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

Summary record of the 418th meeting

Held at Headquarters, New York, on Friday, 30 August 2024, at 3 p.m.

Chair: Mr. Niang (Senegal)

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The meeting was called to order at 3.05 p.m.

Adoption of the agenda

1. *The agenda was adopted.*

Statement by the Chair

2. **The Chair** said that, on the seventy-fifth anniversary of the adoption of the Geneva Conventions, the Gaza Strip was engulfed in a relentless war that had claimed more than 40,000 Palestinian lives, mostly women and children, and caused a humanitarian catastrophe. The Israeli military continued to raid the Gaza Strip and the West Bank, including East Jerusalem. Israel had expanded its settlement construction and was deepening its annexation of Palestinian territory. In the West Bank, Palestinians faced large-scale air and ground assaults, evacuation orders, settler attacks, arbitrary detention and inhumane treatment. He had repeatedly called on Israel to respect international law and its obligation under the Charter to ensure the safety of Palestinians and of United Nations staff and premises. He was concerned that the Security Council remained paralysed and unable to secure and enforce a ceasefire in the conflict in Gaza.

3. Palestinian hopes had been lifted by the historic advisory opinion rendered by the International Court of Justice on 19 July 2024. The Committee congratulated the State of Palestine on presenting a strong legal case and took pride in its own contribution to that endeavour. The advisory opinion must now be followed by urgent and concerted international action. The Committee supported the General Assembly's efforts to implement the advisory opinion. It urged the Security Council to swiftly bring an end to the unlawful occupation.

Update by the Observer of the State of Palestine to the United Nations

4. **Ms. Abdelhady** (Observer for the State of Palestine) said that, in the absence of a ceasefire or any measures of accountability, the Israeli occupying forces were persisting with their lethal rampage. Across the Gaza Strip, they had massacred and maimed civilians with unprecedented savagery. By air, land and sea, they continued to target homes, schools, hospitals, shelters for displaced persons, churches, mosques, and United Nations and other humanitarian operations. They had directly opened fire on humanitarian convoys, including a clearly marked World Food Programme vehicle and an American Near East Refugee Aid convoy. They relentlessly targeted facilities of the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA), killing and injuring families that

had sought refuge under the flag of the United Nations. At the same time, they pursued a libellous campaign against the Agency, portraying it as a terrorist organization and inciting violence against its staff members, at least 212 of whom they had already murdered.

5. Israel continued to restrict and obstruct the entry into Gaza of food, water, medicine, fuel and other essential supplies, including hygiene supplies. Those actions had exacerbated the humanitarian crisis, exposing Palestinian civilians to famine and illnesses including polio, meningitis, hepatitis and respiratory and skin infections and other illnesses. Two babies had been paralysed by polio, a disease that had been eradicated from Palestine 25 years before but now threatened hundreds of thousands of children, who accounted for the majority of the population of Gaza. It was therefore essential to urgently implement the Secretary-General's plan to roll out a United Nations vaccination campaign, which would begin in the following days with the participation of the World Health Organization, the United Nations Children's Fund and UNRWA. The latter continued to be the backbone of humanitarian operations in Gaza. The State of Palestine was grateful to the Secretary-General for his principled and urgent response to the public health crisis, and to the United Nations system for its rapid mobilization.

6. Owing to Israeli evacuation orders, desperate and exhausted families were being repeatedly displaced. In the previous days, more than 300,000 people, including sick, injured, disabled and elderly persons and orphans, had been ordered to evacuate across Gaza. Over the previous week, Israel had issued five evacuation orders in relation to areas which it had previously declared safe. There was nowhere left for the population to go: at least 89 per cent of Gaza was under Israeli evacuation orders, and 2 million civilians had crowded into the remaining 11 per cent of the territory. To date, at least 40,602 Palestinians had been killed and nearly 94,000 injured in Gaza. Most of the victims were women and children.

7. In the West Bank, including East Jerusalem, Israel had escalated its repression. Along with terrorist Israeli settler militias, Israeli occupying forces were ramping up attacks on Palestinian civilians, in response to direct incitement from Israeli politicians. Palestinian villages, towns, cities and refugee camps were under daily assault. Since October 2023, more than 622 Palestinians had been killed in the West Bank, including East Jerusalem. More than 136 Palestinians, 41 of them children, had been killed in drone and other air strikes in the August 2024 alone. During the same period,

thousands of Palestinians, including children, had been illegally abducted and held in Israeli jails and detention centres, where they had been exposed to horrific abuse including rape, psychological torment and vicious beatings.

