



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. UNCTAD ESTIMATES ECONOMIC COST OF OCCUPATION FOR THE PALESTINIAN PEOPLE OVER 2000-2017

On 2 December, the United Nations Conference on Trade and Development (UNCTAD) released a report entitled "[Economic cost of the Israeli occupation for the Palestinian people: Fiscal aspects](#)". Below is the related [press release](#):

The fiscal cost of occupation for the Palestinian people, over the 2000-2017 period, is estimated at US\$47.7 billion, or thrice the size of the Palestinian economy in 2017, and it continues to rise, according to the latest UNCTAD report to the United Nations General Assembly.

The report entitled "*Economic cost of the Israeli occupation for the Palestinian people: Fiscal aspects*" says the figure comprises lost public revenues and interest payments. It includes \$28.2 billion in estimated accrued interest and \$6.6 billion of leaked Palestinian fiscal revenues to Israel.

This estimated cumulative fiscal cost of occupation would not only have eliminated the Palestinian budget deficit estimated at \$17.7 billion during the same period, but would have also generated a surplus nearly twice the size of the deficit. Alternatively, it would have increased more than tenfold the Palestinian government's development spending, pegged at \$4.5 billion during the period under review.

A simulation of UNCTAD's model of the Palestinian economy, under the assumption that the \$48 billion fiscal costs were not lost but instead injected through expansionary fiscal policies, indicates that the economy would have generated 2 million job opportunities over the 18-year period, an average of 111,000 jobs each year.

The assessment of the fiscal cost assumes that Palestinians have full control over their fiscal domain in the absence of occupation, while the estimation of the fiscal leakage assumes the status quo but with adequate implementation of the Paris Protocol.

The report attributes the fiscal losses to the measures imposed by the Israeli occupation, which include, among others: restrictions on the free movement of the Palestinian people and goods; control by Israel of Area "C" in the West Bank and all border crossing points; denying the Palestinian people their right to freely utilize their land, natural and human resources; and depriving the Palestinian government of meaningful control over its fiscal resources.

The report adds to previous research by UNCTAD on the leakage of Palestinian fiscal resources to Israel and the economic cost of occupation, conducted in response to five United Nations General Assembly resolutions (69/20, 70/12, 71/20, 72/13 and 73/18), which request UNCTAD to assess and report on the economic cost of the Israeli occupation for the Palestinian people.

The fiscal cost is part of the overall economic losses caused by the occupation and consists of two components: leakage of Palestinian fiscal resources to Israel and other fiscal losses resulting from policies and measures imposed under the prolonged occupation.

According to the report, the estimates of fiscal costs are partial and conservative. Therefore, there is a need for further research to identify and quantify other channels of Palestinian fiscal

losses. It is clear, however, that the fiscal leakage and cost perpetuate the fiscal fragility of the State of Palestine and undermine its capacity for planning and financing development to steer the economy towards sustainable growth.

The report recommends that stopping the fiscal cost of occupation would entail a fundamental change in many working arrangements, including: border crossing points and access of Palestinian officials to these points as well as to Area “C”; import policies and import surveillance mechanisms; exchange of import information, data and records.

The report notes that Israeli and Palestinian sides may consider negotiating all outstanding issues to resolve accumulated dues to the Palestinian people, and to establish a mechanism through which the Israeli government may share with the Palestinians all the information related to Palestinian trade and fiscal resources.

The United Nations maintains its long-standing position that lasting and comprehensive peace can only be achieved through a negotiated two-State solution.

The Secretary-General will continue to ensure that the United Nations works towards the establishment of an independent, democratic, contiguous and viable Palestinian State, living side by side in peace with a secure Israel, with Jerusalem as the capital of both States consistent with relevant Security Council resolutions and international law.

II. GENERAL ASSEMBLY ADOPTS FOUR DRAFT RESOLUTIONS RECOMMENDED BY CEIRPP

On 3 December, 2019, the General Assembly adopted four resolutions on the question of Palestine: Committee on the Exercise of the Inalienable Rights of the Palestinian People ([A/RES/74/10](#)) (92 votes in favour, 13 against and 61 abstentions); Peaceful settlement of the question of Palestine ([A/RES/74/11](#)) (147 votes in favour, 7 against and 13 abstentions); Division for Palestinian Rights of the Secretariat ([A/RES/74/12](#)) (87 votes in favour, 53 against and 24 abstentions); and the Special information programme on the question of Palestine of the Department of Global Communications of the Secretariat ([A/RES/74/13](#)) (144 votes in favour, 8 against and 14 abstentions). Excerpts from the accompanying press release ([GA/12220](#)) appear below. For the full texts of the resolutions, please also refer to the upcoming annual compilation of United Nations resolutions related to the question of Palestine.

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Through the terms of the text titled “Peaceful settlement of the question of Palestine” (document A/74/L.15) — adopted by a recorded vote of 147 in favour to 7 against (Australia, Canada, Israel, Marshall Islands, Federated States of Micronesia, Nauru, United States) with 13 abstentions — the Assembly called on Member States to ensure that agreements with Israel do not imply recognition of Israeli sovereignty over the territories it occupied in 1967. The Assembly reiterates its call for the achievement of a just, lasting peace in the Middle East and an end to the Israeli occupation, while calling on Israel, the occupying Power, to comply strictly with international law, cease actions aimed at altering the demographic composition of the Territory, and immediately halt all settlement activities.

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The Assembly also adopted by recorded vote three resolutions dealing with the United Nations system's own provision of support to the Palestinian people. The first — titled "Committee on the Exercise of the Inalienable Rights of the Palestinian People" (document A/74/L.14) — requests the Committee to exert all efforts to promote the right to self-determination of Palestinians and to support the achievement of an end to Israeli occupation.

In the second of those texts titled "Division for Palestinian Rights of the Secretariat" (document A/74/L.16), the Assembly requests the Division to continue to monitor developments relevant to the question of Palestine. Through the third such resolution, "Special information programme on the question of Palestine of the Department of Global Communications of the Secretariat" (document A/74/L.17) the Assembly requests the Department disseminate information on activities of the United Nations system relating to the question of Palestine and peace efforts.

The Permanent Observer for the State of Palestine said that international support for the Palestinian people has not wavered despite Israel's attempts to destroy a two-State formula and recent aberrations in decisions by the current United States Administration that contradict international law. Failure to hold Israel accountable for its crimes has led it to believe it is a State above the law. As a result, the United Nations Charter and United Nations resolutions are being trampled with utter contempt. Palestinian civilians, including women and children, continue to be killed and injured. Israel's 12-year blockade of Gaza has caused 2 million Palestinians to live in an "open-air prison," where the unemployment rate is a staggering 53 per cent, he added.

The representative of Israel, voicing opposition to the five resolutions, said the international community has fully embraced the Palestinian perspective and thereby stands in the way of ending the conflict by encouraging Palestinians to refuse any proposed solution. Though the Jewish people have a biblical and historic right to the entirety of the land, Israel accepted the partition plan in the spirit of compromise. Arab leadership, by contrast, chose war. During the twentieth century an estimated 850,000 Jews were forced out of Arab countries and became refugees but were ignored by the international community because it didn't serve the Palestinian narrative. Accepting the Palestinian Authority's stated policy of glorifying terrorism against Jews and condemning Jews for living in Jerusalem is counterproductive to peace, he said, calling the international community morally bankrupt.

The representative of the United States echoed Israel's sentiment that the resolutions are biased against Israel, adding that such a one-sided approach undermines trust.

During the day-long debate, speakers expressed their support for the Palestinian people's right to self-determination and condemned Israel for continuing its settlement activities. Kuwait's delegate, echoing the sentiments of several Member States, expressed alarm about Israel's attempts to change the historic status of holy sites in Jerusalem, the freezing of Palestinian tax revenues and the decision not to extend the temporary international presence in Hebron. Along those lines, Indonesia's delegate also stressed: "This is not a conflict between two equal parties over a disputed territory." Rather, an occupying State is imposing colonization policies in the territory of another State, under inhumane conditions, he added.

Speakers also rejected the unilateral decision by the United States Government to recognize Jerusalem as Israel's capital. The representative of Malaysia further denounced the recent decision by the United States that stated Israeli settlements in the Occupied Palestinian Territory are no longer inconsistent with international law.

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III. COMMITTEE ON THE ELIMINATION OF RACIAL DISCRIMINATION ISSUES CONCLUDING OBSERVATIONS ON ISRAEL

On 12 December, the Committee on the Elimination of Racial Discrimination issued its concluding observations on the combined seventeenth to nineteenth periodic reports of Israel submitted under the International Convention on the Elimination of All Forms of Racial Discrimination. Excerpts from the concerns and recommendations sections from an advance unedited version of the Committee's report ([CERD/C/ISR/CO/17-19](#)) are reproduced below.

C. Concerns and recommendations

Composition of the population

7. While noting the efforts made by the State party to provide information on the national background of the Jewish population of Israel, as well as on the enjoyment of economic, social and cultural rights by various ethno-religious groups residing in the territory of the State party, the Committee regrets the lack of comprehensive updated statistics on the socioeconomic status of the different population groups, including migrants, refugees, asylum seekers and stateless persons, living in Israel and in the territories under the State party's jurisdiction or effective control (arts. 1 and 5).

8. Bearing in mind paragraphs 10 to 12 of its guidelines for reporting under the Convention (CERD/C/2007/1) and its general recommendation No. 24 (1999) concerning article 1 of the Convention, the Committee recommends that the State party provide updated statistics on the demographic composition of the population and on the socio-economic status of the different population groups, within its territory and in the territories under its effective control, disaggregated by ethnic or national origin, gender, and languages spoken, including migrants, refugees, asylum-seekers and stateless persons, taking into account the principle of self-identification.

Applicability of the Convention

9. While acknowledging the willingness of the State party delegation to discuss questions relating to the Occupied Palestinian Territory, the Committee regrets that the report did not contain any information concerning the population living in these territories. In this regard, the Committee remains concerned at the position of the State party to the effect that the Convention does not apply to all the territories under the State party's effective control, which not only include Israel proper but also the West Bank, including East Jerusalem, the Gaza Strip and the Occupied Syrian Golan. The Committee reiterates (CERD/C/ISR/CO/1416, para. 10) that such a position is not in accordance with the letter and spirit of the Convention and international law, as also affirmed by the International Court of Justice (art. 2).

10. Reiterating its previous concluding observations (CERD/C/ISR/CO/14-16, para. 10), the Committee strongly urges the State party to review its approach and interpret its obligations under the Convention in good faith and in accordance with international law. The Committee also urges the State party to ensure that all persons under its effective control enjoy full rights under the Convention without discrimination based on grounds of race, colour, descent and ethnic or national origin.

Prohibition of racial discrimination

11. The Committee reiterates its concern (CERD/C/ISR/CO/14-16, para. 13) that no general provision for equality and the prohibition of racial discrimination has been included in the State party's Basic Law: Human Dignity and Liberty (1992), which serves as the State party's bill of rights. While the prohibition of discrimination appears in several specific laws in a fragmented way, it is still not contained in a comprehensive law, which would encompass a definition of racial discrimination in line with article 1 of the Convention (arts. 1 and 2).

12. The Committee recommends that the State party amend its Basic Law: Human Dignity and Liberty (1992) to explicitly incorporate the principle of equality and the prohibition of racial discrimination and adopt a comprehensive anti-discrimination legislation which includes a definition of racial discrimination covering all grounds of discrimination, in line with article 1 of the Convention, and encompasses direct and indirect discrimination in both the public and private spheres.

