



DIVISION FOR PALESTINIAN RIGHTS

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Bulletin on action by the United Nations system and intergovernmental organizations relevant to the question of Palestine

Contents

	<i>Page</i>
I. United Nations Special Coordinator for the Middle East Peace Process calls for an end to transfer of settlers into East Jerusalem, eviction of Palestinians	1
II. General Assembly adopts four resolutions on the Question of Palestine	1
III. General Assembly adopts two resolutions on the situation in the Middle East	13
IV. Special Rapporteur calls for implementation of Goldstone report, end to Gaza blockade	14
V. General Assembly adopts five resolutions on Israeli practices affecting human rights	15
VI. General Assembly adopts four resolutions on Palestine refugees	28
VII. Committee on the Exercise of the Inalienable Rights of the Palestinian People expresses utmost concern about continued settlement activities	37

Contents (continued)

	<i>Page</i>
VIII. General Assembly adopts resolution on assistance to the Palestinian people	39
IX. General Assembly adopts resolution on the right of the Palestinian people to self-determination	44
X. United Nations Special Coordinator for the Middle East Peace Process briefs the Security Council	46
XI. General Assembly adopts resolution on permanent sovereignty over natural resources	50
XII. On the anniversary of Gaza conflict Secretary-General concerned by lack of progress on key issues	53

*The Bulletin can be found in the United Nations Information System
on the Question of Palestine (UNISPAL) on the Internet at:*
<http://unispal.un.org>

I. UNITED NATIONS SPECIAL COORDINATOR ON THE MIDDLE EAST PEACE PROCESS CALLS FOR AN END TO TRANSFER OF SETTLERS INTO EAST JERUSALEM, EVICTION OF PALESTINIANS

On 1 December 2009, the Spokesperson for the United Nations Special Coordinator for the Middle East Peace Process and Personal Representative of the Secretary-General Robert H. Serry delivered the following statement to the press in Sheikh Jarrah outside the house recently occupied by settlers.

The Secretary-General has expressed his dismay at the continuation of demolitions, evictions and the installment of Israeli settlers in Palestinian neighborhoods in occupied East Jerusalem. Provocative actions such as these create inevitable

tensions, undermine trust, often have tragic human consequences and make resuming negotiations and achieving a two-state solution more difficult. We reiterate the Secretary-General's call for these actions to cease immediately.

II. GENERAL ASSEMBLY ADOPTS FOUR RESOLUTIONS ON THE QUESTION OF PALESTINE

The General Assembly considered agenda item 16 of its sixty-fourth session entitled "Question of Palestine" at four plenary meetings, held on 30 November, 1 and 2 December 2009. For the verbatim record of those meetings, see A/64/PV.51, A/64/PV.52, A/64/PV.53 and A/64/PV.54.

The General Assembly had before it the Secretary-General's report (A/64/351 – S/2009/464), the report of the Committee on the Exercise of the Inalienable Rights of the Palestinian People (A/64/35), draft resolution A/64/L.20 with Addendum 1, and draft resolutions A/64/L.21-23 that were introduced by the Chairman of the Committee on the Exercise of the Inalienable Rights of the Palestinian People. The four draft resolutions were adopted on 2 December 2009 at the 54th plenary meeting as resolutions 64/16, 64/17, 64/18, and 64/19. The resolutions are reproduced below with an indication of the vote.

64/16 Committee on the Exercise of the Inalienable Rights of the Palestinian People

The General Assembly,

Recalling its resolutions 181 (II) of 29 November 1947, 194 (III) of 11 December 1948, 3236 (XXIX) of 22 November 1974,

3375 (XXX) and 3376 (XXX) of 10 November 1975, 31/20 of 24 November 1976 and all its subsequent relevant resolutions, including those adopted at its emergency special sessions and its resolution 63/26 of 26 November 2008,

Recalling also its resolution 58/292 of 6 May 2004,

Having considered the report of the Committee on the Exercise of the Inalienable Rights of the Palestinian People,¹

Recalling the mutual recognition between the Government of the State of Israel and the Palestine Liberation Organization, the representative of the Palestinian people, as well as the existing agreements between the two sides and the need for full compliance with those agreements,

Recalling also the Quartet road map to a permanent two-State solution to the Israeli-Palestinian conflict, endorsed by the Security Council in resolution 1515 (2003) of 19 November 2003,²

Recalling further the Arab Peace Initiative adopted by the Council of the League of Arab States at its fourteenth session, held in Beirut on 27 and 28 March 2002,³

Recalling the advisory opinion rendered on 9 July 2004 by the International Court of Justice on the *Legal Consequences of the Construction of a Wall in the Occupied Palestinian Territory*,⁴ and

^{1/} *Official Records of the General Assembly, Sixty-fourth Session, Supplement No. 35 (A/64/35).*

^{2/} S/2003/529, annex.

^{3/} A/56/1026-S/2002/932, annex II, resolution 14/221.

^{4/} See A/ES-10/273 and Corr.1; see also *Legal Consequences of the Construction of a Wall in the Occupied Palestinian Territory, Advisory Opinion, I.C.J. Reports 2004, p. 136.*

recalling also its resolutions ES-10/15 of 20 July 2004 and ES-10/17 of 15 December 2006,

Reaffirming that the United Nations has a permanent responsibility towards the question of Palestine until the question is resolved in all its aspects in a satisfactory manner in accordance with international legitimacy,

1. *Expresses its appreciation* to the Committee on the Exercise of the Inalienable Rights of the Palestinian People for its efforts in performing the tasks assigned to it by the General Assembly, and takes note of its annual report,¹ including the conclusions and valuable recommendations contained in chapter VII thereof;

2. *Requests* the Committee to continue to exert all efforts to promote the realization of the inalienable rights of the Palestinian people, including their right to self-determination, to support the Middle East peace process and to mobilize international support for and assistance to the Palestinian people, and authorizes the Committee to make such adjustments in its approved programme of work as it may consider appropriate and necessary in the light of developments and to report thereon to the General Assembly at its sixty-fifth session and thereafter;

3. *Also requests* the Committee to continue to keep under review the situation relating to the question of Palestine and to report and make suggestions to the General Assembly, the Security Council or the Secretary-General, as appropriate;

4. *Further requests* the Committee to continue to extend its cooperation and support to Palestinian and other civil society organizations and to continue to involve additional civil society organizations and parliamentarians in its work in order to mobilize international solidarity and support for the Palestinian people, particularly during this critical period of humanitarian hardship and financial crisis, with the overall aim of promoting the achievement by the Palestinian people of its inalienable rights and a just, lasting and peaceful settlement of the question of Palestine, the core of the Arab-Israeli conflict, on the basis of the relevant United Nations resolutions, the terms of reference of the Madrid Conference, including the principle of land for peace, the Arab Peace Initiative³ and the Quartet road map;²

5. *Requests* the United Nations Conciliation Commission for Palestine, established under General Assembly resolution 194 (III), and other United Nations bodies associated with the question of Palestine to continue to cooperate fully with the Committee and to make available to it, at its request, the relevant information and documentation which they have at their disposal;

6. *Invites* all Governments and organizations to extend their cooperation to the Committee in the performance of its tasks;

7. *Requests* the Secretary-General to circulate the report of the Committee to all the competent bodies of the United Nations, and urges them to take the necessary action, as appropriate;

8. *Also requests* the Secretary-General to continue to provide the Committee with all the necessary facilities for the performance of its tasks.

*54th plenary meeting
2 December 2009
Adopted by 109 votes to 8,
with 55 abstentions.*

64/17

Division for Palestinian Rights of the Secretariat

The General Assembly,

Having considered the report of the Committee on the Exercise of the Inalienable Rights of the Palestinian People,¹

Taking note, in particular, of the relevant information contained in chapter V.B of that report,

Recalling its resolution 32/40 B of 2 December 1977 and all its subsequent relevant resolutions, including its resolution 63/27 of 26 November 2008,

1. *Notes with appreciation* the action taken by the Secretary-General in compliance with its resolution 63/27;

2. *Considers* that, by assisting the Committee on the Exercise of the Inalienable Rights of the Palestinian People in the implementation of its mandate, the

^{1/}*Official Records of the General Assembly, Sixty-fourth Session, Supplement No. 35 (A/64/35).*

Division for Palestinian Rights of the Secretariat continues to make a useful and constructive contribution to raising international awareness of the question of Palestine and to generating international support for the rights of the Palestinian people and a peaceful settlement of the question of Palestine;

3. *Requests* the Secretary-General to continue to provide the Division with the necessary resources and to ensure that it continues to carry out its programme of work as detailed in relevant earlier resolutions, in consultation with the Committee on the Exercise of the Inalienable Rights of the Palestinian People and under its guidance, including the monitoring of developments relevant to the question of Palestine, the organization of international meetings and conferences in various regions with the participation of all sectors of the international community, liaison and cooperation with civil society and parliamentarians, the further development and expansion of the “Question of Palestine” website and the documents collection of the United Nations Information System on the Question of Palestine, the preparation and widest possible dissemination of publications and information materials on various aspects of the question of Palestine and the further development and enhancement of the annual training programme for staff of the Palestinian Authority in contribution to Palestinian capacity-building efforts;

4. *Also requests* the Secretary-General to ensure the continued cooperation of the Department of Public Information and other units of the Secretariat in enabling the Division to perform its tasks and in covering adequately the various aspects of the question of Palestine;

5. *Invites* all Governments and organizations to extend their cooperation to the Division in the performance of its tasks;

6. *Requests* the Division, as part of the observance of the International Day of Solidarity with the Palestinian People on 29 November, to continue to organize, under the guidance of the Committee on the Exercise of the Inalienable Rights of the Palestinian People, an annual exhibit on Palestinian rights or a cultural event in cooperation with the Permanent Observer Mission of Palestine to the United Nations, and encourages Member States to continue to give the widest support and publicity to the observance of the Day of Solidarity.

*54th plenary meeting
2 December 2009
Adopted by 112 votes to 9,
with 54 abstentions.*

**64/18
Special information programme on the
question of Palestine of the Department of
Public Information of the Secretariat**

The General Assembly,

Having considered the report of the Committee on the Exercise of the Inalienable Rights of the Palestinian People,¹

Taking note, in particular, of the information contained in chapter VI of that report,

Recalling its resolution 63/28 of 26 November 2008,

^{1/} *Official Records of the General Assembly, Sixty-fourth Session, Supplement No. 35 (A/64/35).*

Convinced that the worldwide dissemination of accurate and comprehensive information and the role of civil society organizations and institutions remain of vital importance in heightening awareness of and support for the inalienable rights of the Palestinian people and the efforts to achieve a just, lasting and peaceful settlement of the question of Palestine,

Recalling the mutual recognition between the Government of the State of Israel and the Palestine Liberation Organization, the representative of the Palestinian people, as well as the existing agreements between the two sides,

Recalling also the Quartet road map to a permanent two-State solution to the Israeli-Palestinian conflict,²

Recalling further the Arab Peace Initiative adopted by the Council of the League of Arab States at its fourteenth session, held in Beirut on 27 and 28 March 2002,³

Recalling the advisory opinion rendered on 9 July 2004 by the International Court of Justice on the *Legal Consequences of the Construction of a Wall in the Occupied Palestinian Territory*,⁴

Reaffirming that the United Nations has a permanent responsibility towards the

^{2/} S/2003/529, annex.

^{3/} A/56/1026-S/2002/932, annex II, resolution 14/221.

^{4/} See A/ES-10/273 and Corr.1; see also *Legal Consequences of the Construction of a Wall in the Occupied Palestinian Territory, Advisory Opinion, I.C.J. Reports 2004*, p. 136.

question of Palestine until the question is resolved in all its aspects in a satisfactory manner in accordance with international legitimacy,

Expressing the hope that the Department of Public Information of the Secretariat, in its programme for 2010–2011, will continue to examine ways to foster and encourage the contribution of the media in support of the peace process between the Palestinian and Israeli sides,

1. *Notes with appreciation* the action taken by the Department of Public Information of the Secretariat in compliance with resolution 63/28;

2. *Considers* that the special information programme on the question of Palestine of the Department is very useful in raising the awareness of the international community concerning the question of Palestine and the situation in the Middle East and that the programme is contributing effectively to an atmosphere conducive to dialogue and supportive of the peace process;

3. *Requests* the Department, in full cooperation and coordination with the Committee on the Exercise of the Inalienable Rights of the Palestinian People, to continue, with the necessary flexibility as may be required by developments affecting the question of Palestine, its special information programme for 2010–2011, in particular:

(a) To disseminate information on all the activities of the United Nations system relating to the question of Palestine and the peace process, including reports on the work carried out by the relevant United Nations organizations, as well as on the

efforts of the Secretary-General and his Special Envoy vis-à-vis the peace process;

(b) To continue to issue and update publications and audio-visual materials on the various aspects of the question of Palestine in all fields, including materials concerning the relevant recent developments in that regard, in particular the efforts to achieve a peaceful settlement of the question of Palestine;

(c) To expand its collection of audio-visual material on the question of Palestine, to continue the production and preservation of such material and to update, on a periodic basis, the public exhibit on the question of Palestine displayed in the General Assembly building as well as at United Nations headquarters in Geneva and Vienna;

(d) To organize and promote fact-finding news missions for journalists to the Occupied Palestinian Territory, including East Jerusalem, and Israel;

(e) To organize international, regional and national seminars or encounters for journalists aimed in particular at sensitizing public opinion to the question of Palestine and the peace process and at enhancing dialogue and understanding between Palestinians and Israelis for the promotion of a peaceful settlement to the Israeli-Palestinian conflict;

(f) To continue to provide assistance to the Palestinian people in the field of media development, in particular to strengthen the annual training programme for Palestinian broadcasters and journalists;

4. *Encourages* the Department to formulate ways for the media and representatives of civil society to engage in

open and positive discussions to explore means for encouraging people-to-people dialogue and promoting peace and mutual understanding in the region.

*54th plenary meeting
2 December 2009
Adopted by 162 votes to 8,
with 5 abstentions.*

64/19

Peaceful settlement of the question of Palestine

The General Assembly,

Recalling its relevant resolutions, including those adopted at its tenth emergency special session,

Recalling also its resolution 58/292 of 6 May 2004,

Recalling further relevant Security Council resolutions, including resolutions 242 (1967) of 22 November 1967, 338 (1973) of 22 October 1973, 1397 (2002) of 12 March 2002, 1515 (2003) of 19 November 2003, 1544 (2004) of 19 May 2004 and 1850 (2008) of 16 December 2008,

Welcoming the affirmation by the Security Council of the vision of a region where two States, Israel and Palestine, live side by side within secure and recognized borders,

Noting with concern that it has been more than sixty years since the adoption of its resolution 181 (II) of 29 November 1947 and forty-two years since the occupation of Palestinian territory, including East Jerusalem, in 1967,

Having considered the report of the Secretary-General submitted pursuant to the request made in its resolution 63/29 of 26 November 2008,¹

Reaffirming the permanent responsibility of the United Nations with regard to the question of Palestine until the question is resolved in all its aspects in accordance with international law,

Recalling the advisory opinion rendered on 9 July 2004 by the International Court of Justice on the *Legal Consequences of the Construction of a Wall in the Occupied Palestinian Territory*,² and recalling also its resolutions ES-10/15 of 20 July 2004 and ES-10/17 of 15 December 2006,

Convinced that achieving a just, lasting and comprehensive settlement of the question of Palestine, the core of the Arab-Israeli conflict, is imperative for the attainment of comprehensive and lasting peace and stability in the Middle East,

Aware that the principle of equal rights and self-determination of peoples is among the purposes and principles enshrined in the Charter of the United Nations,

Affirming the principle of the inadmissibility of the acquisition of territory by war,

Recalling its resolution 2625 (XXV) of 24 October 1970,

^{1/}A/64/351-S/2009/464.

