



General Assembly

Tenth Emergency Special session

Official Records

56th plenary meeting

Wednesday, 18 September 2024, 3 p.m.

New York

President: Mr. Philémon Yang (Cameroon)

In the absence of the President, Mr. Agyeman (Ghana), Vice-President, took the Chair.

The meeting was called to order at 3 p.m.

Agenda item 5 (continued)

Illegal Israeli actions in Occupied East Jerusalem and the rest of the Occupied Palestinian Territory

The Acting President: Before giving the floor to speakers in explanation of vote after the voting, may I remind delegations that explanations are limited to 10 minutes and should be made by delegations from their seats.

I give the floor to the representative of Costa Rica.

Ms. Chan Valverde (Costa Rica) (*spoke in Spanish*): Costa Rica, a country that is respectful of and a supporter of multilateralism, recognizes the primary importance of international justice and the central role of the International Court of Justice in the maintenance of international peace and security. Costa Rica has repeatedly expressed its full support of and trust in the Court, to which we have resorted to settle our disputes.

We are convinced of the importance of good-faith compliance with all its rulings. While the advisory opinions of the Court are not legally binding, strictly speaking, they act as a moral compass for States, and their moral, legal and diplomatic weight as objective legal interpretations of the highest standard is undeniable. By abiding by those opinions, nations accept a higher level of responsibility with respect to the rule of law and the peaceful resolution of disputes.

Resolution ES-10/24, adopted today, reaffirms the conclusions reached by the Court in its advisory opinion on this issue (see A/78/968) — that Israel's continued presence in the occupied Palestinian territory represents an illegal act of a continued nature and that it has an obligation to put an end to that illegal presence as swiftly as possible.

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The Court further underscores that all other States are obligated not to assist in maintaining the illegal situation created by Israel. It also calls on the General Assembly and the Security Council to consider measures to assist in putting an end to that illegal presence.

The Court's opinion leaves no room for doubt. That situation must end. Our abstention should at no time be interpreted as a lack of support for the Court or its decision. My delegation abstained on this occasion simply because the resolution establishes coercive commercial measures that our country does not consider to be implementable.

Costa Rica will continue to advocate for an immediate ceasefire, the release of all hostages, the protection of civilians, unhindered access of humanitarian aid and a diplomatic solution to the conflict in which both States and their peoples can live in peace and security and with the same rights.

The Acting President: We have heard the only speaker in explanation of vote after the voting.

As agreed at the 54th plenary meeting, held on 17 September 2024, the Assembly will now resume its debate on agenda item 5.

Mr. Osman (Somalia): I express my deep appreciation for the prompt reconvening of the General Assembly's tenth emergency special session, on the question of Palestine.

Somalia aligns itself with the statements made on behalf of the Group of Arab States, the Organization of Islamic Cooperation and the Movement of Non-Aligned Countries (see A/ES-10/PV.53).

We gather here today at a moment of profound urgency as the crisis in Gaza escalates and humanitarian needs intensify. Tens of thousands of innocent civilians have perished, and countless more continue to suffer in inhumane conditions, with women and children bearing the brunt of the violence and instability.

The importance of an immediate ceasefire cannot be overstated. A ceasefire is essential to facilitating humanitarian access, allowing aid to reach those in desperate need and ensuring the protection of civilians. We must take swift and decisive action against that genocide.

The occupying forces continue to target civilians, journalists and United Nations personnel in defiance of the world outcry and international law since October of last year. Numerous United Nations staff members have been killed, leading to the highest staff death toll in the Organization's history. Tragically, many of them were killed alongside their families and loved ones.

Furthermore, the destruction of critical infrastructure — including schools and hospitals — has created an environment where the most vulnerable are left without access to essential services. That destruction impedes humanitarian assistance and disrupts daily life, denying children their rights to education, health care and safety.

The recent advisory opinion of the International Court of Justice (see A/78/968) reaffirms that the Israeli settlements, along with the regime associated with them, are established and maintained in violation of international law. The Court has indicated that Israel's actions, particularly the maintenance and expansion of those settlements, create irreversible effects on the ground. Additionally, measures in the West Bank and East Jerusalem have imposed a separation between illegal settlers and Palestinians, raising serious concerns under article 3 of the International Convention on the Elimination of All Forms of Racial Discrimination, which condemns racial segregation.