Basic Law: Israel – the Nation State of the Jewish People

13. The Committee is concerned about the discriminatory effect of the Basic Law: Israel – the Nation State of the Jewish People (2018) on non-Jewish people in the State party, as it stipulates that the right to exercise self-determination in Israel is “unique to the Jewish people” and establishes Hebrew as Israel's official language, downgrading Arabic to a “special status”. Furthermore, while Israeli settlements in the Occupied Palestinian Territory are not only illegal under international law but also an obstacle to the enjoyment of human rights by the whole population, the Basic Law constitutionally elevates them “as a national value” (arts. 1, 2 and 5).

14. The Committee urges the State party to review the Basic Law: Israel – the Nation State of the Jewish People with a view to bring it in line with the Convention. According to general recommendation No. 21 (1996) on the right to self-determination, “all peoples have the right to determine freely their political status”. The Committee recommends that the State party ensure that the change in the status of Arabic language does not weaken the linguistic rights of the Arabic-speaking population. As regards the expansion of Jewish settlements, the Committee urges the State party to comply with its international legal obligations, including under the Fourth Geneva Convention relative to the Protection of Civilian Persons in Time of War.

Discriminatory laws

15. The Committee remains concerned at the maintenance of several laws which discriminate against Arab citizens of Israel and Palestinians in the Occupied Palestinian Territory, and create differences among them, as regards their civil status, legal protection, access to social and economic benefits, or right to land and property. The Committee is also concerned about the

adoption of Amendment No. 30 of 2018 to the already discriminatory Entry into Israel Law (1952), which grants the Israeli Minister of Interior broad discretion to revoke the permanent residency permit of Palestinians living in East Jerusalem (art. 2 and 5; see also paragraph 22 of the present concluding observations).

16. The Committee recommends that the State party ensure equal treatment for all persons on the territories under its effective control and subject to its jurisdiction, including by guaranteeing equal access to citizenship, legal protection, social and economic benefits, as well as right to land and property, and that it amend or revoke any legislation that do not comply with the principle of non-discrimination.

Institutional framework

17. While the Committee regrets that the Ministry of Minority Affairs was dismantled since the State party's last review, it welcomes the establishment of the Unit for the Coordination of the Fight Against Racism within the Ministry of Justice, which is mandated, *inter alia*, to receive and examine complaints of racial discrimination. While noting that the State party has started the necessary consultations to establish a national human rights institution in line with the Paris Principles, it remains concerned that such institution has not yet been established. The Committee is also concerned at reports about the unclear status and activities of certain quasi-government entities, which carry out specific decision-making functions without being part of the executive structure (art. 2).

18. The Committee recommends that the State party:

(a) Prioritize and expedite the establishment of an independent national institution for the promotion and protection of human rights, with a mandate to combat racial discrimination, in full compliance with the Paris Principles, in light of its general recommendation No. 17 (1993) on the establishment of national institutions to facilitate the implementation of the Convention;

(b) Ensure that all institutions carrying out governmental functions fully

comply with the State party's international legal obligations and are accountable on equal footing with other executive bodies.

Complaints of racial discrimination

19. The Committee welcomes the various measures taken to facilitate the reporting of complaints for acts of racial discrimination, including the adoption of Amendment No. 22 to the Legal Aid Law, the launching of several awareness-raising campaigns, and the creation of various complaints mechanisms, including a hotline to provide information and assistance to persons affected by such acts. It is, however, concerned:

(a) About the lack of detailed information on racial discrimination complaints filed with the national courts and other relevant Israeli institutions, as well as on investigations, prosecutions, convictions, sanctions, and on the reparations provided to victims;

(b) That people belonging to minority groups, in particular Palestinian and Bedouin communities, migrants, refugees, asylum seekers and stateless persons may face obstacles in accessing justice while seeking remedies for cases of discrimination (art. 6).

20. Bearing in mind general recommendation No. 31 (2005) on the prevention of racial discrimination in the administration and functioning of the criminal justice system, the Committee recommends that the State party:

(a) Provide information and statistics on complaints of racial discrimination, as well as on investigations, prosecutions, convictions and sanctions imposed, and on the reparations provided to victims, disaggregated by age, sex, ethnic or national origin.

(b) Increase awareness among minority groups, in particular Palestinian and Bedouin communities, as well as among migrants, refugees, asylum-seekers and stateless persons, of their rights under the Convention and eliminate all barriers preventing them from accessing justice; and continue facilitating the filing of complaints for victims of racial discrimination.

Segregation between Jewish and non-Jewish communities, including in the Occupied Palestinian Territory

21. The Committee reiterates its concern (CERD/C/ISR/CO/14-16, para. 11) that the Israeli society continues to be segregated as it maintains Jewish and non-Jewish sectors, including two systems of education with unequal conditions, as well as separate municipalities, namely Jewish municipalities and the so-called “municipalities of the minorities”, which raises issues under article 3 of the Convention. The Committee is particularly concerned about the continued full discretion of the Admissions Committees to reject applicants deemed “unsuitable to the social life of the community” (arts. 3, 5 and 7).

22. As regards the specific situation in the Occupied Palestinian Territory, the Committee remains concerned (CERD/C/ISR/CO/14-16, para. 24) at the consequences of policies and practices which amount to segregation, such as the existence in the Occupied Palestinian Territory of two entirely separate legal systems and sets of institutions for Jewish communities in illegal settlements on the one hand and Palestinian populations living in Palestinian towns and villages on the other hand. The Committee is appalled at the hermetic character of the separation of the two groups, who live on the same territory but do not enjoy either equal use of roads and infrastructure or equal access to basic services, lands and water resources. Such separation is materialized by the implementation of a complex combination of movement restrictions consisting of the Wall, the settlements, roadblocks, military checkpoints, the obligation to use separate roads and a permit regime that impacts the Palestinian population negatively (art. 3).

23. Recalling its previous concluding observations (CERD/C/ISR/CO/14-16, para. 11), the Committee draws the State party’s attention to its general recommendation 19 (1995) concerning the prevention, prohibition and eradication of all policies and practices of racial segregation and apartheid, and urges the State party to give full effect to article 3 of the Convention to eradicate all forms of segregation between Jewish and non-Jewish communities and any such policies or practices which severely and disproportionately affect the Palestinian population in Israel proper and in the Occupied Palestinian Territory.

Family reunification

24. The Committee remains deeply concerned about the disproportionate and adverse restrictions imposed by the Citizenship and Entry into Israel Law (Temporary Provision), which suspends the possibility, with certain rare exceptions, of family reunification of Israeli citizens or residents of East Jerusalem with Palestinian spouses living in the West Bank or Gaza Strip. The Committee notes that, although the legislation now allows the granting of temporary residence permits for humanitarian reasons or a residence permit under special circumstances, the process requires the fulfilment of strict security and age conditions, and the withdrawal of such permits can be arbitrary (arts. 2, 3 and 5).

25. The Committee recommends that the State party objectively balance its security concerns with the human rights of persons affected by the various laws and policies regarding citizenship and entry into Israel, review its legislation in order to ensure the respect of the principles of equality, non-discrimination and proportionality, and further facilitate family reunification of all citizens and permanent residents of the State party.

Racist hate speech and hate crimes

26. The Committee welcomes the recent adoption of Amendment No. 137 to the Penal Law 5737-1977, which recognizes racist motives as an aggravating circumstance for murder. It also notes the existence of criminal legislation on hate speech, incitement to racism and to violence, as well as on racist organizations and participation in and support for such organizations. The Committee is, however, concerned about:

(a) The tide of racist hate speech in public discourse, in particular by public officials, political and religious leaders, in certain media outlets and in school curricula and textbooks;

(b) The proliferation of racist and xenophobic acts that particularly target non-Jewish minorities, especially Palestinian citizens of Israel, Palestinians residing in the Occupied Palestinian Territory and migrants and asylum-seekers of African origin;

(c) Reports that the judiciary might handle cases of racial discrimination by applying different standards based on the alleged perpetrator's ethnic or national origin (arts. 2, 4 and 6).

27. Recalling its general recommendations No. 7 (1985) relating to the implementation of article 4 of the Convention, No. 8 (1990) concerning the interpretation and application of article 1 (1) and (4) of the Convention, No. 15 (1993) on article 4 of the Convention and No. 35 (2013) on combating racist hate speech, the Committee urges the State party to:

(a) Step up its efforts to counter and stem the tide of racism and xenophobia in public discourse, in particular by strongly condemning all racist and xenophobic statements by public figures, political and religious leaders, as well as media personalities, and by implementing appropriate measures to combat the proliferation of acts and manifestations of racism that particularly target non-Jewish minorities; and remove any derogatory comments and images that perpetuate prejudices and hatred from school curricula and textbooks;

(b) Ensure that public prosecutors and the judiciary as a whole prosecute racist hate speech and hate crimes by applying the same standards, irrespective of the alleged perpetrators' ethnic or national origin.

Situation of the Bedouin people

28. While welcoming several measures taken to improve the situation of Bedouin people, including the adoption of the Socioeconomic Development Plan for Negev Bedouin (2017– 2021), to enhance their educational opportunities and their access to public and social services, the Committee remains concerned about house demolitions and the ongoing transfer of Bedouin communities to temporary locations, as well as the absence of meaningful participation of and consultation with Bedouin communities in the formulation of such plans affecting their access to land and property. The Committee is also concerned about the substandard living conditions in both the unrecognized villages and the recognized townships, which are characterized by limited access to adequate housing, water and sanitation facilities, electricity and public transportation (arts. 2 and 5).

29. The Committee recommends that the State party ensure meaningful consultation with all concerned Bedouin communities regarding the implementation of the various plans affecting their right to land and property and resolve the pending land ownership claims in a timely, transparent and effective manner, recognize their villages, take all necessary measures to improve their living conditions, and stop house demolitions and the eviction of Bedouin people from their homes and ancestral lands.

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Situation of minority women

32. The Committee is concerned that minority women, in particular those belonging to Palestinian, Druze, Bedouin, Circassian and Ethiopian communities, may face multiple and intersecting forms of discrimination on the basis of ethnic origin and gender, including barriers to obtaining access to employment, education, health care and justice (arts. 2 and 5).

33. Recalling its general recommendation No. 25 (2000) on gender-related dimensions of racial discrimination, the Committee recommends that the State party eliminate all barriers faced by minority women, in particular those belonging to Palestinian, Druze, Bedouin, Circassian and Ethiopian communities, in obtaining access to employment, education, health care and justice. To this end, it recommends that the State party incorporate a minority women perspective into all gender-related policies and strategies.

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Participation in public and political life

36. The Committee welcomes the various initiatives taken to increase the representation of persons belonging to minorities, such as the Palestinian, Druze, Bedouin, Circassian and Ethiopian communities, in the public sector, especially in government offices. It also notes the outreach programs which have taken place in the judicial and law enforcement sectors to attract more

professionals of minority background. However, the Committee is concerned about recent legislative changes regarding the Knesset, such as Amendment No. 62 (2014) to the Knesset Elections Law raising the threshold required for political parties and Amendment No. 44 (2016) to the Basic Law: The Knesset (Dismissal of a Knesset Member in accordance with Section 7A) (2016) regarding the establishment of a procedure to oust a sitting Knesset Member on political and ideological grounds, which could both considerably weaken the right to political participation of non-Jewish minorities (arts. 2 and 5).

37. The Committee recommends that the State party continue and step up its efforts to achieve adequate representation of minorities in the civil service, law enforcement and judicial bodies, in particular in senior positions. Furthermore, it recommends that the State party eliminate obstacles and create favourable conditions for the participation of minorities in political decision-making processes.

Rights to education, work and health

38. The Committee is concerned:

a. About the disproportionately high dropout rates among Bedouin students and the significant gaps in the educational achievements between Arab students and Jewish students, as well as the shortage of classrooms and kindergartens in Bedouin neighbourhoods

b. That non-Jewish minority groups, in particular Palestinian and Bedouin communities, continue to face limitations in the enjoyment of their right to work and are concentrated in low-paying sectors;

c. About the disproportionately poor health status of the Palestinian and Bedouin populations, including shorter life expectancy and higher rates of infant mortality compared to those of the Jewish population (art. 5).