^{2/}See A/ES-10/273 and Corr.1; see also *Legal Consequences of the Construction of a Wall in the Occupied Palestinian Territory, Advisory Opinion, I.C.J. Reports 2004*, p. 136.

Reaffirming the illegality of the Israeli settlements in the Palestinian territory occupied since 1967, including East Jerusalem,

Stressing the detrimental impact of Israeli settlement policies, decisions and activities on efforts to resume the peace process and achieve peace in the Middle East,

Reaffirming the illegality of Israeli actions aimed at changing the status of Jerusalem, including measures such as the so-called E-1 plan and all other unilateral measures aimed at altering the character, status and demographic composition of the city and of the Territory as a whole,

Reaffirming also that the construction by Israel, the occupying Power, of a wall in the Occupied Palestinian Territory, including in and around East Jerusalem, and its associated regime are contrary to international law,

Expressing deep concern about the continuing Israeli policy of closures and severe restrictions on the movement of persons and goods, including medical and humanitarian personnel and goods, via the imposition of prolonged closures and severe economic and movement restrictions that in effect amount to a blockade, crossing closures, checkpoints and a permit regime throughout the Occupied Palestinian Territory, including East Jerusalem, and the consequent negative impact on the socio-economic situation of the Palestinian people, which remains that of a dire humanitarian crisis, as well as on efforts aimed at rehabilitating and developing the damaged Palestinian economy and on the contiguity of the Territory,

Recalling the mutual recognition between the Government of the State of Israel and the Palestine Liberation Organization, the representative of the Palestinian people,³ and the need for full compliance with the agreements concluded between the two sides,

Recalling also the endorsement by the Security Council, in resolution 1515 (2003), of the Quartet road map to a permanent two-State solution to the Israeli-Palestinian conflict⁴ and the call in Council resolution 1850 (2008) for the parties to fulfil their obligations under the road map, as affirmed in the Israeli-Palestinian Joint Understanding reached at the international conference held in Annapolis, United States of America, on 27 November 2007,⁵ and to refrain from any steps that could undermine confidence or prejudice the outcome of negotiations,

Noting the Israeli withdrawal in 2005 from the Gaza Strip and parts of the northern West Bank and the dismantlement of the settlements therein as a step towards the implementation of the road map,

Recalling the Arab Peace Initiative adopted by the Council of the League of Arab States at its fourteenth session, held in Beirut on 27 and 28 March 2002,⁶

Expressing support for the agreed principles for bilateral negotiations, as affirmed by the parties at the Annapolis

conference, aimed at concluding a peace treaty resolving all outstanding issues, including all core issues, without exception, for the achievement of a just, lasting and peaceful settlement of the Israeli-Palestinian conflict and ultimately of the Arab-Israeli conflict as a whole for the realization of a comprehensive peace in the Middle East,

Expressing support also for the convening of an international conference in Moscow, as envisioned by the Security Council in resolution 1850 (2008), for the advancement and acceleration of a resumed peace process,

Noting the important contribution to the peace process of the United Nations Special Coordinator for the Middle East Peace Process and Personal Representative of the Secretary-General to the Palestine Liberation Organization and the Palestinian Authority, including within the framework of the activities of the Quartet,

Welcoming the reconvening of the Ad Hoc Liaison Committee for the Coordination of the International Assistance to Palestinians, under the chairmanship of Norway, at United Nations Headquarters on 22 September 2009, affirming the importance of continued follow-up and fulfilment of pledges made at the International Conference in Support of the Palestinian Economy for the Reconstruction of Gaza, held in Sharm el-Sheikh, Egypt, on 2 March 2009, for the provision of emergency assistance and support for reconstruction and economic recovery in the Gaza Strip and alleviation of the socio-economic and humanitarian crisis being faced by the Palestinian people, and acknowledging the contribution of the Palestinian-European Mechanism for the Management of Socio-Economic Aid of the European Commission in this regard,

^{3/} See A/48/486-S/26560, annex.

^{4/} S/2003/529, annex.

^{5/} Available from <http://unispal.un.org>.

^{6/} A/56/1026-S/2002/932, annex II, resolution 14/221.

Recognizing the efforts being undertaken by the Palestinian Authority, with international support, to rebuild, reform and strengthen its damaged institutions, emphasizing the need to preserve and develop the Palestinian institutions and infrastructure, and welcoming in this regard the Palestinian Authority's plan for constructing the institutions of a Palestinian State within a twenty-four-month period as a demonstration of its serious commitment to an independent State that provides opportunity, justice and security for the Palestinian people and is a responsible neighbour to all States in the region,

Welcoming the efforts and progress made in the security sector by the Palestinian Authority, calling upon the parties to continue cooperation that benefits both Palestinians and Israelis, in particular by promoting security and building confidence, and expressing the hope that such progress will be extended to all major population centres,

Reiterating its concern over the negative developments that have continued to occur in the Occupied Palestinian Territory, including East Jerusalem, including the large number of deaths and injuries, mostly among Palestinian civilians, the acts of violence and brutality committed against Palestinian civilians by Israeli settlers in the West Bank, the widespread destruction of public and private Palestinian property and infrastructure, the internal displacement of civilians and the serious deterioration of the socio-economic and humanitarian conditions of the Palestinian people,

Expressing grave concern, in particular, over the crisis in the Gaza Strip as a result of the continuing prolonged

Israeli closures and severe economic and movement restrictions that in effect amount to a blockade and the military operations in the Gaza Strip between December 2008 and January 2009, which caused extensive loss of life and injury, particularly among Palestinian civilians, including children and women, widespread damage and destruction to Palestinian homes, properties, vital infrastructure, public institutions, including hospitals and schools, and United Nations facilities, and internal displacement of civilians,

Stressing the need for the full implementation by all parties of Security Council resolution 1860 (2009) of 8 January 2009 and General Assembly resolution ES-10/18 of 16 January 2009,

Expressing concern over continuing military actions in the Occupied Palestinian Territory, including raids and arrest campaigns, and over the continued imposition of hundreds of checkpoints and obstacles to movement in and around Palestinian population centres by the Israeli occupying forces, and emphasizing in this regard the need for the implementation by both sides of the Sharm el-Sheikh understandings,

Emphasizing the importance of the safety, protection and well-being of all civilians in the whole Middle East region, and condemning all acts of violence and terror against civilians on both sides,

Expressing concern over the unlawful takeover of Palestinian Authority institutions in the Gaza Strip in June 2007, and calling for the restoration of the situation to that which existed prior to June 2007 and for the continuation of the serious efforts being exerted by Egypt, the League of Arab States

and other concerned parties for the promotion of dialogue towards reconciliation and the restoration of Palestinian national unity,

Stressing the urgent need for sustained and active international involvement, including by the Quartet, to support both parties in resuming, advancing and accelerating the peace process negotiations for the achievement of a just, lasting and comprehensive peace settlement, on the basis of United Nations resolutions, the road map and the Arab Peace Initiative,

Acknowledging the efforts being undertaken by civil society to promote a peaceful settlement of the question of Palestine,

Recalling the findings by the International Court of Justice, in its advisory opinion, including on the urgent necessity for the United Nations as a whole to redouble its efforts to bring the Israeli-Palestinian conflict, which continues to pose a threat to international peace and security, to a speedy conclusion, thereby establishing a just and lasting peace in the region,⁷

Affirming once again the right of all States in the region to live in peace within secure and internationally recognized borders,

1. *Reaffirms* the necessity of achieving a peaceful settlement of the question of Palestine, the core of the Arab-

^{7/} See A/ES-10/273 and Corr.1, advisory opinion, para. 161; see also *Legal Consequences of the Construction of a Wall in the Occupied Palestinian Territory, Advisory Opinion, I.C.J. Reports 2004*, p. 136.

Israeli conflict, in all its aspects, and of intensifying all efforts towards that end;

2. *Also reaffirms* its full support for the Middle East peace process, based on the relevant United Nations resolutions, the terms of reference of the Madrid Conference, including the principle of land for peace, the Arab Peace Initiative adopted by the Council of the League of Arab States at its fourteenth session⁶ and the Quartet road map to a permanent two-State solution to the Israeli-Palestinian conflict,⁴ and for the existing agreements between the Israeli and Palestinian sides, stresses the necessity for the establishment of a comprehensive, just and lasting peace in the Middle East, and welcomes in this regard the ongoing efforts of the Quartet and of the League of Arab States;

3. *Encourages* continued serious regional and international efforts to follow up and promote the Arab Peace Initiative, including by the Ministerial Committee formed at the Riyadh summit in March 2007;

4. *Urges* the parties to undertake, with the support of the Quartet and the international community, immediate and concrete steps in follow-up to the Israeli-Palestinian Joint Understanding reached at the international conference held in Annapolis, United States of America, on 27 November 2007,⁵ including through the resumption of active and serious bilateral negotiations;

5. *Encourages*, in this regard, the convening of an international conference in Moscow, as envisioned by the Security Council in resolution 1850 (2008), for the advancement and acceleration of a resumed peace process;

6. *Calls upon* both parties to act on their previous agreements and obligations, in particular adherence to the road map, irrespective of reciprocity, in order to create the conditions necessary for the resumption of negotiations in the near term;

7. *Calls upon* the parties themselves, with the support of the Quartet and other interested parties, to exert all efforts necessary to halt the deterioration of the situation and to reverse all unilateral and unlawful measures taken on the ground since 28 September 2000;

8. *Underscores* the need for the parties to take confidence-building measures aimed at improving the situation on the ground, promoting stability and fostering the peace process, including the need for the further release of prisoners;

9. *Stresses* the need for a speedy end to the reoccupation of Palestinian population centres, inter alia, by easing movement and access, including through the removal of checkpoints and other obstructions to movement, and the need for respect and preservation of the territorial unity, contiguity and integrity of all of the Occupied Palestinian Territory, including East Jerusalem;

10. *Also stresses* the need for an immediate and complete cessation of all acts of violence, including military attacks, destruction and acts of terror;

11. *Reiterates its demand* for the full implementation of Security Council resolution 1860 (2009);

12. *Reiterates* the need for the full implementation by both parties of the Agreement on Movement and Access and of

the Agreed Principles for the Rafah Crossing, of 15 November 2005, and the need, specifically, to allow for the sustained opening of all crossings into and out of the Gaza Strip for humanitarian supplies, movement and access, as well as for commercial flows and all necessary construction materials, which are essential for alleviating the dire humanitarian crisis, improving the living conditions of the Palestinian people and promoting the recovery of the Palestinian economy;

13. *Stresses*, in this regard, the urgent necessity for the advancement of reconstruction in the Gaza Strip, including through the completion of numerous suspended projects managed by the United Nations, according to the proposal of the Secretary-General, and the commencement of United Nations-led civilian reconstruction activities;

14. *Calls upon* Israel, the occupying Power, to comply strictly with its obligations under international law, including international humanitarian law, and to cease all of its measures that are contrary to international law and unilateral actions in the Occupied Palestinian Territory, including East Jerusalem, that are aimed at altering the character, status and demographic composition of the Territory, including via the de facto annexation of land, and thus at prejudging the final outcome of peace negotiations;

15. *Reiterates its demand* for the complete cessation of all Israeli settlement activities in the Occupied Palestinian Territory, including East Jerusalem, and in the occupied Syrian Golan, and calls for the full implementation of the relevant Security Council resolutions;

16. *Calls for* the cessation of all provocations, including by Israeli settlers, in East Jerusalem, including in and around religious sites;

17. *Demands*, accordingly, that Israel, the occupying Power, comply with its legal obligations under international law, as mentioned in the advisory opinion rendered on 9 July 2004 by the International Court of Justice² and as demanded in General Assembly resolutions ES-10/13 of 21 October 2003 and ES-10/15, and, inter alia, that it immediately cease its construction of the wall in the Occupied Palestinian Territory, including East Jerusalem, and calls upon all States Members of the United Nations to comply with their legal obligations, as mentioned in the advisory opinion;

18. *Reaffirms its commitment*, in accordance with international law, to 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;

19. *Stresses* the need for:

(a) The withdrawal of Israel from the Palestinian territory occupied since 1967, including East Jerusalem;

(b) The realization of the inalienable rights of the Palestinian people, primarily the right to self-determination and the right to their independent State;

20. *Also stresses* the need for a just resolution of the problem of Palestine refugees in conformity with its resolution 194 (III) of 11 December 1948;

21. *Calls upon* the parties to resume and accelerate direct peace negotiations towards the conclusion of a final peaceful settlement on the basis of relevant United Nations resolutions, especially of the Security Council, the terms of reference of the Madrid Conference, the road map and the Arab Peace Initiative;

22. *Urges* Member States to expedite the provision of economic, humanitarian and technical assistance to the Palestinian people and the Palestinian Authority during this critical period in order to help to alleviate the humanitarian crisis being faced by the Palestinian people, particularly in the Gaza Strip, to rehabilitate the Palestinian economy and infrastructure and to support the rebuilding, restructuring and reform of Palestinian institutions and Palestinian State-building efforts;

23. *Encourages*, in this regard, the continuing efforts of the Quartet's Special Representative, Tony Blair, to strengthen Palestinian institutions, promote Palestinian economic development and mobilize international donor support;

24. *Requests* the Secretary-General to continue his efforts with the parties concerned, and in consultation with the Security Council, towards the attainment of a peaceful settlement of the question of Palestine and the promotion of peace in the region and to submit to the General Assembly at its sixty-fifth session a report on these efforts and on developments on this matter.

*54th plenary meeting
2 December 2009
Adopted by 164 votes to 7,
with 4 abstentions.*

III. GENERAL ASSEMBLY ADOPTS TWO RESOLUTIONS ON THE SITUATION IN THE MIDDLE EAST

On 1 December 2009, the General Assembly considered under agenda item 15 of its sixty-fourth session two draft resolutions on the situation in the Middle East (A/64/L.24 and Add. 1 and A/64/L.25 and Add. 1), which were adopted on 2 December as resolutions 64/20 on Jerusalem and 64/21 on the Syrian Golan. For the verbatim record of the meetings, see A/64/PV.54. The resolution on Jerusalem is reproduced below with an indication of the vote.

