



DIVISION FOR PALESTINIAN RIGHTS

December 2010
Volume XXXIII, Bulletin No. 12

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

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*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. SECRETARY-GENERAL URGES ISRAEL TO FULFIL ROAD MAP OBLIGATIONS ON SETTLEMENTS

The Spokesperson of Secretary-General Ban Ki-moon on 8 December 2010 issued the following statement (SG/SM/13305):

The Secretary-General takes note with regret that Israel will not heed the united call of the international community, as reflected by the Quartet, to extend the settlement restraint policy. He reiterates his urging Israel to fulfill its Road Map obligation to freeze all settlement activity in the Occupied Palestinian Territory, including East Jerusalem.

In spite of this setback, the Secretary-General believes it is more important than ever to promote a negotiated end-game for a two-State solution. He is encouraged that the United States has indicated its determination to continue its efforts in this direction and he urges the full cooperation of the parties towards that end. He is looking forward to these matters being discussed in the days to come among all members of the Quartet.

II. UNITED NATIONS SPECIAL COORDINATOR FOR THE MIDDLE EAST PEACE PROCESS ISSUES STATEMENT ON DEVELOPMENTS ON THE GROUND

United Nations Special Coordinator for the Middle East Peace Process Robert Serry on 8 December 2010 issued the following statement:

I am concerned that Israel has not heeded the Quartet's call to freeze settlement activity in the West Bank, including East Jerusalem. Settlements are contrary to the Road Map and international law and their continuation is causing a crisis of confidence in the effort to bring about meaningful political negotiations. In light of the persistent deadlock on this issue, a strategy adjustment is essential. The international community needs to act in unison to promote a negotiated end-game for a two State solution. I welcome US intentions to continue with its efforts and the United Nations will be consulting closely with Quartet partners on the way ahead. I am travelling to New York for consultations with the Secretary-General and to brief the Security Council on 14 December.

On a more positive note, I was pleased to be informed by the Israeli government today of its decision to allow exports from Gaza. The government has assured me that exports will be permitted both to foreign destinations and to the West Bank. The United Nations will be closely monitoring the implementation of this decision. I hope that a full range of exports will be permitted and that crossing capacity will continue to be adjusted as necessary to meet demand. The restarting of exports is essential to revive Gaza's economy and its legitimate business sector.

I can also confirm that United Nations agencies have now received approval to complete construction projects in Gaza totaling \$110 million. As I discussed with

Defense Minister Barak earlier this week, this is a step forward, but approval and implementation procedures still need to move faster. Gaza's needs remain immense and further progress is critical. In accordance with today's decision, I call on Israel to expedite further approvals of UN projects, including more UNRWA schools. It is essential for calm to be respected and I call on militants to cease indiscriminate firing of any rockets from the Gaza strip toward Israel.

On another subject, the potential precedent set by today's Israeli court decision which led to the transfer of a Jerusalem Palestinian Legislative Council member to Ramallah is worrying. This case and that of three other lawmakers currently facing court proceedings continue to raise serious human rights concerns regarding Palestinian residency rights in East Jerusalem. I will be raising the UN's concerns directly with the Israeli government and international partners. It is essential that all parties refrain from provocative actions, particularly at this time.

III. GENERAL ASSEMBLY ADOPTS FOUR RESOLUTIONS ON PALESTINE REFUGEES

At its 62nd plenary meeting, convened on 10 December 2010, the General Assembly considered and adopted, under agenda item 51 of its sixty-fifth 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/65/422). The resolutions adopted are reproduced below with an indication of the vote. For the verbatim record of the meeting see A/65/PV.62. For the annual report of the Commissioner-General of UNRWA, see A/65/13.

65/98

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 64/87 of 10 December 2009,

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 over 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 2009,¹

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;

¹ *Official Records of the General Assembly, Sixty-fifth Session, Supplement No. 13 (A/65/13).*

² A/48/486-S/26560, annex.

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 on the efforts being exerted in this regard as appropriate, but no later than 1 September 2011;

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 serious 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 the Agency in carrying out its mandate;

6. *Decides* to invite Kuwait, in accordance with the criterion set forth in General Assembly decision 60/522 of 8

December 2005, to become a member of the Advisory Commission of the United Nations Relief and Works Agency for Palestine Refugees in the Near East;

7. *Also decides* to extend the mandate of the Agency until 30 June 2014, without prejudice to the provisions of paragraph 11 of General Assembly resolution 194 (III).

*62nd plenary meeting
10 December 2010
Adopted by 169 votes to 1,
with 6 abstentions.*

65/99

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 64/88 of 10 December 2009,¹

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 2009,²

¹ A/65/283.

² *Official Records of the General Assembly, Sixty-fifth Session, Supplement No. 13 (A/65/13).*

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. *Stresses* the necessity for an accelerated return of displaced persons, and calls for compliance with 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;

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;

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

³ A/48/486-S/26560, annex.

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-sixth session on the progress made with regard to the implementation of the present resolution.