39. The Committee recommends that the State party:

a. Step up its efforts to address the high dropout rates of Bedouin students, as well as the shortage of classrooms and kindergartens in Bedouin neighbourhoods, and take effective measures to improve the quality of education provided to Arab students with a view to enhancing their academic achievements;

b. Intensify its efforts to increase the labour market participation of non-Jewish minority groups, in particular Palestinians and Bedouins, especially women belonging to these communities, including by providing education and training tailored to their experience and level of job skills and by considering the establishment of special measures;

c. Take concrete measures to improve the health status of the Palestinian and Bedouin populations.

...

Settlement policies and acts of violence in the West Bank, including East Jerusalem

42. The Committee is concerned at continuing confiscation and expropriation of Palestinian land, continuing restrictions on access of Palestinians in the Occupied Palestinian Territory, including East Jerusalem, to natural resources, inter alia, agricultural land and adequate water supply. The Committee is particularly concerned:

a. About the discriminatory effect of planning and zoning laws and policies on Palestinians and Bedouin communities in the West Bank, the continued demolitions of building and structures, including water wells, and as a consequence, further displacement of Palestinians;

b. That the process of applying for building permits is prolonged, complicated and expensive and that few such applications are approved, while a preferential treatment continues for the expansion of Israeli settlements, including through the use of “state land” allocated for settlements;

c. About acts of violence perpetrated by the State party’s settlers against Palestinians and their property in the West Bank, including East Jerusalem, and at the lack of effective accountability for and protection from such acts by the State party’s authorities (arts. 2, 4, 5 and 6).

43. The Committee recommends that the State party:

a. Review planning laws and policies in the West Bank, including East Jerusalem in consultation with the affected populations, to ensure that they are compliant with its obligations under the Convention and ensure the rights to property, access to land, housing and natural resources of Palestinian and Bedouin communities,;

b. Review the construction permit system in order to prevent demolitions and forced evictions and put an end to the expansion of illegal Israeli settlements;

c. Take all necessary measures to prevent violence perpetrated by the State party’s settlers and that all incidents of violence are promptly and properly investigated, and that victims are provided with effective remedies.

Ongoing blockade of the Gaza Strip

44. The Committee is concerned about the long-standing blockade of the Gaza strip imposed by the State party. It notes with concern that the blockade continues to violate the right to freedom of movement, access to basic services, especially to health care, and impedes the ability to access safe drinking water (arts. 2,3 and 5).

45. The Committee urges that the State party review its blockade policy and urgently allow and facilitate the rebuilding of homes and civilian infrastructures, ensure access to necessary urgent humanitarian assistance as well as to the right to freedom of movement, housing, education, health, water and sanitation, in compliance with the Convention.

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D. Other recommendations

Ratification of other treaties

48. Bearing in mind the indivisibility of all human rights, the Committee encourages the State party to consider ratifying those international human rights treaties that it has not yet ratified, in particular treaties with provisions that have direct relevance to communities that may be subjected to racial discrimination, including the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families, the International Convention for the Protection of All Persons from Enforced Disappearance, the Domestic Workers Convention, 2011 (No. 189), and the Indigenous and Tribal Peoples Convention, 1989 (No. 169), of the International Labour Organization, as well as the 1961 Convention on the Reduction of Statelessness.

Amendment to article 8 of the Convention

49. The Committee recommends that the State party ratify the amendment to article 8 (6) of the Convention adopted on 15 January 1992 at the fourteenth meeting of States parties to the Convention and endorsed by the General Assembly in its resolution 47/111.

Declaration under article 14 of the Convention

50. The Committee encourages the State party to make the optional declaration provided for in article 14 of the Convention with a view to recognizing the competence of the Committee to receive and consider individual communications.

Follow-up to the Durban Declaration and Programme of Action

51. In the light of its general recommendation No. 33 (2009) on the follow-up to the Durban Review Conference, the Committee recommends that, when implementing the Convention in its domestic legal order, the State party give effect to the Durban

Declaration and Programme of Action, adopted in September 2001 by the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance, taking into account the outcome document of the Durban Review Conference, held in Geneva in April 2009. The Committee requests that the State party include in its next periodic report specific information on action plans and other measures taken to implement the Durban Declaration and Programme of Action at the national level.

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Consultations with civil society

53. The Committee recommends that the State party continue consulting and increasing its dialogue with civil society organizations working in the area of human rights protection, in particular those working to combat racial discrimination, in connection with the preparation of the next periodic report and in follow-up to the present concluding observations.

Follow-up to the present concluding observations

54. In accordance with article 9 (1) of the Convention and rule 65 of its rules of procedure, the Committee requests the State party to provide, within one year of the adoption of the present concluding observations, information on its implementation of the recommendations contained in paragraphs 18 (institutional framework) and 29 (situation of the Bedouin people) above.

Paragraphs of particular importance

55. The Committee wishes to draw the attention of the State party to the particular importance of the recommendations contained in paragraphs 14 (Basic Law: Israel – the Nation State of the Jewish People), 16 (discriminatory laws), 23 (segregation between Jewish and non-Jewish communities, including in the Occupied Palestinian Territory) and 27 (a) (racist hate speech and hate crimes) above and requests the State party to provide detailed information in its next periodic report on the concrete measures taken to implement those recommendations.

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IV. UNRWA MARKS 70 YEARS OF SERVICE FOR PALESTINE REFUGEES

On 10 December, the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA) issued the following [press release](#).

On 8 December 2019, the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA) marked 70 years in service for Palestine refugees. Following the Arab-Israeli conflict of 1948, UNRWA was established by the United Nations General Assembly to carry out direct relief and works programmes for Palestine refugees. Today, some 5.5 million Palestine refugees in the Agency's five fields of operations – Jordan, Lebanon, Syria, the Gaza Strip and the West Bank, including East Jerusalem – are eligible for the Agency's services.

Over the past seven decades, Palestine refugees have experienced extremes in violence, suffering and injustice. As a result, they are presently confronted with daunting human development and protection challenges, which stand to arrest their significant potential. Humanitarian conditions across much of the UNRWA areas of operation are grave, exacerbated by protracted conflict and the lack of political progress.

While the 70th Anniversary of UNRWA provides an occasion for sober reflection on Palestinian exile, it also affords a moment to consider the contribution that the Agency's programmes have made to the lives of generations of Palestine refugees. Through primary education and health care, social safety-net interventions, the building and maintenance of homes and infrastructure, microfinance and protection services, and humanitarian assistance in times of emergency, UNRWA continues to be a positive force in the lives of Palestinians.

On this solemn occasion, UNRWA is proud to share a photographic review of the displacement, dispossession and hope of Palestine refugees, drawn from the magnificent and extensive historic UNRWA Film and Photo Archive (inscribed by UNESCO in the Memory of the World Register in 2009) and showcasing UNRWA service delivery and the daily lives and historic

moments of Palestine refugees throughout the decades. It includes iconic images of their catastrophic displacement in 1948, the establishment of camps in the 1950s, the second flight during the 1967 war, the war in Lebanon, and the unrest from the second half of the 1980s to the early twenty-first century. View our virtual photo-book “UNRWA@70” [here](#).

But the unfolding narrative also shows the extraordinary accomplishments by UNRWA and by Palestinians for Palestinians; past milestones of achievement and success, towards a horizon of validation and hope, however distant that may seem today.

V. GENERAL ASSEMBLY ADOPTS SEVEN RESOLUTIONS ON PALESTINE REFUGEES, UNRWA, HUMAN RIGHTS

Taking action on the recommendation of its Special Political and Decolonization (Fourth) Committee, the General Assembly adopted seven resolutions on 13 December relating to the Palestinian-Israeli conflict. Complete texts of the resolutions are reproduced below.

Draft resolution I: Assistance to Palestine refugees ([A/74/83](#)) (169 votes in favour, 2 against and 9 abstentions)

The General Assembly,

Recalling its resolution [194 \(III\)](#) of 11 December 1948 and all its subsequent resolutions on the question, including resolution [73/92](#) of 7 December 2018,

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

Recalling further the relevant resolutions of the Security Council,

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

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

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

Taking note of the report of the Commissioner-General of the Agency covering the period from 1 January to 31 December 2018,¹

Taking note also of the report of the Commissioner-General of 31 May 2019, submitted pursuant to paragraph 57 of the report of the Secretary-General,² and expressing concern

¹ *Official Records of the General Assembly, Seventy-fourth Session, Supplement No. 13 ([A/74/13](#)).*

² [A/71/849](#).

regarding the severe financial crisis of the Agency and the negative implications for the continued delivery of core programmes to the Palestine refugees in all fields of operation,

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

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

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

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

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

2. *Also notes with regret* that the United Nations Conciliation Commission for Palestine has been unable to find a means of achieving progress in the implementation of paragraph 11 of General Assembly resolution [194 \(III\)](#), and reaffirms its request to the Conciliation Commission to continue exerting efforts towards the implementation of that paragraph and to report to the Assembly on the efforts being exerted in this regard as appropriate, but no later than 1 September 2020;

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

4. *Calls upon* all donors to continue to strengthen their efforts to meet the anticipated needs of the Agency, including with regard to increased expenditures and needs arising from conflicts and instability in the region and the serious socioeconomic and humanitarian situation, particularly in the Occupied Palestinian Territory, and those needs mentioned in recent emergency, recovery and reconstruction appeals and plans for the Gaza Strip and in the regional crisis response plans to address the situation of Palestine refugees in the Syrian Arab Republic and those Palestine refugees who have fled to countries in the region;

³ [A/48/486-S/26560](#), annex.

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

6. *Recalls* its decision 60/522 of 8 December 2005, and decides to invite the Organization of Islamic Cooperation to attend the meetings of the Advisory Commission of the Agency;

7. *Decides* to extend the mandate of the Agency until 30 June 2023, without prejudice to the provisions of paragraph 11 of General Assembly resolution [194 \(III\)](#).