64/20 Jerusalem

The General Assembly,

Recalling its resolution 181 (II) of 29 November 1947, in particular its provisions regarding the City of Jerusalem,

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

Recalling further the Security Council resolutions relevant to Jerusalem, including resolution 478 (1980) of 20 August 1980, in which the Council, inter alia, decided not to recognize the “Basic Law” on Jerusalem,

*Recalling the advisory opinion rendered on 9 July 2004 by the International Court of Justice on the *Legal Consequences of the Construction of a Wall in the**

*Occupied Palestinian Territory,*¹ and recalling its resolution ES-10/15 of 20 July 2004,

Expressing its grave concern about any action taken by any body, governmental or non-governmental, in violation of the above-mentioned resolutions,

Expressing its grave concern, in particular, about the continuation by Israel, the occupying Power, of illegal settlement activities, including the so-called E-1 plan, its construction of the wall in and around East Jerusalem, its restrictions on access to and residence in East Jerusalem and the further isolation of the city from the rest of the Occupied Palestinian Territory, which are having a detrimental effect on the lives of Palestinians and could prejudice a final status agreement on Jerusalem,

Expressing its grave concern also about the continuing Israeli demolition of Palestinian homes and the eviction of numerous Palestinian families from East Jerusalem neighbourhoods, as well as other acts of provocation and incitement, including by Israeli settlers, in the city,

^{1/} See A/ES-10/273 and Corr.1; see also *Legal Consequences of the Construction of a Wall in the Occupied Palestinian Territory, Advisory Opinion, I.C.J. Reports 2004*, p. 136.

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

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

Having considered the report of the Secretary-General on the situation in the Middle East,²

1. *Reiterates its determination* that any actions taken by Israel, the occupying Power, to impose its laws, jurisdiction and administration on the Holy City of

^{2/} A/64/343.

Jerusalem are illegal and therefore null and void and have no validity whatsoever, and calls upon Israel to immediately cease all such illegal and unilateral measures;

2. *Stresses* that a comprehensive, just and lasting solution to the question of the City of Jerusalem should take into account the legitimate concerns of both the Palestinian and Israeli sides and should include internationally guaranteed provisions to ensure the freedom of religion and of conscience of its inhabitants, as well as permanent, free and unhindered access to the holy places by the people of all religions and nationalities;

3. *Requests* the Secretary-General to report to the General Assembly at its sixty-fifth session on the implementation of the present resolution.

*54th plenary meeting
2 December 2009
Adopted by 163 votes to 7,
with 5 abstentions.*

IV. SPECIAL RAPPORTEUR CALLS FOR IMPLEMENTATION OF GOLDSTONE REPORT, END TO GAZA BLOCKADE

The Office of the United Nations High Commissioner for Human Rights issued the following press release on 9 December 2009 (HR/09/231).

Geneva – “People of conscience everywhere, as well as Governments worldwide and the United Nations, should take note of the dire situation in Gaza,” says the Special Rapporteur for the Occupied Palestinian Territories, Richard Falk, one year after the start of the Israeli military campaign against the Gaza Strip.

“The ordeal of the 1.5 million residents of Gaza affected by the Israeli blockade, over half of whom are children, has been allowed to continue without any formal objection by Governments and at the UN,” stresses Falk.

For the independent expert, “so far, there is no evidence of meaningful

international pressure being brought to bear to end the blockade or to ensure that Israeli and Hamas officials are held accountable for alleged war crimes perpetrated during the Gaza attacks.” In his view, “this represents both a tragic failure of responsibility by the powerful Governments of the world and of the UN.”

“The unlawful blockade imposed by Israel continues, and is in its third year,” says the UN expert, noting that insufficient food and medicine is reaching Gazans, producing a further deterioration of the mental and physical health of the entire civilian population since Israel launched Operation Cast Lead against the territory on 27 December 2008, and maintained its military attack for 22 days.

Israel has not allowed building materials to enter the Gaza Strip to repair the billions of dollars of damage resulting from the heavy bombardment and artillery assaults on the civilian infrastructure of the whole area. The blockade continues to cause major breakdowns of the electricity and sanitation systems due to the Israeli refusal to let spare parts needed for repair get through the crossings.

For the Special Rapporteur Richard Falk, two urgent types of action should be encouraged on this dismal anniversary:

- that Israel’s European and North American allies insist that Israel immediately ends its illegal blockade of the Gaza Strip, backed up by a credible threat of economic sanctions.
- that the Goldstone Report’s recommendations¹, having confirmed the commission of war crimes possibly amounting to crimes against humanity, by Israel and Hamas, be fully and swiftly implemented.

On the first anniversary of the Gaza war, Falk also describes the initiatives of civil society such as the Free Gaza March and the global Boycott, Divestment, and Sanctions (BDS) campaign as “the only meaningful current challenge to Israel’s violations of its obligations as the Occupying Power of the Gaza Strip under the Geneva Conventions and the United Nations Charter.”

^{1/} The Goldstone Report: www2.ohchr.org/english/bodies/hrcouncil/docs/12session/A-HRC-12-48.pdf.

V. GENERAL ASSEMBLY ADOPTS FIVE RESOLUTIONS ON ISRAELI PRACTICES AFFECTING HUMAN RIGHTS

At its 62nd plenary meeting, on 10 December 2009, the General Assembly considered under agenda item 32 of its sixty-fourth session – “Report of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories”, five resolutions recommended by the Assembly’s Special Political and Decolonization Committee (Fourth Committee) (see A/64/406). The Assembly adopted the resolutions, the texts of which are reproduced below, with an indication of the vote. For the verbatim record of the meeting, see A/64/PV.62.

64/91

Work of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories

The General Assembly,

Guided by the purposes and principles of the Charter of the United Nations,

Guided also by international humanitarian law, in particular the Geneva Convention relative to the Protection of Civilian Persons in Time of War of 12 August 1949,¹ as well as international standards of human rights, in particular the Universal Declaration of Human Rights² and the International Covenants on Human Rights,³

Recalling its relevant resolutions, including resolutions 2443 (XXIII) of 19 December 1968 and 63/95 of 5 December 2008, and the relevant resolutions of the Commission on Human Rights and the Human Rights Council, including the resolution adopted by the Council at its twelfth special session on 16 October 2009,⁴

Recalling also the relevant resolutions of the Security Council,

^{1/} United Nations, *Treaty Series*, vol. 75, No. 973.

^{2/} Resolution 217 A (III).

^{3/} See resolution 2200 A (XXI), annex.

^{4/} Resolution S-12/1; see *Official Records of the General Assembly, Sixty-fourth Session, Supplement No. 53A (A/64/53/Add.1)*.

Taking into account the advisory opinion rendered on 9 July 2004 by the International Court of Justice on the *Legal Consequences of the Construction of a Wall in the Occupied Palestinian Territory*,⁵ and recalling in this regard General Assembly resolution ES-10/15 of 20 July 2004,

Convinced that occupation itself represents a gross and grave violation of human rights,

Gravely concerned about the continuing detrimental impact of the events that have taken place since 28 September 2000, including the excessive use of force by the Israeli occupying forces against Palestinian civilians, resulting in thousands of deaths and injuries, the widespread destruction of property and vital infrastructure, the internal displacement of civilians, the imposition of collective punishment measures, particularly against the civilian population in the Gaza Strip, and the detention and imprisonment of thousands of Palestinians,

Gravely concerned in particular by reports regarding serious human rights violations and grave breaches of international humanitarian law committed during the military operations in the Gaza Strip between December 2008 and January 2009, including the findings in the summary by the Secretary-General of the report of the

^{5/} See A/ES-10/273 and Corr.1; see also *Legal Consequences of the Construction of a Wall in the Occupied Palestinian Territory, Advisory Opinion, I.C.J. Reports 2004*, p. 136.

Board of Inquiry⁶ and in the report of the United Nations Fact-Finding Mission on the Gaza Conflict,⁷ and stressing the necessity for serious follow-up by all parties to the recommendations addressed to them towards ensuring accountability and justice,

Having considered the report of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories⁸ and the relevant reports of the Secretary-General,⁹

Recalling the Declaration of Principles on Interim Self-Government Arrangements of 13 September 1993¹⁰ and the subsequent implementation agreements between the Palestinian and Israeli sides,

Stressing the urgency of bringing a complete end to the Israeli occupation that began in 1967 and thus an end to the violation of the human rights of the Palestinian people, and recalling in this regard its resolution 58/292 of 6 May 2004,

1. *Commends* the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories for its efforts in performing the tasks assigned to it by the General Assembly and for its impartiality;

^{6/} See A/63/855-S/2009/250.

^{7/} A/HRC/12/48.

^{8/} See A/64/339.

^{9/} A/64/332, A/64/340, A/64/354, A/64/516 and A/64/517.

^{10/} A/48/486-S/26560, annex.

2. *Reiterates its demand* that Israel, the occupying Power, cooperate, in accordance with its obligations as a State Member of the United Nations, with the Special Committee in implementing its mandate;

3. *Deplores* those policies and practices of Israel that violate the human rights of the Palestinian people and other Arabs of the occupied territories, as reflected in the report of the Special Committee covering the reporting period;⁸

4. *Expresses grave concern* about the critical situation in the Occupied Palestinian Territory, including East Jerusalem, particularly in the Gaza Strip, as a result of unlawful Israeli practices and measures, and especially condemns and calls for the immediate cessation of all illegal Israeli settlement activities and the construction of the wall, as well as the excessive and indiscriminate use of force against the civilian population, the destruction and confiscation of properties, measures of collective punishment, and the detention and imprisonment of thousands of civilians;

5. *Requests* the Special Committee, pending complete termination of the Israeli occupation, to continue to investigate Israeli policies and practices in the Occupied Palestinian Territory, including East Jerusalem, and other Arab territories occupied by Israel since 1967, especially Israeli violations of the Geneva Convention relative to the Protection of Civilian Persons in Time of War of 12 August 1949,¹ and to consult, as appropriate, with the International Committee of the Red Cross according to its regulations in order to ensure that the welfare and human rights of

the peoples of the occupied territories are safeguarded and to report to the Secretary-General as soon as possible and whenever the need arises thereafter;

6. *Also requests* the Special Committee to submit regularly to the Secretary-General periodic reports on the current situation in the Occupied Palestinian Territory, including East Jerusalem;

7. *Further requests* the Special Committee to continue to investigate the treatment of the thousands of prisoners and detainees in the Occupied Palestinian Territory, including East Jerusalem, and other Arab territories occupied by Israel since 1967;

8. *Requests* the Secretary-General:

(a) To provide the Special Committee with all necessary facilities, including those required for its visits to the occupied territories, so that it may investigate the Israeli policies and practices referred to in the present resolution;

(b) To continue to make available such staff as may be necessary to assist the Special Committee in the performance of its tasks;

(c) To circulate regularly to Member States the periodic reports mentioned in paragraph 6 above;

(d) To ensure the widest circulation of the reports of the Special Committee and of information regarding its activities and findings, by all means available, through the Department of Public

Information of the Secretariat and, where necessary, to reprint those reports of the Special Committee that are no longer available;

(e) To report to the General Assembly at its sixty-fifth session on the tasks entrusted to him in the present resolution;

9. *Decides* to include in the provisional agenda of its sixty-fifth session the item entitled “Report of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories”.

*62nd plenary meeting
10 December 2009
Adopted by 92 votes to 9,
with 74 abstentions.*

64/92

Applicability of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, to the Occupied Palestinian Territory, including East Jerusalem, and the other occupied Arab territories

The General Assembly,

Recalling its relevant resolutions, including its resolution 63/96 of 5 December 2008,

Bearing in mind the relevant resolutions of the Security Council,

Recalling the Regulations annexed to The Hague Convention IV of 1907,¹ the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949,² and relevant provisions of customary law, including those codified in Additional Protocol I³ to the four Geneva Conventions,⁴

Having considered the report of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories⁵ and the relevant reports of the Secretary-General,⁶

Considering that the promotion of respect for the obligations arising from the Charter of the United Nations and other instruments and rules of international law is among the basic purposes and principles of the United Nations,

Recalling the advisory opinion rendered on 9 July 2004 by the International

Court of Justice,⁷ and also recalling General Assembly resolution ES-10/15 of 20 July 2004,

Noting in particular the Court's reply, including that the Fourth Geneva Convention² is applicable in the Occupied Palestinian Territory, including East Jerusalem, and that Israel is in breach of several of the provisions of the Convention,

Recalling the Conference of High Contracting Parties to the Fourth Geneva Convention on measures to enforce the Convention in the Occupied Palestinian Territory, including East Jerusalem, held on 15 July 1999, as well as the Declaration adopted by the reconvened Conference on 5 December 2001 and the need for the parties to follow up the implementation of the Declaration,

Welcoming and encouraging the initiatives by States parties to the Convention, both individually and collectively, according to article 1 common to the four Geneva Conventions, aimed at ensuring respect for the Convention, as well as the efforts of the depositary State of the Geneva Conventions in this regard,

Stressing that Israel, the occupying Power, should comply strictly with its obligations under international law, including international humanitarian law,

^{1/} See Carnegie Endowment for International Peace, *The Hague Conventions and Declarations of 1899 and 1907* (New York, Oxford University Press, 1915).

^{2/} United Nations, *Treaty Series*, vol. 75, No. 973.

^{3/} *Ibid.*, vol. 1125, No. 17512.

^{4/} *Ibid.*, vol. 75, Nos. 970–973.

^{5/} See A/64/339.

^{6/} A/64/332, A/64/340, A/64/354, A/64/516 and A/64/517.

^{7/} See A/ES-10/273 and Corr.1; see also *Legal Consequences of the Construction of a Wall in the Occupied Palestinian Territory, Advisory Opinion, I.C.J. Reports 2004*, p. 136.

1. *Reaffirms* that the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949,² is applicable to the Occupied Palestinian Territory, including East Jerusalem, and other Arab territories occupied by Israel since 1967;

2. *Demands* that Israel accept the de jure applicability of the Convention in the Occupied Palestinian Territory, including East Jerusalem, and other Arab territories occupied by Israel since 1967, and that it comply scrupulously with the provisions of the Convention;

3. *Calls upon* all High Contracting Parties to the Convention, in accordance with article 1 common to the four Geneva Conventions⁴ and as mentioned in the advisory opinion of the International Court of Justice of 9 July 2004,⁷ to continue to exert all efforts to ensure respect for its provisions by Israel, the occupying Power, in the Occupied Palestinian Territory, including East Jerusalem, and other Arab territories occupied by Israel since 1967;

4. *Reiterates* the need for speedy implementation of the relevant recommendations contained in the resolutions adopted by the General Assembly at its tenth emergency special session, including resolution ES-10/15, with regard to ensuring respect by Israel, the occupying Power, for the provisions of the Convention;

5. *Requests* the Secretary-General to report to the General Assembly at its

sixty-fifth session on the implementation of the present resolution.

*62nd plenary meeting
10 December 2009
Adopted by 168 votes to 6,
with 4 abstentions.*

64/93

Israeli settlements in the Occupied Palestinian Territory, including East Jerusalem, and the occupied Syrian Golan

The General Assembly,

Guided by the principles of the Charter of the United Nations, and affirming the inadmissibility of the acquisition of territory by force,

Recalling its relevant resolutions, including resolution 63/97 of 5 December 2008, as well as those resolutions adopted at its tenth emergency special session,

Recalling also the relevant resolutions of the Security Council, including resolutions 242 (1967) of 22 November 1967, 446 (1979) of 22 March 1979, 465 (1980) of 1 March 1980, 476 (1980) of 30 June 1980, 478 (1980) of 20 August 1980, 497 (1981) of 17 December 1981 and 904 (1994) of 18 March 1994,

Reaffirming the applicability of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949,¹ to the Occupied

^{1/} United Nations, *Treaty Series*, vol. 75, No. 973.