*62nd plenary meeting
10 December 2010
Adopted by 167 votes to 6,
with 4 abstentions.*

65/100

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 64/89 of 10 December 2009,

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 2009,¹

Taking note of the letter dated 22 June 2010 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, caused in part by the structural underfunding 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

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 in all fields of operation, namely, Jordan, Lebanon, the Syrian Arab Republic and the Occupied Palestinian Territory,

Gravely concerned about the extremely difficult socio-economic conditions being faced by the Palestine refugees in the Occupied Palestinian Territory, including East Jerusalem,

¹ *Official Records of the General Assembly, Sixty-fifth Session, Supplement No. 13 (A/65/13).*

² *Ibid.*, pp. vi and vii.

³ Resolution 22 A (I).

⁴ United Nations, *Treaty Series*, vol. 2051, No. 35457.

⁵ *Ibid.*, vol. 75, No. 973.

particularly in the refugee camps in the Gaza Strip, as a result of the continuing prolonged Israeli closures, the construction of the wall, the severe economic and movement restrictions that in effect amount to a blockade and the continuing negative repercussions of 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 Council resolution 1860 (2009) of 8 January 2009,

Expressing regret over the continued restrictions that impede the Agency's efforts to repair and rebuild thousands of damaged or destroyed refugee shelters and Agency facilities, including schools and health centres, and calling upon Israel to ensure the unimpeded import of essential construction materials into the Gaza Strip, while taking note of recent developments regarding the situation of access there,

Expressing concern about the severe classroom shortage in the Gaza Strip and the consequent negative impact on the right to education of refugee children as a result of the inability of the Agency to construct new schools owing to Israel's ongoing restrictions impeding the entry of necessary construction materials into the Gaza Strip,

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

Urging the disbursement 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, to accelerate the reconstruction process,

Commending 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 during the reporting period,

Deploring, in particular, 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

⁶ See A/63/855-S/2009/250.

⁷ A/HRC/12/48.

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 during the military operations between December 2008 and January 2009,

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 Agency and the Palestine Liberation Organization,⁸

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;

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

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 unstable circumstances faced during the past year;

3. *Expresses special commendation* to the Agency for the essential role that it has played for over sixty years since its establishment in providing vital services for the well-being, human development and protection of the Palestine refugees and the amelioration of their plight;

4. *Expresses its appreciation* for the important support provided by the host Governments to the Agency in the discharge of its duties;

5. *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;

6. *Takes note* with appreciation of the report 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;

7. *Commends* the Agency's six-year Medium-Term Strategy, which commenced

⁹ A/65/551.

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 2010–2011;¹⁰

8. *Requests* the Secretary-General to continue to support the institutional strengthening of the Agency through the provision of sufficient financial resources from the regular budget of the United Nations;

9. *Commends* the Agency for the successful completion of its three-year reform programme, and urges the Agency to apply maximum efficiency procedures to reduce operational and administrative costs and to maximize the use of resources;

10. *Looks forward* to the transmittal of the report the Secretary-General on the strengthening of the management capacity of the Agency, as requested by the Working Group and as endorsed by the General Assembly in its resolution 64/89;

11. *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;

12. *Welcomes* the progress made so far by the Agency in rebuilding the Nahr el-Bared refugee camp in northern Lebanon, and calls for the expeditious completion of its reconstruction, for the continued provision of relief assistance to those

displaced following its destruction in 2007 and for the alleviation of their ongoing suffering through the fulfillment of 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;

13. *Encourages* the Agency, in close cooperation with other relevant United Nations entities, to continue making progress in addressing the needs and rights of children and women in its operations in accordance with the Convention on the Rights of the Child¹¹ and the Convention on the Elimination of All Forms of Discrimination against Women,¹² respectively;

14. *Commends*, in this regard, the Agency's "Summer Games" initiative providing recreational, cultural and educational activities for children in the Gaza Strip and, recognizing its positive contribution, calls for full support of the initiative;

15. *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;

16. *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;

17. *Also calls upon* Israel to abide by Articles 100, 104 and 105 of the Charter of the United Nations and the Convention on

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

¹¹ United Nations, Treaty Series, vol. 1577, No. 27531.

¹² *Ibid.*, vol. 1249, No. 20378.

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;

18. *Urges* the Government of Israel 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;

19. *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 taxes, extra fees and charges, which affect the Agency's operations detrimentally;

20. *Also calls upon* Israel to fully lift the restrictions impeding the import of necessary construction materials and supplies for the reconstruction and repair of damaged or destroyed Agency facilities, in particular schools, health centers and thousands of refugee shelters, and for the implementation of suspended civilian infrastructure projects in refugee camps in the Gaza Strip;

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

22. *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 remaining components of the Project as rapidly as possible and to report

on the progress made to the General Assembly at its sixty-sixth session;

23. *Also notes with appreciation* 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;

24. *Reiterates* its appeals to all States, the 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 centers for Palestine refugees, and requests the Agency to act as the recipient and trustee for the special allocations for grants and scholarships;

25. *Urges* all States, the specialized agencies and non-governmental organizations to continue and to increase their contributions to the Agency in order to address the serious financial constraints and underfunding, 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 2010
Adopted by 169 votes to 6,
with 2 abstentions.*

65/101

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 64/90 of 10 December 2009,¹ as well as that of the United Nations Conciliation Commission for Palestine for the period from 1 September 2009 to 31 August 2010,²

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 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;

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

¹ A/65/311.