*47th plenary meeting
13 December 2019*

Draft resolution II: Persons displaced as a result of the June 1967 and subsequent hostilities ([A/74/84](#)) (162 votes in favour, 7 against and 11 abstentions)

The General Assembly,

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

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

Taking note of the report of the Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East covering the period from 1 January to 31 December 2018,¹

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

Taking note of the relevant provisions of the Declaration of Principles on Interim Self-Government Arrangements of 13 September 1993² with regard to the modalities for the admission of persons displaced in 1967, and concerned that the process agreed upon has not yet been effected,

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

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

2. *Stresses* the necessity for an accelerated return of displaced persons, and calls for compliance with the mechanism agreed upon by the parties in article XII of the Declaration

¹ *Official Records of the General Assembly, Seventy-fourth Session, Supplement No. 13 ([A/74/13](#)).*

² [A/48/486-S/26560](#), annex.

of Principles on Interim Self-Government Arrangements of 13 September 1993² on the return of displaced persons;

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

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

*47th plenary meeting
13 December 2019*

Draft resolution III: Operations of the United Nations Relief and Works Agency for Palestine Refugees in the Near East ([A/74/85](#)) (167 votes in favour, 6 against and 7 abstentions)

The General Assembly,

Recalling its resolutions [194 \(III\)](#) of 11 December 1948, [212 \(III\)](#) of 19 November 1948, [302 \(IV\)](#) of 8 December 1949 and all subsequent related resolutions, including its resolution [73/94](#) of 7 December 2018,

Recalling also the relevant resolutions of the Security Council,

Having considered the report of the Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East covering the period from 1 January to 31 December 2018,¹

Taking note of the letter dated 18 June 2019 from the Chair of the Advisory Commission of the Agency addressed to the Commissioner-General,²

Underlining that, at a time of heightened conflict and instability in the Middle East, the Agency continues to play a vital role in ameliorating the plight of the Palestine refugees through the provision of, inter alia, essential education, health, relief and social services programmes and emergency assistance to a registered population of more than 5.4 million refugees whose situation has become extremely precarious, in mitigating the consequences of alarming trends, including increasing violence, marginalization and poverty, in the areas of operation, and in providing a crucial measure of stability in the region,

Deeply concerned about the extremely critical financial situation of the Agency, caused by the structural underfunding of the Agency, as well as by rising needs and expenditures

¹ *Official Records of the General Assembly, Seventy-fourth Session, Supplement No. 13 ([A/74/13](#)).*

² *Ibid.*, pp. 6–8.

resulting from the deterioration of the socioeconomic and humanitarian conditions and the conflicts and rising instability in the region and their significant negative impact on the ability of the Agency to deliver essential services to the Palestine refugees, including its emergency, recovery, reconstruction and development programmes in all fields of operation,

Taking note of the report of the Secretary-General on the operations of the United Nations Relief and Works Agency for Palestine Refugees in the Near East,³ submitted pursuant to resolution [71/93](#) of 6 December 2016, and the request contained therein for broad consultations to explore all ways and means, including through voluntary and assessed contributions, to ensure that the Agency's funding is sufficient, predictable and sustained for the duration of its mandate, and considering the recommendations contained in the report,

Taking note also of the report of 31 May 2019 of the Commissioner-General, submitted pursuant to paragraph 57 of the report of the Secretary-General and in follow-up to the update to the special report of 3 August 2015 of the Commissioner-General,⁴ submitted pursuant to paragraph 21 of General Assembly resolution [302 \(IV\)](#), regarding the severe financial crisis of the Agency and the negative implications for the continued delivery of core Agency programmes to the Palestine refugees in all fields of operation,

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

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

Noting that contributions have not been predictable enough or sufficient to meet growing needs and remedy the persistent shortfalls, which have, since 2018, been exacerbated by the suspension of the single largest voluntary contribution to the Agency, undermining the Agency's operations and efforts to promote human development and meet Palestine refugees' basic needs, and stressing the need for further efforts to comprehensively address the recurrent funding shortfalls affecting the Agency's operations,

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

Commending the Agency for the measures taken to address the financial crisis, despite difficult operational circumstances, including through the implementation of the medium-term strategy for 2016–2021 and various internal measures to contain expenditures, reduce operational and administrative costs, maximize the use of resources and reduce the funding

³ [A/71/849](#).

⁴ [A/70/272](#), annex.

shortfalls, and expressing profound concern that, despite such measures, the Agency's programme budget, which is funded primarily by voluntary contributions from Member States and intergovernmental organizations, faces persistent shortfalls that continue to threaten the delivery of the Agency's core programmes of assistance to the Palestine refugees,

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

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

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

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

Welcoming the affirmation in the New York Declaration for Refugees and Migrants, adopted by the General Assembly on 19 September 2016,⁵ that, inter alia, the Agency, along with other relevant organizations, requires sufficient funding to be able to carry out its activities effectively and in a predictable manner,

Bearing in mind the 2030 Agenda for Sustainable Development,⁶ including the pledge that no one will be left behind, emphasizing that the Sustainable Development Goals apply to all, including refugees, and commending the efforts of the Agency's programmes to promote 10 of the 17 Goals, as indicated in the report of the Secretary-General,³

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

Welcoming also the establishment, pursuant to the recommendations made by the Secretary-General in his report on the operations of the Agency,³ by the Organization of Islamic Cooperation at the forty-sixth session of its Council of Foreign Ministers, held in

⁵ Resolution [71/1](#).

⁶ Resolution [70/1](#).

Abu Dhabi in March 2019, of a waqf fund at the Islamic Development Bank to support Palestine refugees through enhanced support to the Agency,

Recalling Articles 100, 104 and 105 of the Charter of the United Nations and the Convention on the Privileges and Immunities of the United Nations,⁷

Recalling also the Convention on the Safety of United Nations and Associated Personnel,⁸

Recalling further its resolutions [73/137](#) of 14 December 2018 on the safety and security of humanitarian personnel and protection of United Nations personnel and [73/139](#) of 14 December 2018 on the strengthening of the coordination of emergency humanitarian assistance of the United Nations, calling upon, inter alia, all States to ensure respect for and the protection of all humanitarian personnel and United Nations and associated personnel, to respect the principles of humanity, neutrality, impartiality and independence for the provision of humanitarian assistance and to respect and ensure respect for the inviolability of United Nations premises,

Affirming the applicability of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949,⁹ to the Palestinian territory occupied since 1967, including East Jerusalem,

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

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

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

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

⁷ Resolution [22 A \(I\)](#).

⁸ United Nations, *Treaty Series*, vol. 2051, No. 35457.

⁹ *Ibid.*, vol. 75, No. 973.

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

Recalling the temporary tripartite agreement facilitated by the United Nations in September 2014, and stressing the urgent need for the lifting of all Israeli closures and restrictions on the Gaza Strip,

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

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

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

Urging the full disbursement of pledges made at the Cairo International Conference on Palestine: Reconstructing Gaza, held on 12 October 2014, for ensuring the provision of the necessary humanitarian assistance and accelerating the reconstruction, rehabilitation and recovery process,

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

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

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

Emphasizing the continuing need for assistance to Palestine refugees in the Syrian Arab Republic as well as those who have fled to neighbouring countries, and emphasizing the necessity of ensuring open borders for Palestine refugees fleeing the crisis in the Syrian Arab Republic, consistent with the principles of non-discrimination and non-refoulement under international law, and recalling in this regard the statement by the President of the

Security Council of 2 October 2013¹⁰ and the New York Declaration for Refugees and Migrants,

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

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

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

Deploring further all attacks affecting United Nations installations, including Agency schools sheltering displaced civilians, and all other breaches of the inviolability of United Nations premises, including during the conflict in the Gaza Strip in July and August 2014, as reported in the summary by the Secretary-General of the report of the Board of Inquiry¹¹ and by the independent commission of inquiry established pursuant to Human Rights Council resolution [S-21/1](#),¹² and stressing the imperative of ensuring accountability,

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

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

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

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

Recalling the statement of 15 July 1999 and the declarations adopted on 5 December 2001 and on 17 December 2014¹³ by the Conference of High Contracting Parties to the Fourth Geneva Convention, including the call upon parties to facilitate the activities of the

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

¹¹ [S/2015/286](#), annex.

¹² See [A/HRC/29/52](#).

¹³ [A/69/711-S/2015/1](#), annex.

Agency, to guarantee its protection and to refrain from levying taxes and imposing undue financial burdens,

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

Taking note of the agreement reached on 24 June 1994, embodied in an exchange of letters between the Agency and the Palestine Liberation Organization,¹⁴

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

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

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

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

5. *Expresses its grave concern* about attempts to discredit the Agency despite its proven operational capacity, record of effective provision of humanitarian and development assistance and consistent implementation of its mandate in accordance with relevant resolutions and its regulatory framework, even under the most difficult circumstances;

6. *Reaffirms* the Agency's important role in providing humanitarian and development assistance to Palestine refugees, engaging with international human rights mechanisms, as appropriate, and in doing so contributing to the protection and resilience of Palestinian civilians, as outlined in the report of the Secretary-General on the protection of the Palestinian civilian population,¹⁵ and contributing to regional stability;

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

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

¹⁴ *Official Records of the General Assembly, Forty-ninth Session, Supplement No. 13 (A/49/13)*, annex I.

¹⁵ [A/ES-10/794](#).

9. *Takes note* of the report of the Working Group on the Financing of the United Nations Relief and Works Agency for Palestine Refugees in the Near East¹⁶ and the efforts to assist in ensuring the financial security of the Agency, and requests the Secretary-General to provide the necessary services and assistance to the Working Group for the conduct of its work;

10. *Expresses its deep appreciation* to all donor countries and organizations that have, inter alia, sustained, accelerated or increased their contributions to the Agency, helping to alleviate its unprecedented financial crisis in 2018, to mitigate imminent risks to its core and emergency programming and to prevent an interruption of essential assistance to Palestine refugees;

11. *Commends* the Agency for its six-year medium-term strategy for 2016–2021 and the Commissioner-General for his continuing efforts to increase the budgetary transparency and efficiency of the Agency, as reflected in the Agency’s proposed programme budget for 2020;¹⁷

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

13. *Takes note* of the report of the Secretary-General on the operations of the United Nations Relief and Works Agency for Palestine Refugees in the Near East³ and the conclusions and recommendations contained therein;

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

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

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

¹⁶ [A/74/337](#).

¹⁷ [A/74/6 \(Sect. 26\)](#).

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

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

19. *Encourages* the Agency to explore financing avenues in relation to the implementation of the Sustainable Development Goals;⁶

20. *Urges* States and organizations to actively pursue partnerships with and innovative support for the Agency, including as recommended in paragraphs 47, 48 and 50 of the report of the Secretary-General,³ including through the establishment of endowments, trust funds or revolving fund mechanisms and assistance to the Agency to access humanitarian, development and peace and security trust funds and grants;

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

22. *Encourages* further progress with regard to the creation of a World Bank multi-donor trust fund, as well as for the financing of a waqf fund by the Organization of Islamic Cooperation at the Islamic Development Bank to support Palestine refugees through the Agency;

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

24. *Calls upon* the members of the Advisory Commission and the Working Group on the Financing of the United Nations Relief and Works Agency for Palestine Refugees in the Near East to consider the relevant recommendations in the report of the Secretary-General,³ including to help the Agency to address resource mobilization challenges and to actively assist the Commissioner-General in the efforts to create sustainable, sufficient and predictable support for the Agency's operations;

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

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

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

28. *Welcomes* the progress made thus far by the Agency in rebuilding the Nahr el-Bared refugee camp in northern Lebanon, and calls for donor funding to enable the expeditious completion of its reconstruction, for the continued provision of relief assistance to those displaced following its destruction in 2007 and for the alleviation of their ongoing suffering through the provision of the necessary support and financial assistance until the reconstruction of the camp is complete;

29. *Encourages* the Agency, in close cooperation with other relevant United Nations entities, to continue to make progress in addressing the needs, rights and protection of children, women and persons with disabilities in its operations, including through the provision of necessary psychosocial and humanitarian support, in accordance with the Convention on the Rights of the Child,¹⁸ the Convention on the Elimination of All Forms of Discrimination against Women¹⁹ and the Convention on the Rights of Persons with Disabilities;²⁰

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

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

32. *Commends* the Agency for its humanitarian and psychosocial support programmes and other initiatives that provide recreational, cultural and educational activities for children in all fields, including in the Gaza Strip, recognizing their positive contribution, as well as the detrimental impact of the funding shortfall on some emergency assistance provided by the Agency, calls for full support for such initiatives by donor and host countries, and encourages the building and strengthening of partnerships to facilitate and enhance the provision of these services;

33. *Calls upon* Israel, the occupying Power, to comply fully with the provisions of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949;⁹

34. *Also calls upon* Israel to abide by Articles 100, 104 and 105 of the Charter of the United Nations and the Convention on the Privileges and Immunities of the United Nations⁷ in order to ensure the safety of the personnel of the Agency, the protection of its institutions

¹⁸ United Nations, *Treaty Series*, vol. 1577, No. 27531.

¹⁹ *Ibid.*, vol. 1249, No. 20378.

