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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. BRIC STATES MEET IN MOSCOW TO DISCUSS THE SITUATION IN THE MIDDLE EAST AND NORTH AFRICA

The following excerpts are from the letter addressed on 7 December 2011 from the Permanent Representative of the Russian Federation to the United Nations addressed to the Secretary-General (A/66/594-S/2011/758).

On 24 November 2011, the Deputy Ministers for Foreign Affairs of Brazil, the Russian Federation, India, China and South Africa met in Moscow in the format of BRICS to discuss the situation in the Middle East and North Africa.

The participants at the meeting underlined the legitimacy of the aspirations of the peoples of the region for greater political and social rights. They agreed that the transformation processes in the region created the need to search for ways of addressing crises in countries in the Middle East and North Africa within the framework of international law and only through peaceful means, without resorting to force, through establishing a broad national dialogue with due respect for the independence, territorial integrity and sovereignty of the countries in the region. They rejected violence as a means of achieving political goals. They emphasized the need for full respect of human rights by all sides, especially by the authorities, in protecting unarmed civilians.

The role of the United Nations Security Council was emphasized, since it bears the primary responsibility for maintaining international peace and security. It was noted that all parties should strictly implement the decisions of the Security Council. They noted that it was inadmissible to impose solutions on the States in the Middle East and North Africa through outside intervention in the internal political processes.

...

The participants agreed that the period of fundamental transformation taking place in

the States of the Middle East and North Africa should not be used as a pretext to delay resolution of lasting conflicts but that it should rather serve as an incentive to settle them, in particular the Arab-Israeli one. Resolution of this and other long-standing regional issues would generally improve the situation in the Middle East and North Africa. Thus, at the meeting, the participants confirmed their commitment to achieving a comprehensive, just and lasting settlement of the Arab-Israeli conflict on the basis of the universally recognized international legal framework, including the relevant United Nations resolutions, the Madrid principles and the Arab Peace Initiative.

The BRIC States support the resumption of the Palestinian-Israeli negotiations aiming at the establishment of an independent, viable and territorially contiguous Palestinian State with full sovereignty within the 1967 borders, with agreed-upon territorial swaps and with East Jerusalem as its capital. They also encouraged the Quartet to intensify its efforts towards early realization of these goals.

The participants supported Palestinian efforts to achieve membership in the United Nations. They also underscored the importance of direct negotiations between the parties to reach final settlement. They called upon Palestinians and Israelis to take constructive measures, to rebuild mutual trust and to create the right conditions for restarting negotiations, while avoiding unilateral steps, in particular settlement activity in the Occupied Palestinian Territories. They advocated the earliest reunification of the Palestinians. A united position of the Palestinians, based on the

PLO principles and the Arab Peace Initiative, would contribute to progress towards a Palestinian-Israeli settlement, achieving

lasting peace and providing security for all the countries and peoples of the region.

...

II. GENERAL ASSEMBLY ADOPTS FOUR RESOLUTIONS ON PALESTINE REFUGEES

On 9 December 2011, the General Assembly discussed the report of its Fourth Committee (A/66/426), adopting, under agenda item 52, four resolutions pertaining to United Nations Relief and Works Agency for Palestine Refugees in the Near East. The Assembly adopted resolutions 66/72, entitled: "Assistance to Palestine refugees"; 66/73, entitled "Persons displaced as a result of the June 1967 and subsequent hostilities"; 66/74, entitled "Operations of the United Nations Relief and Works Agency for Palestine Refugees in the Near East"; and 66/75, entitled "Palestine refugees' properties and their revenues". The text of the resolutions is reproduced below.

66/72. 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 65/98 of 10 December 2010,

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 2010,¹

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

¹ *Official Records of the General Assembly, Sixty-sixth Session, Supplement No. 13 (A/66/13); and ibid., Supplement No. 13A (A/66/13/Add.1).*

refugees in the Gaza Strip, and underlining the importance of emergency and humanitarian assistance and urgent reconstruction efforts,

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

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

2. *Also notes with regret* that the United Nations Conciliation Commission for Palestine has been unable to find a means of achieving progress in the implementation of paragraph 11 of General Assembly resolution 194 (III), and reiterates its request to the Conciliation Commission to continue exerting efforts towards the implementation of that paragraph and to report to the Assembly on the efforts being exerted in this regard as appropriate, but no later than 1 September 2012;

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 and instability 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 Luxembourg, 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.

