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Israeli practices and settlement activities affecting the rights of the Palestinian People and other Arabs of the occupied territories

Report of the Special Political and Decolonization Committee (Fourth Committee)

Rapporteur: Mr. Youssouf Aden **Moussa** (Djibouti)

I. Introduction

1. At its 2nd plenary meeting, on 17 September 2021, the General Assembly, on the recommendation of the General Committee, decided to include in the agenda of its seventy-sixth session the item entitled “Israeli practices and settlement activities affecting the rights of the Palestinian People and other Arabs of the occupied territories” and to allocate it to the Special Political and Decolonization Committee (Fourth Committee).

2. The Fourth Committee considered the item at its 2nd meeting, on 4 October, and during its joint general debate on agenda items 50 to 63 at its 8th to 14th meetings, on 19, 20, 22, 25 and 27 October and on 1 and 3 November 2021. The Committee took action on the item at its 15th meeting, on 9 November. Statements and observations made in the course of the Committee’s consideration of the item are reflected in the relevant summary records.¹

3. For its consideration of the item, the Committee had before it the following documents:

- (a) Report of the Secretary-General on the occupied Syrian Golan ([A/76/304](#));
- (b) Report of the Secretary-General on Israeli settlements in the Occupied Palestinian Territory, including East Jerusalem, and the occupied Syrian Golan ([A/76/336](#));

¹ [A/C.4/76/SR.2](#), [A/C.4/76/SR.8](#), [A/C.4/76/SR.9](#), [A/C.4/76/SR.10](#), [A/C.4/76/SR.11](#), [A/C.4/76/SR.12](#), [A/C.4/76/SR.13](#), [A/C.4/76/SR.14](#), and [A/C.4/76/SR.15](#).



(c) Report of the Secretary-General on Israeli practices affecting the human rights of the Palestinian people in the Occupied Palestinian Territory, including East Jerusalem ([A/76/333](#));

(d) Note by the Secretary-General transmitting the fifty-third report of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories ([A/76/360](#)).

4. At the 2nd meeting, on 4 October, the representative of Sri Lanka, in his capacity as Chair of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories, introduced the report of that Committee.

5. At the same meeting, the Assistant Secretary-General for Human Rights, introduced the reports of the Secretary-General.

II. Consideration of proposals

6. At its 15th meeting, on 9 November, the Committee was informed that the draft resolutions contained in documents [A/C.4/76/L.7](#), [A/C.4/76/L.8](#) and [A/C.4/76/L.9](#) had no programme budget implications.

A. Draft resolution [A/C.4/76/L.7](#)

7. At the 15th meeting, on 9 November, the representative of Namibia, on behalf of Cuba, Egypt, Iraq, Jordan, Kuwait, Namibia, Oman, Qatar, Senegal, Tunisia, Venezuela (Bolivarian Republic of) and State of Palestine, introduced a draft resolution entitled “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/C.4/76/L.7](#)). Subsequently, Algeria, Bahrain, Bangladesh, Bolivia (Plurinational State of), Brunei Darussalam, Djibouti, the Gambia, Indonesia, Lebanon, Malaysia, Maldives, Mauritania, Morocco, Nicaragua, Saudi Arabia, Somalia, South Africa, the United Arab Emirates and Yemen joined in sponsoring the draft resolution.

8. At the same meeting, the Committee adopted draft resolution [A/C.4/76/L.7](#) by a recorded vote of 77 to 17, with 74 abstentions (see para. 13, draft resolution I). The voting was as follows:

In favour:

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

Against:

Australia, Austria, Brazil, Canada, Colombia, Czechia, Guatemala, Honduras, Hungary, Israel, Marshall Islands, Micronesia (Federated States of), Nauru, Philippines, Slovenia, United Kingdom of Great Britain and Northern Ireland, United States of America.

Abstaining:

Albania, Andorra, Argentina, Armenia, Belarus, Belgium, Bosnia and Herzegovina, Bulgaria, Burundi, Cameroon, Costa Rica, Côte d'Ivoire, Croatia, Cyprus, Denmark, Dominican Republic, Ecuador, Eritrea, Estonia, Ethiopia, Fiji, Finland, France, Georgia, Germany, Greece, Haiti, Iceland, India, Ireland, Italy, Japan, Kazakhstan, Latvia, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malta, Mexico, Monaco, Mongolia, Montenegro, Myanmar, Netherlands, New Zealand, North Macedonia, Norway, Panama, Papua New Guinea, Paraguay, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Rwanda, Samoa, San Marino, Serbia, Singapore, Slovakia, South Sudan, Spain, Sweden, Switzerland, Thailand, Timor-Leste, Togo, Tonga, Ukraine, Uruguay, Vanuatu.

