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The status of Palestine in the ILO and its participation rights in ILO meetings

Purpose of the document

At the request of the Governing Body at its 351st Session (June 2024) further to the adoption of resolution ES-10/23 by the United Nations General Assembly, the Office has prepared an analysis of the status of Palestine in the ILO and the participation rights of Palestine in ILO meetings. The Governing Body is invited to take decisions on two interrelated yet distinct matters: (i) Palestine's current status as a liberation movement and its possible elevation to that of a non-member State entity; (ii) the scope of the participation rights of Palestine in ILO meetings in light of the resolution of the United Nations General Assembly (see the draft decision in paragraph 68).

Relevant strategic objective: All.

Main relevant outcome: Enabler B: Improved leadership and governance.

Policy implications: None.

Legal implications: Will depend on the decision of the Governing Body.

Financial implications: None.

Follow-up action required: Will depend on the decision of the Governing Body.

Author unit: Office of the Legal Adviser (JUR).

Related documents: None.

► Introduction

1. At its 351st Session (June 2024), the Governing Body decided, by consensus, to add to the agenda of its 352nd Session (October–November 2024) an item concerning “the status of Palestine in the ILO and participation rights of Palestine in ILO meetings following the United Nations General Assembly resolution ES-10/23”.¹ This decision was taken in the context of the discussion on the standing item concerning questions arising out of the annual session of the International Labour Conference requiring immediate attention. Upon the recommendation made by the Governing Body at its 350th Session (March 2024), the June 2024 session of the Conference included a special sitting for the discussion of the Appendix to the Report of the Director-General on the situation of workers of the occupied Arab territories.² Resolution ES-10/23, entitled “Admission of new Members to the United Nations”, was adopted by the UN General Assembly on 10 May 2024 (see Appendix I).
2. At the June 2024 session of the Governing Body, the Workers’ group noted that, under the 1946 Agreement between the United Nations and the International Labour Organization, the ILO had an obligation to bring the General Assembly resolution to the attention of the Governing Body as soon as possible for any follow-up that the Governing Body might deem appropriate. The Workers’ group called upon the Governing Body to discuss and adopt measures to align the status and participation rights of Palestine in the ILO as soon as possible, with a particular focus on aligning participation rights for the social partners with those of the social partners of an ILO Member State, as that would allow Palestinian workers to be represented at the ILO pending a decision on full membership status for Palestine. The Workers’ group proposed that an item be included on the agenda of the 352nd Session of the Governing Body on the status of Palestine in the ILO and participation rights in ILO meetings, including any necessary amendments to the relevant rules of procedure.³ This proposal was supported by the Employers’ group and a number of Governments.⁴
3. It is recalled that resolution ES-10/23 was adopted following the non-adoption on 18 April 2024, by the Security Council, of a draft resolution recommending “to the General Assembly that the State of Palestine be admitted to membership in the United Nations”.⁵
4. In resolution ES-10/23, the UN General Assembly “determine[d] that the State of Palestine is qualified for membership in the United Nations in accordance with Article 4 of the Charter of the United Nations and should therefore be admitted to membership in the United Nations”. Accordingly, it recommended that the UN Security Council “reconsider the matter favourably”. At the same time, it decided “on an exceptional basis and without setting a precedent” to adopt modalities to grant additional rights and privileges for “the participation of the State of Palestine in the sessions and work of the General Assembly and the international conferences convened under the auspices of the Assembly or other organs of the United Nations, as well as in United Nations conferences”. The UN General Assembly also requested the specialized agencies to apply the same modalities.⁶ According to the [voting results](#), 143 UN Member

¹ GB.351/PV, para. 39(a).

² ILO, *Report of the Director-General – Appendix: The situation of workers of the occupied Arab territories*, ILC.112/DG/APP.

³ GB.351/PV, para. 24.

⁴ GB.351/PV, paras 27, 32, 34.

⁵ [S/2024/312](#).

⁶ Under article IV of the 1946 Agreement between the United Nations and the International Labour Organization, the ILO has agreed to “arrange for the submission, as soon as possible, to the Governing Body, the Conference or such other organ of

States voted in favour of the resolution, including 21 out of the 28 Government regular members of the Governing Body. One of the nine Member States that voted against the resolution is a regular member of the Governing Body. Among the 25 UN Member States that abstained, six are regular members of the Governing Body.

5. On 1 June 2024, the World Health Assembly decided to align the participation of Palestine in the World Health Organization with its participation in the United Nations by conferring upon it, “in its capacity as an observer State”, *mutatis mutandis*, the same rights and privileges as those contained in resolution ES-10/23.⁷
6. On 16 July 2024, the UN Secretary-General issued a note entitled “[Implementation of General Assembly resolution ES-10/23, entitled ‘Admission of new Members to the United Nations’](#)”.
7. In this institutional context, and in accordance with the decision taken by the Governing Body at its 351st Session (June 2024), this document addresses, firstly, the status of Palestine at the ILO and, secondly, its participation rights in ILO meetings. As things currently stand, the status of Palestine at the ILO is not the same as the status of “non-member observer State” that it enjoys at the United Nations. Thus, in line with its June 2024 decision, the Governing Body is invited to consider whether it wishes to reconsider Palestine’s current status as a liberation movement and to invite it to attend future ILO meetings as a non-member observer State.⁸ The Governing Body will also consider the participation rights of Palestine in ILO meetings in light of the resolution of the UN General Assembly. While an entity’s status at the ILO and its participation rights are interrelated, they can be addressed separately, as has been done at the United Nations and in other organizations. The Governing Body could, for instance, decide to align the participation rights of Palestine at the ILO with the modalities set out in the annex to resolution ES-10/23 without changing the status of Palestine as a liberation movement.
8. The document contains three appendices. The first contains the text of General Assembly resolution ES-10/23. The second provides an overview of the status and participation rights of Palestine within 21 organizations of the UN system. The third proposes for the Governing Body’s consideration a draft resolution containing the possible terms for the Conference to revisit the status and participation rights of Palestine in the ILO.

► 1. Status of Palestine in the ILO: Origins and evolution

9. At the ILO, Palestine enjoys the status of a liberation movement⁹ recognized by the League of Arab States. The term “Palestine” is currently used exclusively for the Palestine Liberation

the International Labour Organization, as may be appropriate, of all formal recommendations which the General Assembly or the Council may make to it”. While the ILO is not bound by the resolutions of the General Assembly, under the 1946 Agreement, it has committed to consider in good faith the recommendations made to it by the General Assembly and, “in due course to report to the United Nations on the action taken, by the Organization or by its members, to give effect to such recommendations, or on the other results of their consideration”.

A recent analysis of the ILO’s obligations with respect to recommendations of the UN General Assembly and the Economic and Social Council can be found in document [GB.331/POL/5](#), paras 26–33, in the context of the Governing Body’s discussions on ILO cooperation with the tobacco industry.

⁷ World Health Organization, [Aligning the participation of Palestine in the World Health Organization with its participation in the United Nations](#), resolution WHA77.15, 1 June 2024.

⁸ The term “non-member observer State” is used in the present document, given that States that are not Members of the ILO may be invited to attend the Conference or other ILO meetings and to appoint representatives as observers.

⁹ This term was originally used in UN General Assembly [resolution 3118\(XXVIII\)](#) of 12 December 1973, entitled “Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples by the specialized agencies and the international institutions associated with the United Nations”, in which it requested the “specialized agencies and other organizations within the United Nations system, in consultation with the Organization of African Unity and the

Movement and is not applied to a geographical entity. The term “Occupied Palestinian Territory” is used to cover the West Bank, including East Jerusalem, and the Gaza Strip.¹⁰ The term “Palestinian Authority” refers to the administration responsible for the territory under its jurisdiction.