² A/65/225, annex.

³ Resolution 217 A (III).

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

⁵ A/48/486-S/26560, annex.

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-sixth session on the implementation of the present resolution.

*62nd plenary meeting
10 December 2010
Adopted by 169 votes to 6,
with 2 abstentions*

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

At its 62nd plenary meeting, on 10 December 2010, the General Assembly considered agenda item 52 of its sixty-fifth session 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. Five resolutions recommended by the Special Political and Decolonization Committee (Fourth Committee) were adopted by the Assembly at the meeting (see A/65/423). The text of four of those resolutions are reproduced below, with an indication of the vote. For the verbatim record of the meeting, see A/65/PV.62.

65/102

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 64/91 of 10 December 2009, and the relevant resolutions of the Commission on Human Rights and the Human Rights Council, including resolution S-12/1, adopted by the Council at its twelfth special session on 16 October 2009,⁴

Recalling also the relevant resolutions of the Security Council,

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

¹ United Nations, *Treaty Series*, vol. 75, No. 973.

² Resolution 217 A (III).

³ Resolution 2200 A (XXI), annex.

⁴ See *Official Records of the General Assembly, Sixty-fourth Session, Supplement No. 53A (A/64/53/Add.1)*, chap. I.

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.

recalling, in this regard, General Assembly resolution ES-10/15 of 20 July 2004,

Recalling its resolution 58/292 of 6 May 2004,

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

Gravely concerned about the continuing detrimental impact of ongoing unlawful Israeli practices and measures in the Occupied Palestinian Territory, including East Jerusalem, 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, ongoing settlement activities and construction of the wall, 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 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,

⁶ See A/63/855-S/2009/250.

⁷ A/HRC/12/48.

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 of allowing for the realization of their inalienable human rights, including their right to self-determination,

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;

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

⁸ See A/65/327.

⁹ A/65/326, A/65/355, A/65/365, A/65/366 and A/65/372.

¹⁰ A/48/486-S/26560, annex.

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 and status of the thousands of prisoners and detainees, including children and women, in Israeli prisons and detention centers 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-sixth session on the tasks entrusted to him in the present resolution;

9. *Decides* to include in the provisional agenda of its sixty-sixth 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 2010
Adopted by 94 votes to 9,
with 72 abstentions.*

65/103

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 resolution 64/92 of 10 December 2009,

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

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/65/327.

⁶ A/65/326, A/65/355, A/65/365, A/65/366 and A/65/372.

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 continuing efforts of the depositary State of the Geneva Conventions in this regard,

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.

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

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, including at its tenth emergency special session and 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-

sixth session on the implementation of the present resolution.

*62nd plenary meeting
10 December 2010
Adopted by 169 votes to 9,
with 2 abstentions.*

65/104

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 64/93 of 10 December 2009 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 Palestinian Territory, including East Jerusalem, and to the occupied Syrian Golan,

¹ United Nations, *Treaty Series*, vol. 75, No. 973.

Affirming 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

Recalling the Declaration of Principles on Interim Self-Government Arrangements Taking note of the recent report of the Special Rapporteur of the Human Rights Council on the situation of human rights in the Palestinian territories occupied since 1967,⁶ 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 emphasizing 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, and the need for Israel to uphold its obligations and commitments in this regard,

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 and the civilian population in the occupied Syrian Golan that are contrary to international law,

Bearing in mind the extremely detrimental impact of Israeli settlement policies, decisions and activities on the efforts to resume and advance the peace process, on the credibility of the peace process, and on the prospects for the achievement of peace in the Middle East,

Expressing grave concern about the continuation by Israel, the occupying Power, of settlement activities in the Occupied Palestinian Territory, including East Jerusalem, in violation of international humanitarian law, relevant United Nations resolutions, the agreements reached between the parties and obligations under the Quartet road map, and in defiance of the calls by the international community to cease all settlement activities,

Expressing grave concern in particular 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

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.

⁶ See A/65/331.

⁷ A/48/486-S/26560, annex.

⁸ S/2003/529, annex.

demolition of Palestinian homes and eviction of Palestinian families from the city, the revocation of Palestinian residency rights in the city, and ongoing settlement activities in the Jordan Valley,

Expressing grave concern 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 undermining its viability, 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,

Deploing 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, including children, and their properties, including historic and religious sites, 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, and stressing, in this regard, the road map obligation upon Israel to freeze settlement activity, including so-called "natural growth", and to dismantle all settlement outposts erected since March 2001,

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 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;

⁹ A/65/326, A/65/355, A/65/365, A/65/366 and A/65/372.

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 all the relevant resolutions of the Security Council, including, inter alia, resolutions 446 (1979) of 22 March 1979, 452 (1979) of 20 July 1979, 465 (1980) of 1 March 1980, 476 (1980) of 30 June 1980 and 1515 (2003) of 19 November 2003;

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, including historic and religious sites, 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-sixth session on the implementation of the present resolution.