Palestinian Territory, including East Jerusalem, and to the occupied Syrian Golan,

Considering that the transfer by the occupying Power of parts of its own civilian population into the territory it occupies constitutes a breach of the Fourth Geneva Convention¹ and relevant provisions of customary law, including those codified in Additional Protocol I² to the four Geneva Conventions,³

Recalling the advisory opinion rendered on 9 July 2004 by the International Court of Justice on the *Legal Consequences of the Construction of a Wall in the Occupied Palestinian Territory*,⁴ and recalling also General Assembly resolutions ES-10/15 of 20 July 2004 and ES-10/17 of 15 December 2006,

Noting that the International Court of Justice concluded that “the Israeli settlements in the Occupied Palestinian Territory (including East Jerusalem) have been established in breach of international law”,⁵

Taking note of the recent report of the Special Rapporteur of the Human Rights

^{2/} Ibid., vol. 1125, No. 17512.

^{3/} Ibid., vol. 75, Nos. 970-973.

^{4/} See A/ES-10/273 and Corr.1; see also *Legal Consequences of the Construction of a Wall in the Occupied Palestinian Territory, Advisory Opinion, I.C.J. Reports 2004*, p. 136.

^{5/} See A/ES-10/273 and Corr.1, advisory opinion, para. 120; see also *Legal Consequences of the Construction of a Wall in the Occupied Palestinian Territory, Advisory Opinion, I.C.J. Reports 2004*, p. 136.

Council on the situation of human rights in the Palestinian territories occupied by Israel since 1967,⁶

Recalling the Declaration of Principles on Interim Self-Government Arrangements of 13 September 1993⁷ and the subsequent implementation agreements between the Palestinian and Israeli sides,

Recalling also the Quartet road map to a permanent two-State solution to the Israeli-Palestinian conflict,⁸ and noting specifically its call for a freeze on all settlement activity, including so-called “natural growth”, and the dismantlement of all settlement outposts erected since March 2001,

Aware that Israeli settlement activities involve, inter alia, the transfer of nationals of the occupying Power into the occupied territories, the confiscation of land, the exploitation of natural resources and other actions against the Palestinian civilian population that are contrary to international law,

Bearing in mind the detrimental impact of Israeli settlement policies, decisions and activities on efforts to resume the peace process and to achieve peace in the Middle East,

Expressing grave concern about the continuation by Israel, the occupying Power, of settlement activities in the Occupied Palestinian Territory, in violation of international humanitarian law, relevant United Nations resolutions and the agreements reached between the parties, and

^{6/} See A/64/328.

^{7/} A/48/486-S/26560, annex.

^{8/} S/2003/529, annex.

concerned particularly about Israel's construction and expansion of settlements in and around occupied East Jerusalem, including its so-called E-1 plan that aims to connect its illegal settlements around and further isolate occupied East Jerusalem, the continuing demolition of Palestinian homes and eviction of Palestinian families from the city, and intensifying settlement activities in the Jordan Valley,

Expressing grave concern also about the continuing unlawful construction by Israel of the wall inside the Occupied Palestinian Territory, including in and around East Jerusalem, and expressing its concern in particular about the route of the wall in departure from the Armistice Line of 1949, which is causing humanitarian hardship and a serious decline of socio-economic conditions for the Palestinian people, is fragmenting the territorial contiguity of the Territory, and could prejudice future negotiations and make the two-State solution physically impossible to implement,

Deeply concerned that the wall's route has been traced in such a way as to include the great majority of the Israeli settlements in the Occupied Palestinian Territory, including East Jerusalem,

Deploring settlement activities in the Occupied Palestinian Territory, including East Jerusalem, and in the occupied Syrian Golan and any activities involving the confiscation of land, the disruption of the livelihood of protected persons and the de facto annexation of land,

Recalling the need to end all acts of violence, including acts of terror, provocation, incitement and destruction,

Gravely concerned about the rising incidents of violence, harassment, provocation and incitement by illegal armed Israeli settlers in the Occupied Palestinian Territory, including East Jerusalem, against Palestinian civilians and their properties and agricultural lands,

Noting the Israeli withdrawal from within the Gaza Strip and parts of the northern West Bank and the importance of the dismantlement of the settlements therein as a step towards the implementation of the road map,

Taking note of the relevant reports of the Secretary-General,⁹

Taking note also of the special meeting of the Security Council convened on 26 September 2008,

1. *Reaffirms* that the Israeli settlements in the Palestinian territory, including East Jerusalem, and in the occupied Syrian Golan are illegal and an obstacle to peace and economic and social development;

2. *Calls upon* Israel to accept the de jure applicability of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949,¹ to the Occupied Palestinian Territory, including East Jerusalem, and to the occupied Syrian

^{9/} A/64/332, A/64/340, A/64/354, A/64/516 and A/64/517.

Golan and to abide scrupulously by the provisions of the Convention, in particular article 49;

3. *Also calls upon* Israel, the occupying Power, to comply strictly with its obligations under international law, including international humanitarian law, with respect to the alteration of the character, status and demographic composition of the Occupied Palestinian Territory, including East Jerusalem;

4. *Reiterates its demand* for the immediate and complete cessation of all Israeli settlement activities in all of the Occupied Palestinian Territory, including East Jerusalem, and in the occupied Syrian Golan, and calls in this regard for the full implementation of the relevant resolutions of the Security Council, including resolution 465 (1980);

5. *Demands* that Israel, the occupying Power, comply with its legal obligations, as mentioned in the advisory opinion rendered on 9 July 2004 by the International Court of Justice;⁴

6. *Reiterates its call* for the prevention of all acts of violence and harassment by Israeli settlers, especially against Palestinian civilians and their properties and agricultural lands, and stresses the need for the implementation of Security Council resolution 904 (1994), in which the Council called upon Israel, the occupying Power, to continue to take and implement measures, including confiscation of arms, aimed at preventing illegal acts of violence by Israeli settlers, and called for measures to be taken to guarantee the safety and protection of the Palestinian civilians in the occupied territory;

7. *Requests* the Secretary-General to report to the General Assembly at its sixty-fifth session on the implementation of the present resolution.

*62nd plenary meeting
10 December 2009
Adopted by 167 votes to 7,
with 3 abstentions.*

64/94

Israeli practices affecting the human rights of the Palestinian people in the Occupied Palestinian Territory, including East Jerusalem

The General Assembly,

Recalling the Universal Declaration of Human Rights,¹

Recalling also the International Covenant on Civil and Political Rights,² the International Covenant on Economic, Social and Cultural Rights² and the Convention on the Rights of the Child,³ and affirming that these human rights instruments must be respected in the Occupied Palestinian Territory, including East Jerusalem,

Reaffirming its relevant resolutions, including resolution 63/98 of 5 December 2008, as well as those adopted at its tenth emergency special session,

^{1/} Resolution 217 A (III).

^{2/} See resolution 2200 A (XXI), annex.

^{3/} United Nations, *Treaty Series*, vol. 1577, No. 27531.

Recalling the relevant resolutions of the Commission on Human Rights and the Human Rights Council,

Recalling also the relevant resolutions of the Security Council, and stressing the need for their implementation,

Having considered the report of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories⁴ and the report of the Secretary-General,⁵

Taking note of the recent reports of the Special Rapporteur of the Human Rights Council on the situation of human rights in the Palestinian territories occupied since 1967,⁶

Recalling the advisory opinion rendered on 9 July 2004 by the International Court of Justice,⁷ and recalling also General Assembly resolutions ES-10/15 of 20 July 2004 and ES-10/17 of 15 December 2006,

Noting in particular the Court's reply, including that the construction of the wall being built by Israel, the occupying Power, in the Occupied Palestinian Territory, including in and around East Jerusalem, and its associated regime are contrary to international law,

^{4/} See A/64/339.

^{5/} A/64/517.

^{6/} A/HRC/10/20; see also A/64/328.

^{7/} See A/ES-10/273 and Corr.1; see also *Legal Consequences of the Construction of a Wall in the Occupied Palestinian Territory, Advisory Opinion, I.C.J. Reports 2004*, p. 136.

Aware of the responsibility of the international community to promote human rights and ensure respect for international law, and recalling in this regard its resolution 2625 (XXV) of 24 October 1970,

Reaffirming the principle of the inadmissibility of the acquisition of territory by force,

Reaffirming also the applicability of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949,⁸ to the Occupied Palestinian Territory, including East Jerusalem, and other Arab territories occupied by Israel since 1967,

Reaffirming further the obligation of the States parties to the Fourth Geneva Convention⁸ under articles 146, 147 and 148 with regard to penal sanctions, grave breaches and responsibilities of the High Contracting Parties,

Reaffirming that all States have the right and the duty to take actions in conformity with international law and international humanitarian law to counter deadly acts of violence against their civilian population in order to protect the lives of their citizens,

Stressing the need for full compliance with the Israeli-Palestinian agreements reached within the context of the Middle East peace process, including the Sharm el-Sheikh understandings, and the implementation of the Quartet road map to a

^{8/} United Nations, *Treaty Series*, vol. 75, No. 973.

permanent two-State solution to the Israeli-Palestinian conflict,⁹

Stressing also the need for the full implementation of the Agreement on Movement and Access and the Agreed Principles for the Rafah Crossing, both of 15 November 2005, to allow for the freedom of movement of the Palestinian civilian population within and into and out of the Gaza Strip,

Expressing grave concern about the continuing systematic violation of the human rights of the Palestinian people by Israel, the occupying Power, including that arising from the excessive use of force, the use of collective punishment, the closure of areas, the confiscation of land, the establishment and expansion of settlements, the construction of a wall in the Occupied Palestinian Territory in departure from the Armistice Line of 1949, the destruction of property and infrastructure, and all other actions by it designed to change the legal status, geographical nature and demographic composition of the Occupied Palestinian Territory, including East Jerusalem,

Gravely concerned about the military actions that have been carried out since 28 September 2000 and that have led to thousands of deaths among Palestinian civilians, including hundreds of children, and tens of thousands of injuries,

Gravely concerned in particular about the continuing deterioration in the humanitarian and security situation in the Gaza Strip, including that resulting from the prolonged closures and severe economic and movement restrictions that in effect amount to a blockade and the military operations between December 2008 and

January 2009, which caused extensive loss of life and injury, particularly among Palestinian civilians, including children and women; widespread destruction and damage to Palestinian homes, properties, vital infrastructure and public institutions, including hospitals, schools and United Nations facilities; and the internal displacement of civilians, as well as from the firing of rockets into Israel,

Stressing the need for the full implementation by all parties of Security Council resolution 1860 (2009) of 8 January 2009 and General Assembly resolution ES-10/18 of 16 January 2009,

Gravely concerned by reports regarding serious human rights violations and grave breaches of international humanitarian law committed during the military operations in the Gaza Strip between December 2008 and January 2009, including the findings in the summary by the Secretary-General of the report of the Board of Inquiry¹⁰ and in the report of the United Nations Fact-finding Mission on the Gaza Conflict,¹¹ and stressing the necessity for serious follow-up by all parties to the recommendations addressed to them towards ensuring accountability and justice,

Expressing deep concern about the short- and long-term detrimental impact of such widespread destruction and the impeding of the reconstruction process by Israel, the occupying Power, on the human rights situation and on the socio-economic and humanitarian conditions of the Palestinian civilian population,

^{10/} See A/63/855-S/2009/250.

^{11/} A/HRC/12/48.

^{9/} S/2003/529, annex.

Expressing deep concern also about the Israeli policy of closures, severe restrictions, and a permit regime that obstruct the freedom of movement of persons and goods, including medical and humanitarian personnel and goods, throughout the Occupied Palestinian Territory, including East Jerusalem, and about the consequent violation of the human rights of the Palestinian people and the negative impact on their socio-economic situation, which remains that of a dire humanitarian crisis, particularly in the Gaza Strip,

Concerned in particular about the continued establishment of Israeli checkpoints in the Occupied Palestinian Territory, including East Jerusalem, and the transformation of several of these checkpoints into structures akin to permanent border crossings inside the Occupied Palestinian Territory, which are severely impairing the territorial contiguity of the Territory and undermining efforts and aid aimed at rehabilitating and developing the Palestinian economy, adversely affecting other aspects of the socio-economic conditions of the Palestinian people,

Expressing deep concern that thousands of Palestinians, including hundreds of children and women, continue to be held in Israeli prisons or detention centres under harsh conditions that impair their well-being, and expressing concern about the ill-treatment and harassment of any Palestinian prisoners and all reports of torture,

Convinced of the need for an international presence to monitor the situation, to contribute to ending the

violence and protecting the Palestinian civilian population and to help the parties implement the agreements reached, and, in this regard, recalling the positive contribution of the Temporary International Presence in Hebron,

Emphasizing the right of all people in the region to the enjoyment of human rights as enshrined in the international human rights covenants,

1. *Reiterates* that all measures and actions taken by Israel, the occupying Power, in the Occupied Palestinian Territory, including East Jerusalem, in violation of the relevant provisions of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949,⁸ and contrary to the relevant resolutions of the Security Council, are illegal and have no validity;

2. *Demands* that Israel, the occupying Power, cease all practices and actions that violate the human rights of the Palestinian people, including the killing and injury of civilians, and that it respect human rights law and comply with its legal obligations in this regard;

3. *Also demands* that Israel, the occupying Power, comply fully with the provisions of the Fourth Geneva Convention of 1949⁸ and cease immediately all measures and actions taken in violation and in breach of the Convention, including all of its settlement activities and the construction of the wall in the Occupied Palestinian Territory, including in and around East Jerusalem, which, inter alia, gravely and detrimentally impact the human rights of the Palestinian people;

4. *Condemns* all acts of violence, including all acts of terror, provocation, incitement and destruction, especially the excessive use of force by the Israeli occupying forces against Palestinian civilians, particularly in the Gaza Strip in the recent period, which have caused extensive loss of life and vast numbers of injuries, including among children, massive damage and destruction to homes, properties, vital infrastructure and public institutions, including hospitals, schools and United Nations facilities, and agricultural lands, and internal displacement of civilians;

5. *Expresses grave concern* at the firing of rockets against Israeli civilian areas resulting in loss of life and injury;

6. *Reiterates its demand* for the full implementation of Security Council resolution 1860 (2009);

7. *Calls upon* Israel, the occupying Power, to comply strictly with its obligations under international law, including international humanitarian law, with respect to the alteration of the character, status and demographic composition of the Occupied Palestinian Territory, including East Jerusalem;

8. *Demands* that Israel, the occupying Power, comply with its legal obligations under international law, as mentioned in the advisory opinion rendered on 9 July 2004 by the International Court of Justice⁷ and as demanded in resolutions ES-10/15 of 20 July 2004 and ES-10/13 of 21 October 2003, and that it immediately cease the construction of the wall in the Occupied Palestinian Territory, including in and around East Jerusalem, dismantle forthwith

the structure situated therein, repeal or render ineffective all legislative and regulatory acts relating thereto, and make reparation for all damage caused by the construction of the wall, which has gravely impacted the human rights and the socio-economic living conditions of the Palestinian people;

9. *Reiterates* the need for respect for the territorial unity, contiguity and integrity of all of the Occupied Palestinian Territory and for guarantees of the freedom of movement of persons and goods within the Palestinian territory, including movement into and from East Jerusalem, into and from the Gaza Strip, and to and from the outside world;

10. *Calls upon* Israel, the occupying Power, to cease its imposition of prolonged closures and economic and movement restrictions, including those amounting to a blockade on the Gaza Strip, and, in this regard, to fully implement the Agreement on Movement and Access and the Agreed Principles for the Rafah Crossing, both of 15 November 2005;

11. *Urges* Member States to continue to provide emergency assistance to the Palestinian people to alleviate the financial crisis and the dire socio-economic and humanitarian situation, particularly in the Gaza Strip;

12. *Emphasizes* the need to preserve and develop the Palestinian institutions and infrastructure for the provision of vital public services to the Palestinian civilian population and the promotion of human rights, including civil, political, economic, social and cultural rights;

13. *Requests* the Secretary-General to report to the General Assembly at its sixty-fifth session on the implementation of the present resolution.