We must vehemently condemn the persistent violations of international human rights and humanitarian law that have been occurring in that conflict. The occupying forces must adhere to their obligations as outlined in the Court's advisory opinion as well as in Security Council resolutions 2720 (2023) and 2735 (2024). The implementation of those resolutions is not merely a matter of political will; it is a legal and moral imperative.

In conclusion, the protection of civilians is an urgent issue that demands our immediate attention at this critical juncture. It is an injustice to the Palestinian people that peace remains elusive. Progress on the path to lasting peace and self-determination, with every Palestinian living in safety, dignity and hope, has been delayed for far too long. That delay perpetuates the suffering and undermines the dignity of all those affected.

I reiterate that the only viable option for the resolution of that longstanding conflict is the end of the occupation of Palestinian territory and the full recognition of a free, sovereign and independent Palestine with Jerusalem as its capital, in accordance with the relevant resolutions of the Security Council and the General Assembly.

The Somali Government and people will continue to support and stand in solidarity with the Palestinian people and Government in their unwavering pursuit of their legitimate rights, including the right to live in peace within secure and internationally recognized borders.

Mr. May (Fiji): First and foremost, Fiji extends its sincere congratulations to Mr. Philémon Yang on his election as President of the General Assembly at its seventy-ninth session. We look forward to working closely with him during this pivotal session.

On 19 July, at the request of the General Assembly, the International Court of Justice presented an advisory opinion (see A/78/968) on matters known to the Assembly. It is important to note that Fiji did not support the involvement of the Court in that process and that we made our reservations known through oral submissions.

Our position on this matter is well established within the Assembly. Now that the Court has made its decision known, it is important for Fiji to take note of it and likewise stress its respect for international law.

However, it is essential to acknowledge that the opinion was met with significant dissent. We urge Member States to ensure that the International Court of Justice is not undermined by States seeking its advice on matters fraught with security and political complexities.

Fiji wishes to formally disassociate itself from the position of the Movement of Non-Aligned Countries, including its associated statement, as presented yesterday (see A/ES-10/PV.53).

We are acutely aware of the devastation and the suffering endured by both the Palestinian and Israel peoples for nearly a year. Families in Gaza and the West Bank have faced immense challenges owing to the renewed conflict following 7 October. While we recognize Israel's security concerns, it is imperative that they be addressed appropriately. Hamas must make every effort to release all remaining Israeli hostages in Gaza, and all threats to Israel's existence must be addressed comprehensively. In that context, Fiji acknowledges and welcomes all initiatives aimed at fostering peace in the region.

Fiji did not support the recent one-sided resolution ES-10/24 and voted against it. That resolution selectively interprets the substance of the Court's opinion and fails to advance our collective goal of achieving a two-State solution whereby both States

can coexist peacefully in line with the Oslo accords and the process is sanctioned by the Security Council.

The Security Council has made it clear that a resolution of the Israel-Palestine conflict must be reached through negotiations between the two parties, grounded in the fundamental principles of land for peace. Unfortunately, the resolution perpetuates flawed narratives and relies on unrealistic assumptions, suggesting that its adoption will resolve one of the most complex and persistent diplomatic and security challenges of our time.

While the request for the Court's opinion predates the current Gaza conflict, the unilaterally formulated resolution adopted today neglects the realities created by the terrorist attack on 7 October and the ensuing war in Gaza, which has caused tremendous suffering to innocent Palestinians. Fiji calls for the immediate release of all hostages held by Hamas and an immediate ceasefire to end the conflict.

We have all reviewed resolution ES-10/24, and several issues have arisen that call into question the operability and legitimacy of the entire resolution. In that regard, Fiji would like to offer the following comments.

First, the General Assembly's role is not to assess the legal compliance of only one party to the conflict. All parties should be reviewed equally.

Secondly, given the complex interdependence of the various unresolved issues, the Assembly should undertake a balanced and impartial examination of the relevant legal and factual questions, acknowledging the historical nuances of the Israeli-Palestine conflict and the competing territorial claims stemming from the former British Mandate for Palestine.

Thirdly, States Members of the United Nations should refrain from actions that require Israel to withdraw from territories without agreed-upon security measures and from steps that might pre-empt or obstruct negotiations over conflicting claims, as outlined in Security Council resolution 242 (1967), the Oslo accords and the United Nations-approved road map for peace.