B. Draft resolution [A/C.4/76/L.8](#)

9. At the 15th meeting, on 9 November, the representative of Cuba, on behalf of Cuba, Democratic People's Republic of Korea, Egypt, Iraq, Jordan, Mauritania, Morocco, Namibia, Oman, Qatar, Senegal, Syrian Arab Republic, Tunisia, Venezuela (Bolivarian Republic of) and State of Palestine, introduced a draft resolution entitled "The occupied Syrian Golan" ([A/C.4/76/L.8](#)). Subsequently, Algeria, Bahrain, Bangladesh, Bolivia (Plurinational State of), Brunei Darussalam, Indonesia, Kuwait, Lebanon, Lesotho, Malaysia, Maldives, Nicaragua, Saudi Arabia, Somalia, South Africa, the United Arab Emirates and Yemen joined in sponsoring the draft resolution.

10. At the same meeting, the Committee adopted draft resolution [A/C.4/76/L.8](#) by a recorded vote of 144 to 2, with 22 abstentions (see para. 13, draft resolution II). The voting was as follows:

In favour:

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

Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, Uzbekistan, Venezuela (Bolivarian Republic of), Viet Nam, Yemen, Zimbabwe.

Against:

Israel and United States of America.

Abstaining:

Australia, Brazil, Cameroon, Canada, Côte d'Ivoire, Fiji, Ghana, Guatemala, Haiti, Honduras, Madagascar, Marshall Islands, Micronesia (Federated States of), Nauru, Panama, Papua New Guinea, Rwanda, South Sudan, Togo, Tonga, Uruguay, Vanuatu.

C. Draft resolution [A/C.4/76/L.9](#)

11. At the 15th meeting, on 9 November, the representative of Cuba, on behalf of Cuba, Egypt, Iraq, Jordan, Kuwait, Namibia, Oman, Qatar, Senegal, Tunisia, Venezuela (Bolivarian Republic of) and State of Palestine, introduced a draft resolution entitled "Israeli settlements in the Occupied Palestinian Territory, including East Jerusalem, and the occupied Syrian Golan" ([A/C.4/76/L.9](#)). Subsequently, Algeria, Austria, Bahrain, Bangladesh, Belgium, Bolivia (Plurinational State of), Bosnia and Herzegovina, Brunei Darussalam, Bulgaria, Croatia, Cyprus, Denmark, Djibouti, Estonia, Finland, France, the Gambia, Germany, Greece, Indonesia, Ireland, Italy, Japan, Latvia, Lebanon, Liechtenstein, Lithuania, Luxembourg, Malaysia, Maldives, Malta, Mauritania, Montenegro, Morocco, the Netherlands, Nicaragua, Nigeria, Norway, Poland, Portugal, the Republic of Korea, Romania, Saudi Arabia, Serbia, Slovakia, Somalia, South Africa, Spain, Sweden, Switzerland, the United Arab Emirates and Yemen joined in sponsoring the draft resolution.

12. At the same meeting, the Committee adopted draft resolution [A/C.4/76/L.9](#), by a recorded vote of 142 to 7, with 16 abstentions (see para. 13, draft resolution III). The voting was as follows:²

In favour:

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

² The delegation of Spain subsequently indicated that it had intended to vote in favour.

Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, Uzbekistan, Venezuela (Bolivarian Republic of), Viet Nam, Yemen, Zimbabwe.

Against:

Canada, Hungary, Israel, Marshall Islands, Micronesia (Federated States of), Nauru, United States of America.

Abstaining:

Australia, Brazil, Cameroon, Colombia, Czech Republic, Fiji, Guatemala, Haiti, Honduras, Madagascar, Papua New Guinea, Rwanda, Slovenia, South Sudan, Togo, Uruguay.

III. Recommendations of the Special Political and Decolonization Committee (Fourth Committee)

13. The Special Political and Decolonization Committee (Fourth Committee) recommends to the General Assembly the adoption of the following draft resolutions:

Draft resolution I

Work of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories

The General Assembly,

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

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

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

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

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

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.

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

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,

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

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

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

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

5. *Requests* the Special Committee, pending complete termination of the Israeli occupation, to continue to investigate Israeli policies and practices in the Occupied Palestinian Territory, including East Jerusalem, and other Arab territories

⁷ A/HRC/22/63.

⁸ A/HRC/40/74.

⁹ A/76/360.

¹⁰ A/76/304, A/76/333 and A/76/336.