*62nd plenary meeting
10 December 2009
Adopted by 162 votes to 9,
with 5 abstentions.*

VI. GENERAL ASSEMBLY ADOPTS FOUR RESOLUTIONS ON PALESTINE REFUGEES

At its 62nd plenary meeting, convened on 10 December 2009, the General Assembly considered and adopted, under agenda item 31 of its sixty-fourth session, entitled "United Nations Relief and Works Agency for Palestine Refugees in the Near East," four resolutions recommended by the Special Political and Decolonization Committee (Fourth Committee) (A/64/405). The resolutions adopted are reproduced below with an indication of the vote. For the verbatim record of the meeting, see A/64/PV.62. For the annual report of the Commissioner-General of UNRWA, see A/64/13.

64/87 Assistance to Palestine refugees

The General Assembly,

Recalling its resolution 194 (III) of 11 December 1948 and all its subsequent resolutions on the question, including resolution 63/91 of 5 December 2008,

Recalling also its resolution 302 (IV) of 8 December 1949, by which, inter alia, it established the United Nations Relief and Works Agency for Palestine Refugees in the Near East,

Recalling further the relevant resolutions of the Security Council,

Aware of the fact that, for more than six decades, the Palestine refugees have

suffered from the loss of their homes, lands and means of livelihood,

Affirming the imperative of resolving the problem of the Palestine refugees for the achievement of justice and for the achievement of lasting peace in the region,

Acknowledging the essential role that the United Nations Relief and Works Agency for Palestine Refugees in the Near East has played for sixty years since its establishment in ameliorating the plight of the Palestine refugees through the provision of education, health, relief and social services and ongoing work in the areas of camp infrastructure, microfinance, protection and emergency assistance,

Taking note of the report of the Commissioner-General of the United

Nations Relief and Works Agency for Palestine Refugees in the Near East covering the period from 1 January to 31 December 2008,¹

Aware of the continuing needs of the Palestine refugees throughout all the fields of operation, namely, Jordan, Lebanon, the Syrian Arab Republic and the Occupied Palestinian Territory,

Expressing grave concern at the especially difficult situation of the Palestine Refugees under occupation, including with regard to their safety, well-being and socio-economic living conditions,

Expressing grave concern in particular at the critical humanitarian situation and socio-economic conditions of the Palestine refugees in the Gaza Strip, and underlining the importance of emergency and humanitarian assistance and urgent reconstruction efforts,

Noting the signing of the Declaration of Principles on Interim Self-Government Arrangements² on 13 September 1993 by the Government of Israel and the Palestine Liberation Organization and the subsequent implementation agreements,

1. *Notes with regret* that repatriation or compensation of the refugees, as provided for in paragraph 11 of General Assembly resolution 194 (III), has not yet been effected, and that, therefore, the situation of the Palestine refugees continues to be a matter of grave concern and the Palestine refugees continue to require assistance to

meet basic health, education and living needs;

2. *Also notes with regret* that the United Nations Conciliation Commission for Palestine has been unable to find a means of achieving progress in the implementation of paragraph 11 of General Assembly resolution 194 (III), and reiterates its request to the Conciliation Commission to continue exerting efforts towards the implementation of that paragraph and to report to the Assembly as appropriate, but no later than 1 September 2010;

3. *Affirms* the necessity for the continuation of the work of the United Nations Relief and Works Agency for Palestine Refugees in the Near East and the importance of its unimpeded operation and its provision of services for the well-being and human development of the Palestine refugees and for the stability of the region, pending the just resolution of the question of the Palestine refugees;

4. *Calls upon* all donors to continue to make the most generous efforts possible to meet the anticipated needs of the United Nations Relief and Works Agency for Palestine Refugees in the Near East, including with regard to increased expenditures arising from the continuing deterioration of the socio-economic and humanitarian situation in the region, particularly in the Occupied Palestinian Territory, and those mentioned in recent emergency appeals;

5. *Commends* the United Nations Relief and Works Agency for Palestine Refugees in the Near East for its provision of vital assistance to the Palestine refugees and its role as a stabilizing factor in the region and the tireless efforts of the staff of

^{1/} See *Official Records of the General Assembly, Sixty-fourth Session, Supplement No. 13 (A/64/13)*; and *ibid.*, *Supplement No. 13A (A/64/13/Add.1)*.

the Agency in carrying out its mandate, and welcomes in this regard the high-level event of the General Assembly commemorating the sixtieth anniversary of the establishment of the Agency, on 24 September 2009.

*62nd plenary meeting
10 December 2009
Adopted by 168 votes to 1,
with 7 abstentions.*

64/88

Persons displaced as a result of the June 1967 and subsequent hostilities

The General Assembly,

Recalling its resolutions 2252 (ES-V) of 4 July 1967, 2341 B (XXII) of 19 December 1967 and all subsequent related resolutions,

Recalling also Security Council resolutions 237 (1967) of 14 June 1967 and 259 (1968) of 27 September 1968,

Taking note of the report of the Secretary-General submitted in pursuance of its resolution 63/92 of 5 December 2008,¹

Taking note also of the report of the Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East covering the period from 1 January to 31 December 2008,²

^{1/} A/64/323.

^{2/} See *Official Records of the General Assembly, Sixty-fourth Session, Supplement No. 13* (A/64/13); and *ibid.*, *Supplement No. 13A* (A/64/13/Add.1).

Concerned about the continuing human suffering resulting from the June 1967 and subsequent hostilities,

Taking note of the relevant provisions of the Declaration of Principles on Interim Self-Government Arrangements of 13 September 1993³ with regard to the modalities for the admission of persons displaced in 1967, and concerned that the process agreed upon has not yet been effected,

1. *Reaffirms* the right of all persons displaced as a result of the June 1967 and subsequent hostilities to return to their homes or former places of residence in the territories occupied by Israel since 1967;

2. *Expresses deep concern* that the mechanism agreed upon by the parties in article XII of the Declaration of Principles on Interim Self-Government Arrangements of 13 September 1993³ on the return of displaced persons has not been complied with, and stresses the necessity for an accelerated return of displaced persons;

3. *Endorses*, in the meanwhile, the efforts of the Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East to continue to provide humanitarian assistance, as far as practicable, on an emergency basis, and as a temporary measure, to persons in the area who are currently displaced and in serious need of continued assistance as a result of the June 1967 and subsequent hostilities;

^{3/} A/48/486-S/26560, annex.

4. *Strongly appeals* to all Governments and to organizations and individuals to contribute generously to the Agency and to the other intergovernmental and non-governmental organizations concerned, for the above-mentioned purposes;

5. *Requests* the Secretary-General, after consulting with the Commissioner-General, to report to the General Assembly before its sixty-fifth session on the progress made with regard to the implementation of the present resolution.

*62nd plenary meeting
10 December 2009
Adopted by 166 votes to 7,
with 4 abstentions.*

64/89

Operations of the United Nations Relief and Works Agency for Palestine Refugees in the Near East

The General Assembly,

Recalling its resolutions 194 (III) of 11 December 1948, 212 (III) of 19 November 1948, 302 (IV) of 8 December 1949 and all subsequent related resolutions, including its resolution 63/93 of 5 December 2008,

Recalling also the relevant resolutions of the Security Council,

Having considered the report of the Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East

covering the period from 1 January to 31 December 2008,¹

Taking note of the letter dated 10 June 2009 from the Chairman of the Advisory Commission of the United Nations Relief and Works Agency for Palestine Refugees in the Near East addressed to the Commissioner-General,²

Deeply concerned about the critical financial situation of the Agency, as well as its rising expenditures resulting from the deterioration of the socio-economic and humanitarian conditions in the region and their significant negative impact on the provision of necessary Agency services to the Palestine refugees, including its emergency-related and development programmes,

Recalling Articles 100, 104 and 105 of the Charter of the United Nations and the Convention on the Privileges and Immunities of the United Nations,³

Recalling also the Convention on the Safety of United Nations and Associated Personnel,⁴

^{1/} See *Official Records of the General Assembly, Sixty-fourth Session, Supplement No. 13 (A/64/13)*; and *ibid.*, *Supplement No. 13A (A/64/13/Add.1)*.

^{2/} See *Official Records of the General Assembly, Sixty-fourth Session, Supplement No. 13 (A/64/13)*, pp. vi and vii.

^{3/} Resolution 22 A (I).

^{4/} United Nations, *Treaty Series*, vol. 2051, No. 35457.

Affirming the applicability of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949,⁵ to the Palestinian territory occupied since 1967, including East Jerusalem,

Aware of the continuing needs of the Palestine refugees throughout the Occupied Palestinian Territory and in the other fields of operation, namely, Jordan, Lebanon and the Syrian Arab Republic,

Gravely concerned about the extremely difficult living conditions being faced by the Palestine refugees in the Occupied Palestinian Territory, including East Jerusalem, particularly in the refugee camps in the Gaza Strip, as a result of the continuing prolonged Israeli closures and severe economic and movement restrictions that in effect amount to a blockade and the military operations in the Gaza Strip between December 2008 and January 2009, which caused extensive loss of life and injury, particularly among Palestinian civilians, including children and women; widespread damage and destruction to Palestinian homes, properties, vital infrastructure and public institutions, including hospitals, schools and United Nations facilities; and internal displacement of civilians,

Commending the extraordinary efforts by the Agency to provide emergency relief, medical, food, shelter and other humanitarian assistance to needy and displaced families in the Gaza Strip,

Recalling , in this regard, its resolution ES-10/18 of 16 January 2009 and Security

^{5/} Ibid., vol. 75, No. 973.

Council resolution 1860 (2009) of 8 January 2009,

Expressing regret over the continued suspension of the Agency's efforts to repair and rebuild thousands of damaged or destroyed refugee shelters due to the continued prohibition of the import of essential construction materials into the Gaza Strip by Israel,

Stressing the urgent need for reconstruction to begin in the Gaza Strip, including through the completion of numerous suspended projects managed by the Agency, according to the proposal of the Secretary-General, and the commencement of United Nations-led civilian reconstruction activities,

Welcoming, in this regard, the International Conference in Support of the Palestinian Economy for the Reconstruction of Gaza, held in Sharm el-Sheikh, Egypt, on 2 March 2009, and urging the disbursement of pledges to accelerate the reconstruction process,

Taking note of the Agency's continuing efforts to assist those refugees affected and displaced by the crisis in the Nahr el-Bared refugee camp in northern Lebanon, and welcoming the efforts of the Government of Lebanon and the international community to support the rebuilding by the Agency of the Nahr el-Bared camp,

Aware of the valuable work done by the Agency in providing protection to the Palestinian people, in particular Palestine refugees,

Gravely concerned about the endangerment of the safety of the Agency's

staff and about the damage and destruction caused to the facilities of the Agency, in particular as a result of the military operations in the Gaza Strip during the reporting period,

Deploring the extensive damage and destruction of Agency facilities in the Gaza Strip caused during the military operations between December 2008 and January 2009, including to schools where civilians were sheltered and the Agency's main compound and warehouse, as reported in the summary by the Secretary-General of the report of the Board of Inquiry⁶ and in the report of the United Nations Fact-finding Mission on the Gaza Conflict,⁷

Deploring also, in this regard, the breaches of the inviolability of United Nations premises, the failure to accord the property and assets of the Organization immunity from any form of interference and the failure to protect United Nations personnel, premises and property,

Deploring further the killing and injury of Agency staff members by the Israeli occupying forces in the Occupied Palestinian Territory since September 2000,

Deploring the killing and wounding of refugee children in the Agency schools by the Israeli occupying forces,

Expressing deep concern about the gravely negative impact of the continuing prolonged closures and severe restrictions on the movement of persons and goods, which in effect amount to a blockade in the Gaza Strip, and the construction of the wall,

contrary to international law, in the Occupied Palestinian Territory, including in and around East Jerusalem, on the socio-economic situation of the Palestine refugees,

Deeply concerned about the continuing imposition of restrictions on the freedom of movement and access of the Agency's staff, vehicles and goods, and the injury, harassment and intimidation of the Agency's staff, which undermine and obstruct the work of the Agency, including its ability to provide essential basic and emergency services,

Aware of the agreement between the Agency and the Government of Israel,

Taking note of the agreement reached on 24 June 1994, embodied in an exchange of letters between the Agency⁸ and the Palestine Liberation Organization,

1. *Reaffirms* that the effective functioning of the United Nations Relief and Works Agency for Palestine Refugees in the Near East remains essential in all fields of operation;

2. *Expresses its appreciation* to the Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East, as well as to all of the staff of the Agency, for their tireless efforts and valuable work, particularly in the light of the difficult conditions and dangerous circumstances faced during the past year, and, on the occasion of her impending retirement, expresses its appreciation to Commissioner-General Karen Koning AbuZayd for her

^{6/} See A/63/855-S/2009/250.

^{7/} A/HRC/12/48.

^{8/} *Official Records of the General Assembly, Forty-ninth Session, Supplement No. 13 (A/49/13), annex I.*

nine years of dedicated service to the Palestine refugees;

3. *Expresses special commendation* to the Agency on the occasion of the sixtieth anniversary of its establishment;

4. *Expresses its appreciation* to the Advisory Commission of the United Nations Relief and Works Agency for Palestine Refugees in the Near East, and requests it to continue its efforts and to keep the General Assembly informed of its activities;

5. *Takes note with appreciation* of the two reports of the Working Group on the Financing of the United Nations Relief and Works Agency for Palestine Refugees in the Near East⁹ and the efforts of the Working Group to assist in ensuring the financial security of the Agency, and requests the Secretary-General to provide the necessary services and assistance to the Working Group for the conduct of its work;

6. *Commends* the Agency's six-year Medium-Term Strategy, commencing in January 2010, and the continuing efforts of the Commissioner-General to increase the budgetary transparency and efficiency of the Agency, as reflected in the Agency's programme budget for the biennium 2010–2011¹⁰ and its comprehensive, three-year organizational development plan;

7. *Requests* the Secretary-General to support the institutional strengthening of the Agency through the provision of sufficient

^{9/} A/64/115 and A/64/519.