Fourthly and finally, the General Assembly should encourage and facilitate the parties to engage in good-faith negotiations, as reflected in the Oslo accords and the performance-based, goal-driven road map for peace, to which the United Nations is a party.

Ms. Zalabata Torres (Colombia) (*spoke in Spanish*): In the light of the appalling situation of violence in Gaza and the flagrant violations of human rights and of international humanitarian law in the Palestinian-Israeli conflict, and based on the conclusions of multiple reports and the evidence provided, Colombia has once again come to the General Assembly not only to express its support as co-sponsor of the initiative of the State of Palestine in connection with resolution ES-10/24, which has brought us here today, but also to express our satisfaction at the overwhelming result of the voting, which has once again given rise to fresh hope for the Palestinian people.

The International Court of Justice's advisory opinion dated 19 July 2024 on the legal consequences arising from the policies and practices of Israel in the Occupied Palestinian Territory, including East Jerusalem (see A/78/968), offers us exactly that hope. That advisory opinion is nothing more than the legal expression of what a vast majority of participating States, including Colombia, believe regarding the illegal nature of Israel's policies and practices in the occupied Palestinian territory and, more importantly still, that opinion also warns of the legal consequences deriving from that situation for Israel, third States and the United Nations.

In its advisory opinion, the Court stated its position on the continued presence of the State of Israel in the occupied Palestinian territory, which it classified as

explicitly illegal. The Court further ruled that it is incumbent upon Israel to put an end to its presence on that territory, dismantle the settlements, evacuate the settlers and repair the damage caused.

For Colombia, respect for international law is an imperative, as is the obligation of all States and international organizations, including the United Nations, not to recognize the situation of the illegal presence of the State of Israel on the occupied Palestinian territory and not to provide support or assistance to maintain it.

As is well known, Colombia has led by example by freezing coal exports to Israel until it halts its violent aggression on Gaza and the occupied West Bank. Today we are meeting to demand once again, with this resolution, compliance with what has been stated by the high international Court, and we call on those here present to decide on specific steps to implement that opinion as soon as possible.

Colombia will spare no effort in seeking legal, peaceful measures based on dialogue to put an end to the violence, barbarity and impunity. We reject any action contrary to international law that hinders the achievement of peace and stability in the region and in particular any harm to the civilian population caught up in the conflict. The daily and systematic violence chiefly affects the most vulnerable — children, older persons, persons with disabilities, women and young people.

In that context, we support the case brought by South Africa against Israel before the International Court of Justice in The Hague for violations of the Convention on the Prevention and Punishment of the Crime of Genocide and have also sent material to the International Criminal Court so that that Court can move forward in its consideration of the charges against members of the Israeli Government responsible for the commission of war crimes and crimes against humanity.

For all those reasons, we wholeheartedly and firmly support the resolution and the specific measures set out in its text that call on Member States and international organizations to act now in the light of that disgraceful situation, and we congratulate the State of Palestine on its victory this morning.

Mr. Albanai (Kuwait) (*spoke in Arabic*): It gives me pleasure, my dear brother, to see you presiding over this meeting today, and I ask you to convey our congratulations to His Excellency President Philémon Yang on his election to guide the General Assembly at its seventy-ninth session. We wish him every success in leading the efforts of the Assembly towards strengthening the status of international law in line with the principles and values contained in the Charter of the United Nations, especially in the light of the worrisome and dangerous circumstances that we have been witnessing for almost a year.

The State of Kuwait expresses its support for the statements made on behalf of the Group of Arab States, the Organization of Islamic Cooperation and the Movement of Non-Aligned Countries (see A/ES-10/PV.53).

We meet today under historic and exceptional circumstances that require us all to pause, reflect and work to save the brotherly Palestinian people, who have been suffering as a result of a double standard in the application of international law and international humanitarian law. We meet today to consider resolution ES-10/24, which was professionally crafted by the permanent delegation of Palestine. The provisions of the resolution are in line with the historic advisory opinion of the International Court of Justice issued last July on the legal consequences arising from the policies and practices of Israel in the occupied Palestinian territory, including East Jerusalem (see A/78/968). We must not forget that that truthful opinion of the Court was in response to a request made by the General Assembly in December 2022 (resolution 77/247).