10. This status originates from a request made by the Palestine Liberation Organization at the 59th Session (1974) of the Conference to participate “as an observer at all the Conferences, meetings and activities of the International Labour Organisation”, with the intention of, among other things, defending the rights of the Palestinian people, and in particular the Palestinian workers.¹¹ At the time, the Officers of the Conference considered that there was no legal basis for inviting liberation movements and decided to seize the Officers of the Governing Body of the matter so as to include it on the agenda of the Governing Body “with a view to the preparation, on the report of its Standing Orders Committee, of amendments to the Standing Orders, analogous to those adopted elsewhere, permitting participation in the Conference and in other meetings of concern to them of representatives of liberation movements recognised by the Organisation of African Unity or by the League of Arab States”. At the same session, the Conference adopted a resolution which initiated the submission of a special report by the Director-General on the situation of workers of the occupied Arab territories.¹²
11. At its 194th Session (November 1974), the Governing Body instructed its Standing Orders Committee “to prepare, as a matter of urgency, the necessary statutory changes so that the Governing Body could take the desired decision in full knowledge of all the facts” at its next session.¹³
12. At its 195th Session (March 1975), the Governing Body decided to transmit the report of its Standing Orders Committee entitled “Participation of National Liberation Movements in Meetings of the International Labour Organization” to the Conference and to recommend to the Conference “to set up a Committee on Standing Orders immediately after the opening of the session and to ensure that that committee submits its recommendations to the Conference without delay”.¹⁴ In its report, the Standing Orders Committee of the Governing Body noted that standing rules covering the questions of attendance and participation “exist[ed] essentially for the General Conference, the Governing Body, regional conferences and Industrial Committees”.¹⁵ However, the Committee noted that “the Standing Orders of the Governing Body ... [made] no provision for the attendance as observers of member States of the Organisation who are not members of the body in question [and] considered that it was not appropriate to give liberation movements a status more favourable than that of member States, and that the question whether the relevant rules should make provision for the

Special Committee, to take all necessary measures to ensure that the peoples of the colonial Territories in Africa are represented by their national liberation movements, in an appropriate capacity, when dealing with matters pertaining to those Territories”. Palestine is currently the only entity that has the status of “liberation movement” at the ILO.

¹⁰ When there is a need to refer to the occupied Syrian Golan in addition to those territories, the term “occupied Arab territories” is used.

¹¹ The representative of the Palestine Liberation Organization explained his organization’s intention as follows: “The purpose of applying to participate in the work of the ILO is to defend the rights of the Palestinian people, particularly the Palestinian workers, safeguarding their legitimate rights, voicing all that they are interested in explaining to world public opinion, taking advantage of the experience of the Organisation, its technical assistance and contributing effectively and positively to [its] work in accordance with the Constitution of the ILO”; ILO, [Record of Proceedings](#), International Labour Conference, 59th Session, 1974, p. 385.

¹² [Record of Proceedings](#), 59th Session, p. 808.

¹³ ILO, [Minutes of the Governing Body](#), 194th Session (November 1974), pp. VI/1–2.

¹⁴ ILO, [Minutes of the Governing Body](#), 195th Session (March 1975), p. I/6.

¹⁵ ILO, Report of the Committee on Standing Orders and the Application of Conventions and Recommendations, [Record of Proceedings](#), International Labour Conference, 60th Session, 1975, p. 38.

attendance of member States fell outside its current mandate".¹⁶ The Committee "accordingly limited its examination of possible Standing Orders provisions to texts concerning the General Conference and regional conferences".

13. Several formulations were envisaged for the admission of liberation movements to the Conference.¹⁷ Ultimately, the Conference adopted the following three amendments to articles 2, 14 and 56 of the Standing Orders in force at the time:¹⁸
 - (i) a new clause (k) to article 2, paragraph 3, of its Standing Orders: "representatives of liberation movements recognised by the Organisation of African Unity or the League of Arab States which have been invited by the Conference or the Governing Body to be represented at the Conference".
 - (ii) a new paragraph 12 to article 14: "Representatives of liberation movements which have been invited to attend the Conference may, with the permission of the President, address the Conference during the discussion of the Director-General's Report."¹⁹
 - (iii) a new paragraph 10 to article 56: "Representatives of liberation movements which have been invited to attend the Conference and which the Conference has invited to be represented at the Committee may participate, without vote, in the discussions."
14. Since 1975, therefore, Palestine has been invited to participate in the work of the Conference as a liberation movement, in accordance with article 2.2(l) of the Standing Orders. It has systematically sent representatives to the Conference. Palestine is also invited to participate in the Asia and the Pacific regional meetings, as a liberation movement, in accordance with article 1(11) of the Rules for regional meetings.²⁰
15. Since then, no formal discussions with a view to altering this status have taken place, at either the Conference or the Governing Body. However, this has not prevented occasional expressions of support for granting Palestine full membership or otherwise enhancing its status and participation rights.²¹
16. While the formal status of Palestine in the ILO has remained unchanged, significant developments have occurred over the years. Originally, the delegation of Palestine at the Conference appeared under the separate entry of "Liberation Movements" in the list of delegations to the Conference, with the name of the Palestine Liberation Organization as the entity representing Palestine. At the 76th Session of the Conference (1989), the designation was changed to "Palestine", as was recorded at the time in the [final list of delegations](#). The change of designation was made without prejudice to the specific status of liberation movement under which Palestine had participated at the Conference since 1975. The change

¹⁶ Under the 2011 reform package, the rights of Member States that are not members of the Governing Body were strengthened (article 1.8.3 of the Governing Body Standing Orders).

¹⁷ ILO, [Record of Proceedings](#), International Labour Conference, 60th Session, 1975, pp. 204–207.

¹⁸ Similar amendments were made to the Rules for Regional Conferences.

¹⁹ The provision was further amended in 1977 in order to allow liberation movements to participate in the discussion of the reports of the Governing Body; see ILO, [Record of Proceedings](#), International Labour Conference, 63rd Session, 1977, p. 186.

²⁰ Representatives of Palestine attended the 9th, 16th and 17th Asia and the Pacific Regional Meetings as representatives of a liberation movement. No provision is made in the Standing Orders for technical meetings to allow for the participation of liberation movements as observers.

²¹ ILO, [Record of Proceedings](#), International Labour Conference, 91st Session, 2003, p. 13/11; see also, [Record of Proceedings](#), 97th Session, 2008, p. 20/35; [Record of Proceedings](#), 100th Session, 2011, p. 12/8; [Transcript of the discussion of the Reports of the Director-General and the Chairperson of the Governing Body](#), 112th Session, 2024, pp. 39, 55, 77, 96, 105, 110. Recently, during the 343rd (November 2021) and 346th (October–November 2022) Sessions of the Governing Body, the Palestinian Authority reiterated Palestine's readiness to become a full Member of the Organization. ILO, [Minutes of the Governing Body](#), 343rd Session (November 2021), para. 457; [Minutes of the Governing Body](#), 346th Session (October–November 2022), para. 789.

was decided following the adoption of UN General Assembly resolution 43/177 on 15 December 1988.²² As from 2001, a tripartite delegation, including public authorities and employers' and workers' representatives, appeared in the list of delegations under "Palestine" within the section for liberation movements.

17. Another important development took place with respect to the Governing Body. While the participation rights of Palestine were originally limited to the sessions of the Conference, representatives of Palestine were subsequently admitted to participate in the work of the Governing Body in relation specifically to the discussion of the item concerning the programme of enhanced development cooperation for the occupied Arab territories. Those representatives have not, however, been granted any specific status under the rules of the Governing Body, as the Standing Orders do not provide for the participation of liberation movements. Since 2004, Palestine has thus regularly sent observers to sessions of the Governing Body as a liberation movement. The invitation covers the whole session of the Governing Body but the right to make a statement is limited to the discussion of the item concerning development cooperation for the occupied Arab territories.
18. Since 2017, a worker from the Occupied Palestinian Territory has been elected as a Worker deputy member of the Governing Body. The designation "Occupied Palestinian Territory" is inserted next to the name of the Worker member concerned.²³
19. With respect to other ILO meetings, namely technical meetings and meetings of experts, no provision is made for the participation of liberation movements nor have representatives of Palestine ever been admitted to those meetings.
20. In sum, at the ILO, the legal status of Palestine is that of a liberation movement. It participates in the Conference and regional meetings with the rights attached to this status under the applicable rules. In practice, the scope of its participation rights has been extended to the sessions of the Governing Body, with the right to make a statement on the specific item mentioned above.