^{10/} *Official Records of the General Assembly, Sixty-fourth Session, Supplement No. 13A* (A/64/13/Add.1).

financial resources from the regular budget of the United Nations;

8. *Endorses* the conclusions in the report of the extraordinary meeting of the Working Group on the Financing of the United Nations Relief and Works Agency for Palestine Refugees in the Near East,¹¹ in particular its request that the Secretary-General provide a report on the strengthening of the management capacity of the Agency to the relevant bodies of the General Assembly at the earliest possible date;

9. *Also endorses* the efforts of the Commissioner-General to continue to provide humanitarian assistance, as far as practicable, on an emergency basis, and as a temporary measure, to persons in the area who are internally displaced and in serious need of continued assistance as a result of recent crises in the Occupied Palestinian Territory and Lebanon;

10. *Welcomes* the pledges made at the International Donor Conference for the Recovery and Reconstruction of the Nahr el-Bared Palestine Refugee Camp and Conflict-affected Areas of Northern Lebanon, held in Vienna on 23 June 2008, and urges all parties to expedite the reconstruction of the camp to alleviate the ongoing suffering of the displaced persons;

11. *Acknowledges* the important support provided by the host Governments to the Agency in the discharge of its duties;

12. *Encourages* the Agency, in close cooperation with other relevant United Nations entities, to continue making progress in addressing the needs and rights

^{11/} A/64/115.

of children and women in its operations in accordance with the Convention on the Rights of the Child¹² and the Convention on the Elimination of All Forms of Discrimination against Women,¹³ respectively;

13. *Expresses concern* about the relocation of the international staff of the Agency from its headquarters in Gaza City and the disruption of operations at the headquarters due to the deterioration and instability of the situation on the ground;

14. *Calls upon* Israel, the occupying Power, to comply fully with the provisions of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949;⁵

15. *Also calls upon* Israel to abide by Articles 100, 104 and 105 of the Charter of the United Nations and the Convention on the Privileges and Immunities of the United Nations³ in order to ensure the safety of the personnel of the Agency, the protection of its institutions and the safeguarding of the security of its facilities in the Occupied Palestinian Territory, including East Jerusalem;

16. *Urges* the Government of Israel to speedily compensate the Agency for damage and destruction to its property and facilities resulting from actions by the Israeli side, including as a result of the military operations in the Gaza Strip between December 2008 and January 2009, and to expeditiously reimburse the Agency for all transit charges incurred and other

financial losses sustained as a result of delays and restrictions on movement and access imposed by Israel;

17. *Calls upon* Israel particularly to cease obstructing the movement and access of the staff, vehicles and supplies of the Agency and to cease the levying of extra fees and charges, which affect the Agency's operations detrimentally;

18. *Also calls upon* Israel to cease its obstruction of the import of necessary construction materials and supplies for the reconstruction and repair of damaged or destroyed Agency facilities and for the implementation of suspended civilian infrastructure projects in refugee camps in the Gaza Strip;

19. *Requests* the Commissioner-General to proceed with the issuance of identification cards for Palestine refugees and their descendants in the Occupied Palestinian Territory;

20. *Notes with appreciation* the progress made by the Agency in the modernization of its archives through the Palestine Refugee Records Project, and encourages the Commissioner-General to finalize the project as rapidly as possible and to report on the progress made to the General Assembly at its sixty-fifth session;

21. *Notes* the success of the Agency's microfinance and microenterprise programmes, and calls upon the Agency, in close cooperation with the relevant agencies, to continue to contribute to the development of the economic and social stability of the Palestine refugees in all fields of operation;

^{12/} United Nations, *Treaty Series*, vol. 1577, No. 27531.

^{13/} *Ibid.*, vol. 1249, No. 20378.

22. *Reiterates its appeals* to all States, specialized agencies and non-governmental organizations to continue and to augment the special allocations for grants and scholarships for higher education to Palestine refugees in addition to their contributions to the regular budget of the Agency and to contribute to the establishment of vocational training centres for Palestine refugees, and requests the Agency to act as the recipient and trustee for the special allocations for grants and scholarships;

23. *Urges* all States, specialized agencies and non-governmental organizations to continue and to increase their contributions to the Agency so as to ease the ongoing financial constraints, especially with respect to the Agency's regular budget deficit, noting that financial shortfalls have been exacerbated by the current humanitarian situation on the ground that has resulted in rising expenditures, in particular with regard to emergency services, and to support the Agency's valuable and necessary work in assisting the Palestine refugees in all fields of operation.

*62nd plenary meeting
10 December 2009
Adopted by 167 votes to 6,
with 4 abstentions.*

64/90
Palestine refugees' properties and their revenues

The General Assembly,

Recalling its resolutions 194 (III) of 11 December 1948 and 36/146 C of 16 December 1981 and all its subsequent resolutions on the question,

Taking note of the report of the Secretary-General submitted pursuant to its resolution 63/94 of 5 December 2008,¹ as well as that of the United Nations Conciliation Commission for Palestine for the period from 1 September 2008 to 31 August 2009,²

Recalling that the Universal Declaration of Human Rights³ and the principles of international law uphold the principle that no one shall be arbitrarily deprived of his or her property,

Recalling in particular its resolution 394 (V) of 14 December 1950, in which it directed the Conciliation Commission, in consultation with the parties concerned, to prescribe measures for the protection of the rights, property and interests of the Palestine refugees,

Noting the completion of the programme of identification and evaluation of Arab property, as announced by the Conciliation Commission in its twenty-second progress report,⁴ and the fact that the Land Office had a schedule of Arab owners and a file of documents defining the location, area and other particulars of Arab property,

Expressing its appreciation for the preservation and modernization of the existing records, including the land records, of the Conciliation Commission and the importance of such records for a just

^{1/} A/64/324.

^{2/} See A/64/174.

^{3/} Resolution 217 A (III).

^{4/} *Official Records of the General Assembly, Nineteenth Session, Annexes, Annex No. 11, document A/5700.*

resolution of the plight of the Palestine refugees in conformity with resolution 194 (III),

Recalling that, in the framework of the Middle East peace process, the Palestine Liberation Organization and the Government of Israel agreed, in the Declaration of Principles on Interim Self-Government Arrangements of 13 September 1993,⁵ to commence negotiations on permanent status issues, including the important issue of the refugees,

1. *Reaffirms* that the Palestine refugees are entitled to their property and to the income derived therefrom, in conformity with the principles of equity and justice;

2. *Requests* the Secretary-General to take all appropriate steps, in consultation with the United Nations Conciliation Commission for Palestine, for the protection of Arab property, assets and property rights in Israel;

^{5/} A/48/486-S/26560, annex.

3. *Calls once again upon* Israel to render all facilities and assistance to the Secretary-General in the implementation of the present resolution;

4. *Calls upon* all the parties concerned to provide the Secretary-General with any pertinent information in their possession concerning Arab property, assets and property rights in Israel that would assist him in the implementation of the present resolution;

5. *Urges* the Palestinian and Israeli sides, as agreed between them, to deal with the important issue of Palestine refugees' properties and their revenues within the framework of the final status negotiations of the Middle East peace process;

6. *Requests* the Secretary-General to report to the General Assembly at its sixty-fifth session on the implementation of the present resolution.

*62nd plenary meeting
10 December 2009
Adopted by 168 votes to 6,
with 3 abstentions.*

VII. COMMITTEE ON THE EXERCISE OF THE INALIENABLE RIGHTS OF THE PALESTINIAN PEOPLE EXPRESSES UTMOST CONCERN ABOUT CONTINUED SETTLEMENT ACTIVITIES

Following is the statement issued on 15 December 2009 by the Bureau of the Committee on the Exercise of the Inalienable Rights of the Palestinian People on Israel's settlement activity in the Occupied Palestinian Territory, including East Jerusalem (Press release GA/PAL/1142):

The Bureau of the Committee on the Exercise of the Inalienable Rights of the Palestinian People expresses its utmost concern about the continuing illegal settlement activities being carried out by the Government of Israel in the Occupied

Palestinian Territory, including East Jerusalem. The situation with regard to settlement construction is deeply alarming and requires immediate attention.

The announcement by Prime Minister Netanyahu on 25 November of a 10-month suspension of construction in settlements in the West Bank was immediately followed by reports of approved construction of tens of new settlement units, casting great doubt on the seriousness of the Government's intention. Indeed, according to the Israeli organization Peace Now, 3,492 housing units in settlements are cleared for construction during the announced suspension period. Furthermore, on 13 December, the Israeli Cabinet voted to approve a proposal to include settlements in the list of communities designated as "national priority zones", giving them access to credits worth \$41 million. Such Government subsidies and incentives to illegal settlements and settlers only contribute to the continued growth and entrenchment of the settlements, thereby prejudging the outcome of the permanent status negotiations on this critical issue.

Israel's temporary suspension falls far short of its obligations under the Road Map, namely to freeze all settlement activity, including natural growth, and to immediately dismantle settlement outposts erected since March 2001. The world community clearly considers Israel's settlement activities as illegal under international law and is of the view that the unconditional cessation of all settlement activities is a crucial condition for the resumption of serious negotiations between the parties on all permanent status issues leading to a two-State solution of the Israeli-Palestinian conflict. There clearly can be no progress made towards a solution, including with regard to the borders of the future State of Palestine, while settlement construction continues. The Bureau of the Committee thus fully supports the position of the

Palestinian leadership that a resumption of a political dialogue would be meaningless in the face of continued settlement activity.

The announcement of a temporary and partial halt in settlement construction has been further exposed and undercut by the explicit exclusion of Occupied East Jerusalem, where Israeli colonization measures have been most intense. As recently as 17 November, the "Jerusalem municipal planning committee" reportedly approved the construction of 900 new housing units in the "Gilo" settlement. Evictions of Palestinian residents, house demolitions, and other discriminatory measures against the Palestinian population also continued to be carried out by Israeli authorities, ignoring the calls of the international community, including the Quartet, on Israel to abide by its obligations under international law. The Bureau of the Committee would like to remind Israel that, as the Occupying Power, it is fully bound by the provisions of international humanitarian law, including the Fourth Geneva Convention. Article 49 of the Convention clearly stipulates that, "The Occupying Power shall not deport or transfer parts of its own civilian population into the territory it occupies".

The wave of recent settler-related violent incidents and provocations in the West Bank and East Jerusalem has also been a matter of great concern to the Bureau of the Committee. There are almost daily reports of attacks against Palestinian civilians perpetrated by extremist settlers and settler groups, who are often armed and acting with complete impunity under the protection of Israeli forces. Settlers have been involved in shooting at Palestinian civilians, damaging their property, vandaliz-

ing places of worship, uprooting trees, burning farmland and destroying harvests. They intimidate, harass and physically assault Palestinian men, women and children. Last week's burning of a mosque in the village of Yasuf, north-east of Salfit, is just another vivid example of settler crimes. The lack of adequate Israeli law enforcement, bordering on permissiveness, when it comes to settler violence, is fuelling tensions and could lead to another escalation of the conflict.

The Committee calls on the international community to take urgent and decisive action against the continued illegal Israeli actions. Israel's violation of international law goes far beyond the

context of the Israeli-Palestinian conflict and may affect conflict situations in other parts of the world by discrediting, disregarding and seriously undermining the existing international legal system. The Committee reiterates its call on the High Contracting Parties to the Fourth Geneva Convention to take, individually or collectively, the measures they deem appropriate to ensure respect for the Convention, including through the convening of a conference of the High Contracting Parties to address the issue of respect and ensuring respect for the Convention in all circumstances, including with regard to the illegal Israeli settlement campaign in the Occupied Palestinian Territory, including East Jerusalem.

VIII. GENERAL ASSEMBLY ADOPTS RESOLUTION ON ASSISTANCE TO THE PALESTINIAN PEOPLE

On 16 December 2009, at the 64th plenary meeting of its sixty-fourth session, the General Assembly considered agenda item 70 (b) entitled "Assistance to the Palestinian people" and adopted resolution 64/125 without a vote. The text of the resolution is reproduced below. For the verbatim record of the meeting, see A/64/PV.64.

64/125

Assistance to the Palestinian people

The General Assembly,

Recalling its resolution 63/140 of 11 December 2008, as well as its previous resolutions on the question,

Recalling also the signing of the Declaration of Principles on Interim Self-Government Arrangements in Washington, D.C., on 13 September 1993, by the Government of the State of Israel and the Palestine Liberation Organization, the

representative of the Palestinian people,¹ and the subsequent implementation agreements concluded by the two sides,

Recalling further all relevant international law, including humanitarian and human rights law, and, in particular, the International Covenant on Civil and Political Rights,² the International Covenant on Economic, Social and Cultural Rights,²

^{1/} A/48/486-S/26560, annex.

^{2/} See resolution 2200 A (XXI), annex.

the Convention on the Rights of the Child³ and the Convention on the Elimination of All Forms of Discrimination against Women,⁴

Gravely concerned at the deterioration in the living conditions of the Palestinian people, in particular women and children, throughout the occupied Palestinian territory, which constitutes a mounting humanitarian crisis,

Conscious of the urgent need for improvement in the economic and social infrastructure of the occupied territory,

Welcoming, in this context, the development of projects, notably on infrastructure, to revive the Palestinian economy and improve the living conditions of the Palestinian people, stressing the need to create the appropriate conditions to facilitate the implementation of these projects, and noting the contribution of partners in the region and of the international community,

Aware that development is difficult under occupation and is best promoted in circumstances of peace and stability,

Noting the great economic and social challenges facing the Palestinian people and their leadership,

Emphasizing the importance of the safety and well-being of all people, in particular women and children, in the whole Middle East region,

^{3/} United Nations, *Treaty Series*, vol. 1577, No. 27531.

^{4/} *Ibid.*, vol. 1249, No. 20378.

Deeply concerned about the negative impact, including the health and psychological consequences, of violence on the present and future well-being of children in the region,

Conscious of the urgent necessity for international assistance to the Palestinian people, taking into account the Palestinian priorities,

Expressing grave concern about the humanitarian situation in Gaza, and underlining the importance of emergency and humanitarian assistance,

Welcoming the results of the Conference to Support Middle East Peace, convened in Washington, D.C., on 1 October 1993, the establishment of the Ad Hoc Liaison Committee for the Coordination of the International Assistance to Palestinians and the work being done by the World Bank as its secretariat and the establishment of the Consultative Group, as well as all follow-up meetings and international mechanisms established to provide assistance to the Palestinian people,

Underlining the importance of the International Conference in Support of the Palestinian Economy for the Reconstruction of Gaza, held in Sharm el-Sheikh, Egypt, on 2 March 2009, in addressing the immediate humanitarian situation in Gaza and in mobilizing donors to provide financial and political support for the Palestinian Authority in order to alleviate the socio-economic and humanitarian situation being faced by the Palestinian people,

Recalling the International Donors' Conference for the Palestinian State, held in Paris on 17 December 2007, the Berlin

Conference in Support of Palestinian Civil Security and the Rule of Law, held on 24 June 2008, and the Palestine Investment Conference, held in Bethlehem from 21 to 23 May 2008,

Welcoming the meetings of the Ad Hoc Liaison Committee for the Coordination of the International Assistance to Palestinians, held in Oslo on 7 and 8 May 2009 and in New York on 22 September 2009,

Welcoming also the resumption of activities of the Joint Liaison Committee, which provides a forum in which economic policy and practical matters related to donor assistance are discussed with the Palestinian Authority,

Welcoming further the work of the Palestinian Authority to implement the Palestinian Reform and Development Plan 2008–2010, and stressing the need for continued international support for the Plan,

Stressing the need for the full engagement of the United Nations in the process of building Palestinian institutions and in providing broad assistance to the Palestinian people,

Welcoming recent steps to ease the restrictions on movement and access in the West Bank, while stressing the need for further steps to be taken in this regard, and recognizing that such steps would improve living conditions and the situation on the ground and could promote Palestinian economic development,

Welcoming also the action of the Special Representative of the Quartet, Tony Blair, charged with developing, with the Government of the Palestinian Authority, a

multi-year agenda to strengthen institutions, promote economic development and mobilize international funds,