*62nd plenary meeting
10 December 2010
Adopted by 169 votes to 6,
with 3 abstentions.*

65/105

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 64/94 of 10 December 2009 as well as those adopted at its tenth emergency special session,

Recalling the relevant resolutions of 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

¹ Resolution 217 A (III).

² See resolution 2200 A (XXI), annex.

³ United Nations, *Treaty Series*, vol. 1577, No. 27531.

⁴ See A/65/327.

⁵ A/65/366.

Council on the situation of human rights in the Palestinian territories occupied since 1967,⁶ as well as of other relevant recent reports of the Human Rights Council,

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,

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,

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 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 and military operations causing death and injury to Palestinian civilians, including children, women and non-violent and peaceful demonstrators; 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

⁶ A/HRC/13/53/Rev.1; see also A/65/331.

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 United Nations, *Treaty Series*, vol. 75, No. 973.

⁹ S/2003/529, annex.

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 in particular about the critical 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 reiterating the necessity for serious follow-up by all parties of the recommendations addressed to them towards ensuring accountability and justice,

¹⁰ See A/63/855-S/2009/250.

¹¹ A/HRC/12/48.

Expressing deep concern about the short- and long-term detrimental impact of such widespread destruction and the continued 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,

Expressing deep concern also about the Israeli policy of closures and the imposition of severe restrictions, checkpoints, several of which have been transformed into structures akin to permanent border crossings, and a permit regime, all of which obstruct the freedom of movement of persons and goods, including medical and humanitarian 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 humanitarian crisis in the Gaza Strip, while taking note of recent developments with regard to the situation of access there,

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 centers under harsh conditions, including,

and denial of due process, that impair their well-being, and expressing deep concern inter alia, unhygienic conditions, lack of proper medical care, denial of family visits also about the ill-treatment and harassment of any Palestinian prisoners and all reports of torture,

Expressing concern about the possible consequences of the enactment by Israel, the occupying Power, of military orders regarding the detention, imprisonment and deportation of Palestinian civilians from the Occupied Palestinian Territory, including East Jerusalem, and recalling, in this regard, the prohibition under international humanitarian law of the deportation of civilians from occupied territories,

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,

Taking note of the continued efforts and tangible 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 centers,

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, the arbitrary detention and imprisonment of civilians and the destruction and confiscation of civilian property, and that it fully 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 1949 and cease immediately all measures and actions taken in violation and in breach of the Convention;

4. *Further demands* that Israel, the occupying Power, cease all of its settlement activities, the construction of the wall and any other measures aimed at altering the character, status and demographic composition of the Occupied Palestinian Territory, including in and around East Jerusalem, all of which, inter alia, gravely and detrimentally impact the human rights of the Palestinian people and the prospects for a peaceful settlement;

5. *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, 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;

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

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

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 General Assembly 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, between the West Bank and

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, in order to allow for the sustained and regular movement of persons and goods and for the acceleration of long overdue reconstruction in the Gaza Strip;

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-sixth session on the implementation of the present resolution.

*62nd plenary meeting
10 December 2010
Adopted by 165 votes to 9,
with 2 abstentions.*

V. UNRWA ISSUES EMERGENCY APPEAL 2011

On 14 December 2010, The United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA) issued the emergency appeal 2011 for funds for humanitarian assistance to Palestine refugees. The executive summary of the appeal is reproduced below:

Executive summary

It is now more than 10 years since the start of the *Al Aqsa Intifada*. In the decade of suffering that has followed, the West Bank and Gaza Strip have been held in the grip of an extended humanitarian crisis caused by successive rounds of violent conflict, long-standing restrictions on movement and the repeated destruction of homes and infrastructure. The impact on the Palestine refugees has been to drive hundreds of thousands of families into poverty; erode their coping mechanisms while limiting their access to essential public services; rob them of rights and human dignity; and expose them to widespread trauma.

The last year has seen some small improvements in conditions in the West Bank and a merciful lessening of the extreme violence faced by Gazans as compared with 2009. The limited improvements in the West Bank are largely the result of an easing of closures between Palestinian communities on the eastern side of the Barrier and the large in-flows of aid to the Palestinian Authority. A small increase in the number of Palestinians able to earn salaries working in the Israeli labour market has also had an impact, but this source of income remains hostage to the vagaries of the conflict and the closure regime. Palestine refugees have benefited less than non-refugees from new sources of employment; unemployment rates among West Bank refugees remain extremely high, resulting in poverty and food insecurity levels that are higher for refugees than for non-refugees.

Communities in Area C of the West Bank, between the barrier and the Green Line and in East Jerusalem remain subject to tight restrictions on their freedom of movement and in many cases vulnerable to house demolitions and increasing incidents of violence from Israeli settlers.