1.1. Status of Palestine in other specialized agencies and related organizations of the United Nations system

21. The status of Palestine varies across the United Nations system. Appendix II presents an overview of the information collected concerning 21 organizations.
22. At the United Nations, "the State of Palestine"²⁴ has the status of a non-member observer State and enjoys broad participation rights. The status and participation rights of the State of Palestine have changed over the years. The UN General Assembly, in its [resolution 3210 \(XXIX\)](#)

²² Acknowledging in [resolution 43/177](#) the "proclamation of the State of Palestine by the Palestine National Council", the UN General Assembly decided that "effective as of 15 December 1988, the designation 'Palestine' should be used in place of the designation 'Palestine Liberation Organization' in the United Nations system, without prejudice to the observer status". The resolution was noted by the Governing Body at its 242nd Session (March 1989); see [GB.242/IO/1/5](#). The Conference was informed of the resolution at its 76th Session through the [report of the Chairperson of the Governing Body](#).

²³ The first occasion was in June 2017, when the Workers' group nominated a Palestinian deputy member. This was the first instance in the ILO's history where an elected non-governmental member came from a non-State entity. Indeed, Employer and Worker members of the Governing Body are elected in their individual capacity and represent not States, but "the employers" and "the workers" in accordance with article 7(1) of the ILO Constitution and article 1.1 of the Standing Orders of the Governing Body.

²⁴ According to the [Report of the United Nations Secretary General, "Status of Palestine in the United Nations"](#) dated 8 March 2013, "on 12 December 2012, Palestine informed the Secretary-General that the designation 'State of Palestine' should be used in all documents and for its nameplate in all United Nations meetings ... In accordance with [Palestine's] request, the designation 'State of Palestine' is now used in all documents of the United Nations and on nameplates to be used in United Nations meetings" (para. 3).

of 14 October 1974, invited the Palestine Liberation Organization, “the representative of the Palestinian people, to participate in the deliberations of the General Assembly on the question of Palestine in plenary meetings”. This resolution was soon followed by [resolution 3237 \(XXIX\)](#) of 22 November 1974, under which the General Assembly, *inter alia*, decided to invite the Palestine Liberation Organization to participate in the sessions and the work of the General Assembly and of all international conferences convened under its auspices, in the capacity of observer. The General Assembly, in its [resolution 43/160A](#) of 9 December 1988, decided, *inter alia*, that “the Palestine Liberation Organization ... [is] entitled to have [its] communications relating to the sessions and work of the General Assembly issued and circulated directly, and without intermediary, as official documents of the Assembly”. In its [resolution 43/177](#) of 15 December 1988, the UN General Assembly “acknowledge[d] the proclamation of the State of Palestine by the Palestine National Council on 15 November 1988” and decided that “in the United Nations system” the designation “Palestine” should be used instead of “Palestine Liberation Organization”, without prejudice to the observer status and functions of the Palestine Liberation Organization within the UN system. In its [resolution 52/250](#) of 13 July 1998, the UN General Assembly decided to confer upon Palestine, in its capacity as an observer, additional rights and privileges of participation in the sessions and work of the General Assembly and the international conferences convened under its auspices or other organs of the United Nations, as well as in United Nations conferences. These additional rights of participation included the right to participate in the general debate of the UN General Assembly, the right of reply, and the right of inscription on the list of speakers under agenda items other than Palestinian and Middle East issues at any plenary meeting of the UN General Assembly, after the last Member State inscribed on the list of that meeting. In its [resolution 67/19](#) of 29 November 2012, the General Assembly decided “to accord to Palestine non-member observer State status in the United Nations”. After it was elected to chair the Group of 77 for the year 2019, in [resolution 73/5](#) of 16 October 2018 the UN General Assembly decided to grant “additional rights and privileges of participation of the State of Palestine for 2019”, the duration of its chairmanship of the Group of 77, including the right to make statements on behalf of the Group of 77 and China, the right to submit proposals and amendments and introduce them on behalf of the Group of 77 and China and the right to co-sponsor proposals and amendments. The latest resolution is resolution ES-10/23 of 10 May 2024 (Appendix I).

23. Palestine enjoys the status of Member State at the United Nations Educational, Scientific and Cultural Organization (UNESCO),²⁵ the United Nations Industrial Development Organization (UNIDO),²⁶ the Organisation for the Prohibition of Chemical Weapons (OPCW)²⁷ and the International Seabed Authority (ISA).^{28, 29}
24. Palestine is granted the status of “non-member State with special observer status” at the International Fund for Agricultural Development (IFAD).³⁰
25. It participates as a privileged observer at the Universal Postal Union (UPU).³¹ It participates as an observer with additional participation rights at the International Atomic Energy Agency

²⁵ Under [resolution 76](#) adopted by the General Conference of UNESCO at its 36th session, 31 October 2011.

²⁶ Instrument of accession to the Constitution of UNIDO deposited on 17 May 2018.

²⁷ Instrument of accession to the Chemical Weapons Convention deposited on 17 May 2018.

²⁸ Instrument of accession to the United Nations Convention on the Law of the Sea deposited on 2 January 2015.

²⁹ Palestine is also a fully-fledged Member of other international organizations outside the UN system, including the League of Arab States, the International Civil Defence Organization, the International Olive Council, INTERPOL, the Organization of Islamic Cooperation and the World Customs Organization.

³⁰ By decision of the IFAD Executive Board of 9 December 1999.

³¹ By resolution C115/1999 of the UPU Congress.

(IAEA),³² at the International Telecommunication Union (ITU)³³ and at the World Health Organization (WHO).³⁴ Palestine participates as an observer at the Food and Agriculture Organization of the United Nations (FAO),³⁵ the Preparatory Commission for the Comprehensive Nuclear Test-Ban Treaty Organization and the World Meteorological Organization (WMO).³⁶

26. Palestine has a “sui generis” or “special” observer status at the World Intellectual Property Organization (WIPO)³⁷ and the World Tourism Organization (UN Tourism).³⁸ At the International Civil Aviation Organization (ICAO), Palestine is an observer (neither a Member State nor a non-member State).³⁹ At the International Organization for Migration (IOM), Palestine is neither a Member State nor an observer State, nor does it have any other status in the Organization or its governing bodies. At the World Trade Organization (WTO), Palestine is neither a Member nor an observer.
27. At the International Maritime Organization (IMO), Palestine, as a liberation movement, could be invited to send observers to meetings but has never participated.
28. The Palestine Liberation Organization is also invited as an observer to meetings of the International Monetary Fund (IMF) and the World Bank, without having a standing status.
29. Although the General Assembly decided under resolution 43/177 that the designation “Palestine” should be used in the United Nations system, organizations within the system use various designations, such as “State of Palestine”, “Palestine”, “Palestine Liberation Organization” and “Occupied Palestinian Territory”.

1.2. Revisiting the status of Palestine at the ILO

30. Having regard to the views expressed by constituents at the 351st Session of the Governing Body, over the last year and during the 112th Session of the Conference,⁴⁰ the time may be

³² By IAEA General Conference resolutions GC(XX)/RES/334 of 23 September 1976, GC(XXXIII)/DEC/16 of 29 September 1989, GC(42)/RES/20 of 25 September 1998 and GC(67)/RES/14 of 28 September 2023. It is noted that the additional rights and privileges granted to Palestine under the last resolution only have a limited applicability.

³³ By resolution 99 of the Plenipotentiary Conference of the ITU, adopted in 2018.

³⁴ By resolution WHA77.15 of the World Health Assembly, 1 June 2024.

³⁵ For instance, the arrangements for the 172nd Session of the Council (24–28 April 2023) and the 43rd Session of the Conference (1–7 July 2023), CL 171/REP and the Report of the 43rd Session of the Conference (1–7 July 2023), C 2023/REP.

³⁶ By decision of the Seventh World Meteorological Congress, 1975.

³⁷ Resolution A/41/8 adopted in 2005.

³⁸ Resolution 391(XIII)C adopted in 1999.

³⁹ ICAO Assembly resolution A22-6 adopted in 1977.