8. Israeli officials were threatening to displace Palestinians in the West Bank as part of a decades-long campaign of ethnic cleansing. Areas around East Jerusalem and Bethlehem were being subjected to colonization and annexation measures. Israeli officials continued to engage in reckless provocation at the holy sites in Jerusalem, particularly the Aqsa Mosque and the Haram al-Sharif. For example, the extremist Israeli minister Itamar Ben Gvir had repeatedly led incursions at the Aqsa Mosque in an endeavour to assert Israeli sovereignty and undermine the historic and legal status quo. Such breaches of international law and acts of disrespect for the custodianship of the Hashemite Kingdom of Jordan over the Muslim and Christian holy sites in the city must be stopped before they could ignite a religious war. Tangible action must be taken to hold Israel accountable, prevail on it to comply with international law, and bring justice for the victims.

9. Given the paralysis of the Security Council, Member States must take action individually and collectively. The advisory opinion rendered by the International Court of Justice on 19 July 2024 concerning legal consequences arising from the policies and practices of Israel in the Occupied Palestinian Territory, including East Jerusalem, in addition to the provisional measures indicated by the Court in its orders of 26 January, 28 March and 24 May 2024, in the case *Application of the Convention on the Prevention and Punishment of the Crime of Genocide in the Gaza Strip (South Africa v. Israel)*, offered a clear path forward for accountability and justice. The Court had clearly determined the occupation by Israel of the Occupied Palestinian Territory, including East Jerusalem, was unlawful and must end as rapidly as possible. The Court had also found that the actions taken by Israel in the Occupied Palestinian Territory violated article 3 of the International Convention on the Elimination of All Forms of Racial Discrimination, concerning racial segregation and apartheid. The Court had stated clearly that Israel, all Member States and the United Nations had an obligation to bring an end to the occupation in all its manifestations. It had further stated that the General Assembly and Security Council should consider the precise modalities and further action required to bring an end as rapidly as possible to the unlawful presence of Israel in the Occupied Palestinian Territory. Over the following weeks, her delegation therefore intended to press for the General Assembly, at a resumed tenth

emergency special session, to endorse and implement the Court's advisory opinion. In particular, the Assembly should take concrete measures to ensure accountability in accordance with international law and the relevant United Nations resolutions, including the obligation on all States not to render aid or assistance in maintaining the situation created by the illegal occupation, including in regard to settlement activities.

10. Her delegation was grateful to the Committee for supporting its efforts before the Court. In particular, the Committee had commissioned a study, which had been undertaken by the Irish Centre for Human Rights, University of Galway, concerning the legality of the Israeli occupation of the Occupied Palestinian Territory, including East Jerusalem. Members of the Committee had also made invaluable written submissions and participated in the oral proceedings of the Court. Her delegation hoped that the Committee would engage with United Nations entities and with civil society to follow up on the contents of the advisory opinion.

Consideration of the draft report of the Committee to the General Assembly (A/79/35)

11. **The Chair** recalled that the draft report of the Committee had been circulated by the secretariat prior to the meeting.

12. **Mr. Muhamad** (Malaysia), Rapporteur, said that the report provided an overview of the work of the Committee from 1 September 2023 to 31 August 2024 and developments related to the question of Palestine. The report concluded with the Committee's recommendations to relevant stakeholders. The Committee called for an immediate and unconditional ceasefire, unrestricted humanitarian access, strict adherence to international humanitarian law to protect civilians, the release of hostages and prisoners, and an independent investigation into all the human rights violations and war crimes perpetrated. It urged the Government of Israel to refrain from seizing Palestinian land, stop conducting demolitions and end all forced evictions and forcible displacement of Palestinians.

13. The Committee welcomed the landmark advisory opinion that the International Court of Justice had issued on 19 July and called on the General Assembly and Security Council to urgently implement it. It urged Israel to respect the status quo at the holy sites in Jerusalem. It urged the Security Council and the General Assembly to ensure the speedy implementation of the long-standing parameters for peace in accordance with the relevant resolutions of the United Nations. It urged the Secretary-General to continue leveraging his good offices to pursue a just resolution to the question of

Palestine. It called on regional organizations to take a politically active role in bringing an end to the occupation and achieve a just solution to the question of Palestine.

14. The Committee reaffirmed its strong support for UNRWA and the Agency's indispensable role in providing services to millions of Palestine refugees, including those in Gaza, and urged donors to increase their funding for the Agency. The Committee demanded that Israel stop its campaign to delegitimize UNRWA, as such action undermined the Agency's crucial humanitarian efforts.

15. The Committee recommended the continuation of the special information programme on the question of Palestine of the Department of Global Communications.