The provisions of that advisory opinion of the Court, the highest court in the world, came as no surprise to States that can distinguish between truth and falsehood, between justice and injustice, between freedom and oppression. The Court's opinion has swept away all the misconceptions that some had embraced and promoted. The opinion, which was clear and decisive, represents the position of international law on the Palestinian question, the illegal Israeli occupation, the illegality of Israeli settlements and settlers therein and the right to self-determination of the Palestinian people, in addition to its position on the grave Israeli violations, which amount to racial discrimination. On the basis of the request made by the General Assembly, it has become incumbent upon us to live up to the responsibility entrusted to us and put an end to the arrogance of the occupying entity, which has come to believe that it is above the law. However, thanks to the steadfastness of the Palestinian people and the concerted efforts of the international community, this historic advisory opinion was issued to affirm that international law is the decisive factor in every matter.

For almost a year, we have been witnessing unjustifiable actions. Whoever believes that what is happening in Palestine is not genocide must rethink the situation. Whoever believes that the martyrdom of more than 40,000 people, most of them women and children, can be carried out in self-defence must question their conscience. Whoever believes that starving unarmed civilians, cutting off power and fuel and attacking hospitals and houses of worship is normal must also question their instincts.

Not only is that a real catastrophe, but worse is that all this is taking place before the eyes and ears of the international community, which has been paralysed because of the geopolitical division inside the Security Council. However, praise be to God and because of the resilient Palestinian people, this advisory opinion has been issued to be the axis on which we must rely, and we must do everything we can to implement it.

In that context and as per Kuwait's oral statement before the International Court of Justice, we reiterate our unequivocal support for the Court's decision. The occupying Power must end its continued occupation, which began in 1967, immediately and its arbitrary measures against the Palestinian people in the occupied Palestinian land. In addition, it must return property to its legitimate owners and provide reparations to those affected by its wrongful practices. Therefore, the State of Kuwait stresses the importance of immediately ending the Israeli war against the Gaza Strip and the escalation inside and surrounding the Strip in implementation of international law and the advisory opinion of the Court.

My country calls on the international community to support the continued steadfastness of the Palestinian people on their land and warns against any attempt to forcibly remove them and exacerbate the issue of refugees, whose rights must be respected, within the framework of a comprehensive resolution to the conflict that addresses the situation in accordance with international law and the relevant resolutions of the Security Council and the General Assembly. It also urges that we collectively address any attempts to expand the crisis, which has been exacerbated by the continued occupation, to neighbouring countries.

My country reiterates its firm position in support of the rights of the Palestinian people, and we emphasize that the main cause of the conflict is the occupation and that there seems to be no prospect of ending it.

If we truly desire peace and security, the Palestinian question must be resolved in a manner that guarantees the establishment of an independent, sovereign Palestinian State, with East Jerusalem as its capital, on the borders of 4 June 1967 in accordance with what has been approved and agreed upon through the relevant resolutions of international legitimacy and the Arab Peace Initiative of 2002.

In conclusion, today's action represents the first real step towards ensuring accountability, guaranteeing reparations for affected persons and laying the cornerstone for an international conference on peace.

While the responsibility of maintaining international peace and security primarily lies with the Security Council, its paralysis and failure to adopt a clear position on that question because of double standards have brought us to this critical historical juncture. In this forum, which includes all Member States and is our collective home, the truth has prevailed, and the international community has come together to send an unequivocal message to the Security Council, to say that the General Assembly is capable of shouldering its responsibility, taking the lead and moving towards a just, comprehensive and lasting peace.

Mr. Mushayavanhu (Zimbabwe): Allow me to start by congratulating Mr. Philémon Yang on his assumption of the presidency of the General Assembly at its seventy-ninth session. We are confident that, under his stewardship, we will make advances in the critical global issues on our agenda. He can be assured of my delegation's support throughout his tenure.

My delegation aligns itself with the statement delivered by the representative of Uganda on behalf of the Movement of Non-Aligned Countries (see A/ES-10/PV.53).

Modern societies function based on the rule of law. The rule of law sets boundaries and defines what is acceptable and unacceptable. If for some reason we did not have that rule of law, we would definitely have anarchy. That is why my delegation today joined others in supporting resolution ES-10/24 for the full respect of the advisory opinion of the International Court of Justice (see A/78/968) for us to reaffirm our collective commitment to the fundamental principles of justice, human rights and international law.