⁴⁰ At the 112th Session (2024), a number of statements made by delegates referred to the status of Palestine at the ILO. A distinction can be made between the delegates calling for an alignment with the resolutions of the United Nations and those calling for the admission of Palestine as a Member of the ILO. The Chairperson of the Workers' group stated that “the Governing Body of the ILO must discuss and adopt measures to align the status and participation of Palestine in the ILO to recent developments in the UN and WHO, granting Palestine a status equal to that of a full member” ([Transcript of the discussion of the Reports of the Director-General and the Chairperson of the Governing Body](#), p. 110). The Government delegate of Algeria called upon “the constituent parties of this organization to enable the State of Palestine to fully participate at the ILO according to United Nations resolutions” (p. 135). The Government delegate of Egypt stated that “we have to look at the status of Palestine in accordance with resolutions adopted by the UNGA here within the ILO” (p. 105). The Government delegate of Indonesia stated that “the International Labour Organization should leverage the recent global acknowledgement of the Palestinians involved and alignment with the United Nations and the World Health Organization” (p. 113). The Government delegate of Sudan stated that “Sudan calls [on] the members of this organization ... to provide Palestine with its own status in line with the resolutions of the United Nations” (p. 158). The Government delegate of Iraq, speaking on behalf of the Arab group, encouraged support for “... Palestine [to] be a fully-fledged member of the ILO ...” (p. 39). The Government delegate of Oman (p. 138) and the Government delegate of Tunisia (p. 328) expressed similar views. Support was also expressed for the admission of Palestine as a Member of the ILO by the Workers' delegate of Bahrain (p. 77),

ripe for the ILO to reconsider Palestine's status as a liberation movement. Inviting Palestine as a non-member State to participate in ILO meetings as an observer would align the status of Palestine with that recognized by the United Nations and other organizations. This section seeks to facilitate the debate by providing relevant background information and shedding light on different aspects so that the ILO can make its own determination on the status of Palestine.

31. The only change that can be initiated by the ILO is to admit Palestine as a "non-member observer State". This would also imply that Palestine would, henceforth, be considered as a State by the ILO.
32. While the institutional significance of the discussion is undeniable, it is taking place in an international environment where the statehood of Palestine is broadly recognized, including at the United Nations, and is well anchored through the exercise by Palestine of the rights attached to statehood, such as its ratification of international treaties and its admission as a member of international organizations.
33. At present, based on the information collected, the ILO and the IMO are the only international organizations of the United Nations system where Palestine is still explicitly considered as a liberation movement.⁴¹ In five organizations of the United Nations system, Palestine has the status of a fully-fledged Member or that of a non-member observer State.
34. The ILO rules allow for a change in the status of Palestine from a liberation movement to a non-member observer State. In general, all that is required is a decision to invite a State that is not a Member of the ILO to participate, as an observer, in the Conference, the Governing Body and the regional meetings.
35. With respect to the Conference, representatives of a non-member observer State fall within the category under article 2(2)(e) of the Standing Orders of the Conference of "persons appointed as observers by a State invited to attend the Conference". Attendance of non-member States as observers is decided by the Governing Body or by its Officers, under article 2.3.1(b) of the Standing Orders of the Governing Body. This decision can also be taken directly by the Conference.
36. The ILO history offers several examples of invitations being extended to non-member States to attend the International Labour Conference as observers. For example, in November 1967, the Governing Body gave the Director-General a standing authority to invite the Holy See to be represented by an observer each year at sessions of the Conference.⁴² As a result, the Holy See is regularly invited to the Conference and appears under the list of observers in the lists of delegations. In 2009, the Governing Body authorized the Director-General to invite Bhutan to send a delegation of observers to the 98th Session of the Conference.⁴³ For several years, Bhutan has regularly been invited to participate in the Conference as an observer.
37. Maldives and the Cook Islands were each invited to attend the Conference as a non-member State and to be represented by a delegation of observers in the year in which they applied for ILO membership. In March 2008, the Government of Maldives requested to participate in the

the Employers' delegate of Egypt (p. 87), the Workers' delegate of Jordan (p. 55), the Workers' delegate of Morocco (p. 120), the Workers' delegate of Portugal (p. 151), the Employers' delegate of Saudi Arabia (pp. 20 and 113), the Workers' delegate of Spain (p. 119) and the Workers' delegate of Tunisia (p. 139).

⁴¹ As noted above, Palestine has never participated in the work of the IMO.

⁴² At the time it was noted that "it would seem appropriate that the Holy See should be invited year by year to be represented by an observer at the annual sessions of the International Labour Conference. In view of the sovereign status of the Holy See its attendance would be governed by Articles 2(3)(e), 14(11) and 56(8) of the Standing Orders of the Conference, which apply to Observers of States invited to attend the Conference"; see [GB.170/21/22](#). The articles cited correspond to the current articles 2(2)(e), 14(8) and 36(5)(a).

⁴³ [GB.304/15/3](#).

97th Session of the Conference as an observer. The Governing Body approved this request and authorized the Director-General to extend an invitation.⁴⁴ Similarly, in 2015, the Officers of the Governing Body decided to invite the Cook Islands to appoint a delegation of observers to participate in the 104th Session of the Conference in June 2015, with the status of “accredited representatives of a State that has applied for membership of the ILO”.⁴⁵

38. When it comes to the participation in the work of the Governing Body, responsibility for deciding whether to invite States which are non-members of the Organization also lies with the Officers under article 2.3.1(b) of the Standing Orders of the Governing Body. The Holy See regularly attends the Governing Body sessions as an observer State and appears under the category of “other non-member States” in the list of accredited persons. This participation is limited to attending the sittings of the Governing Body without the right to make statements.
39. With respect to regional meetings, under article 1(10) of the Rules for regional meetings, any State which is not a Member of the ILO can be invited by the Governing Body to be represented by an observer delegation.⁴⁶
40. All that is required for a non-member State to be invited to participate in ILO meetings is a decision of the Governing Body or the Conference. Since Palestine has had a long-standing status at the Conference as a liberation movement, a resolution to discontinue the existing status and elevate it to non-member observer State would appear to be in the interests of legal clarity. It would also be appropriate that a decision of the Governing Body to invite Palestine as a non-member observer State to its sessions, to the Asia and Pacific regional meetings and, as appropriate, to technical meetings, would take effect subject to a decision taken by the Conference upon the recommendation of the Governing Body, to ensure coherence of the status of Palestine at all ILO meetings.
41. Inviting Palestine as a non-member observer State to ILO meetings would henceforth imply that the Organization considers that it is a State. In this context, it is recalled that Palestine is considered to be a State by the UN General Assembly. Further, under resolution ES-10/23, the UN General Assembly determined that “the State of Palestine is qualified for membership in the United Nations in accordance with Article 4 of the Charter of the United Nations and should therefore be admitted to membership in the United Nations”. In political matters involving the recognition of a State or representation of a Member State, the ILO has always been guided by relevant decisions of the UN General Assembly.⁴⁷
42. Moreover, Palestine has been recognized as a State by 148 of the 193 Member States of the United Nations⁴⁸ and has joined UNESCO, UNIDO, the ISA and the OPCW as a Member State.
43. Furthermore, Palestine has ratified a number of major multilateral treaties. On 2 April 2014, Palestine deposited with the UN Secretary-General its instruments of accession to seven of the nine core UN human rights treaties and one optional protocol and later to some other optional

⁴⁴ GB.301/18/1.

⁴⁵ The decision of the Officers was taken between the March 2015 session of the Governing Body and the Conference.

⁴⁶ The invitation of non-member States to Regional Conferences was common at a time when the ILO membership was more limited. As was done at the International Labour Conference, the purpose was also to invite States that could eventually be admitted as Members. With respect to Asian Regional Conferences, for instance, Japan, Nepal and Papua New Guinea were invited as observer States before being admitted or readmitted as ILO Members; see GB.215/18/15.

⁴⁷ For instance, UN General Assembly resolution 396(V) of 14 December 1950, [Recognition by the United Nations of the representation of a Member State](#).