*81st plenary meeting
9 December 2011
160 in favour, 1 against,
and 9 abstentions*

66/73.

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,

² A/48/486-S/26560, annex.

Taking note of the report of the Secretary-General submitted in pursuance of its resolution 65/99 of 10 December 2010,³

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 2010,⁴

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 1993⁵ 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 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-seventh session on the progress made with regard to the implementation of the present resolution.

*81st plenary meeting
9 December 2011
162 in favour, 7 against
and 4 abstentions*

66/74.

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 65/100 of 10 December 2010,

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

³ A/66/222.

⁴ *Official Records of the General Assembly, Sixty-sixth Session, Supplement No. 13 (A/66/13)*; and *ibid.*, *Supplement No. 13A (A/66/13/Add.1)*.

⁵ A/48/486-S/26560, annex.

the period from 1 January to 31 December 2010,¹

Taking note of the letter dated 22 June 2011 from the Chair of the Advisory Commission of the United Nations Relief and Works Agency for Palestine Refugees in the Near East 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 and the instability 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, particularly in the refugee camps in the Gaza Strip, as a result of the continuing prolonged Israeli closures, the construction of settlements and the wall, and the severe economic and movement restrictions that in effect amount to a blockade, which have deepened unemployment and poverty rates among the refugees,

Gravely concerned also about 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 destruction and damage to Palestinian homes, properties, vital infrastructure and public institutions, including hospitals, schools and United Nations facilities; and internal displacement of civilians, including refugees,

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 calling

¹ *Official Records of the General Assembly, Sixty-sixth Session, Supplement No. 13 (A/66/13)*; and *ibid.*, *Supplement No. 13A (A/66/13/Add.1)*.

² *Official Records of the General Assembly, Sixty-sixth Session, Supplement No. 13 (A/66/13)*, pp. vi and vii.

³ Resolution 22 A (I).

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

⁵ *Ibid.*, vol. 75, No. 973.

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 constraints on the ability of the Agency to construct new schools due to Israel's ongoing restrictions impeding the entry of necessary construction materials into the Gaza Strip,

Stressing the urgent need for the advancement of reconstruction in the Gaza Strip, including through the completion of suspended projects managed by the Agency, and for the accelerated implementation of other urgent United Nations-led civilian reconstruction activities,

Urging the continuing 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,

Noting with appreciation the completion of the first phase of the project to rebuild the Nahr el-Bared refugee camp, commending the Government of Lebanon, donors, the Agency and other concerned parties for the important progress made and for the continuing efforts to assist affected and displaced refugees, and emphasizing the need for additional funding to complete the reconstruction of the camp and end the displacement of its twenty-seven thousand residents without delay,

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

Deploring the endangerment of the safety of the Agency's staff and the damage and destruction caused to the facilities and properties of the Agency, including damage caused to the Agency's "Summer Games" recreational properties, during the reporting period,

Deploring also, 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 schools where civilians were sheltered and the Agency's main compound and warehouse, as reported in the summary by the Secretary-General of the report of the Board of Inquiry⁶ and in the report of the United Nations Fact-finding Mission on the Gaza Conflict,⁷

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

Deploring also 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

⁶ See A/63/855-S/2009/250.

⁷ A/HRC/12/48.

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;

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. *Also 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 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 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 2012–2013;¹⁰

8. *Also commends* the Agency for sustaining its reform efforts, and urges it to continue to apply maximum efficiency procedures to reduce operational and administrative costs and to maximize the use of resources;

9. *Takes note with appreciation* of the report of the Secretary-General on the strengthening of the management capacity of the United Nations Relief and Works Agency for Palestine Refugees in the Near East,¹¹ and further urges all Member States to carefully consider its proposal for support by the Secretary-General of the institutional strengthening of the Agency through the provision of financial resources from the regular budget of the United Nations;

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

⁹ A/66/520.

¹⁰ *Official Records of the General Assembly, Sixty-sixth Session, Supplement No. 13A (A/66/13/Add.1).*

¹¹ A/65/705.

10. *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 Agency's fields of operation;

11. *Welcomes* the progress made thus 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 fulfilment 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;

12. *Encourages* the Agency, in close cooperation with other relevant United Nations entities, to continue making progress in addressing the needs and rights of children, women and persons with disabilities in its operations in accordance with the Convention on the Rights of the Child¹² the Convention on the Elimination of All Forms of Discrimination against Women,¹³ and the Convention on the Rights of Persons with Disabilities,¹⁴ respectively;

13. *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;

¹² United Nations, *Treaty Series*, vol. 1577, No. 27531.

