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Committee on the Exercise of the Inalienable Rights of the Palestinian People

Summary record of the 411th meeting

Held at Headquarters, New York, on Wednesday, 3 May 2023, at 10 a.m.

Chair: Mr. Niang (Senegal)

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The meeting was called to order at 10.10 a.m.

Adoption of the agenda

1. **The Chair** said that he had received requests from a number of delegations to defer the consideration of requests for accreditation of civil society organizations to the Committee's next meeting. He took it that the Committee wished to adopt the agenda, as amended.

2. *The agenda was adopted.*

Election of officers

3. **The Chair** invited the Committee to consider the nomination of Mr. Muhamad (Malaysia) for the posts of Vice-Chair and Rapporteur.

4. *Mr. Muhamad (Malaysia) was elected by acclamation.*

5. **Mr. Muhamad** (Malaysia) said that the agony of the Palestinian people in its pursuit of the inalienable right to an independent State had persisted for far too long. Malaysia would continue to stand in solidarity with the Palestinian people and remained convinced that the internationally recognized two-State solution could be realized if the international community, especially the members of the Security Council, exerted all efforts to implement it fully.

Statement by the Observer for the State of Palestine

6. **Mr. Mansour** (Observer for the State of Palestine) said that the participation of Member States, regional groups and the Committee in the most recent open debate of the Security Council at the ministerial level attested to the international community's support for the Palestinian people's rights. In the first four months of 2023, the Security Council had met frequently to address the situation caused by the new extremist Government of Israel, the most extreme in the history of Israel, whose officials included terrorist extremists convicted in the Israeli court system who supported terrorist organizations that advocated the elimination of the Palestinian people. The international community's reiteration of principled positions in response to the situation, while appropriate, was insufficient. There was a need to move towards implementing resolutions on the Palestinian people's rights to statehood, self-determination and the return of refugees, thereby bringing an end to the Palestinian Nakbah after 75 years.

7. The current Government of Israel was unleashing a massive attack against Palestinians in all parts of the Occupied Palestinian Territory, including Jerusalem, especially during the holy month of Ramadan, and desecrating the Aqsa Mosque and the Haram al-Sharif.

The Palestinian people had been defending Muslim and Christian holy sites and participating in hunger strikes.

8. The Secretary-General and the United Nations had expressed alarm about and called for an investigation into the circumstances surrounding the recent death of Khader Adnan, a Palestinian prisoner in administrative detention who had perished while on hunger strike due to the ruthlessness and negligence of the occupying Israeli authorities.

9. His delegation routinely documented the crimes committed against the Palestinian people by Israeli authorities and extremist terrorist settler groups, including the crimes that had led to Adnan's death. Israeli settlers had recently stormed the town of Huwara, burning dozens of homes and vehicles and injuring many Palestinians while the Israeli army stood idly by. In the Gaza Strip, Palestinians had recently been under bombardment by the Israeli army. His delegation was grateful for the efforts of Egypt and the United Nations to promptly establish a ceasefire and end the aggression that had claimed the life of one Palestinian civilian and injured five others.

10. On 15 May 2023, a high-level event commemorating the Palestinian Nakbah would be held in the General Assembly Hall, constituting the Organization's first acknowledgment of the tragedy in its history. That same day, at a cultural event, the story of the Palestinian people would be conveyed through a musical performance and multimedia presentation featuring historical footage and testimonials from victims and perpetrators of the Nakbah, the recitation of poems and reporting by and a tribute to slain Palestinian journalist Shireen Abu Akleh. He called on delegations to attend and promote the powerful, historic event as well as to leverage its impact in their capitals in support of the Palestinian cause.

11. Turning to the request made by the General Assembly for the International Court of Justice to render an advisory opinion on two major questions, he noted that one of the questions dealt with the legal consequences arising from the prolonged occupation, annexation, demolition of homes, forced transfer of populations and denial of the Palestinian people's right to self-determination. The second question concerned the changing reality on the ground and the system of legislative discrimination put in place by the Israeli Government, establishing separate infrastructure and a separate legal system for the Palestinian population.

12. His delegation had organized meetings with different regional groups at which it had presented the legal considerations to the delegations present. It had also prepared templates to assist delegations that were

contemplating making a submission by supplying a condensed legal argument and helpful references, and had identified lawyers willing to provide pro bono assistance to countries that wished to make a submission but lacked the financial resources to do so. Noting that the deadline for submissions was 25 July 2023, he urged all delegations to make submissions and welcomed the Court's decision to allow regional organizations to make collective submissions on behalf of their members.

13. Delegations that made a submission would be entitled to read all submissions, including those sympathetic to the Israeli position, and would be allowed to submit a critique of any other submission by 25 October 2023. In addition, the Office of Legal Affairs of the United Nations would submit a dossier to the International Court of Justice containing thousands of documents covering the 20 years since the issuance of the Court's advisory opinion on the separation wall. For its part, the State of Palestine would submit its legal argument in book form. He hoped that the process would culminate in the issuance by the Court of an opinion that contributed to the attainment of the inalienable rights of the Palestinian people. Thanks to their steadfastness and heroism and to collective international efforts, the question of Palestine continued to figure prominently on the United Nations agenda, despite the attempt by some to divert all the Organization's focus to the issue of Ukraine.

14. **Mr. Nasir** (Indonesia) said that it was necessary to continue raising the political profile of the question of Palestine within the Organization and to publicize the commemorative event on the Nakbah as widely as possible. Indonesia was preparing to make a submission to the International Court of Justice in support of the request for an advisory opinion.