⁴⁸ As of 3 June 2024, 146 UN Member States had recognized Palestine as an independent State. On 4 June 2024, Slovenia joined this group after its parliament voted in favour of recognizing Palestine. Subsequently, on 21 June 2024, Armenia announced its official recognition of the State of Palestine. Thus, as of the time of writing, 148 UN Member States have officially recognized the State of Palestine.

protocols.⁴⁹ Other multilateral treaties to which Palestine has become a State party include: the 1969 Vienna Convention on the Law of Treaties, on 2 April 2014; the 1949 Geneva Conventions, on 2 April 2014; the 1907 Hague Convention (IV) respecting the Laws and Customs of War on Land, on 2 April 2014; the 1961 Vienna Convention on Diplomatic Relations, on 2 April 2014, and its Optional Protocol concerning the Compulsory Settlement of Disputes, on 22 March 2018; the 1907 Hague Convention (I) for the Pacific Settlement of International Disputes, on 30 October 2015; the 1947 Convention on the Privileges and Immunities of Specialized Agencies, on 29 March 2018; and the 2017 Treaty on the Prohibition of Nuclear Weapons, on 20 September 2017. Only States may be parties to such treaties.

44. In addition, Palestine is a State party to the Rome Statute of the International Criminal Court.⁵⁰ Palestine is also a State party to the UN Convention on the Law of the Sea⁵¹ and may therefore be a party to the proceedings before the International Tribunal for the Law of the Sea. Furthermore, while Palestine is not a party to the Statute of the International Court of Justice, it has deposited, pursuant to UN Security Council resolution 9 (1946) of 15 October 1946, two declarations by which it accepted the Court's jurisdiction.⁵²
45. In light of the foregoing, it would be possible under the ILO rules to invite Palestine to ILO meetings as a "non-member observer State". In taking such a decision, the ILO would align itself with the United Nations and would, in essence, reflect broader developments under international law.

► 2. Participation rights of Palestine in the ILO

46. In resolution ES-10/23, the UN General Assembly requested that the specialized agencies adopt the same modalities to grant additional rights and privileges to Palestine as the modalities appended to the resolution. This section will address, first, the participation and speaking rights at the ILO currently enjoyed by Palestine as a liberation movement, before turning to the scope and process of a possible alignment with resolution ES-10/23.

2.1. Current situation

47. At the outset, a distinction must be made between the participation rights of Palestine at the International Labour Conference, the Governing Body, regional meetings and other ILO meetings.
48. Under the Standing Orders of the Conference, Palestine is entitled to take the floor in the plenary with the authorization of the President during the discussion of the Reports of the Chairperson of the Governing Body and of the Director-General (article 14(8)) and to attend

⁴⁹ The UN human rights treaties and their optional protocols to which Palestine has acceded are: the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, and its Optional Protocol on 29 December 2017; the International Covenant on Civil and Political Rights, and its Second Optional Protocol on 18 March 2019; the Convention on the Elimination of All Forms of Discrimination against Women, and its Optional Protocol on 10 April 2019; the International Convention on the Elimination of All Forms of Racial Discrimination, the International Covenant on Economic, Social and Cultural Rights, and the Convention on the Rights of the Child and its three Optional Protocols (the Optional Protocol on the involvement of children in armed conflict on 7 April 2014, the Optional Protocol on the sale of children, child prostitution and child pornography on 29 December 2017, and the Optional Protocol on a communications procedure on 10 April 2019); and the Convention on the Rights of Persons with Disabilities, and its Optional Protocol on 10 April 2019.

⁵⁰ Instrument of accession to the Rome Statute deposited on 2 January 2015.

⁵¹ Instrument of accession to the United Nations Convention on the Law of the Sea deposited on 2 January 2015.

⁵² The text of the two declarations accepting the jurisdiction of the Court is available at: <https://www.icj-cij.org/states-not-parties>.

sittings and participate in the work of technical committees with the authorization of the Chairperson, without the right to vote or the right to move motions (article 36(5)(b)). However, as a liberation movement, Palestine may not participate in the work of the Credentials Committee, the Drafting Committee or the Finance Committee.

49. The participation of Palestine in the Governing Body, albeit more limited, has evolved in recent years. While it has been invited to send observers since 2004, as a liberation movement, Palestine did not have the right to take the floor or otherwise participate in the work of the Governing Body until 2018. Since then, representatives of Palestine have taken the floor on seven occasions in the context of the Governing Body's discussions of the enhanced programme of development cooperation for the occupied Arab territories,⁵³ with the authorization of the Officers of the Governing Body. In granting the right to address the Governing Body, the Chairperson consistently recalls that such decision is made on the understanding that the statement is to be strictly limited to the matter under discussion and that it does not modify, explicitly or implicitly, the status of Palestine in the Organization. This unchallenged decision to regularly grant the floor to Palestine represents an evolution at the ILO in the participation rights of Palestine as a liberation movement.
50. With respect to regional meetings, in accordance with article 10(3) of the Rules for regional meetings, representatives of Palestine may, with the permission of the Chairperson, address the meeting during any discussion in plenary. Palestinian representatives have made such statements at the last two Asia and the Pacific regional meetings.⁵⁴ Palestine, as a liberation movement, has not been invited to technical meetings and meetings of experts.
51. In other organizations in the UN system, the participation rights of Palestine vary. Among the organizations which have admitted Palestine as a Member (such as UNESCO, UNIDO and the OPCW), Palestine can naturally exercise all rights arising from full membership. There have been other initiatives to grant Palestine additional rights on an exceptional basis. For instance, in 1998, following General Assembly resolution 52/250, the IAEA granted Palestine additional participation rights and privileges.⁵⁵ The WHO, in its resolution of 1 June 2024, afforded Palestine *mutatis mutandis* the full set of enhanced participation rights listed in resolution ES-10/23.
52. It can be seen from the above that some organizations have already granted Palestine some of the rights that are ordinarily attached to Member States with a view to enhancing its participation in the work of their governance and deliberative organs.

2.2. Scope of alignment with the modalities in resolution ES-10/23

53. While aligning participation rights of Palestine at the ILO with the modalities established under UN General Assembly resolution ES-10/23 appears rather straightforward from a procedural point of view for the Conference and regional meetings, the situation of the Governing Body

⁵³ Minutes of the Governing Body: 334th Session (October–November 2018), [GB.334/PV](#), para. 619; 337th Session (October–November 2019), [GB.337/PV](#), para. 681; 340th Session (October–November 2020), [GB.340/PV](#), para. 572; 343rd Session (November 2021), [GB.343/PV](#), para. 455; 346th Session (October–November 2022), [GB.346/PV](#), paras 788–789; 349th Session (October–November 2023), [GB.349/PV\(Rev.1\)](#), paras 946–948, 957, 959, 963; 350th Session (March 2024), [GB.350/PV](#), paras 847–852.

⁵⁴ At the 16th Asia and the Pacific Regional Meeting, the Minister of Labour of the Palestinian Authority took the floor twice: in the High-Level Dialogue and during the general discussion of the Report of the Director-General, [GB.329/INS/8](#), paras 54 and 100. At the 17th Asia and the Pacific Regional Meeting, the Minister of Labour took the floor in the general discussion on the Report of the Director-General, [ARPM.17/D.5](#), para. 50.

⁵⁵ By IAEA General Conference resolution GC(42)/RES/20, of 25 September 1998.

may require further consideration, having regard to its limited composition and the terms of the resolution. In this connection, two sets of considerations are apposite.

54. On the one hand, the modalities established by resolution ES-10/23 apply to the General Assembly and its committees. Certain central functions carried out by the six Main Committees of the General Assembly (such as administrative, budgetary and legal issues) are, at the ILO, the responsibility of the Governing Body. From this perspective, an alignment might be possible under which Palestine would be granted the same participation rights at the Governing Body as those it enjoys for the work of the Main Committees of the UN General Assembly. It is noted that the World Health Assembly, in resolution WHA77.15 aligning the WHO with the modalities set out in resolution ES-10/23, decided to confer upon Palestine the rights contained in the General Assembly resolution within the World Health Assembly and other WHO meetings, and did not refer to organs of a limited composition.⁵⁶
55. On the other hand, granting Palestine enhanced participation rights in Governing Body meetings could lead to a situation whereby Palestine would enjoy more rights than those afforded to ILO Member States that are not elected members of the Governing Body. In this connection, in resolution ES-10/23, the General Assembly took into account the situation of certain bodies of a more limited composition by specifying in its request to the Economic and Social Council to apply the modalities “insofar as the rights concerned could be exercised by a non-member of the Council”.⁵⁷
56. In the note prepared by the UN Secretary-General on the implementation of resolution ES-10/23, it is stated that: “In United Nations conferences and international conferences and meetings convened under the auspices of the General Assembly or, as appropriate, under the auspices of other organs of the United Nations which are open to a limited number of Member States and which are open to participation by other Member States and the State of Palestine as observers, the State of Palestine may participate in such conferences and meetings with the same rights and privileges as Member States that are participating as observers.”⁵⁸ It is also noted that “the modalities mentioned in the preceding three paragraphs are without prejudice to any separate arrangement which other principal organs may make”, thereby leaving the matter ultimately to the decision of these organs.
57. Contrary to the situation prevailing in 1975 when the status of liberation movement was granted to Palestine, participation in the Governing Body is now open to representatives of States non-members of the ILO as well as to representatives of Member States that are non-members of the Governing Body. The rights of Member States that are non-members of the Governing Body are limited and subject to the authorization of the Officers. In these circumstances, it seems appropriate to propose that Palestine be afforded the limited rights under article 1.8 of the Standing Orders that are granted to ILO Member States that are non-members of the Governing Body.
58. With respect to technical meetings, the Governing Body may consider it appropriate to grant participation rights to Palestine in line with the modalities set out in resolution ES-10/23. The same would not apply, however, to meetings of experts, which are composed of experts who are nominated in their individual capacity and who do not represent States.