16. *The draft report was adopted.*

17. **Mr. Gertze** (Namibia) said that the facts set out in the report showed how Israel enforced a system of domination, oppression and dispossession. His delegation was deeply concerned about the ongoing Israeli atrocities in Gaza, which were among the most devastating instances of collective punishment of civilians in modern history. For that reason, the Namibian authorities had recently prevented a vessel suspected of carrying military cargo intended for Israel from docking at the port of Walvis Bay.

18. His delegation was concerned at the imminent risk of imminent famine and the spread of communicable diseases in Gaza. It strongly condemned the use of starvation as a method of war and the destruction of civilian facilities by the occupying Power, as those practices constituted war crimes and crimes against humanity. In order to break that vicious cycle and alleviate the plight of the population of Gaza, Israel must give security assurances and allow unimpeded passage to distribute aid at scale across Gaza, with no denials, delays or obstacles.

19. As was made clear in the report, many internally displaced Palestinians in Gaza had been driven into so-called safe zones that had later been bombed. More than one million hungry and traumatized people had been driven to Rafah, a tiny sliver of land. An immediate ceasefire must therefore be declared in Gaza and in the region to ensure the protection of civilians and infrastructure. Only a truce would enable the delivery of humanitarian assistance at the scale required and provide conditions for the safe return of displaced people.

20. Such illegal practices as the construction of Israeli settlements, the seizure of Palestinian land and the demolition of homes were intended to deliberately deny

Palestinians their basic rights, including the denial of refugees' right to return and the right to self-determination. The international community, particularly the Security Council, should take concrete action to compel Israel to halt its illegal settlement activities and genuinely commit to ending the occupation. The inaction of the Security Council endangered Palestinian lives, undermined peace efforts and jeopardized the two-State solution.

21. His delegation was dismayed at the financial shortfall facing UNRWA and the increasingly violent environment in it operated. It strongly condemned any attempt to discredit the Agency, which continued to be a critical tool that required international support and assistance. Lastly, a peaceful solution must be found to the question of Palestine, one that would enable the Palestinian people to exercise their inalienable right to self-determination, sovereignty, territorial integrity and political independence.

22. **Mr. Soberón Guzmán** (Cuba) said that the Palestinian people had been going through hell for almost a year. During that time, the international community had repeatedly called on Israel to put a stop to the massacre, but Israel had instead intensified it, in what amounted to a crime of genocide and the most devastating act of collective punishment in modern history. As was detailed in the report, Israel was entrenching its occupation of the West Bank, including East Jerusalem, and had destroyed some 80 per cent of infrastructure in the Gaza Strip. Nothing could justify such acts of barbarism. A ceasefire must be secured, unrestricted access must be provided for humanitarian aid, and the forcible displacement of Palestinians must stop.

23. The sense of impunity of the Government of Israel, which was a result of the support extended by the United States of America and its allies in the North Atlantic Treaty Organization (NATO), must come to an end. It was unacceptable that the Security Council failed to enforce its own resolutions. The Council must fulfil its responsibilities under the Charter, and, for that purpose, the United States must stop using its undemocratic and obsolete veto power, which undermined regional peace, security and stability. For its part, his delegation would continue to press for a comprehensive, just and lasting two-State solution that would provide for Palestine refugees to exercise the right of return, and that would enable the Palestinian people to exercise self-determination and establish an independent and sovereign State, with East Jerusalem as its capital, on the borders of 4 June 1967.

Upcoming Committee activities

24. **The Chair** said that the Bureau would meet with the Secretary-General on 6 September 2024. The annual capacity-building programme for Palestinian officials would take place from 21 October to 29 November 2024. On 31 October, the Committee would meet with the Independent International Commission of Inquiry on the Occupied Palestinian Territory, including East Jerusalem, and Israel and with several special rapporteurs to discuss international legal responsibilities for preventing genocide, holding perpetrators of war crimes accountable and ending the unlawful occupation of Palestine. In November 2024, it would undertake activities to engage with civil society organizations.

Other matters

25. **Mr. Hermida Castillo** (Nicaragua) said that the world was increasingly becoming aware of the genocide of the Palestinian people. The latter would ultimately prevail and establish their own, independent sovereign State.

26. **Mr. Pieris** (Observer for Sri Lanka) said that, as Chair of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories, he had visited the Baqa'a refugee camp in Jordan and witnessed at first-hand the horrific situation of Palestine refugees. Sri Lanka would continue to support all efforts to alleviate the plight of the Palestinian people. It would be a serious indictment of the international community if that situation were left unaddressed.

The meeting rose at 4 p.m.