²⁰ *Ibid.*, vol. 2515, No. 44910.

and the safeguarding of the security of its facilities in the Occupied Palestinian Territory, including East Jerusalem, at all times;

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

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

37. *Reiterates its call upon* Israel to fully lift the restrictions impeding or delaying the import of necessary construction materials and supplies for the reconstruction and repair of the remaining damaged or destroyed refugee shelters, and for the implementation of suspended and urgently needed civilian infrastructure projects in refugee camps in the Gaza Strip, noting the alarming figures reflected in the United Nations country team reports of 26 August 2016, entitled "Gaza: two years after" and of July 2017, entitled "Gaza ten years later";

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

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

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

*47th plenary meeting
13 December 2019*

Draft resolution IV: Palestine refugees' properties and their revenues ([A/74/86](#)) (163 votes in favour, 6 against and 12 abstentions)

The General Assembly,

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

Taking note of the report of the Secretary-General submitted pursuant to its resolution [73/95](#) of 7 December 2018,¹ as well as that of the United Nations Conciliation Commission for Palestine for the period from 1 September 2018 to 31 August 2019,²

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

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

Noting the completion of the programme of identification and evaluation of Arab property, as announced by the Conciliation Commission in its twenty-second progress report,⁴ and the fact that the Land Office had a schedule of Arab owners and a file of documents defining the location, area and other particulars of Arab property,

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

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

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

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

¹ [A/74/307](#).

² [A/74/332](#).

³ Resolution [217 A \(III\)](#).

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

⁵ [A/48/486-S/26560](#), annex.

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

4. *Calls upon* all the parties concerned to provide the Secretary-General with any pertinent information in their possession concerning Arab property, assets and property rights in Israel that would assist him in the implementation of the present resolution;

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

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

*47th plenary meeting
13 December 2019*

Draft Resolution V: Work of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories ([A/74/87](#)) (81 votes in favour, 13 against and 80 abstentions)

The General Assembly,

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

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

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

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

Taking into account the advisory opinion rendered on 9 July 2004 by the International Court of Justice on the legal consequences of the construction of a wall in the Occupied Palestinian Territory,⁴ and recalling in this regard its resolution [ES-10/15](#) of 20 July 2004,

Recalling the statement of 15 July 1999 and the declarations adopted on 5 December 2001 and on 17 December 2014⁵ by the Conference of High Contracting Parties to the Fourth Geneva Convention, and welcoming initiatives by States parties, both individually and

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

² Resolution [217 A \(III\)](#).

³ Resolution [2200 A \(XXI\)](#), annex.

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

⁵ [A/69/711-S/2015/1](#), annex.

collectively, according to article 1 of the Convention and aimed at ensuring respect for the Convention in the Occupied Palestinian Territory, including East Jerusalem,

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

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

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

Taking note of the report of the independent international fact-finding mission to investigate the implications of the Israeli settlements on the civil, political, economic, social and cultural rights of the Palestinian people throughout the Occupied Palestinian Territory, including East Jerusalem,⁷

Recalling the report of the independent international commission of inquiry established pursuant to Human Rights Council resolution [S-28/1](#),⁸

Stressing the need for ensuring accountability for all violations of international humanitarian law and international human rights law in order to end impunity, ensure justice, deter further violations, protect civilians and promote peace,

Having considered the report of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories⁹ and the relevant reports of the Secretary-General,¹⁰

Recalling the Declaration of Principles on Interim Self-Government Arrangements of 13 September 1993¹¹ and the subsequent implementation agreements between the Palestinian and Israeli sides,

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

Stressing the urgency of bringing a complete end to the Israeli occupation that began in 1967, and an end to the violation of the human rights of the Palestinian people, and of allowing for the realization of their inalienable human rights, including their right to self-determination and their independent State, leading to a peaceful, just, lasting and comprehensive solution for the question of Palestine,

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

⁷ [A/HRC/22/63](#).

⁸ [A/HRC/40/74](#).

⁹ [A/74/356](#).

¹⁰ [A/74/192](#), [A/74/219](#), [A/74/357](#) and [A/74/468](#).

¹¹ [A/48/486-S/26560](#), annex.

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

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

3. *Deplores* those policies and practices of Israel that violate the human rights of the Palestinian people and other Arabs of the occupied territories, as reflected in the report of the Special Committee covering the reporting period;⁹

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

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

6. *Also requests* the Special Committee to continue to investigate the treatment and status of the thousands of Palestinian and Arab prisoners and detainees, including children, women and elected representatives, in Israeli prisons and detention centres, and expresses grave concern about the harsh conditions of imprisonment and ill-treatment of prisoners and recent hunger strikes, stressing the need for respect for all applicable rules of international law, including the Fourth Geneva Convention,¹ the United Nations Standard Minimum Rules for the Treatment of Prisoners (the Nelson Mandela Rules)¹² and the United Nations Rules for the Treatment of Women Prisoners and Non-custodial Measures for Women Offenders (the Bangkok Rules);¹³

7. *Requests* the Secretary-General:

¹² Resolution [70/175](#), annex.

¹³ Resolution [65/229](#), annex.

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

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

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

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

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

*47th plenary meeting
13 December 2019*

Draft Resolution VI: Israeli settlements in the Occupied Palestinian Territory, including East Jerusalem, and the occupied Syrian Golan” ([A/74/88](#)) (157 votes in favour, 7 against and 15 abstentions)

The General Assembly,

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

Reaffirming the inadmissibility of the acquisition of territory by force,

Recalling its relevant resolutions, including resolutions [73/97](#) and [73/98](#) of 7 December 2018, as well as those resolutions adopted at its tenth emergency special session,

Recalling also the relevant resolutions of the Security Council, including resolutions [242 \(1967\)](#) of 22 November 1967, [446 \(1979\)](#) of 22 March 1979, [465 \(1980\)](#) of 1 March 1980, [476 \(1980\)](#) of 30 June 1980, [478 \(1980\)](#) of 20 August 1980, [497 \(1981\)](#) of 17 December 1981, [904 \(1994\)](#) of 18 March 1994 and [2334 \(2016\)](#) of 23 December 2016,

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

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

² *Ibid.*, vol. 1125, No. 17512.

³ *Ibid.*, vol. 75, Nos. 970–973.

Territory, including East Jerusalem, and to other Arab territories occupied by Israel since 1967, including the occupied Syrian Golan,

Affirming that the transfer by the occupying Power of parts of its own civilian population into the territory it occupies constitutes a breach of the Fourth Geneva Convention,¹

Recalling the advisory opinion rendered on 9 July 2004 by the International Court of Justice on the legal consequences of the construction of a wall in the Occupied Palestinian Territory,⁴ and recalling also General Assembly resolutions [ES-10/15](#) of 20 July 2004 and [ES-10/17](#) of 15 December 2006,

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

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

Recalling the report of the independent international fact-finding mission to investigate the implications of the Israeli settlements on the civil, political, economic, social and cultural rights of the Palestinian people throughout the Occupied Palestinian Territory, including East Jerusalem,⁷

Recalling also the Declaration of Principles on Interim Self-Government Arrangements of 13 September 1993⁸ and the subsequent implementation agreements between the Palestinian and Israeli sides,

Recalling further the Quartet road map to a permanent two-State solution to the Israeli-Palestinian conflict,⁹ and emphasizing specifically its call for a freeze on all settlement activity, including so-called natural growth, and the dismantlement of all settlement outposts erected since March 2001, and the need for Israel to uphold its obligations and commitments in this regard,

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

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

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

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

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

⁶ [A/HRC/40/73](#); see also [A/74/507](#).

⁷ [A/HRC/22/63](#).

⁸ [A/48/486-S/26560](#), annex.

⁹ [S/2003/529](#), annex.

and the civilian population in the occupied Syrian Golan that are contrary to international law,

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

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

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

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

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

Taking note of the Quartet report of 1 July 2016,¹⁰ and stressing its recommendations, as well as its relevant statements in which the Quartet members concluded that, inter alia, the continuing policy of settlement construction and expansion, designation of land for exclusive Israeli use and denial of Palestinian development, including the recent high rate of demolitions, are steadily eroding the two-State solution,

Deploring the continuing unlawful construction by Israel of the wall inside the Occupied Palestinian Territory, including in and around East Jerusalem, and expressing its concern, in particular, about the route of the wall in departure from the Armistice Line of 1949 and in such a way as to include the great majority of the Israeli settlements in the Occupied Palestinian Territory, including East Jerusalem, and which is causing humanitarian hardship

¹⁰ [S/2016/595](#), annex.

and a serious decline of socioeconomic conditions for the Palestinian people, is fragmenting the territorial contiguity of the Territory and undermining its viability, and could prejudice future negotiations and make the two-State solution physically impossible to implement,

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

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

Taking note of the relevant reports of the Secretary-General, including pursuant to Security Council resolution [2334 \(2016\)](#),¹¹

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

2. *Demands* that Israel accept the de jure applicability of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949,¹ to the Occupied Palestinian Territory, including East Jerusalem, and other Arab territories occupied by Israel since 1967, including the occupied Syrian Golan, and abide scrupulously by the provisions of the Convention, in particular article 49, and comply with all of its obligations under international law and cease immediately all actions causing the alteration of the character, status and demographic composition of the Occupied Palestinian Territory, including East Jerusalem, and of the occupied Syrian Golan;

3. *Reiterates its demand* for the immediate and complete cessation of all Israeli settlement activities in all of the Occupied Palestinian Territory, including East Jerusalem, and in the occupied Syrian Golan, and calls in this regard for the full implementation of all the relevant resolutions of the Security Council, including, inter alia, resolutions [446 \(1979\)](#), [452 \(1979\)](#) of 20 July 1979, [465 \(1980\)](#), [476 \(1980\)](#), [478 \(1980\)](#), [1515 \(2003\)](#) of 19 November 2003 and [2334 \(2016\)](#);

4. *Stresses* that a complete cessation of all Israeli settlement activities is essential for salvaging the two-State solution on the basis of the pre-1967 borders, and calls for affirmative steps to be taken immediately to reverse the negative trends on the ground that are imperilling the viability of the two-State solution;

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

¹¹ [A/74/192](#), [A/74/219](#), [A/74/357](#) and [A/74/468](#).

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

7. *Condemns* in this regard settlement activities in the Occupied Palestinian Territory, including East Jerusalem, and in the occupied Syrian Golan and any activities involving the confiscation of land, the disruption of the livelihood of protected persons, the forced transfer of civilians and the annexation of land, whether de facto or through national legislation;

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

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

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

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

12. *Calls upon* all States and international organizations to continue to actively pursue policies that ensure respect for their obligations under international law with regard to all illegal Israeli practices and measures in the Occupied Palestinian Territory, including East Jerusalem, particularly Israeli settlement activities;

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

14. *Recalls*, in this regard, the statement of 15 July 1999 and the declarations adopted on 5 December 2001 and on 17 December 2014¹² by the Conference of High Contracting Parties to the Fourth Geneva Convention on measures to enforce the Convention in the Occupied Palestinian Territory, including East Jerusalem, welcomes in this regard initiatives by States parties, both individually and collectively, in accordance with article 1 of the Convention, aimed at ensuring respect for the Convention and accountability, and calls upon all High Contracting Parties to the Convention to continue, individually and collectively, to exert all efforts to ensure respect for its provisions by Israel, the occupying Power, in the Occupied Palestinian Territory, including East Jerusalem, and other Arab territories occupied by Israel since 1967;

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

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

17. *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 2011,¹³ concerning the Guiding Principles on Business and Human Rights¹⁴ 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;

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

*47th plenary meeting
13 December 2019*

¹² [A/69/711-S/2015/1](#), annex.

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

¹⁴ [A/HRC/17/31](#), annex.