In Gaza a large majority of the population is dependent on UNRWA for food aid and other basic services. This is a result of the economic devastation wrought by years of closure, the blockade imposed since June 2007 and the crisis in shelter and infrastructure caused by a series of Israeli incursions, culminating in the Gaza war that ended in January 2009.¹ The adjustment to the blockade announced by the Government of Israel on 20 June 2010, in the aftermath of the flotilla incident which claimed the lives of nine civilians, has made only a minor improvement in the importation of humanitarian supplies and reconstruction materials to date and has had no overall effect on exports or, consequently, on the ability of Gaza's economy to recover. The new permit regime covering the import of building materials has proven to be cumbersome and slow-moving and is not able to cope with the urgent recovery needs of Gaza in the aftermath of the destruction of January 2009. It is estimated by the Norwegian Refugee Council (NRC) that 9,275 housing units need to be built, 2,886 housing units need to be completed and tens

¹ The Gaza war refers to the three-week armed conflict that took place in the Gaza Strip and Southern Israel during the winter of 2008–2009.

of thousands of units are required to cover natural growth.²

The evolution in the pattern of the crisis in the occupied Palestinian territory (oPt) has compelled UNRWA to build on the measures it has introduced over the last two years to better target its relief assistance to the most needy refugee families. In both fields, poverty benchmarking assessments have been introduced to ensure that it is the food insecure and abject poor who benefit from its food aid, cash assistance and job creation programmes. The Agency has also taken steps to ensure its relief assistance better accounts for the specific needs of individual groups, such as female-headed households, herders in the West Bank, youth and children. This targeted, multilevel support will, for instance, see around 200,000 child refugees in Gaza provided with additional food as a form of livelihood support, and with back-to-school assistance. This is part of the Agency's efforts in to mitigate the negative impact of the crisis on refugees' access to basic health and sanitation services in both fields, and to provide shelter, including transitional shelter, as well as emergency assistance, to

² See NRC – Shelter Sector Fact Sheet 1, available at www.sheltergaza.org.

those whose homes are destroyed or damaged by conflict.

The rights to which Palestinian refugees are entitled under international humanitarian law continue to be regularly violated or ignored with impunity. Under its emergency operations during 2011, UNRWA plans to enhance its monitoring, reporting and advocacy activities in respect of refugee rights as well as providing mental health services — at both an individual and community level — to ameliorate the distress caused by violence, closures, loss of dignity and extreme hardship. It will also provide mobile outreach services to those in isolated communities or those exposed to particular insecurity around the Barrier, in Area C and in East Jerusalem. UNRWA is also seeking the funds to allow it to maintain a modicum of additional staff and resources at the field and HQ level required to implement its emergency operations without depleting the quality and reach of its core human development and assistance programmes. The Agency will seek to improve its capacity for the coordination and management of its emergency responses while investing in the programme planning tools and systems that allow it to adapt to the changing nature of the humanitarian crisis.

VI. SPECIAL COORDINATOR FOR THE MIDDLE EAST PEACE PROCESS BRIEFS SECURITY COUNCIL

On 14 December 2010, UN Special Coordinator for the Middle East Peace Process Robert Serry briefed the Security Council on the situation in the Middle East, including the Palestine question. Excerpts of the briefing are reproduced below (S/PV.6448):

/...

In September, Prime Minister Netanyahu and President Abbas pledged to seek a framework agreement on permanent status within a year. While that goal remains

in place, the process for achieving it has suffered a serious setback. In particular, the Secretary-General regrets Israel's failure to institute a renewed settlement freeze. On 8 December, American efforts to create an environment conducive to the resumption of

direct talks, through the renewal of a settlement freeze, were brought to a close. Palestinian President Abbas has reaffirmed that he will not return to direct negotiations unless Israel freezes settlement activity.

During the reporting period in East Jerusalem, Israeli authorities approved 130 new homes in the settlement of Gilo and the construction of 625 new units was announced in the Pisgat Ze'ev settlement. In the remainder of the West Bank, according to various reports, there has been a significant increase in construction since the moratorium expired on 26 September. According to the Israeli non-governmental organization Peace Now, construction for 1,600 settlement units has started. By way of comparison, approximately 1,920 units were commenced during 2009.

We would like to make clear that the United Nations will continue to emphasize that settlement activity is contrary to international law, the Road Map and the position of the Quartet. We reiterate the united position of the international community that Israel should meet its obligations to freeze all settlement activity and dismantle outposts erected since March 2001.

Here in New York on 10 December Quartet envoys met with United States Envoy Mitchell in advance of his trip to the region, and United States Secretary of State Clinton gave a speech in Washington, D.C., on the same day. The need to shift strategy is evident. We understand that the United States will now engage both sides in indirect talks on all the final status issues, and the Secretary-General expects the parties to engage seriously. We also note that the United States intends to be a proactive participant, offering ideas and bridging proposals when appropriate. We believe it is clear that a substantive third-party role in mediation is now required. The goal must be

a two-State solution based on an end to the 1967 occupation and a resolution of all core issues.

United States Envoy Mitchell is currently in the region and saw Prime Minister Netanyahu yesterday and President Abbas today, before President Abbas' departure for a meeting of the League of Arab States Follow-Up Committee tomorrow in Cairo. We expect close consultation within the Quartet on the effort in the period ahead. Quartet envoys are preparing a meeting of Quartet principals, which we expect to take place soon in the new year. The Secretariat will continue to keep the Security Council apprised of developments through the monthly briefings.

