



# General Assembly

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## Seventy-sixth session

Agenda item 38

### The situation in the Middle East

**Algeria, Egypt, Jordan, Kuwait, Lebanon, Mauritania, Qatar, Saudi Arabia, Tunisia, United Arab Emirates, Venezuela (Bolivarian Republic of), Yemen and State of Palestine: draft resolution**

#### Jerusalem

*The General Assembly,*

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

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“Basic Law” on Jerusalem and the proclamation of Jerusalem as “the capital of Israel”, were null and void and must be rescinded forthwith, as well as its previous resolutions on Jerusalem,

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

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

*Deploring* any action taken by any body, governmental or non-governmental, in violation of the above-mentioned resolutions, and reiterating that all measures which have altered the geographic, demographic and historical character and status of the



Holy City of Jerusalem are null and void and must be rescinded in compliance with the relevant resolutions of the Security Council,

*Reaffirming* the applicability of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, to the Occupied Palestinian Territory, including East Jerusalem,

*Recalling* the advisory opinion rendered on 9 July 2004 by the International Court of Justice on the legal consequences of the construction of a wall in the Occupied Palestinian Territory,<sup>1</sup> and recalling also its resolution [ES-10/15](#) of 20 July 2004,

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

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

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

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

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

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

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

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

2. *Stresses* that a comprehensive, just and lasting solution to the question of the City of Jerusalem should take into account the legitimate concerns of both the Palestinian and Israeli sides, in accordance with international law, and should include

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

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

internationally guaranteed provisions to ensure the freedom of religion and of conscience of its inhabitants, as well as permanent, free and unhindered access to the holy places by people of all religions and nationalities;

3. *Also stresses* the need for the parties to observe calm and restraint and to refrain from provocative actions, incitement and inflammatory rhetoric, especially in areas of religious and cultural sensitivity, and expresses its grave concern, in particular, about the recent series of serious negative incidents in East Jerusalem;

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

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

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