¹¹ A/48/486-S/26560, annex.

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, and to consult, as appropriate, with the International Committee of the Red Cross, according to its regulations, in order to ensure that the welfare and human rights of the peoples of the occupied territories, including prisoners and detainees, are safeguarded, as well as to submit to the Secretary-General annual reports on the current situation in the Occupied Palestinian Territory, including East Jerusalem;

6. *Also requests* the Special Committee to continue to investigate the treatment and status of the thousands of Palestinian and Arab prisoners and detainees, including children, women and elected representatives, in Israeli prisons and detention centres, and expresses grave concern about the harsh conditions of imprisonment and ill-treatment of prisoners and recent hunger strikes, stressing the need for respect for all applicable rules of international law, including the Fourth Geneva Convention,¹² the United Nations Standard Minimum Rules for the Treatment of Prisoners (the Nelson Mandela Rules)¹³ and the United Nations Rules for the Treatment of Women Prisoners and Non-custodial Measures for Women Offenders (the Bangkok Rules);¹⁴

7. *Requests* the Secretary-General:

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

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

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

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

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

¹³ Resolution [70/175](#), annex.

¹⁴ Resolution [65/229](#), annex.

Draft resolution II

The occupied Syrian Golan

The General Assembly,

Having considered the report of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories,¹

Deeply concerned that the Syrian Golan, occupied since 1967, has been under continued Israeli military occupation,

Recalling Security Council resolution [497 \(1981\)](#) of 17 December 1981,

Recalling also its previous relevant resolutions, the most recent of which was resolution [75/99](#) of 10 December 2020,

Having considered the report of the Secretary-General submitted in pursuance of resolution [75/99](#),²

Recalling its previous relevant resolutions in which, inter alia, it called upon Israel to put an end to its occupation of the Arab territories,

Reaffirming once more the illegality of the decision of 14 December 1981 taken by Israel to impose its laws, jurisdiction and administration on the occupied Syrian Golan, which has resulted in the effective annexation of that territory,

Reaffirming that the acquisition of territory by force is inadmissible under international law, including the Charter of the United Nations,

Reaffirming also the applicability of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949,³ to the occupied Syrian Golan,

Bearing in mind Security Council resolution [237 \(1967\)](#) of 14 June 1967,

Welcoming the convening at Madrid of the Peace Conference on the Middle East on the basis of Security Council resolutions [242 \(1967\)](#) of 22 November 1967 and [338 \(1973\)](#) of 22 October 1973 aimed at the realization of a just, comprehensive and lasting peace, and expressing grave concern about the stalling of the peace process on all tracks,

1. *Calls upon* Israel, the occupying Power, to comply with the relevant resolutions on the occupied Syrian Golan, in particular Security Council resolution [497 \(1981\)](#), in which the Council, inter alia, decided that the Israeli decision to impose its laws, jurisdiction and administration on the occupied Syrian Golan was null and void and without international legal effect and demanded that Israel, the occupying Power, rescind forthwith its decision;

2. *Also calls upon* Israel to desist from changing the physical character, demographic composition, institutional structure and legal status of the occupied Syrian Golan and in particular to desist from the establishment of settlements;

3. *Determines* that all legislative and administrative measures and actions taken or to be taken by Israel, the occupying Power, that purport to alter the character and legal status of the occupied Syrian Golan are null and void, constitute a flagrant

¹ [A/76/360](#).

² [A/76/304](#).

³ United Nations, *Treaty Series*, vol. 75, No. 973.

violation of international law and of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, and have no legal effect;

4. *Calls upon* Israel to desist from imposing Israeli citizenship and Israeli identity cards on the Syrian citizens in the occupied Syrian Golan, and from its repressive measures against the population of the occupied Syrian Golan;

5. *Deplores* the violations by Israel of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949;

6. *Calls once again upon* Member States not to recognize any of the legislative or administrative measures and actions referred to above;

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

Draft resolution III

Israeli settlements in the Occupied Palestinian Territory, including East Jerusalem, and the occupied Syrian Golan

The General Assembly,

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

Reaffirming the inadmissibility of the acquisition of territory by force,

Recalling its relevant resolutions, including resolution [75/97](#) of 10 December 2020, as well as those resolutions adopted at its tenth emergency special session,

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

Recalling further the Universal Declaration of Human Rights,¹

Recalling the International Covenant on Civil and Political Rights,² the International Covenant on Economic, Social and Cultural Rights³ and the Convention on the Rights of the Child,⁴ and affirming that these human rights instruments must be respected in the Occupied Palestinian Territory, including East Jerusalem,

Reaffirming the applicability of the Regulations annexed to the Hague Convention IV of 1907, the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949,⁵ and relevant provisions of customary law, including those codified in Additional Protocol I⁶ to the four Geneva Conventions,⁷ to the Occupied Palestinian Territory, including East Jerusalem, and to other Arab territories occupied by Israel since 1967, including the occupied Syrian Golan,

Affirming that the transfer by the occupying Power of parts of its own civilian population into the territory it occupies constitutes a breach of the Fourth Geneva Convention,⁸

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 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”,¹⁰

¹ Resolution [217 A \(III\)](#).