15. **Mr. Jardali** (Observer for Lebanon) said that Lebanon was preparing a submission to the International Court of Justice in support of the request for an advisory opinion, and had received considerable support from the Permanent Observer Mission of the State of Palestine, for which it was grateful.

16. **Mr. Elhomosany** (Observer for Egypt) said that he would like to know whether individual Member State delegations would be allowed to deliver statements during the high-level event on 15 May 2023, or whether only regional groups would be able to do so.

17. **Mr. Mabhongo** (South Africa) said that South Africa was preparing to participate in the International Court of Justice process and had its attorneys working on its submission.

18. **Ms. Kuzee** (Namibia) said that her delegation appreciated the extensive preparatory and background documents provided by the State of Palestine, which would help Namibia to focus its submission. A concerted communications strategy was indeed needed to publicize the high-level event to commemorate the Nakbah.

19. **Ms. Elardja Flitti** (Observer for the League of Arab States) said that the Secretary-General of the League of Arab States would send a message to be read out at the high-level event to commemorate the Nakbah. The League's Legal Affairs Department was preparing the organization's submission to the International Court of Justice.

20. **The Chair** said that while individual delegations would not deliver statements at the commemorative events, Member States could submit statements, which would be posted on the website of the Division for Palestinian Rights. Committee members had a moral duty to make submissions to the International Court of Justice in support of the request for an advisory opinion.

21. The Committee had written to the President of the Security Council concerning the death of Khader Adnan, which was emblematic of the horrendous crimes committed against the Palestinian people. Such crimes met with international inertia, indicating a business-as-usual attitude. The Committee must find innovative ways to mobilize the international community to address the current situation, as continued international inaction would only encourage, rather than deter, the Israeli Government. The stance needed at the present time was that adopted in the struggle against apartheid in South Africa, Namibia and elsewhere. To that end, all ideas were welcomed.

22. **Mr. Mansour** (Observer for the State of Palestine) said that no speeches would be delivered at the cultural event to commemorate the Nakbah. He thanked delegations that were preparing submissions to the International Court of Justice; the more submissions that were made, the stronger the message that would be conveyed to the Court. Delegations intending to make submissions to the Court could explore consultations in order to strategize on the overall approach, especially ahead of the oral submission process, in order to avoid redundancy and complement one another. Once the advisory opinion was issued, his delegation would study it and decide accordingly on the next steps for engagement with the General Assembly.

23. **Mr. Tamburi** (Director, Division for Palestinian Rights) said that the proceedings at the high-level commemorative event would follow the format of those held on the International Day of Solidarity with the

Palestinian People, in that Member States that had submitted statements would be acknowledged by name.

Recent and upcoming Committee activities

24. **The Chair** said that from 7 to 9 February, the Committee had organized a closed-door seminar on the illegality of the occupation of the Occupied Palestinian Territory, attended by international legal experts, Palestinian diplomats and government officials, as well as Bureau representatives. On 12 February, a Bureau delegation had participated in a high-level conference in support of Jerusalem held by the League of Arab States. On 28 February, the Division for Palestinian Rights had held the annual briefing for new delegates on the Committee's mandate and programme of work.

25. On 15 March, on the margins of the sixty-seventh session of the Commission on the Status of Women, the Committee had held a virtual meeting on the enduring impact of the Nakbah on millions of displaced and dispossessed Palestinians. A conversation with Nadine Sayegh, author of *Oranges from Jaffa: A True Story about the End of the Golden Age of Palestine*, had been featured.

26. A Bureau delegation had attended the forty-ninth session of the Council of Foreign Ministers of the Organization of Islamic Cooperation, held on 16 and 17 March in Nouakchott, and had also participated in the meeting of that Organization's Committee of Six on Palestine.

27. On 11 April, the Bureau had held its annual meeting with the President of the General Assembly, at which it had discussed the deteriorating situation in Gaza and the advisory opinion from the International Court of Justice, among other issues. On 24 April, the Bureau had met with the Minister for Foreign Affairs and Expatriates of the State of Palestine to exchange views ahead of the Security Council's quarterly open debate on the situation in the Middle East, including the question of Palestine. On 25 April, he had delivered a statement during that open debate, expressing the Committee's dismay at the political dynamics and rising tensions in the Occupied Palestinian Territory and appealing to the Council to protect the Palestinian people from the human rights violations perpetrated by the occupying Power. On 27 April, the Committee had held closed consultations on the topic "The ongoing Nakbah in Gaza: blockade, dispossession and denial of rights" with civil society organizations from the State of Palestine, Israel and the United States.

28. The Bureau had issued press statements condemning the violence perpetrated by Israeli forces in

Nablus and the intrusion and violence against Palestinians worshiping at a holy site in Jerusalem.

29. With regard to upcoming activities, for the first time in its history, the United Nations would commemorate the seventy-fifth anniversary of the Nakbah at United Nations Headquarters, pursuant to General Assembly resolution [77/23](#). The Committee would organize a special meeting and a special commemorative event on 15 May 2023.

30. Following the meeting of the Bureau on 20 February with new members of the Security Council, Japan, Malta, Mozambique, and Switzerland, the Bureau would convene a follow-up meeting with the non-permanent members of the Security Council on 9 May to continue exchanging ideas on how to support a resumption of peace negotiations between Israel and Palestine.

The meeting rose at 11.20 a.m.