In response to requests from President Abbas, Brazil and Argentina recognized the independent State of Palestine, within borders that conform to the ceasefire lines of 1967, on 3 and 6 December, respectively. Yesterday, the European Union Council of Ministers reiterated its readiness, when appropriate, to recognize a Palestinian State.

Quartet envoys also discussed the urgent need to further enable the State-building efforts of the Palestinian Authority. A number of Israeli steps have been under consideration for some time, among them the further easing of restrictions on movement and access, a reduction of Israeli incursions, measures to enable the Palestinian Authority's efforts to extend into Area C of the West Bank, and the release of prisoners. Such measures are now timely and essential. Israel needs to roll back measures of occupation as the Palestinian Authority rolls out the basis for statehood. Quartet Representative Blair's efforts are important in this regard.

The World Bank reports that, in the third quarter of 2010, the Palestinian

Authority made steady progress on implementing its reform programme, maintaining financial discipline and achieving its budget targets for expenditures. Public financial management systems were further strengthened, while a pension reform plan was adopted to improve efficiency and sustainability.

Palestinian security forces continue to make commendable efforts to maintain security in areas currently under their control in the West Bank. As the Secretary-General noted in his message on the International Day of Solidarity with the Palestinian People, it is indisputable that a reliable security partner has emerged. According to estimates, the number of Israeli troops operating in the occupied West Bank is at its lowest level since 2005.

However, tensions persist. Israeli security forces, citing security concerns, conducted 193 incursions into Area A in the reporting period, resulting in 21 Palestinians injured and 98 arrested, among them a Palestinian Legislative Council member from the Hamas-affiliated Change and Reform bloc. On 23 November, Israeli security forces discovered seven pipe bombs in a Palestinian vehicle at a checkpoint near Tulkarem and subsequently seized arms and ammunition in a raid. Violent clashes continued between Israeli security forces and anti-barrier demonstrators, and on 6 December an Israeli military tribunal extended the detention of anti-barrier activist Abdallah Abu Rahmah beyond his scheduled release. We note reports that the number of arrests and interrogations of children have increased significantly, in particular in the Silwan district of East Jerusalem, in recent months. There were eight attacks by Israeli settlers against Palestinians or their property, injuring two Palestinians, while three attacks by Palestinians resulted in one Israeli settler injured.

The number of obstacles to access and movement in the West Bank currently stands at 513. I believe that these can and should be meaningfully reduced in quantity and quality in a manner consistent with maintaining security.

The parties should show discipline and responsibility in refraining from provocative actions. In this regard, I am worried that there has been a rise in demolitions of Palestinian-owned structures in the reporting period, with 14 structures demolished in Area C and 12 demolished in East Jerusalem, displacing 53 people. I have also expressed publicly my concern that, on 8 December, a Palestinian Legislative Council member of the Hamas-affiliated Change and Reform bloc was forcibly transferred from Jerusalem to Ramallah following an Israeli court order. This case and that of three other lawmakers currently facing court proceedings continue to raise serious human rights concerns regarding Palestinian residency rights in East Jerusalem.

I am concerned that a study prepared under the auspices of the Palestinian Authority Ministry of Information denied the religious significance of the Western Wall to Jews. I note that this regrettable study has been removed from the Authority's website. I stress the need for figures of political and religious authority on both sides to refrain from denial or denigration of the other's heritage, rights and dignity.

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The humanitarian Consolidated Appeals Process (CAP) was launched on 30 November, totalling \$575 million and comprising 213 projects. The CAP articulates a humanitarian strategy for critical needs in Gaza and the West Bank, including East Jerusalem. It aims at addressing humanitarian needs, focusing

particularly on areas where the Palestinian Authority has limited control and where needs are not fully met by the Government of Israel. United Nations agencies are increasingly facing difficulties in obtaining the required funds from the international community. I ask donors to fully support the 2011 CAP to prevent further deterioration in living conditions.

This brings me to Gaza, where we are concerned at recent volatility as well as ongoing closure measures. However, there have also been positive developments. On 8 December, Israel decided to allow exports from Gaza, consistent with security conditions. The resumption of exports is key to reviving Gaza's economy and its legitimate business sector. We welcome this measure and hope that it will include all commercial goods, subject to security considerations, and that crossing capacity will be enhanced as necessary to meet demands. The implementation of this decision will be closely monitored. I appreciate the continued engagement of Quartet Representative Blair on this issue. The United Nations continues to seek the end of closure of the Gaza Strip within the framework of resolution 1860 (2009).

The weekly number of truckloads entering the Gaza Strip decreased slightly to 997 from 1,026 during the most recent reporting period and 566 in June 2010 before the announcement of the revised Israeli Gaza policy. A weekly average of 2,800 trucks entered Gaza in June 2007.

United Nations agencies have received approval to complete construction projects in Gaza totalling \$110 million. This is a positive step, but further progress is critical. I have discussed with the Israeli authorities the need for approval and implementation procedures to move faster and urged them to allow the provision of construction material to the private sector in Gaza and to expedite

further approvals of United Nations projects, including more United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA) schools before the end of the year. I remind the Council that, with very few exceptions, the 1.5 million people of Gaza are unable to leave the Strip for the normal purposes that most of us take for granted, and freer movement of people must also be a priority.