Stressing the urgency of reaching a durable solution to the crisis in Gaza through the full implementation of Security Council resolution 1860 (2009) of 8 January 2009,

Stressing also the importance of the regular opening of the crossings for the movement of persons and goods, for both humanitarian and commercial flows,

Noting the active participation of the United Nations Special Coordinator for the Middle East Peace Process and Personal Representative of the Secretary-General to the Palestine Liberation Organization and the Palestinian Authority in the activities of the Special Envoys of the Quartet,

Welcoming the endorsement by the Security Council, in resolution 1515 (2003) of 19 November 2003, of the performance-based road map to a permanent two-State solution to the Israeli-Palestinian conflict,⁵ and stressing the need for its implementation and compliance with its provisions,

Noting the Israeli withdrawal from the Gaza Strip in 2005 and from parts of the northern West Bank as a step towards implementation of the road map,

Commending the continuous efforts by the Administration of the United States of America in pursuing vigorously a two-State solution, noting the commitment of the Quartet to solution, noting the commitment of the Quartet to remain actively

^{5/} S/2003/529, annex

involved and welcoming steps towards the relaunching of direct, bilateral negotiations as part of a comprehensive resolution of the Arab-Israeli conflict, on the basis of relevant Security Council resolutions and the terms of reference of the Madrid Conference, in order to ensure a political solution, with two States — Israel and an independent, democratic and viable Palestinian State — living side by side in peace and security,

Having considered the report of the Secretary-General,⁶

Expressing grave concern about the continuation of the tragic and violent events that have led to many deaths and injuries, including among children and women,

1. *Takes note* of the report of the Secretary-General;⁶

2. *Expresses its appreciation* to the Secretary-General for his rapid response and efforts regarding assistance to the Palestinian people;

3. *Also expresses its appreciation* to the Member States, United Nations bodies and intergovernmental, regional and non-governmental organizations that have provided and continue to provide assistance to the Palestinian people;

4. *Stresses* the importance of the work of the United Nations Special Coordinator for the Middle East Peace Process and Personal Representative of the Secretary-General to the Palestine Liberation Organization and the Palestinian Authority and of the steps taken under the

auspices of the Secretary-General to ensure the achievement of a coordinated mechanism for United Nations activities throughout the occupied territories;

5. *Urges* Member States, international financial institutions of the United Nations system, intergovernmental and non-governmental organizations and regional and interregional organizations to extend, as rapidly and as generously as possible, economic and social assistance to the Palestinian people, in close cooperation with the Palestine Liberation Organization and through official Palestinian institutions;

6. *Welcomes*, in this regard, the meeting of the Ad Hoc Liaison Committee for the Coordination of the International Assistance to Palestinians and the outcome of the International Conference in Support of the Palestinian Economy for the Reconstruction of Gaza, held in Sharm el-Sheikh, Egypt, on 2 March 2009, at which donors pledged approximately 4.5 billion United States dollars to support the needs of the Palestinian people;

7. *Recalls* the International Donors' Conference for the Palestinian State, held in Paris on 17 December 2007, the Berlin Conference in Support of Palestinian Civil Security and the Rule of Law, held on 24 June 2008, and the Palestine Investment Conference, held in Bethlehem from 21 to 23 May 2008;

8. *Stresses* the importance of following up on the results of the International Conference in Support of the Palestinian Economy for the Reconstruction of Gaza;

^{6/} A/64/78-E/2009/66.

9. *Calls upon* donors that have not yet converted their budget support pledges into disbursements to transfer funds as soon as possible, encourages all donors to increase their direct assistance to the Palestinian Authority in accordance with its government programme in order to enable it to build a viable and prosperous Palestinian State, underlines the need for equitable burden sharing by donors in this effort, and encourages donors to consider aligning funding cycles with the Palestinian Authority's national budget cycle;

10. *Calls upon* relevant organizations and agencies of the United Nations system to intensify their assistance in response to the urgent needs of the Palestinian people in accordance with priorities set forth by the Palestinian side;

11. *Expresses its appreciation* for the work of the United Nations Relief and Works Agency for Palestine Refugees in the Near East, and recognizes the vital role of the Agency in providing humanitarian assistance to the Palestinian people, particularly in the Gaza Strip;

12. *Calls upon* the international community to provide urgently needed assistance and services in an effort to alleviate the dire humanitarian situation being faced by Palestinian women, children and their families and to help in the reconstruction of relevant Palestinian institutions;

13. *Stresses* the role that all funding instruments, including the European Commission's Palestinian-European Mechanism for the Management of Socio-Economic Aid and the World Bank trust

fund, have been playing in directly assisting the Palestinian people;

14. *Urges* Member States to open their markets to exports of Palestinian products on the most favourable terms, consistent with appropriate trading rules, and to implement fully existing trade and cooperation agreements;

15. *Calls upon* the international donor community to expedite the delivery of pledged assistance to the Palestinian people to meet their urgent needs;

16. *Stresses*, in this context, the importance of ensuring free humanitarian access to the Palestinian people and the free movement of persons and goods;

17. *Also stresses* the need for the full implementation by both parties of the Agreement on Movement and Access and of the Agreed Principles for the Rafah Crossing, of 15 November 2005, to allow for the freedom of movement of the Palestinian civilian population, as well as for imports and exports, within and into and out of the Gaza Strip;

18. *Further stresses* the need to ensure the safety and security of humanitarian personnel, premises, facilities, equipment, vehicles and supplies, as well as the need to ensure safe and unhindered access by humanitarian personnel and delivery of supplies and equipment, in order to allow such personnel to efficiently perform their task of assisting affected civilian populations;

19. *Urges* the international donor community, United Nations agencies and

organizations and non-governmental organizations to extend to the Palestinian people, as rapidly as possible, emergency economic assistance and humanitarian assistance, particularly in the Gaza Strip, to counter the impact of the current crisis;

20. *Stresses* the need for the continued implementation of the Paris Protocol on Economic Relations of 29 April 1994, fifth annex to the Israeli-Palestinian Interim Agreement on the West Bank and the Gaza Strip, signed in Washington, D.C., on 28 September 1995,⁷ including with regard to the full, prompt and regular transfer of Palestinian indirect tax revenues;

⁷ A/51/889-S/1997/357, annex.

21. *Requests* the Secretary-General to submit a report to the General Assembly at its sixty-fifth session, through the Economic and Social Council, on the implementation of the present resolution, containing:

(a) An assessment of the assistance actually received by the Palestinian people;

(b) An assessment of the needs still unmet and specific proposals for responding effectively to them;

22. *Decides* to include in the provisional agenda of its sixty-fifth session the sub-item entitled “Assistance to the Palestinian people”.

64th plenary meeting
16 December 2009

IX. GENERAL ASSEMBLY ADOPTS RESOLUTION ON THE RIGHT OF THE PALESTINIAN PEOPLE TO SELF-DETERMINATION

On 10 December 2009, at the 65th plenary meeting of its sixty-fourth session the General Assembly considered under agenda item 68 entitled “Right of peoples to self-determination” the draft resolution recommended by its Social, Humanitarian and Cultural Affairs Committee (Third Committee), as contained in its report (A/64/438) and adopted it as resolution 64/150 on the right of the Palestinian people to self-determination, by 176 votes to 6, with 3 abstentions. The text of the resolution is reproduced below. For the verbatim record of the Assembly’s meeting, see A/63/PV.65.

64/150 The right of the Palestinian people to self-determination

The General Assembly,

Aware that the development of friendly relations among nations, based on respect for the principle of equal rights and self-determination of peoples, is among the

purposes and principles of the United Nations, as defined in the Charter,

Recalling, in this regard, its resolution 2625 (XXV) of 24 October 1970 entitled “Declaration on Principles of International Law concerning Friendly Relations and Cooperation among States in accordance with the Charter of the United Nations”,

Bearing in mind the International Covenants on Human Rights,¹ the Universal Declaration of Human Rights,² the Declaration on the Granting of Independence to Colonial Countries and Peoples³ and the Vienna Declaration and Programme of Action adopted at the World Conference on Human Rights on 25 June 1993,⁴

Recalling the Declaration on the Occasion of the Fiftieth Anniversary of the United Nations,⁵

Recalling also the United Nations Millennium Declaration,⁶

Recalling further the advisory opinion rendered on 9 July 2004 by the International Court of Justice on the *Legal Consequences of the Construction of a Wall in the Occupied Palestinian Territory*,⁷ and noting in particular the reply of the Court, including on the right of peoples to self-determination, which is a right *erga omnes*,⁸

^{1/} See resolution 2200 A (XXI), annex.

^{2/} Resolution 217 A (III).

^{3/} Resolution 1514 (XV).

^{4/} A/CONF.157/24 (Part I), chap. III.

^{5/} See resolution 50/6.

^{6/} See resolution 55/2.

^{7/} See A/ES-10/273 and Corr.1; see also *Legal Consequences of the Construction of a Wall in the Occupied Palestinian Territory, Advisory Opinion, I.C.J. Reports 2004, p. 136.*

^{8/} See A/ES-10/273 and Corr.1, advisory opinion, para. 88; see also *Legal Consequences of the Construction of a Wall in the Occupied Palestinian Territory, Advisory Opinion, I.C.J. Reports 2004, p. 136.*

Recalling the conclusion of the Court, in its advisory opinion of 9 July 2004, that the construction of the wall by Israel, the occupying Power, in the Occupied Palestinian Territory, including East Jerusalem, along with measures previously taken, severely impedes the right of the Palestinian people to self-determination,⁹

Expressing the urgent need for the resumption of negotiations within the Middle East peace process, based on the relevant United Nations resolutions, the Madrid terms of reference, including the principle of land for peace, the Arab Peace Initiative¹⁰ and the Quartet road map to a permanent two-State solution to the Israeli-Palestinian conflict,¹¹ and for the speedy achievement of a just, lasting and comprehensive peace settlement between the Palestinian and Israeli sides,

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,

Recalling its resolution 63/165 of 18 December 2008,

Affirming the right of all States in the region to live in peace within secure and internationally recognized borders,

^{9/} See A/ES-10/273 and Corr.1, advisory opinion, para. 122; see also *Legal Consequences of the Construction of a Wall in the Occupied Palestinian Territory, Advisory Opinion, I.C.J. Reports 2004, p. 136.*

^{10/} A/56/1026-S/2002/932, annex II, resolution 14/221.

^{11/} S/2003/529, annex.

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

2. *Urges* all States and the specialized agencies and organizations of the United Nations system to continue to support and assist the Palestinian people in the early

realization of their right to self-determination.

*65th plenary meeting
18 December 2009*

X. UNITED NATIONS SPECIAL COORDINATOR FOR THE MIDDLE EAST PEACE PROCESS BRIEFS SECURITY COUNCIL

On 17 December 2009 at its 6248th meeting the Security Council met to consider “The situation in the Middle East, including the Palestinian question”. At this meeting, the Security Council heard a briefing by Robert H. Serry, United Nations Special Coordinator for the Middle East Peace Process and Personal Representative of the Secretary-General to the Palestine Liberation Organization and the Palestinian Authority, which is excerpted below. For a verbatim record of the meeting, see S/PV.6248.

As 2009 draws to a close, Israeli-Palestinian negotiations are yet to resume, confidence between the parties remains low, facts continue to be created on the ground, tensions persist in Jerusalem, and the actions of both Hamas and Israel are not contributing to the stability and welfare of Gaza. Even the genuine progress taking place in parts of the West Bank runs in parallel with negative trends.

We are in a race against time to overcome the contradictions on the ground and the crisis of confidence between the parties, and move decisively towards a political endgame. Israel must do more in that regard, by implementing Road Map commitments, including on settlements, easing measures which stifle the Palestinians, and being prepared unambiguously to negotiate and resolve all core issues in a fixed time frame, including Jerusalem.

The Palestinians need to play their part, too, by engaging constructively on efforts to bring about resumed negotiations in earnest and continuing to advance their important State-building project. The situation in Gaza needs to be addressed with an end to the blockade and a period of calm and responsible steps from all concerned. The region and the Quartet need to work together, without delay and with united purpose, to support that agenda over the crucial months ahead.

On 26 November, Israeli Prime Minister Netanyahu announced that Israel would restrain certain settlement activity by temporarily freezing new construction permits and starts for a period of 10 months. Prime Minister Netanyahu described the decision as designed to “encourage resumption of peace talks with our Palestinian neighbours”. Teams of Israeli inspectors have been visiting settlements to ensure compliance with the Cabinet decision, facing protests from settler groups.

Under the terms of the announcement, construction already under way on over 3,000 units and on public buildings will continue, as evidenced by the approval of a further 28 public buildings in settlements. The restraint does not apply to settlement activity in the Israeli-determined municipal boundaries of East Jerusalem. In addition, on 13 December the Cabinet granted additional budget allocations to some 110,000 settlers, many living in isolated settlements deep in the West Bank.

The policy announced by Prime Minister Netanyahu is a step beyond previous Israeli Government positions and has not come without domestic political challenges. We will follow closely the impact of the decision on the ground, and it must be hoped that it contributes to forward movement.

However, particularly as regards East Jerusalem, the policy falls considerably short of Israel's commitments under the Road Map to freeze all settlement activity, including natural growth, and to dismantle outposts erected since March 2001. I reiterate the Secretary-General's and the Quartet's calls on Israel to implement its Road Map obligations. Settlement activity is illegal under international law and unilateral actions on the ground prejudicing final status issues will not be recognized by the international community.

On the Palestinian side, the inability to hold elections decreed for 25 January 2010 has further deepened the internal crisis. This has presented new challenges for the institutions of the Palestinian Authority, in a context where President Abbas has confirmed his decision not to stand in any future elections.

In that extraordinary situation, the Palestinian Liberation Organization (PLO) Central Council convened on 15 and 16 December and resolved that the terms of the Palestinian Authority presidency and the Legislative Council should be extended until elections can be held, as soon as possible in 2010. The PLO Central Council resolved to meet again in 2010, and we continue to hope that it will be possible to hold free and fair elections throughout the occupied Palestinian territory.

President Abbas has indicated his readiness to continue to serve until elections, and restated his commitment to a negotiated two-State solution and his rejection of violence. He has called for a full Israeli settlement freeze in accordance with the Road Map in order to resume negotiations.

Significant and urgent improvements on the ground are needed if the two-State agenda is to be sustained and advanced. The Palestinian Authority must continue its efforts to meet its Road Map obligations, and Israeli-Palestinian cooperation to enable security and economic performance must be further developed. I underscore the full political and programme support of the United Nations for the Palestinian Authority's agenda, and I was pleased to welcome Palestinian Prime Minister Fayyad to participate in the United Nations country team retreat in Bethlehem to plan United Nations activities for 2010.

Palestinian security forces have continued exercising their important security responsibilities, often at risk. On 26 November, the residence and vehicle of the Deputy Mayor of Nablus were riddled with bullets by unknown assailants. A fifth battalion of newly trained Palestinian

security forces is due to be deployed in a West Bank city before the end of the year.

Israel needs to build on previous steps in the economic and security fields with a range of further measures, including a reduction of incursions into Palestinian areas, facilitation of Palestinian development in Area C, and a further easing of closures, which currently number approximately 575 obstacles to movement across the West Bank.

Citing security concerns, Israeli forces arrested 172 Palestinians and injured 27 others in 64 operations in the West Bank, and two explosive devices were defused near the settlement of Beit El on 3 December. Six members of the Israeli security forces were injured.