Draft Resolution VII: Israeli practices affecting the human rights of the Palestinian people in the Occupied Palestinian Territory, including East Jerusalem ([A/74/89](#)) (157 votes in favour, 9 against and 13 abstentions)

The General Assembly,

Recalling the Universal Declaration of Human Rights,¹

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

Reaffirming its relevant resolutions, including resolution [73/99](#) of 7 December 2018, as well as those adopted at its tenth emergency special session,

Recalling the relevant resolutions of the Human Rights Council,

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

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

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

Taking note also of the report of the independent international commission of inquiry established pursuant to Human Rights Council resolution [S-28/1](#),⁷

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,

Taking note of the recent report by the Economic and Social Commission for Western Asia on the economic and social repercussions of the Israeli occupation on the living conditions of the Palestinian people in the Occupied Palestinian Territory, including East Jerusalem, and the Arab population in the occupied Syrian Golan,⁸

¹ Resolution [217 A \(III\)](#).

² See resolution [2200 A \(XXI\)](#), annex.

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

⁴ [A/74/356](#).

⁵ [A/74/468](#).

⁶ [A/HRC/40/73](#).

⁷ [A/HRC/40/74](#).

⁸ [A/74/88-E/2019/72](#).

Deeply regretting that 52 years have passed since the onset of the Israeli occupation, and stressing the urgent need for efforts to reverse the negative trends on the ground and to restore a political horizon for advancing and accelerating meaningful negotiations aimed at the achievement of a peace agreement that will bring a complete end to the Israeli occupation that began in 1967 and the resolution of all core final status issues, without exception, leading to a peaceful, just, lasting and comprehensive solution of the question of Palestine,

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

Recalling the advisory opinion rendered on 9 July 2004 by the International Court of Justice on the legal consequences of the construction of a wall in the Occupied Palestinian Territory,⁹ and recalling also relevant General Assembly resolutions,

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

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

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

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

Reaffirming also the applicability of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949,¹⁰ to the Occupied Palestinian Territory, including East Jerusalem, and other Arab territories occupied by Israel since 1967,

Reaffirming further the obligation of the States parties to the Fourth Geneva Convention¹⁰ under articles 146, 147 and 148 with regard to penal sanctions, grave breaches and responsibilities of the High Contracting Parties,

Recalling the statement of 15 July 1999 and the declarations adopted on 5 December 2001 and on 17 December 2014¹¹ by the Conference of High Contracting Parties to the Fourth Geneva Convention on measures to enforce the Convention in the Occupied Palestinian Territory, including East Jerusalem, aimed at ensuring respect for the Convention in the Occupied Palestinian Territory, including East Jerusalem,

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

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

¹⁰ United Nations, *Treaty Series*, vol. 75, No. 973.

¹¹ [A/69/711-S/2015/1](#), annex.

Stressing the need for full compliance with the Israeli-Palestinian agreements reached within the context of the Middle East peace process, including the Sharm el-Sheikh understandings, and the implementation of the Quartet road map to a permanent two-State solution to the Israeli-Palestinian conflict,¹²

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

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

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

Reaffirming also the obligation to respect the historic status quo, the special significance of the holy sites and the importance of the City of Jerusalem for the three monotheistic religions,

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

Expressing grave concern about the continuing systematic violation of the human rights of the Palestinian people by Israel, the occupying Power, including that arising from the excessive use of force and military operations causing death and injury to Palestinian civilians, including children, women and non-violent, peaceful demonstrators, as well as journalists, medical personnel and humanitarian personnel; the arbitrary imprisonment and detention of Palestinians, some of whom have been imprisoned for decades; the use of collective punishment; the closure of areas; the confiscation of land; the establishment and expansion of settlements; the construction of a wall in the Occupied Palestinian Territory in departure from the Armistice Line of 1949; the destruction of property and infrastructure; the forced displacement of civilians, including attempts at forced transfers of Bedouin communities; and all other actions by it designed to change the legal status, geographical nature and demographic composition of the Occupied Palestinian Territory, including East Jerusalem, and demanding the cessation of all such unlawful actions,

¹² [S/2003/529](#), annex.

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

Deploring the continuing and negative consequences of the conflicts in and around the Gaza Strip and the high number of casualties among Palestinian civilians in the recent period, including among children, and any violations of international law, and calling for full respect for international humanitarian and human rights law and for the principles of legality, distinction, precaution and proportionality,

Gravely concerned about the disastrous humanitarian situation and the critical socioeconomic and security situation in the Gaza Strip, including that resulting from the prolonged closures and severe economic and movement restrictions that in effect amount to a blockade and deepen poverty and despair among the Palestinian civilian population, and about the short- and long-term detrimental impacts of this situation and the widespread destruction and continued impeding of the reconstruction process by Israel, the occupying Power, on the human rights situation,

Recalling with grave concern the United Nations country team report of August 2012, entitled “Gaza in 2020: a liveable place?”,

Recalling the statement by the President of the Security Council of 28 July 2014,¹³

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

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

Gravely concerned by reports regarding serious human rights violations and grave breaches of international humanitarian law committed during the successive military operations in the Gaza Strip,¹⁴ and reiterating the necessity for serious follow-up by all parties of the recommendations addressed to them towards ensuring accountability and justice,

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

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

¹⁴ See [A/63/855-S/2009/250](#); [S/2015/286](#), annex; [A/HRC/12/48](#); and [A/HRC/29/52](#).

Expressing deep concern about the Israeli policy of closures and the imposition of severe restrictions, including through hundreds of obstacles to movement, checkpoints and a permit regime, all of which obstruct the freedom of movement of persons and goods, including medical and humanitarian goods, and the follow-up and access to donor-funded projects of development cooperation and humanitarian assistance, throughout the Occupied Palestinian Territory, including East Jerusalem, and impair the Territory's contiguity, consequently violating the human rights of the Palestinian people and negatively impacting their socioeconomic and humanitarian situation, which remains dire in the Gaza Strip, and the efforts aimed at rehabilitating and developing the Palestinian economy, and calling for the full lifting of restrictions,

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

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

Recalling the United Nations Standard Minimum Rules for the Treatment of Prisoners (the Nelson Mandela Rules)¹⁵ and the United Nations Rules for the Treatment of Women Prisoners and Non-custodial Measures for Women Offenders (the Bangkok Rules),¹⁶ and calling for respect for those Rules,

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

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

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

¹⁵ Resolution [70/175](#), annex.

¹⁶ Resolution [65/229](#), annex.

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, in this regard recalling the importance of the mandate and the positive contribution of the Temporary International Presence in Hebron, and regretting the unilateral decision by the Government of Israel not to renew its mandate,

Stressing the need for an immediate and complete cessation of all acts of violence, including military attacks, destruction and acts of terror,

Stressing also that the protection of civilians is a critical component in ensuring peace and security, and stressing further the need for measures to be taken to guarantee the safety and protection of the Palestinian civilian population throughout the Occupied Palestinian Territory, consistent with the provisions and obligations of international humanitarian law,

Stressing further the need to respect the right of peaceful assembly,

Taking note of the report of the Secretary-General on the protection of the Palestinian civilian population¹⁷ and the observations made therein on ways and means for ensuring the safety, protection and well-being of the Palestinian civilian population under Israeli occupation,

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

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

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

1. *Reiterates* that all measures and actions taken by Israel, the occupying Power, in the Occupied Palestinian Territory, including East Jerusalem, in violation of the relevant provisions of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949,¹⁰ and contrary to the relevant resolutions of the Security Council, are illegal and have no validity;

2. *Demands* that Israel, the occupying Power, cease all measures contrary to international law, as well as discriminatory legislation, policies and actions in the Occupied Palestinian Territory that violate the human rights of the Palestinian people, including the killing and injury of civilians, the arbitrary detention and imprisonment of civilians, the forced displacement of civilians, including attempts at forced transfers of Bedouin communities, the destruction and confiscation of civilian property, including home demolitions, including if carried out as collective punishment in violation of international

¹⁷ [A/ES-10/794](#).

humanitarian law, and any obstruction of humanitarian assistance, and that it fully respect human rights law and comply with its legal obligations in this regard, including in accordance with relevant United Nations resolutions;

3. *Also demands* that Israel, the occupying Power, comply fully with the provisions of the Fourth Geneva Convention of 1949¹⁰ and cease immediately all measures and actions taken in violation and in breach of the Convention;

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

5. *Takes note* of the report of the Secretary-General on the protection of the Palestinian civilian population,¹⁷ notably the observations made therein, including the possible expansion of existing protection mechanisms to prevent and deter violations, and calls for continued efforts within the United Nations human rights framework regarding the legal protection and safety of the Palestinian civilian population;

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

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, inter alia, gravely and detrimentally impact the human rights of the Palestinian people, and the prospects for achieving without delay an end to the Israeli occupation that began in 1967 and a just, lasting and comprehensive peace settlement between the Palestinian and Israeli sides, and calls for the full respect and implementation of all relevant General Assembly and Security Council resolutions in this regard, including Security Council resolution [2334 \(2016\)](#) of 23 December 2016;

8. *Calls for* urgent attention to the plight and the rights, in accordance with international law, of Palestinian prisoners and detainees in Israeli jails, including those on hunger strike, also calls for efforts between the two sides for the further release of prisoners and detainees, and further calls for respect for the United Nations Standard Minimum Rules for the Treatment of Prisoners (the Nelson Mandela Rules)¹⁵ and the United Nations Rules for the Treatment of Women Prisoners and Non-custodial Measures for Women Offenders (the Bangkok Rules);¹⁶

9. *Condemns* all acts of violence, including all acts of terror, provocation, incitement and destruction, especially any use of force by the Israeli occupying forces against Palestinian civilians in violation of international law, particularly in the Gaza Strip, including against journalists, medical personnel and humanitarian personnel, which have caused extensive loss of life and vast numbers of injuries, including among children and women;

10. *Also condemns* all acts of violence by militants and armed groups, including the firing of rockets, against Israeli civilian areas, resulting in loss of life and injury;

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

12. *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 Justice⁹ and as demanded in General Assembly 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 reparations for all damage caused by the construction of the wall, which has gravely impacted the human rights and the socioeconomic living conditions of the Palestinian people;

13. *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;

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

15. *Stresses* the urgent need to address the continuing health crisis in the Gaza Strip, including by ensuring the provision of adequate infrastructure, medical supplies and equipment, alongside expertise, to deal with the increasing caseload of injuries requiring complex treatment in the context of the protests in the Gaza Strip;

16. *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;

17. *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 passage of more than 52 years of the Israeli occupation and the continued denial and violation of the human rights of the Palestinian people;

18. *Emphasizes* the need to preserve and develop the Palestinian institutions and infrastructure for the provision of vital public services to the Palestinian civilian population

and the promotion of human rights, including civil, political, economic, social and cultural rights, and urges in this regard the implementation of the agreement signed in Cairo on 12 October 2017,¹⁸ which would be an important step towards achieving Palestinian unity and lead to the effective functioning of the Palestinian Government, including in the Gaza Strip, under the leadership of President Mahmoud Abbas, consistent with the Palestine Liberation Organization commitments and the Quartet principles;

19. *Requests* the Secretary-General to report to the General Assembly at its seventy-fifth session on the implementation of the present resolution, including with regard to the applicability of the Fourth Geneva Convention to the Occupied Palestinian Territory, including East Jerusalem, and the other occupied Arab territories.

*47th plenary meeting
13 December 2019*

VI. GENERAL ASSEMBLY ADOPTS RESOLUTION ON ASSISTANCE TO THE PALESTINIAN PEOPLE

On 16 December, the General Assembly adopted the resolution “Assistance to the Palestinian People” ([A/74/117](#)) without a vote. The text is reproduced below.

The General Assembly,

Recalling its resolution [73/256](#) of 20 December 2018, as well as its previous resolutions on the question,

Recalling also the signing of the Declaration of Principles on Interim Self-Government Arrangements in Washington, D.C., on 13 September 1993, by the Government of the State of Israel and the Palestine Liberation Organization, the representative of the Palestinian people,¹ and the subsequent implementation agreements concluded by the two sides,

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

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

¹⁸ [S/2017/899](#), annex.

¹ [A/48/486-S/26560](#), annex.