It is essential that calm be maintained. The de facto authorities have publicly repeated their desire to maintain calm, although militant groups fired 5 rockets and 20 mortar shells from Gaza into Israel. A mortar wounded an Israeli on 8 December in the western Negev, while a rocket hit a civilian house on the same day. On the previous day, a rocket, for which the Popular Front for the Liberation of Palestine claimed responsibility, struck in the south of Ashkelon.

I condemn indiscriminate rocket fire at Israel. Allegations continue to be made of weapons-smuggling into the Gaza Strip. During the reporting period, Israeli security forces conducted 4 air strikes and 12 incursions into Gaza. In total, four Palestinian militants were killed and one was injured, while 23 Palestinian civilians were also injured. I stress the importance of maximum Israeli restraint. I also underscore the need for all parties to protect civilians and respect international humanitarian law.

I reiterate the calls by the United Nations for the immediate release of Staff Sergeant Gilad Shalit and for humanitarian access to be granted to him. I commend President Abbas's call on Shalit's captors to release him. It is deeply regrettable that a prisoner exchange deal has not yet been concluded. I also note that an international Arab conference stressing concern for Palestinian prisoners was hosted by Algeria on 5 and 6 December.

I am concerned that the de facto authorities in Gaza issued a temporary closure order to the offices of the Sharek Youth Forum, an important non-governmental organization partner of the United Nations and other international agencies. I call for Sharek to be permitted to continue its work in Gaza without further delay or undue hindrance. I stress the importance of full respect for the work of legitimate civil society organizations in Gaza and the need to uphold fundamental freedoms of association and expression.

There has been no progress in efforts to restore Palestinian unity within the framework of the legitimate Palestinian Authority and Palestinian Liberation Organization commitments. On the ground, I am concerned by signs of tensions. My Office continues to urge an end to any challenges to the legitimate Palestinian Authority, and to call for respect for human rights by all security forces in Gaza or the West Bank. Palestinian Authority security forces arrested members of a Hamas cell in the West Bank, allegedly preparing attacks against Palestinian and Israeli targets, and Hamas security forces detained a number of Fatah members throughout the Gaza Strip. Internal calm is needed, if reconciliation is to progress.

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The reconstruction effort in the Palestinian refugee camp of Nahr al-Bared continues to face challenges. With the return of the first 2,000 refugees to the camp

expected by January 2011, I urge donors to continue to provide vital financial assistance for the reconstruction of Nahr al-Bared and to the UNRWA General Fund.

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In conclusion, I cannot overemphasize the importance of the period we are now entering. The parties have set for themselves important timelines, which have received strong international endorsement, and 2011 is the year in which they are to be met. It is vital that both parties now be fully forthcoming on substance in talks with the United States and that further measures be taken on the ground without delay to strengthen and enable the agenda of Palestinian State building. We must also continue to focus on improving conditions in Gaza, while calm must be maintained.

We must focus with urgency on the essential elements of a negotiated two-State endgame, for the benefit of both peoples. We urge leaders on both sides to do so, and we also believe that an active third-party role on substance is essential if that is to be done. Close consultation within the Quartet is important in that regard. In the year ahead, the credibility of the political process and its sponsors, including the Quartet, will also be at stake. The Secretary-General will continue to work with the parties, the Quartet and regional and international partners in pursuit of a lasting two-State solution and comprehensive peace in the region.

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

On 15 December 2010, at the 67th plenary meeting of its sixty-fifth session, the General Assembly considered agenda item 69 (b) entitled "Assistance to the Palestinian people" and adopted resolution 65/134 without a vote. The text of the resolution is reproduced below. For the verbatim record of the meeting, see A/65/PV.67.

65/134

Assistance to the Palestinian people

The General Assembly,

Recalling its resolution 64/125 of 16 December 2009, 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 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 difficult living conditions and the humanitarian situation affecting the Palestinian people, in particular women and children, throughout the occupied Palestinian territory,

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, the promotion of which is facilitated, inter alia, in a stable and secure environment,

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

¹ A/48/486-S/26560, annex.

² See resolution 2200 A (XXI), annex.

³ United Nations, *Treaty Series*, vol. 1577, No. 27531.

⁴ *Ibid.*, vol. 1249, No. 20378.

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 Conferences, held in Bethlehem from 21 to 23 May 2008 and on 2 and 3 June 2010,

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Welcoming the latest meetings of the Ad Hoc Liaison Committee for the Coordination of the International Assistance to Palestinians, held in New York on 22 September 2009 and on 21 September 2010,

Welcoming also the 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 Palestinian State-building process,

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 further Palestinian economic development,

Acknowledging the recent measures announced by Israel regarding access to the Gaza Strip, while calling for full implementation and complementary measures that address the need for a fundamental change in policy that allows for the sustained and regular opening of the border crossings for the movement of persons and goods, including for the reconstruction and economic recovery of Gaza,

Welcoming the action of the Special Representative of the Quartet, Mr. 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,

Commending the efforts of the United States of America in pursuing vigorously a two-State solution, noting the commitment of the Quartet to remain actively involved and the need for strong international support to promote the peace process, and calling for the resumption and acceleration of negotiations between the Israeli and Palestinian sides towards 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, contiguous and viable Palestinian State — living side by side in peace and security,

⁵ S/2003/529, annex.