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

³ Ibid.

⁴ United Nations, *Treaty Series*, vol. 1577, No. 27531.

⁵ Ibid., vol. 75, No. 973.

⁶ Ibid., vol. 1125, No. 17512.

⁷ Ibid., vol. 75, Nos. 970–973.

⁸ Ibid., No. 973.

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

¹⁰ Ibid., advisory opinion, para. 120.

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 1967,¹¹ as well as of other relevant recent reports of the Council,

Recalling the report of the independent international fact-finding mission to investigate the implications of the Israeli settlements on the civil, political, economic, social and cultural rights of the Palestinian people throughout the Occupied Palestinian Territory, including East Jerusalem,¹²

Recalling also the Declaration of Principles on Interim Self-Government Arrangements of 13 September 1993¹³ 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,¹⁴ and emphasizing specifically its call for a freeze on all settlement activity, including so-called natural growth, and the dismantlement of all settlement outposts erected since March 2001, and the need for Israel to uphold its obligations and commitments in this regard,

Recalling its resolution 67/19 of 29 November 2012,

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

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

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

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

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

¹¹ A/HRC/40/73; see also A/74/507.

¹² A/HRC/22/63.

¹³ A/48/486-S/26560, annex.

¹⁴ S/2003/529, annex.

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 2016,¹⁵ 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,

Deploing the continuing unlawful construction by Israel of the wall inside the Occupied Palestinian Territory, including in and around East Jerusalem, and expressing its concern, in particular, about the route of the wall in departure from the Armistice Line of 1949 and in such a way as to include the great majority of the Israeli settlements in the Occupied Palestinian Territory, including East Jerusalem, and which is causing humanitarian hardship and a serious decline of socioeconomic conditions for the Palestinian people, is fragmenting the territorial contiguity of the Territory and undermining its viability, and could 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 \(2016\)](#),¹⁶

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

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

¹⁵ [S/2016/595](#), annex.

¹⁶ [A/76/304](#), [A/76/333](#) and [A/76/336](#).

implementation of all the relevant resolutions of the Security Council, including, inter alia, resolutions [446 \(1979\)](#), [452 \(1979\)](#) of 20 July 1979, [465 \(1980\)](#), [476 \(1980\)](#), [478 \(1980\)](#), [1515 \(2003\)](#) of 19 November 2003 and [2334 \(2016\)](#);

4. *Stresses* that a complete cessation of all Israeli settlement activities is essential for salvaging the two-State solution on the basis of the pre-1967 borders;

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

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

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

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

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

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

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

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

¹⁷ [A/ES-10/794](#).

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

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

15. *Recalls*, in this regard, the statement of 15 July 1999 and the declarations adopted on 5 December 2001 and on 17 December 2014¹⁸ by the Conference of High Contracting Parties to the Fourth Geneva Convention on measures to enforce the Convention in the Occupied Palestinian Territory, including East Jerusalem, welcomes in this regard initiatives by States parties, both individually and collectively, in accordance with article 1 of the Convention, aimed at ensuring respect for the Convention and accountability, and calls upon all High Contracting Parties to the Convention to continue, individually and collectively, to exert all efforts to ensure respect for its provisions by Israel, the occupying Power, in the Occupied Palestinian Territory, including East Jerusalem, and other Arab territories occupied by Israel since 1967;

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

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

18. *Calls upon* the relevant United Nations bodies to take all necessary measures and actions within their mandates to ensure full respect for and compliance with Human Rights Council resolution [17/4](#) of 16 June 2011,¹⁹ concerning the Guiding Principles on Business and Human Rights²⁰ and other relevant international laws and standards, and to ensure the implementation of the United Nations “Protect, Respect and Remedy” Framework, which provides a global standard for upholding human rights in relation to business activities that are connected with Israeli settlements in the Occupied Palestinian Territory, including East Jerusalem;

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

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

¹⁸ [A/69/711-S/2015/1](#), annex.

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

²⁰ [A/HRC/17/31](#), annex.