² See resolution [2200 A \(XXI\)](#), annex.

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

⁴ *Ibid.*, vol. 1249, No. 20378.

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

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

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

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

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

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

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

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

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

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

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

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

Welcoming also the latest meetings of the Ad Hoc Liaison Committee for the Coordination of the International Assistance to Palestinians, held in Brussels on 27 May 2015 and in New York on 25 September 2013, 22 September 2014, 30 September 2015, 19 September 2016, 18 September 2017, 27 September 2018 and 26 September 2019,

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

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

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

Recognizing, in this regard, the positive contribution of the United Nations Development Assistance Framework 2014–2016, which is aimed, inter alia, at enhancing development support and assistance to the Palestinian people and strengthening institutional capacity in line with Palestinian national priorities,

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

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

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

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

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

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

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

Reaffirming the necessity of achieving a comprehensive resolution of the Arab-Israeli conflict in all its aspects, on the basis of relevant Security Council resolutions, including resolutions [242 \(1967\)](#) of 22 November 1967, [338 \(1973\)](#) of 22 October 1973, [1397 \(2002\)](#) of 12 March 2002, [1515 \(2003\)](#) of 19 November 2003, [1850 \(2008\)](#) of 16 December 2008 and [1860 \(2009\)](#), as well as the terms of reference of the Madrid Conference and the principle of land for peace, in order to ensure a political solution, with two States – Israel and an independent, democratic, contiguous, sovereign and viable Palestinian State – living side by side in peace and security and mutual recognition,

Having considered the report of the Secretary-General,⁵

Expressing grave concern about continuing violence against civilians,

1. *Takes note* of the report of the Secretary-General;⁵
2. *Expresses its appreciation* to the Secretary-General for his rapid response and ongoing efforts regarding assistance to the Palestinian people, including with regard to the emergency humanitarian needs in the Gaza Strip;
3. *Also expresses its appreciation* to the Member States, United Nations bodies and intergovernmental, regional and non-governmental organizations that have provided and continue to provide assistance to the Palestinian people;
4. *Stresses* the importance of the work of the United Nations Special Coordinator for the Middle East Peace Process and Personal Representative of the Secretary-General to the Palestine Liberation Organization and the Palestinian Authority and of the steps taken under the auspices of the Secretary-General to ensure the achievement of a coordinated mechanism for United Nations activities throughout the occupied territories;
5. *Urges* Member States, international financial institutions of the United Nations system, intergovernmental and non-governmental organizations and regional and interregional organizations to extend, as rapidly and as generously as possible, economic

⁵ [A/74/89-E/2019/73](#).

and social assistance to the Palestinian people, in close cooperation with the Palestine Liberation Organization and through official Palestinian institutions;

6. *Welcomes* the meetings of the Ad Hoc Liaison Committee for the Coordination of the International Assistance to Palestinians of 25 September 2013, 22 September 2014, 27 May and 30 September 2015, 19 September 2016, 18 September 2017, 27 September 2018 and 26 September 2019, the outcome of the Cairo International Conference on Palestine: Reconstructing Gaza, held on 12 October 2014, and the generous donor response to support the needs of the Palestinian people, and urges the rapid disbursement of donor pledges;

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

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

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

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

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

12. *Stresses* the role that all funding instruments, including the European Commission's Palestinian-European Mechanism for the Management of Socioeconomic Aid and the World Bank trust fund, have been playing in directly assisting the Palestinian people;

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

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

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

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

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

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

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

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

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

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

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

*49th plenary meeting
16 December 2019*

⁶ [A/51/889-S/1997/357](#), annex.

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

On 18 December, the General Assembly adopted a resolution (A/74/139) on “The right of the Palestinian people to self-determination” (167 in favour, 5 against and 11 abstentions) on the recommendation of its Social, Humanitarian and Cultural Committee (Third Committee). The text of the draft resolution ([A/C.3/74/L.58](#)) is reproduced below.

The General Assembly,

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

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

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

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

Recalling also the United Nations Millennium Declaration,⁶

*Recalling further the advisory opinion rendered on 9 July 2004 by the International Court of Justice on the legal consequences of the construction of a wall in the Occupied Palestinian Territory,⁷ and noting in particular the reply of the Court, including on the right of peoples to self-determination, which is a right *erga omnes*,⁸*

Recalling the conclusion of the Court, in its advisory opinion of 9 July 2004, that the construction of the wall by Israel, the occupying Power, in the Occupied Palestinian Territory, including East Jerusalem, along with measures previously taken, severely impedes the right of the Palestinian people to self-determination,⁹

Stressing the urgency of achieving without delay an end to the Israeli occupation that began in 1967 and a just, lasting and comprehensive peace settlement between the

¹ Resolution [2200 A \(XXI\)](#), annex.

² Resolution [217 A \(III\)](#).

³ Resolution [1514 \(XV\)](#).

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

⁵ Resolution [50/6](#).

⁶ Resolution [55/2](#).

⁷ See [A/ES-10/273](#) and [A/ES-10/273/Corr.1](#).

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

⁹ *Ibid.*, para. 122.

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

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

Recalling its resolution [73/158](#) of 17 December 2018,

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

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

1. *Reaffirms* the right of the Palestinian people to self-determination, including the right to their independent State of Palestine;
2. *Urges* all States and the specialized agencies and organizations of the United Nations system to continue to support and assist the Palestinian people in the early realization of their right to self-determination.

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

The Security Council, at its 8690th meeting of 18 December, was briefed by the Special Coordinator on the Middle East Peace Process, Mr. Nickolay Mladenov, on the implementation of resolution [2334](#) (2016). The Special Coordinator's briefing ([S/PV.8690](#)) is reproduced below.

On behalf of the Secretary-General, I will devote my regular briefing on the situation in the Middle East to presenting the twelfth report on the implementation of Security Council resolution 2334 (2016) ([S/2019/938](#)). The report covers the period between 12 September and 6 December 2019. As members have already received the written report, in today's briefing I will provide a brief update on developments related to the provisions of the resolution that have taken place following the submission of the report to the Council.

As detailed in the report, no steps were taken during the reporting period to "cease all settlement activities in the occupied Palestinian territory, including East Jerusalem", as demanded by the Council in paragraph 2 of the resolution.

Demolitions and seizures of Palestinian-owned structures also continued across the occupied West Bank, including East Jerusalem. Since 6 December, an additional eight structures were demolished or seized by the Israeli authorities, resulting in the displacement of some 20 people.

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

¹¹ [S/2003/529](#), annex.

In its paragraph 6, resolution 2334 (2016) also “calls for immediate steps to prevent all acts of violence against civilians”. Unfortunately, the violence continues, even during the few days since the submission of the report. In the West Bank, including East Jerusalem, 16 Palestinians were injured in various incidents, including in clashes with the Israeli security forces during demonstrations, security operations, settler-related attacks and other incidents since the end of the reporting period.

Protests at the Gaza perimeter fence have also continued. While most demonstrations remained relatively peaceful, some protesters engaged in violent activities. The Israel Defense Forces (IDF) responded with riot-dispersal means and live fire, injuring some 38 people. On 17 December, a Palestinian was killed by an Israeli drone as he approached the perimeter fence. According to the IDF, the man was armed. Three rockets were also launched by Gaza militants towards Israel, causing no injuries.

On 9 December, assailants slashed the tires of more than 160 Palestinian cars in the Shuafat neighbourhood of East Jerusalem and sprayed anti-Arab graffiti. Additional vehicles were vandalized or set on fire in two villages in Bethlehem and in another two villages in Ramallah. The Israeli police are investigating the Shuafat incident.

Several dozen Israeli activists from the Tag Meir forum visited the Shuafat neighbourhood following the attack in order to express their rejection of the violence and their solidarity with Shuafat’s residents. They were hosted by Hussein and Suha Abu Khdeir, whose son Mohammad was murdered in a terror attack in 2014.

Resolution 2334 (2016), in its paragraph 7, calls upon the parties “to refrain from provocative actions, incitement, and inflammatory rhetoric”. Unfortunately, such actions and rhetoric have continued. The resolution also reiterated calls by the Middle East Quartet for affirmative steps to be taken immediately to reverse negative trends on the ground that are imperilling the two-State solution.

In recent weeks, the United Nations has continued its engagement with senior Palestinian officials and different factions towards holding inclusive elections throughout the occupied Palestinian territory. In preparation for possible 2020 parliamentary and presidential elections, and upon the request for technical assistance from Palestine’s Central Elections Commission, a United Nations electoral needs assessment mission was deployed to the occupied Palestinian territory earlier this week. On 10 December, the Palestinian Authority announced that it had officially sent a request to Israel to allow Palestinian residents of East Jerusalem to participate in potential presidential and legislative elections.

I would like to focus on some of the observations concerning the implementation of the resolution’s provisions. In the three years since the Council adopted resolution 2334 (2016), plans for over 22,000 units have been advanced or approved in West Bank settlements, including in East Jerusalem. Tenders for approximately 8,000 units have been issued. Those numbers should be of serious concern to all who continue to support the establishment of an independent and viable Palestinian State alongside Israel. Resolution 2334 (2016) clearly states that the establishment of settlements in the Palestinian territory occupied since 1967, including East Jerusalem, has no legal validity and constitutes a flagrant violation of international law and a major obstacle to the

achievement of the two-State solution and a just, lasting and comprehensive peace. Settlements must therefore cease immediately and completely.

The continued demolition and seizure of Palestinian structures, including internationally funded humanitarian projects, is also of significant concern. That practice is not in line with international humanitarian law and must stop. Affected populations must be duly compensated for damages incurred. Similarly, the high number of Palestinian households in East Jerusalem with eviction cases filed against them is alarming. As an occupying Power, Israel must abide by its obligations under international humanitarian law.

I remain gravely concerned about the continuing violence, terror attacks against civilians and incitement to violence, which greatly exacerbate mistrust between Israelis and Palestinians and are fundamentally incompatible with a peaceful resolution of the conflict. The indiscriminate launching of rockets and mortars towards Israeli civilian population centres is prohibited by international humanitarian law, and Palestinian militants must immediately cease that practice.

The security situation in Gaza remains very fragile. The use of force by Israel at the Gaza perimeter fence and the number of Palestinians killed and injured also remains a significant concern. Security forces must exercise maximum restraint and use lethal force only when strictly necessary and in response to an imminent threat of death or serious injury. Hamas must stop the firing of rockets and ensure that protests remain peaceful. Children should never be the target of violence or be used or put in harm's way.

Reports of increased numbers of settler-related attacks and harassment are also deeply concerning, particularly around the olive harvest season and in Hebron. Further measures must be taken to ensure that Israel fulfils its obligations to protect Palestinian civilians from violence, including by settlers, and to investigate and hold accountable those responsible for such attacks.

Provocative and inflammatory rhetoric during the reporting period continued to deepen the divide and fuelled further mistrust between Israelis and Palestinians. Leaders and officials must set a tone that encourages tolerance and facilitates increased dialogue.

I am particularly appalled by the racist and inflammatory statements that aim to spread fear and hatred among people. I call on all to join the United Nations to condemn all such statements. Regrettably, statements on the prospect of annexation of the Jordan Valley and other parts of the West Bank also continue. Such steps, if implemented, would constitute a serious violation of international law and would be destructive to the realization of the two-State solution and the prospects for peace.

September marked one year since the start of the implementation of the United Nations package of urgent humanitarian and economic interventions for Gaza. The efforts to date have achieved important results, yet the situation remains very fragile. Security risks abound, movement and access restrictions remain severe and there has been no progress towards intra-Palestinian unity. Some of the investments made to date, as a result of efforts by the United Nations, will end on 31 December. Without additional funding and a durable Israeli and Palestinian commitment, the situation in Gaza could once again be pushed to the brink of collapse. The stakes are too high to allow that to happen. All stakeholders must act to prevent the ongoing crisis in Gaza from deepening further.