Having considered the report of the Secretary-General,⁶

Expressing grave concern about continuing violence against civilians,

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 A/65/77-E/2010/56.

6. *Welcomes*, in this regard, the meetings of the Ad Hoc Liaison Committee for the Coordination of the International Assistance to Palestinians, held in New York on 22 September 2009 and on 21 September 2010, 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 Conferences, held in Bethlehem from 21 to 23 May 2008 and on 2 and 3 June 2010;

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;

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 difficult humanitarian situation being faced by Palestinian women, children and their families and to help in the reconstruction and development 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;

21. *Requests* the Secretary-General to submit a report to the General Assembly at its sixty-sixth 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-sixth session the sub-item entitled “Assistance to the Palestinian people”.

⁷ A/51/889-S/1997/357, annex.

*67th plenary meeting
15 December 2010*

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

On 21 December 2010, at the 71st plenary meeting of its sixty-fifth session, the General Assembly considered under agenda item 67 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/65/455) and adopted it as resolution 65/202 on the right of the Palestinian people to self-determination. The text of the resolution is reproduced below. For the verbatim record of the Assembly’s meeting, see A/65/PV.71.

65/202 **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

¹ Resolution 2200 A (XXI), annex.

² Resolution 217 A (III).

³ Resolution 1514 (XV).

⁴ A/CONF.157/24 (Part I), chap. III.

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*

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

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. 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.

taken, severely impedes the right of the Palestinian people to self-determination,⁹

Expressing the urgent need for the resumption and accelerated advancement of peace, the Arab Peace Initiative¹⁰ and the Quartet road map to a permanent two-State solution to the Israeli-Palestinian conflict,¹¹ 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 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

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

Occupied Palestinian Territory, including East Jerusalem, and recalling in this regard its resolution 58/292 of 6 May 2004,

Recalling its resolution 64/150 of 18 December 2009,

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

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.

*71st plenary meeting
21 December 2010*

IX. UNITED NATIONS SPECIAL COORDINATOR FOR THE MIDDLE EAST PEACE PROCESS ISSUES A STATEMENT ON THE ESCALATION OF VIOLENCE IN SOUTHERN ISRAEL AND GAZA

United Nations Special Coordinator for the Middle East Peace Process Robert Serry on 22 December 2010 issued the following statement:

I condemn the firing of indiscriminate mortars and rockets by militant groups in Gaza at Israel, which has escalated in recent days. These attacks are in clear violation of international humanitarian law and endanger civilians in Israel.

The IDF has launched several air strikes in Gaza in recent days targeting militants. Israel has a right to self-defence consistent with international humanitarian law. I urge Israel to exercise maximum

restraint and take every precaution to ensure that its forces do not endanger civilians in Gaza, who all-too-often bear the brunt of escalations in violence.

In recent months, modest progress has been made in easing the closure of Gaza. A lot more still needs to be done. The maintenance of calm is essential to create an environment in which further progress can be made in the interests of the people of both Gaza and Israel.

X. UNRWA CONDEMNS JERUSALEM HOME DEMOLITIONS AND ASSISTS AFFECTED FAMILIES

The following press release was issued on 23 December 2010 by UNRWA — citing West Bank Field Director Barbara Shenstone:

“These condemnable acts have a devastating impact. I call on the Israeli authorities to cease demolitions and evictions in occupied areas which are in contravention of Israel’s obligations under international law, including the UN convention on the rights of the child, to which Israel is a party. While children around the world are enjoying the holiday season in their homes, these children have suffered the trauma and indignity of watching their homes destroyed in the presence of their parents. It is extremely cruel and distressing. These refugee families having been displaced in 1948 find themselves homeless again.”

The nine-member extended Subuh family, whose home in the Rasalammound district of East Jerusalem was destroyed on 21 December, has been living at the location of their demolished home in two tents. The Jerusalem Municipality gave the family just one day to destroy their home and threatened to demolish the house in 24 hours unless they complied. The family destroyed the house themselves at a cost of 60,000 new Israeli shekels rather than pay the Municipality to do so, which costs twice as much.

Under orders from the Jerusalem Municipality the four-member al Shukiwi family also destroyed their home in the Ath Thuri district of East Jerusalem on 19 December. They demolished the majority of the building, but left the walls standing. The family has been told that tomorrow, a committee from the Jerusalem Municipality will visit and inform them if the entire building must be demolished.

UNRWA has given emergency food assistance, cash and social worker support to both families. Agency social workers are particularly concerned about the five children involved. After witnessing the demolition of his home, one of the children, aged two, said “all I want to do is die”.

There has been an increase in such demolitions in 2010, during which 396 Palestinian structures were demolished in East Jerusalem and other areas under full Israeli control in the West Bank. This compares to 275 in the previous year – an increase of almost 45 per cent. As a result this year, 561 people have been displaced, including 280 children, and the livelihoods of over 3,000 people have also been affected.