fatalities, but very often in injuries, property damage, and psycho-social effects. OCHA recorded 3,690 live ammunition injuries in the West Bank in the past five years (2014-2018), a 700% increase compared to the previous five years (449 injuries between 2009 and 2013).