On its own, no amount of humanitarian or economic support will resolve either the situation in Gaza or the broader conflict. Gaza ultimately requires political solutions. 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 closures, in line with resolution 1860 (2009), can we hope to sustainably resolve the humanitarian crisis. It is also critical to end the militant build-up in Gaza and the constant threat of rocket fire, and to reunite Gaza and the West Bank under a single, legitimate Palestinian national authority, in accordance with the recommendations of the 2016 Middle East Quartet report (see S/2016/595).

In that context, 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 that regard. I call on all Palestinian factions to make serious efforts to advance Palestinian unity.

I welcome ongoing discussions on the holding of Palestinian general elections. If elections materialize, they would be the first Palestinian elections since 2006, giving renewed legitimacy to national institutions. The international community should support that process.

As I emphasized in my previous briefing to the Council (see S/PV.8669), three critical elements are required for elections to be credible — first, they must be organized across the occupied Palestinian territory, in the West Bank, including East Jerusalem, and Gaza, in line with the Palestinian basic law, electoral legislation and international best practices; secondly, both legislative and presidential elections are necessary and should be held within a clearly identified and reasonable time frame; and, thirdly, broad intra-Palestinian agreement must be reached on the modalities of holding such elections.

Palestinians have been denied their democratic right to vote for too long. I am hopeful that the Palestinian President will very soon issue a decree scheduling legislative and presidential elections and that Israel will allow voting in East Jerusalem.

Despite the partial agreement reached between Israel and the Palestinian Authority on 3 October on clearance revenues, it remains critical that both sides engage in a constructive manner with the goal of restoring the revenue transfers in full, in accordance with the Paris Protocol on Economic Relations.

The financial situation of the United Nations Relief and Works Agency for Palestine Refugees in the Near East, unfortunately, has also continued to worsen. Urgent disbursement of donor funds is essential to ensure that operations can be sustained through the end of the year.

I also call on Member States to support the 2020 humanitarian response plan for the occupied Palestinian territory, launched on 11 December. The plan calls for approximately \$348 million to provide basic food, protection, health care, shelter, water and sanitation to about 1.5 million Palestinians in the Gaza Strip and the West Bank, including East Jerusalem.

This month marks three years since the adoption of resolution 2334 (2016). The situation on the ground since then has only deteriorated. Settlements have expanded significantly, demolitions have accelerated, violence and incitement have continued, achieving intra-Palestinian unity remains elusive and credible negotiations have yet to be launched. I remain greatly concerned by

the persistent lack of progress towards ending the occupation and realizing a negotiated twoState solution. As I have consistently stated, it is not enough to call for the renewal of our collective efforts to that end. We must take concrete action.

Absent the renewed commitment of the parties and the international community to pursue concrete measures that will lead to genuine political progress, the situation will continue to worsen. The IsraeliPalestinian conflict is in a fragile phase, with the occupation deepening, political uncertainty prevailing and volatile regional dynamics threatening to further destabilize the situation.

I once again urge leaders on all sides to summon the necessary political will to take concrete steps in support of ending the occupation and realizing a lasting peace, resulting in two democratic States, Israel and Palestine, living side by side in peace, within secure and recognized borders and with Jerusalem as the capital of both States.

IX. GENERAL ASSEMBLY ADOPTS RESOLUTION ON PERMANENT SOVEREIGNTY OF PALESTINIAN PEOPLE OVER NATURAL RESOURCES

On 19 December the General Assembly adopted a resolution ([A/RES/74/243](#)) on the “Permanent sovereignty of the Palestinian people in the Occupied Palestinian Territory, including East Jerusalem, and of the Arab population in the occupied Syrian Golan over their natural resources” (160 in favour, 6 against and 15 abstentions). The text of the resolution is reproduced below.

The General Assembly,

Recalling its resolution [73/255](#) of 20 December 2018, and taking note of Economic and Social Council resolution [2019/29](#) of 23 July 2019,

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

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

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

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

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

Reaffirming the applicability of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949,¹ to the Occupied Palestinian Territory, including East Jerusalem, and other Arab territories occupied by Israel since 1967,

Recalling, in this regard, the International Covenant on Civil and Political Rights² and the International Covenant on Economic, Social and Cultural Rights,² and affirming that these human rights instruments must be respected in the Occupied Palestinian Territory, including East Jerusalem, as well as in the occupied Syrian Golan,

Recalling also the advisory opinion rendered on 9 July 2004 by the International Court of Justice on the legal consequences of the construction of a wall in the Occupied Palestinian Territory,³ and recalling further its resolutions [ES-10/15](#) of 20 July 2004 and [ES-10/17](#) of 15 December 2006,

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

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

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

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

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

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

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

² See resolution [2200 A \(XXI\)](#), annex.

³ See [A/ES-10/273](#) and [A/ES-10/273/Corr.1](#).

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

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

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

Recalling the report of the independent international fact-finding mission to investigate the implications of the Israeli settlements on the civil, political, economic, social and cultural rights of the Palestinian people throughout the Occupied Palestinian Territory, including East Jerusalem,⁴

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

Stressing the urgency of achieving without delay an end to the Israeli occupation that began in 1967 and a just, lasting and comprehensive peace settlement on all tracks, on the basis of Security Council resolutions [242 \(1967\)](#), [338 \(1973\)](#) of 22 October 1973, [425 \(1978\)](#) of 19 March 1978, [1397 \(2002\)](#) of 12 March 2002 and [2334 \(2016\)](#), the principle of land for peace, the Arab Peace Initiative⁵ and the Quartet performance-based road map to a permanent two-State solution to the Israeli-Palestinian conflict,⁶ as endorsed by the Council in its resolution [1515 \(2003\)](#) of 19 November 2003 and supported by the Council in its resolution [1850 \(2008\)](#) of 16 December 2008,

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

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

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

⁴ [A/HRC/22/63](#).

⁵ [A/56/1026-S/2002/932](#), annex II, resolution 14/221.

⁶ [S/2003/529](#), annex.

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

Taking note of the report prepared by the Economic and Social Commission for Western Asia on the economic and social repercussions of the Israeli occupation on the living conditions of the Palestinian people in the Occupied Palestinian Territory, including East Jerusalem, and of the Arab population in the occupied Syrian Golan, as transmitted by the Secretary-General,⁷

1. *Reaffirms* the inalienable rights of the Palestinian people and of the population of the occupied Syrian Golan over their natural resources, including land, water and energy resources;

2. *Demands* that Israel, the occupying Power, cease the exploitation, damage, cause of loss or depletion and endangerment of the natural resources in the Occupied Palestinian Territory, including East Jerusalem, and in the occupied Syrian Golan;

3. *Recognizes* the right of the Palestinian people to claim restitution as a result of any exploitation, damage, loss or depletion or endangerment of their natural resources resulting from illegal measures taken by Israel, the occupying Power, and Israeli settlers in the Occupied Palestinian Territory, including East Jerusalem, and expresses the hope that this issue will be dealt with within the framework of the final status negotiations between the Palestinian and Israeli sides;

4. *Stresses* that the wall and settlements being constructed by Israel in the Occupied Palestinian Territory, including in and around East Jerusalem, are contrary to international law and are seriously depriving the Palestinian people of their natural resources, and calls in this regard for full compliance with the legal obligations affirmed in the 9 July 2004 advisory opinion of the International Court of Justice³ and in relevant United Nations resolutions, including General Assembly resolution [ES-10/15](#);

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

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

7. *Further calls upon* Israel to cease its destruction of vital infrastructure, including water pipelines, sewage networks and electricity networks, and to cease its demolition and confiscation of Palestinian homes and civilian infrastructure, agricultural lands and water

⁷ [A/74/88-E/2019/72](#).

wells, which, inter alia, have a negative impact on the natural resources of the Palestinian people, stresses the urgent need to advance reconstruction and development projects in this regard, including in the Gaza Strip, and calls for support for the necessary efforts in this regard, in line with the commitments made at, inter alia, the Cairo International Conference on Palestine: Reconstructing Gaza, held on 12 October 2014;

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

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

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

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

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

13. *Requests* the Secretary-General to report to the General Assembly at its seventy-fifth session on the implementation of the present resolution, including with regard to the cumulative impact of the exploitation, damage and depletion by Israel of natural resources in the Occupied Palestinian Territory, including East Jerusalem, and in the occupied Syrian Golan, and with regard to the impact of such practices on the promotion of the Sustainable Development Goals,⁸ and decides to include in the provisional agenda of its seventy-fifth session the item entitled “Permanent sovereignty of the Palestinian people in the Occupied Palestinian Territory, including East Jerusalem, and of the Arab population in the occupied Syrian Golan over their natural resources”.

*52nd plenary meeting
19 December 2019*

⁸ See resolution [70/1](#).

X. ICC PROSECUTOR ANNOUNCES CONCLUSION OF PRELIMINARY EXAMINATION OF THE SITUATION IN PALESTINE, SEEKS A RULING ON THE SCOPE OF THE COURT'S TERRITORIAL JURISDICTION

On 20 December, the International Criminal Court Prosecutor, Ms. Fatou Bensouda, released a statement on the conclusion of the Preliminary Examination of the Situation in Palestine. The [statement](#) is reproduced below.

Today, I announce that following a thorough, independent and objective assessment of all reliable information available to my Office, the preliminary examination into the Situation in Palestine has concluded with the determination that all the statutory criteria under the Rome Statute for the opening of an investigation have been met.

I am satisfied that there is a reasonable basis to proceed with an investigation into the situation in Palestine, pursuant to article 53(1) of the Statute. In brief, I am satisfied that (i) war crimes have been or are being committed in the West Bank, including East Jerusalem, and the Gaza Strip ("Gaza") ([for specifics, see paras. 94-96](#)); (ii) potential cases arising from the situation would be admissible; and (iii) there are no substantial reasons to believe that an investigation would not serve the interests of justice.

As there has been a referral from the State of Palestine, there is no requirement to seek Pre-Trial Chamber's authorisation before proceeding to open an investigation, and I do not seek to do so.

However, given the unique and highly contested legal and factual issues attaching to this situation, namely, the territory within which the investigation may be conducted, I deemed it necessary to rely on article 19(3) of the Statute to resolve this specific issue.

Earlier today, I therefore requested from Pre-Trial Chamber I a jurisdictional ruling on the scope of the territorial jurisdiction of the International Criminal Court ("ICC" or the "Court") under article 12(2)(a) of the Rome Statute in Palestine.

Specifically, I have sought confirmation that the "territory" over which the Court may exercise its jurisdiction, and which I may subject to investigation, comprises the West Bank, including East Jerusalem, and Gaza. Such determination is made strictly for the purposes of determining the Court's ability to exercise its jurisdiction and the scope of such jurisdiction under the Statute.

As I have observed in my submissions before the Chamber, determining where I can investigate in the unique circumstances of this situation should be resolved before I commence an investigation, and not settled only later by judges after my investigations are completed. This foundational question should be decided now, and as swiftly as possible in the interests of victims and affected communities; potential witnesses and their related protection needs and obligations as well as the conduct of the investigations and the efficiency of the judicial proceedings, not to mention providing clarity for the States concerned. As such, as a prosecuting office, we believe this is the responsible step to take in the circumstances of this situation.

By seeking this ruling, I have invited the Chamber to rule expeditiously, while also permitting victims, relevant States, and others to participate in these proceedings, as appropriate. By engaging

in an open and transparent manner in obtaining a ruling on this important issue, I hope that the process would not only assist the Chamber in its determination, but also endow its decision, and my ensuing investigation, with greater clarity and reinforced legitimacy.

It is necessary for this specific matter before the Chamber to be resolved without undue delay so that my Office can take the appropriate next steps accordingly.