For many years, the Israeli-Palestinian conflict has caused great suffering and has tested the commitment of the international community to peace, justice and respect for legality. The actions and policies of Israel in the occupied Palestinian territories have resulted in serious humanitarian impacts on the Palestinian population.

The International Court of Justice, as the principal judicial organ of the United Nations, through the advisory opinion has clarified legal issues and provided authoritative guidance pertaining to the legal consequences arising from Israel's policies and practices in the occupied Palestinian territories, including East Jerusalem. The advisory opinion highlights the need to advance the tenets of public international law and to abide by the norms of international law. Hence the continued occupation, settlement expansion and related practices are not just issues for debate but constitute serious breaches of international law, including the Fourth Geneva Convention and numerous other United Nations resolutions.

The advisory opinion offers an independent and impartial assessment of the legality of Israel's actions in the occupied Palestinian territories, including East Jerusalem, and lays down the legal framework for the General Assembly to holistically address the Palestine-Israel matter.

Supporting the resolution was more than endorsing a legal opinion. It was about standing up for human rights and justice. It was about affirming our commitment to the rule of law and ensuring that international norms are upheld. It was about acknowledging the right of the Palestinian people to self-determination and justice. Above all, it was about reaffirming the principles enshrined in the Charter of the United Nations.

In conclusion, Zimbabwe reaffirms its support for a two-State solution where the Palestinian people have their own independent State living in peace side by side with the State of Israel.

Mr. Lokaale (Kenya): I thank President Philémon Yang for having convened this crucial emergency special session of the General Assembly at such a pivotal moment.

I wish to make the following remarks in our national capacity.

My delegation remains gravely concerned by the dire humanitarian situation in Gaza and other occupied Palestinian territories. The sheer number of civilian casualties, the extensive suffering of the Palestinian people and the relentless killings and wanton destruction in Gaza are utterly unacceptable.

I reaffirm Kenya's unequivocal condemnation of all acts of terrorism, regardless of the perpetrators or their motivation. We condemn the horrific 7 October 2023 attacks by Hamas, which targeted innocent Israeli civilians. The brutal murder, abduction and violence inflicted upon non-combatants is unconscionable. We acknowledge the legitimate right of Israel to defend itself against such atrocious acts.

However, Israel's response in Gaza has by far surpassed the bounds of reasonable proportionality. What we are witnessing are unacceptable acts of brutality that could amount to serious violations of international law and international humanitarian law. Palestinians are being subjected to collective punishment that has not spared the most vulnerable, including women, children and the sick. Worse, essential civilian infrastructure, including hospitals, schools, homes and even humanitarian facilities, is being systematically obliterated.

That situation is not only unacceptable but calls for immediate and concerted international action. It is regrettable that the global community's plea for a political solution and a desperately needed humanitarian ceasefire in Gaza has not yet been realized. That casts a long and dark shadow over the credibility of the United Nations as an institutional guarantor and enforcer of international peace and security.

My delegation firmly believes in the primacy of political solutions as the cornerstone of resolving conflicts. We believe that sustainable peace can best be achieved through inclusive political dialogue and negotiation rather than coercive military measures or divisive adversarial action.

My delegation reiterates its unwavering support for the Palestinian people and their legitimate aspiration to self-determination. That is an ideal that is enshrined in the Charter of the United Nations and in numerous resolutions of both the General Assembly and the Security Council.

We call on all Member States, especially those wielding significant influence, to urge swift action towards realizing the two-State solution, with Israel and Palestine living side by side in peace within pre-1967 borders.

In conclusion, my delegation strongly urges all Member States and international partners to extend sustained support to the United Nations Relief and Works Agency for Palestine Refugees in the Near East and other agencies providing humanitarian assistance to the Palestinian people. By working together, we can alleviate the immense suffering, rekindle hope and contribute to the pursuit of a just, lasting and peaceful resolution for Palestine. That is crucial in upholding human dignity and fostering stability in the region, in line with our shared values of peace, justice, and international solidarity.

The Acting President: We have heard the last speaker in the debate on this item. In accordance with resolution ES-10/24, of 18 September 2024, the tenth emergency special session of the General Assembly is temporarily adjourned.

The meeting rose at 3.40 p.m.