⁵⁶ This may mean that the implementation of the resolution would be examined in light of the rules applicable to WHO's organs of a limited composition.

⁵⁷ The Council's 54 member Governments are elected by the General Assembly for three-year terms. Seats on the Council are allotted based on geographical representation, with 14 allocated to African States, 11 to Asian States, 6 to Eastern European States, 10 to Latin American and Caribbean States, and 13 to Western European and other States.

⁵⁸ [Implementation of General Assembly resolution ES-10/23, entitled “Admission of new Members to the United Nations”, A/ES-10/1003, 16 July 2024, pp. 4–5.](#)

2.3. Process for aligning with the modalities in resolution ES-10/23

59. From a procedural point of view, should the Governing Body decide to align the participation rights of Palestine in ILO meetings with the modalities set out in UN General Assembly resolution ES-10/23, it may do so through a decision incorporating the new modalities and suspending any procedural rules that would be incompatible with those modalities.⁵⁹
60. This approach would be similar to the one followed by the UN General Assembly. Indeed, resolution ES-10/23 established new participation rights for Palestine without amending the rules of procedure of the General Assembly.
61. Similarly, the WHO recently decided to confer upon Palestine the same rights and privileges as those contained in resolution ES-10/23 without amending its rules of procedure.
62. Under this course of action, it would be for the Governing Body and the Conference to decide to confer such participation rights on Palestine for future sessions of the Governing Body and the Conference and for future technical and regional meetings. Among other effects, these decisions would suspend any provisions of the Standing Orders of the Governing Body, the Conference and other ILO meetings such as regional meetings and technical meetings that would be incompatible with the new arrangements.
63. A decision to allow the participation of Palestine in the Governing Body sessions could be taken by the Governing Body at its 352nd Session (October–November 2024) or its 353rd Session (March 2025). It is proposed that any decision of the Governing Body to grant such rights to Palestine would take effect once the Conference has taken a similar decision, to ensure coherent participation rights for Palestine in ILO meetings. It is also proposed that, if the Conference decides to elevate the status of Palestine and to grant it participation rights, both decisions be included in the same resolution. Thus, if the Governing Body so decides, it would transmit a draft resolution to the Conference for its consideration at its 113th Session, which would include a decision on the status of Palestine and a decision to adopt modalities to enhance its participation rights at the Conference and regional meetings.⁶⁰
64. The modalities set forth in the UN General Assembly resolution would have to be adapted to the ILO context, and in particular its tripartite structure. In this connection, reference should be made to participation in the Conference and in regional meetings with a tripartite delegation. In addition, the following adaptations appear to be necessary and have been reflected in the draft resolution contained in Appendix III: Under subparagraph (b) of the annex to resolution ES-10/23, there is a reference to the right of inscription on the list of speakers under agenda items “other than Palestinian and Middle East issues”. “Palestinian and Middle East issues” is not a formulation used at the ILO. It is proposed to remove it and refer to a right of inscription on the list of speakers under agenda items in general. Under (c) concerning the right to make statements on behalf of a group, reference is made to “including among representatives of major groups”. “Major groups” is not an established category at the ILO and it is also proposed to remove it. Under (g), rather than the right of reply regarding positions of a group, it is proposed to refer to the right of reply in general of Palestine, which would include a right to reply to a position by one of the Conference groups or groups of governments. Under (h), the right to challenge the decision of the presiding officer does not exist for any Member

⁵⁹ It could also do so through the adoption of detailed amendments to the different sets of Standing Orders and rules concerned. However, in light of the exceptional and temporary nature of the decision to grant extra participation rights, this option may appear overly burdensome.

⁶⁰ While it is for the Governing Body to decide whether to invite Palestine as a non-member observer State to Regional Meetings, any decision concerning the substance of the rules would ultimately need to be decided by the Conference, under article 38(2) of the ILO Constitution.

at the ILO and therefore has not been proposed as a participation right for Palestine at the ILO. Editorial changes have also been proposed to align the wording with ILO rules.

► Conclusions

65. As already noted, the comprehensive review requested by the Governing Body consists of two separate but closely interlinked matters: first, the status of Palestine in the ILO, which in practical terms means deciding whether it should be transformed into that of “non-member observer State”, bearing in mind the evolution of the status of Palestine in the United Nations and other organizations of the UN system; and second, the question of whether to grant Palestine additional participation rights in ILO meetings in order to align them with the modalities set out in the annex to resolution ES-10/23.
66. While the Governing Body’s decision on one matter is not necessarily linked to its decision on the other, a favourable decision on both matters would be necessary if the Governing Body wishes to align the status of Palestine at the ILO and its participation rights with its status and participation rights at the United Nations.
67. In this context, the Office has prepared a draft decision below and a draft Conference resolution (contained in Appendix III) which reflect a favourable decision on both admitting Palestine as a non-member observer State and granting it on an exceptional basis participation rights in accordance with the recent institutional evolutions at the United Nations and in other UN specialized agencies. If the Governing Body adopts a favourable decision, the Conference would then be called upon to decide, at its 113th Session (2025), on the status of Palestine and its participation rights at the Conference and at regional meetings. The Office would notify the UN Secretariat of any action taken by the ILO to give effect to resolution ES-10/23, as provided for in article IV of the 1946 Agreement between the UN and the ILO.

► Draft decision

68. **The Governing Body, having duly considered resolution ES-10/23 adopted by the United Nations General Assembly on 10 May 2024 and the request contained therein to specialized agencies to apply the modalities set out in the annex to the resolution:**
 - (a) **recommended that the Conference consider at its 113th Session (2025) the adoption of the draft resolution on the status of Palestine in the ILO and participation rights of Palestine in ILO meetings contained in Appendix III to document GB.352/INS/9;**
 - (b) **decided, subject to the adoption by the Conference of the resolution referred to in subparagraph (a), to authorize the Director-General to extend invitations to Palestine to participate as a non-member observer State in the Governing Body, the Asia and the Pacific regional meetings and, as appropriate, ILO technical meetings;**
 - (c) **decided, subject to the adoption by the Conference of the resolution referred to in subparagraph (a), and on an exceptional basis and without setting a precedent, to confer upon Palestine at future sessions of the Governing Body the rights contained in article 1.8.3 of the Standing Orders of the Governing Body and, for technical meetings, to grant it *mutatis mutandis* the rights and privileges set out in the resolution adopted by the Conference;**

- (d) **decided that the relevant provisions of the Standing Orders of the Governing Body and the Standing Orders for technical meetings shall be suspended to the extent that they are incompatible with the present decision;**
- (e) **requested the Director-General to report the United Nations Secretary-General on the decisions taken to give effect to resolution ES-10/23.**