Palestinian, Israeli and foreign protesters continued demonstrating against the barrier built in occupied territory contrary to the advisory opinion of the International Court of Justice, mostly in Nil'in and Bil'in villages, and there have been clashes with Israeli security forces.

Settler attacks against Palestinian civilians, property and places of worship have continued, some in the context of the so-called price tag policy to protest the Israeli Government's settlement restraint announcement. There were 33 violent incidents between settlers and Palestinians. Tensions further increased on 10 December, when a group of settlers set fire to the mosque in Yassuf village, in a deplorable desecration of a place of worship. Israel continues to fall short in imposing the rule of law on such violent extremists, and this issue must be addressed. I welcome the strong condemnation of the mosque attack

by the Israeli Government and I urge the authorities to seek out those responsible for this incident, along with other such acts of violence, and bring them to justice.

The situation in Jerusalem remains tense and makes prospects for successful negotiations more difficult. Palestinian institutions remain closed, contrary to the Road Map. There are concerning reports of increased revocation of the identity cards of Palestinians from East Jerusalem. Provocative actions continue in sensitive neighbourhoods such as Silwan and Sheikh Jarrah, where many properties remain under threat of demolition.

On 1 December, pursuant to an order of the Israeli court, a group of armed Israeli settlers escorted by Israeli security forces entered and took control of part of a Palestinian home in Sheikh Jarrah, claiming ownership of the building. The United Nations efforts to persuade the Israeli authorities to apply a moratorium on demolitions and evictions and to cease installing settlers in Palestinian neighbourhoods have so far not been heeded. I have taken careful note of reports that Prime Minister Netanyahu has appointed a focal point to oversee decisions on these matters. I hope that this step signals an intention for Israel to take this issue in hand in a positive manner. Jerusalem remains a final status issue, and a way must be found through negotiations to resolve the status of Jerusalem as the future capital of two States.

A different approach is needed to the situation in Gaza, grounded in resolution 1860 (2009). During the reporting period, imports were at approximately a quarter of the level prior to the imposition of the

blockade after the Hamas takeover in mid-2007, which represents a decline on the last reporting period. Food and hygiene items continue to constitute the vast bulk of goods allowed into the Strip, although there was an increase in the amount of cooking gas allowed in. The Gaza Strip remains closed to exports of its agricultural products, with the exception of one truckload of flowers allowed out of the Strip during this reporting period.

The lack of fuel for the Gaza power plant and a shortage of materials to repair damaged electricity infrastructure leave the majority of the population of Gaza subject to rolling electricity blackouts. It is essential that Israel increase the quantity and quality of supplies through the crossings, including to meet urgent winter needs in accordance with United Nations requests. Discussions on this issue are ongoing with the Israeli authorities, and we hope that approval followed by swift entry of winterization materials will take place in the coming days.

Beyond immediate humanitarian needs and measures for the winter, I regret that the Israeli authorities have not provided a satisfactory response to the United Nations proposal to complete stalled projects of the United Nations Relief and Works Agency for Palestine Refugees in the Near East and United Nations Development Programme for housing, schools and health facilities. On a recent visit to Gaza, I visited one of these projects. It is painful to see a project that is 70 per cent complete and needs only the remaining materials to be completed to provide housing for several hundred families.

The Gaza business community expressed its frustration that legitimate

commerce has been destroyed by the blockade. Smugglers and militants control commodities flowing through tunnels, with attendant revenues reaching Hamas. The blockade is unacceptable and counterproductive, and must end. Normal economic life must be restored for the civilian population, half of which is under the age of 18.

I do not overlook legitimate Israeli concerns regarding the situation in Gaza. We continue to be concerned at reports of the continued smuggling of weapons into the Gaza strip. According to the Israeli authorities, an S-5K rocket was fired on 5 December. We continue to note the efforts of Egypt to increase security along the border, including seizing a truck loaded with a ton of explosives on 23 November, the installation of sensor equipment, and actions taken to close down tunnels.

During the reporting period, however, violence was at a comparatively restrained level. Ten rockets and mortars were fired by Palestinian militants towards Israel, although there were no reports of injuries or damage. Four alleged Palestinian militants were injured by an Israeli air strike on 27 November, and a Palestinian man died on 12 December after being shot by Israeli forces near the border area. Despite these worrying incidents, it is our assessment that neither side is seeking escalation. There are possibilities for a sustained calm if wisdom and restraint prevail.

Efforts continue to secure the release of Israeli Corporal Gilad Shalit, along with a number of the more than 9,000 Palestinian prisoners in Israeli jails, and as the United Nations we continue to be supportive of these efforts with all concerned. We urge

both Israel and Hamas not to miss the current opportunity and resolve this issue.

The great majority of the 750 students seeking to leave Gaza to study abroad remain in Gaza. Within Gaza, there have been new measures imposed by Hamas on Gazans trying to pass through the Erez crossing into Israel. Civil society organizations and non-governmental organizations have been the targets of what appear to be politically motivated burglaries for which no culprits have been held responsible, despite the total security control of the de facto authorities. We take note that on 26 November, 150 prisoners from all political factions were released in Gaza on the occasion of the Eid al-Adha holiday.

As the de facto authorities on the ground, Hamas must act with responsibility towards the population. Hamas should also work more constructively under Egyptian auspices, on the basis of Egypt's proposal for national reconciliation.

...

In conclusion, in recent briefings we have warned of the danger of a political vacuum. If we cannot move forward towards a final status agreement, we risk sliding backwards, both with the Palestinian Authority and with the two-State solution itself imperilled. In my meeting with United States Special Envoy Mitchell in Washington earlier this week, I was reassured of President Obama's determination to work not only for the early resumption, but also for the early conclusion, of negotiations, as called for by the Quartet, as well as a comprehensive approach to peace.

The Secretary-General believes that a revitalized Quartet must play its full role in urgently advancing a common agenda in the crucial few months ahead. He remains committed to an end to the occupation and an end to the conflict, through the creation of a Palestinian State living side by side with Israel in peace and security, and comprehensive regional peace, in accordance with Security Council resolutions, previous agreements, the Road Map and the Arab Peace Initiative.

XI. GENERAL ASSEMBLY ADOPTS RESOLUTION ON PERMANENT SOVEREIGNTY OVER NATURAL RESOURCES

On 21 December 2009, at the 66th plenary meeting of its sixty-fourth session, the General Assembly adopted resolution 64/185, as recommended by the Economic and Financial Committee (Second Committee) in its report (A/64/416), by a recorded vote of 165 to 8, with 7 abstentions. For a verbatim record of the meeting, see A/64/PV.66.

64/185

Permanent sovereignty of the Palestinian people in the Occupied Palestinian Territory, including East Jerusalem, and of the Arab population in the occupied Syrian Golan over their natural resources

The General Assembly,

Recalling its resolution 63/201 of 19 December 2008, and taking note of Economic and Social Council resolution 2009/34 of 31 July 2009,

Recalling also its resolutions 58/292 of 6 May 2004 and 59/251 of 22 December 2004,

Reaffirming the principle of the permanent sovereignty of peoples under foreign occupation over their natural resources,

Guided by the principles of the Charter of the United Nations, affirming the inadmissibility of the acquisition of territory by force, and recalling relevant Security Council resolutions, including resolutions 242 (1967) of 22 November 1967, 465 (1980) of 1 March 1980 and 497 (1981) of 17 December 1981,

Recalling its resolution 2625 (XXV) of 24 October 1970,

Reaffirming the applicability of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949,¹ to the Occupied Palestinian Territory, including East Jerusalem, and other Arab territories occupied by Israel since 1967,

Recalling, in this regard, the International Covenant on Civil and Political Rights² and the International Covenant on Economic, Social and Cultural Rights,² and affirming that these human rights instruments must be respected in the Occupied Palestinian Territory, including East Jerusalem, as well as in the occupied Syrian Golan,

Recalling also the advisory opinion rendered on 9 July 2004 by the International Court of Justice on the *Legal Consequences of the Construction of a Wall in the*

^{1/} United Nations, *Treaty Series*, vol. 75, No. 973.

^{2/} See resolution 2200 A (XXI), annex.

Occupied Palestinian Territory,³ and recalling further its resolutions ES-10/15 of 20 July 2004 and ES-10/17 of 15 December 2006,

Expressing its concern at the exploitation by Israel, the occupying Power, of the natural resources of the Occupied Palestinian Territory, including East Jerusalem, and other Arab territories occupied by Israel since 1967,

Expressing its grave concern at the extensive destruction by Israel, the occupying Power, of agricultural land and orchards in the Occupied Palestinian Territory, including the uprooting of a vast number of fruit-bearing trees and the destruction of farms and greenhouses,

Expressing its concern at the widespread destruction caused by Israel, the occupying Power, to vital infrastructure, including water pipelines and sewage networks, in the Occupied Palestinian Territory, in particular in the Gaza Strip in the recent period, which, inter alia, pollutes the environment and negatively affects the water supply and other natural resources of the Palestinian people,

Taking note in this regard of the recent report by the United Nations Environment

^{3/} See A/ES-10/273 and Corr.1; see also *Legal Consequences of the Construction of a Wall in the Occupied Palestinian Territory, Advisory Opinion*, I.C.J. Reports 2004, p. 136.

Programme regarding the grave environmental situation in the Gaza Strip,⁴ and stressing the need for follow-up to the recommendations therein,

Aware of the detrimental impact of the Israeli settlements on Palestinian and other Arab natural resources, especially as a result of the confiscation of land and the forced diversion of water resources, and of the dire socio-economic consequences in this regard,

Aware also of the detrimental impact on Palestinian natural resources being caused by the unlawful construction of the wall by Israel, the occupying Power, in the Occupied Palestinian Territory, including in and around East Jerusalem, and of its grave effect as well on the economic and social conditions of the Palestinian people,

Reaffirming the need for the resumption and advancement of negotiations within the Middle East peace process, on the basis of Security Council resolutions 242 (1967), 338 (1973) of 22 October 1973, 425 (1978) of 19 March 1978 and 1397 (2002) of 12 March 2002, the principle of land for peace, the Arab Peace Initiative,⁵ and the Quartet performance-based road map to a permanent two-State solution to the Israeli-Palestinian conflict,⁶ as endorsed by the Security Council in its resolution 1515 (2003) of 19 November 2003 and supported by the

^{4/} United Nations Environment Programme, *Environmental Assessment of the Gaza Strip following the Escalation of Hostilities in December 2008-January 2009* (Nairobi, 2009).

^{5/} A/56/1026-S/2002/932, annex II, resolution 14/221.

^{6/} See S/2003/529, annex.

Council in its resolution 1850 (2008) of 16 December 2008, for the achievement of a final settlement on all tracks,

Noting the Israeli withdrawal from within the Gaza Strip and parts of the northern West Bank and the importance of the dismantlement of settlements therein in the context of the road map,

Stressing the need for respect and preservation of the territorial unity, contiguity and integrity of all of the Occupied Palestinian Territory, including East Jerusalem,

Recalling the need to end all acts of violence, including acts of terror, provocation, incitement and destruction,

Taking note of the note by the Secretary-General transmitting the report prepared by the Economic and Social Commission for Western Asia on the economic and social repercussions of the Israeli occupation on the living conditions of the Palestinian people in the Occupied Palestinian Territory, including East Jerusalem, and of the Arab population in the occupied Syrian Golan,⁷

1. *Reaffirms* the inalienable rights of the Palestinian people and the population of the occupied Syrian Golan over their natural resources, including land and water;

2. *Demands* that Israel, the occupying Power, cease the exploitation, damage, cause of loss or depletion of, or endangerment of the natural resources in the Occupied Palestinian Territory, including

^{7/} A/64/77-E/2009/13.

East Jerusalem, and in the occupied Syrian Golan;

3. *Recognizes* the right of the Palestinian people to claim restitution as a result of any exploitation, damage, loss or depletion, or endangerment of their natural resources resulting from illegal measures taken by Israel, the occupying Power, in the Occupied Palestinian Territory, including East Jerusalem, and expresses the hope that this issue will be dealt with in the framework of the final status negotiations between the Palestinian and Israeli sides;

4. *Stresses* that the wall being constructed by Israel in the Occupied Palestinian Territory, including in and around East Jerusalem, is contrary to international law and is seriously depriving the Palestinian people of their natural resources, and calls in this regard for full compliance with the legal obligations mentioned in the 9 July 2004 advisory opinion of the International Court of Justice³ and in resolution ES-10/15;

5. *Calls upon* Israel, the occupying Power, to comply strictly with its obligations under international law, including international humanitarian law, with respect to the alteration of the character and status of the Occupied Palestinian Territory, including East Jerusalem;

6. *Also calls upon* Israel, the occupying Power, to cease all actions harming the environment, including the dumping of all kinds of waste materials in the Occupied Palestinian Territory, including East Jerusalem, and in the occupied Syrian Golan, which gravely threaten their natural resources, namely water and land resources, and which pose an environmental, sanitation and health threat to the civilian populations;

7. *Further calls upon* Israel to cease its destruction of vital infrastructure, including water pipelines and sewage networks, which, inter alia, has a negative impact on the natural resources of the Palestinian people;

8. *Requests* the Secretary-General to report to it at its sixty-fifth session on the implementation of the present resolution, and decides to include in the provisional agenda of its sixty-fifth session the item entitled “Permanent sovereignty of the Palestinian people in the Occupied Palestinian Territory, including East Jerusalem, and of the Arab population in the occupied Syrian Golan over their natural resources”.

*66th plenary meeting
21 December 2009*

XII. ON THE ANNIVERSARY OF GAZA CONFLICT SECRETARY-GENERAL CONCERNED BY LACK OF PROGRESS ON KEY ISSUES

The following statement was issued on 27 December 2009, by the Spokesperson for United Nations Secretary-General Ban Ki-moon (press release SG/SM/12688).

The following statement was issued yesterday by the Spokesperson for UN Secretary-General Ban Ki-moon:

A year after the start of “Operation Cast Lead”, the Secretary-General is deeply concerned that neither the issues that led to

this conflict nor its worrying aftermath are being addressed.

Very few of the key elements for stability, as identified in Security Council resolution 1860 (2009), have been implemented. While violence has been at lower levels this year, incidents continue and there is no durable ceasefire in place.

The quality and quantity of humanitarian supplies entering Gaza is insufficient, broader economic and reconstruction activity is paralysed, and the people of Gaza are denied basic human rights. Efforts are being made to combat illicit trafficking of weapons, but smuggling continues. Egypt has tirelessly worked for Palestinian unity, but without a breakthrough so far. There is a sense of hopelessness in Gaza today for 1.5 million Palestinians, half of whom are under 18.

Their fate and the well-being of Israelis are intimately connected. A fundamentally different approach to Gaza is urgently required. The Secretary-General calls on Israel to end the unacceptable and counterproductive blockade of Gaza, facilitate economic activity and civilian reconstruction, and fully respect and uphold international law. He calls on Hamas to bring an end to violence and fully respect and uphold international law. The Secretary-General also calls on all Palestinians to work for unity and elections within the framework of the legitimate Palestinian Authority.

Today's anniversary is a reminder of the bitter consequences of the continuing Israeli-Palestinian conflict, to which there is and can be no military solution. The urgent priority of all Israeli and Palestinian leaders, the region, and the international community as a whole must be the achievement of a two-State solution.