► Appendix I

UN General Assembly resolution ES-10/23

United Nations

A/RES/ES-10/23



General Assembly

Distr.: General
14 May 2024**Tenth emergency special session**

Agenda item 5

**Illegal Israeli actions in Occupied East Jerusalem
and the rest of the Occupied Palestinian Territory****Resolution adopted by the General Assembly
on 10 May 2024***[without reference to a Main Committee (A/ES-10/L.30/Rev.1)]***ES-10/23. Admission of new Members to the United Nations***The General Assembly,**Guided by the purposes and principles of the Charter of the United Nations, and stressing in this regard the principle of equal rights and self-determination of peoples,**Recalling its relevant resolutions, including its resolutions concerning the question of Palestine, including, inter alia, resolution ES-10/22 of 12 December 2023,**Recalling also the relevant resolutions of the Security Council,**Recalling further its resolution 2625 (XXV) of 24 October 1970, in which it affirmed, inter alia, the duty of every State to promote, through joint and separate action, realization of the principle of equal rights and self-determination of peoples,**Stressing the importance of maintaining and strengthening international peace founded upon freedom, equality, justice and respect for fundamental human rights,**Reaffirming its resolution 3236 (XXIX) of 22 November 1974 and all relevant resolutions, including resolution 78/192 of 19 December 2023, reaffirming the right of the Palestinian people to self-determination, including the right to their independent State of Palestine,**Reaffirming also the principle, in line with the Charter, of the inadmissibility of the acquisition of territory by force,**Stressing the need for respect for and preservation of the territorial unity, contiguity and integrity of all of the Occupied Palestinian Territory, including East Jerusalem,**Reaffirming its resolutions 43/176 of 15 December 1988 and 77/25 of 30 November 2022 and all relevant resolutions regarding the peaceful settlement of the question of Palestine, which, inter alia, stress the need for the withdrawal of Israel*

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from the Palestinian territory occupied since 1967, including East Jerusalem, the realization of the inalienable rights of the Palestinian people, primarily the right to self-determination, including the right to their independent State, and the complete cessation of all Israeli settlement activities in the Occupied Palestinian Territory, including East Jerusalem,

Reaffirming its unwavering support, in accordance with international law, for a just, lasting and comprehensive peace in the Middle East on the basis of the relevant United Nations resolutions, including Security Council resolution 2334 (2016) of 23 December 2016, the Madrid terms of reference, including the principle of land for peace, and the Arab Peace Initiative,¹ and for the two-State solution of Israel and Palestine, living side by side in peace and security within recognized borders, based on the pre-1967 borders,

Recalling its relevant resolutions on the status of Palestine in the General Assembly, including its resolution 3210 (XXIX) of 14 October 1974, resolution 3237 (XXIX) of 22 November 1974, resolution 43/177 of 15 December 1988, resolution 52/250 of 7 July 1998, resolution 67/19 of 29 November 2012 and resolution 73/5 of 16 October 2018,

Noting that the State of Palestine is a party to many instruments concluded under the auspices of the United Nations and has joined several specialized agencies and bodies of the United Nations as a full member,

Aware that the State of Palestine is a full member of the League of Arab States, the Movement of Non-Aligned Countries, the Organization of Islamic Cooperation, the Group of Asia-Pacific States and the Group of 77 and China,

Having examined the special report of the Security Council to the General Assembly,²

Stressing its conviction that the State of Palestine is fully qualified for membership in the United Nations in accordance with Article 4 of the Charter,

Noting the widespread affirmations of support of Members of the United Nations for the admission of the State of Palestine to membership in the United Nations,

Expressing deep regret and concern that, on 18 April 2024, one negative vote by a permanent member of the Security Council prevented the adoption of the draft resolution supported by 12 members of the Council recommending the admission of the State of Palestine to membership in the United Nations,³

Recalling that membership in the United Nations is open to all peace-loving States which accept the obligations contained in the Charter and, in the judgment of the Organization, are able and willing to carry out these obligations,

1. *Determines* that the State of Palestine is qualified for membership in the United Nations in accordance with Article 4 of the Charter of the United Nations and should therefore be admitted to membership in the United Nations;

2. *Accordingly recommends* that the Security Council reconsider the matter favourably, in the light of this determination and of the advisory opinion of the International Court of Justice of 28 May 1948, and in strict conformity with Article 4 of the Charter;

¹ A/56/1026-S/2002/932, annex II, resolution 14/221.

² A/78/856.

³ S/2024/312.

3. *Decides*, on an exceptional basis and without setting a precedent, to adopt the modalities set out in the annex to the present resolution for the participation of the State of Palestine in the sessions and work of the General Assembly and the international conferences convened under the auspices of the Assembly or other organs of the United Nations, as well as in United Nations conferences;

4. *Requests* the Economic and Social Council, insofar as the rights concerned could be exercised by a non-member of the Council, and other relevant organs, specialized agencies, organizations and entities within the United Nations system to apply the above-mentioned modalities;

5. *Reaffirms* the right of the Palestinian people to self-determination, including the right to their independent State of Palestine;

6. *Stresses* that compliance with and respect for the Charter and international law is a cornerstone of peace and security in the region;

7. *Calls for* renewed and coordinated efforts by the international community aimed at achieving without delay an end to the Israeli occupation that began in 1967 and a just, lasting and peaceful settlement of the question of Palestine and the Israeli-Palestinian conflict, in accordance with international law, the relevant United Nations resolutions, including Security Council resolution 2334 (2016), the Madrid terms of reference, including the principle of land for peace, and the Arab Peace Initiative, and reaffirming in this regard its unwavering support for the two-State solution of Israel and Palestine, living side by side in peace and security within recognized borders, based on the pre-1967 borders;

8. *Requests* the Secretary-General to take the measures necessary to implement the present resolution;

9. *Decides* to adjourn the tenth emergency special session temporarily and to authorize the President of the General Assembly at its most recent session to resume its meeting upon request from Member States.

*49th plenary meeting
10 May 2024*

Annex

The additional rights and privileges of participation of the State of Palestine shall be given effect through the following modalities as of the seventy-ninth session of the General Assembly, without prejudice to its existing rights and privileges:

- (a) The right to be seated among Member States in alphabetical order;
- (b) The right of inscription on the list of speakers under agenda items other than Palestinian and Middle East issues in the order in which it signifies its desire to speak;
- (c) The right to make statements on behalf of a group, including among representatives of major groups;
- (d) The right to submit proposals and amendments and introduce them, including orally, including on behalf of a group;
- (e) The right to co-sponsor proposals and amendments, including on behalf of a group;
- (f) The right to make explanations of vote on behalf of the States Members of a group;

- (g) The right of reply regarding positions of a group;
 - (h) The right to raise procedural motions, including points of order and requests to put proposals to the vote, including the right to challenge the decision of the presiding officer, including on behalf of a group;
 - (i) The right to propose items to be included in the provisional agenda of the regular or special sessions and the right to request the inclusion of supplementary or additional items in the agenda of regular or special sessions;
 - (j) The right of members of the delegation of the State of Palestine to be elected as officers in the plenary and the Main Committees of the General Assembly;
 - (k) The right to full and effective participation in United Nations conferences and international conferences and meetings convened under the auspices of the General Assembly or, as appropriate, under the auspices of other organs of the United Nations, in line with its participation in the high-level political forum on sustainable development;
 - (l) The State of Palestine, in its capacity as an observer State, does not have the right to vote in the General Assembly or to put forward its candidature to United Nations organs.
-

► Appendix II

Status and participation rights of Palestine within the organizations of the UN system

Organization	Designation	Status	Remarks
Food and Agriculture Organization of the United Nations (FAO)	Palestine (used in FAO documents, such as Global Information System on Water and Agriculture)	Observer	A decision is taken at the beginning of each session of the Conference to invite Palestine to participate as an observer at the Conference session. In the List of delegates and observers , it is placed, under the title “observers”, alongside the Holy See and the Sovereign Order of Malta.
International Atomic Energy Agency (IAEA)	State of Palestine	Observer	The status of the State of Palestine is governed by General Conference resolution GC(XX)/RES/334 of 23 September 1976, under which, following UN General Assembly resolution 3237 (XXIX), the Palestine Liberation Organization was invited “to participate, as an observer, in this session and in all future sessions and meetings of the General Conference”. Under its resolution GC(XXXIII/DEC/16) of 29 September 1989, the General Conference decided, following UN General Assembly resolution 43/177, that “as of 29 September 1989, the designation ‘Palestine’ should be used instead of ‘Palestine Liberation Organization’, without prejudice to the observer status of the Palestine Liberation Organization in accordance with General Conference resolution GC(XX)/RES/334 of 23 September 1976”. Under General Conference resolution GC(42)/RES/20 of 25 September 1998, Palestine was granted, following UN General Assembly resolution 52/250, additional participation rights and privileges in its capacity as observer. Lastly, under its resolution GC(67)/RES/14 of 28 September 2023, the General Conference decided that “as of the date of the present resolution, the designation ‘State of Palestine’ shall be used instead of ‘Palestine’ without prejudice to the observer status of Palestine in accordance with relevant General Conference resolutions and decisions”. By the same resolution, Palestine was granted additional rights and privileges of participation in the work of the General Conference with limited applicability.

Organization	Designation	Status	Remarks
International Civil Aviation Organization (ICAO)	Palestine	Observer (neither a Member State nor a non-Member State)	Pursuant to ICAO Assembly resolution A22-6 of 1977 "the Palestine Liberation Organization is entitled to participate as an observer in the sessions and the work of the ICAO Assembly and other international conferences convened under the auspices of ICAO".
International Fund for Agricultural Development (IFAD)	Palestine	Non-Member State with Special Observer status to the Governing Council	<p>Rule 43 of the Rules of Procedure of the Governing Council provides that the Governing Council may invite any non-member State or grouping of States eligible for membership pursuant to article 3.1 of the Agreement Establishing IFAD to all or to specified sessions or meetings of the Council.</p> <p>Observers designated pursuant to Rule 43 above may participate in the proceedings of the Governing Council at the invitation of the Chairman and with the approval of the Council.</p> <p>By its decision EB 99/68/R.38, adopted on 9 December 1999, the Executive Board authorized the President to invite the Palestinian Authority as an observer to the upcoming and future Sessions of the Governing Council.</p>
International Monetary Fund (IMF)	Palestine Liberation Organization (PLO)	Invited as an observer to the annual meetings since 1994	There is no standing observer status as such at the Fund. Invitations to observers to attend annual meetings of the IMF only indicate that the invitee is considered to have an interest in, or significance to, the work of the IMF. No particular political status or status under international law is required for or implied by attendance as an observer.
International Maritime Organization (IMO)	Palestine	As a liberation movement, Palestine could be invited by the Secretary-General to attend IMO meetings as an observer, with the approval of the Council.	Palestine has never attended IMO meetings.
International Organization for Migration (IOM)	Occupied Palestinian Territory	No status	None.

Organization	Designation	Status	Remarks
International Telecommunication Union (ITU)	State of Palestine	Observer	Under Resolution 99 (Rev. Dubai, 2018) the delegation of Palestine participates in all ITU conferences, assemblies and meetings with additional rights (such as the right to raise points of order, the right to submit proposals and the right to participate in debates). The delegation of the State of Palestine is seated among the delegations of Member States.
International Seabed Authority (ISA)	State of Palestine	Member State	Instrument of accession to the United Nations Convention on the Law of the Sea deposited on 2 January 2015. According to article 156(2), all States parties to the Convention are ipso facto Members of the ISA.
Organisation for the Prohibition of Chemical Weapons (OPCW)	State of Palestine	Member State	Entry into force of the Chemical Weapons Convention for the State of Palestine on 16 June 2018, following the deposit of its instrument of accession on 17 May 2018 (all States parties to the Chemical Weapons Convention are Members of the OPCW).
Preparatory Commission for the Comprehensive Nuclear Test-Ban Treaty Organization (CTBTO)	Palestine	Observer	None.
United Nations	State of Palestine	Non-member observer State	In its resolution 67/19 (2012) , the UN General Assembly decided “to accord to Palestine non-member observer State status in the United Nations”. Pursuant to other relevant resolutions of the UN General Assembly, including resolutions 52/250 (1998) and ES-10/23 (2024) , the State of Palestine enjoys specific rights and privileges of participation.
United Nations Educational, Scientific and Cultural Organization (UNESCO)	State of Palestine	Member State	General Conference 36 C/resolution 76 of 2011.
United Nations Industrial Development Organization (UNIDO)	State of Palestine	Member State	Entry into force of UNIDO’s Constitution for the State of Palestine on 17 May 2018, that is, the date of deposit of the instrument of accession.

Organization	Designation	Status	Remarks
Universal Postal Union (UPU)	State of Palestine (prior to UN General Assembly resolution 67/19 (2012), "Palestine")	Privileged observer	According to UPU Congress Resolution C 115/1999 (Beijing congress), the State of Palestine is granted privileged observer status, whereby it enjoys a number of additional participation rights (such as the right to carry out direct international postal exchanges with UPU member countries; the right to participate at conferences and meetings of the UPU as an observer; the right to participate in the general debate held at Congresses; the right to raise points of order and co-sponsor draft resolutions related to Palestine and Middle East issues; the right to benefit from UPU technical cooperation facilities and information technology solutions and so on).
World Bank	Palestine Liberation Organization	Non-Member	None.
World Health Organization (WHO)	Palestine	Observer	Resolution WHA77.15
World Intellectual Property Organization (WIPO)	Palestine	Observer (special "other" observer category)	Palestine was granted observer status by the Assemblies of the Member States of WIPO at the Forty-First Series of Meetings (2005) (see document A/41/8 , paragraph 1, and document A/41/17 , paragraph 293).
World Meteorological Organization (WMO)	State of Palestine	Observer	At its Seventh Session, in Resolution 39 (Cg-VII) (1975) , the World Meteorological Congress decided that the Palestinian Liberation Organization "shall be invited to every Congress and all appropriate meetings of WMO constituent bodies as observers".
World Tourism Organization (UN Tourism)	Palestine	Special Observer	Resolution 391 (XIII) (1999). The UN Tourism framework is currently aligned with UN General Assembly resolution 52/250.
World Trade Organization (WTO)	Palestine	Neither a Member nor an observer	None.

► Appendix III

Draft Conference resolution on the status of Palestine in the ILO and participation rights of Palestine in ILO meetings

The General Conference of the International Labour Organization, meeting at its 113th Session, 2025,

Noting United Nations General Assembly resolution ES-10/23 of 10 May 2024 entitled “Admission of new Members to the United Nations”, in particular the determination that “the State of Palestine is qualified for membership in the United Nations in accordance with Article 4 of the Charter of the United Nations and should therefore be admitted to membership in the United Nations”, and the request made to specialized agencies to apply the same modalities adopted by the General Assembly for the participation of Palestine,

Considering that, in view of the institutional developments within the United Nations system, the status of Palestine as a liberation movement has become obsolete,

Noting the decision adopted by the Governing Body at its 352nd Session (October–November 2024) on the status of Palestine in the ILO and participation rights of Palestine in ILO meetings,

1. Decides that the status of Palestine as a liberation movement shall be discontinued and that Palestine shall henceforth be invited to participate in ILO meetings as a non-member observer State;
2. Decides that the Director-General shall be authorized to extend invitations to Palestine to participate as a non-member observer State at the International Labour Conference;
3. Decides, on an exceptional basis and without setting a precedent, to confer upon Palestine the following rights and privileges for future sessions of the International Labour Conference and regional meetings, without prejudice to its existing rights and privileges:
 - (a) the right to be seated among Member States in alphabetical order;
 - (b) the right of inscription on the list of speakers under agenda items in the order in which it signifies its desire to speak;
 - (c) the right to make statements on behalf of other governments;
 - (d) the right to submit proposals and amendments and introduce them, including orally and including on behalf of other governments;
 - (e) the right to co-sponsor proposals and amendments, including on behalf of other governments;
 - (f) the right to make explanations of votes on behalf of other governments;
 - (g) the right to reply;
 - (h) the right to raise procedural motions, including points of order and requests to put proposals to the vote, including on behalf of other governments;
 - (i) the right to make suggestions as to the agenda of the Conference for the consideration of the Governing Body;

- (j) the right of members of the delegation of Palestine to be elected as officers in the plenary and the committees of the Conference;
 - (k) the right to full and effective participation in the Conference, with a tripartite delegation.
- 4. Decides that Palestine does not have the right to vote in the Conference or to put forward its candidature to ILO organs;
- 5. Decides that the relevant provisions of the Standing Orders of the Conference and of the Rules for Regional Meetings shall be suspended to the extent that they are incompatible with the present resolution.