¹³ *Ibid.*, vol. 1249, No. 20378.

¹⁴ *Ibid.*, vol. 2515, No. 44910.

14. *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;

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

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

17. *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;

18. *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;

19. *Reiterates its call upon* Israel to fully lift the restrictions impeding the import of necessary construction materials and supplies for the reconstruction and repair of thousands of damaged or destroyed refugee shelters, and for the implementation of suspended civilian infrastructure projects in refugee camps in the Gaza Strip, while noting the commencement of several projects in this regard;

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

21. *Notes with appreciation* the progress made by the Agency in the modernization of its archives through the Palestine Refugee Records Project, including the completion of phase I, 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-seventh session;

22. *Also notes with appreciation* the success of the Agency's microfinance programme, 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;

23. *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 centres for Palestine refugees, and requests the Agency to act as the recipient and trustee for resolution 65/101 of 10 December 2010,¹ as well as that of the United Nations Conciliation Commission for Palestine for the period from 1 September 2010 to 31 August 2011,²

Recalling that the Universal Declaration of Human Rights³ and the

¹ A/66/318.

² A/66/296, annex.

³ Resolution 217 A (III).

the special allocations for grants and scholarships;

24. *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.

81st plenary meeting

9 December 2011

Adopted by 163 votes in favour,

7 against and 2 abstentions

66/75.

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 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 stressing 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 there from, in conformity with the principles of equity and justice;

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

⁵ A/48/486-S/26560, annex.

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 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-seventh session on the implementation of the present resolution.

81st plenary meeting

9 December 2011

Adopted by 163 votes in favour,

7 against and 3 abstentions

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

On 9 December 2011, the General Assembly took action on the report of its Fourth Committee (A/66/427), adopting, under agenda item 53, five resolutions pertaining to the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories. The Assembly adopted resolutions”; 66/76, entitled “Work of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories, 66/77, entitled “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;” 66/78, entitled “Israeli settlements in the Occupied Palestinian Territory, including East Jerusalem, and the occupied Syrian Golan”; 66/79 entitled “Israeli practices affecting the human rights of the Palestinian people in the Occupied Palestinian Territory, including East Jerusalem”; and 66/80, entitled “The occupied Syrian Golan”. The text of resolutions 66/76 to 66/79 is reproduced below with an indication of the vote.

66/76. 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 65/102 of 10
December 2010, and the relevant resolutions*

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

² Resolution 217 A (III).

³ Resolution 2200 A (XXI), annex.

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
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,*

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.

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 the death and injury of civilians, 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,

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

⁶ See A/63/855-S/2009/250.

⁷ A/HRC/12/48.

⁸ See A/66/370.

⁹ A/66/356, A/66/362, A/66/364, A/66/373 and A/66/400.

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 and their independent State,

Taking note of the application of Palestine for admission to membership in the United Nations, submitted on 23 September 2011,¹¹

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 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

¹⁰ A/48/486-S/26560, annex.

¹¹ A/66/371-S/2011/592.

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 centres 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-seventh session on the tasks entrusted to him in the present resolution;

9. *Decides* to include in the provisional agenda of its sixty-seventh 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".

*81st plenary meeting
9 December 2011
Adopted by 89 votes in favour,
9 against and 72 abstentions*

66/77.

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 65/103 of 10 December 2010,

Bearing in mind the relevant resolutions of the Security Council,

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

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

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

among the basic purposes and principles of the United Nations,

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

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

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

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

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

1. *Reaffirms* that the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of

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/66/370.

⁶ A/66/356, A/66/362, A/66/364, A/66/373 and A/66/400.

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.

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-seventh session on the implementation of the present resolution.

*81st plenary meeting
9 December 2011
Adopted by 162 votes in favor,
7 against and 3 abstentions*

66/78. 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 65/104 of 10 December 2010, 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,

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

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

² *Ibid.*, vol. 1125, No. 17512.

³ *Ibid.*, vol. 75, Nos. 970-973.

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

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

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

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

Recalling also the Quartet road map to a permanent two-State solution to the Israeli-Palestinian conflict,⁸ and 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,

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/66/358.

⁷ See A/48/486-S/26560, annex.

⁸ S/2003/529, annex.

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 displacement of Palestinian families, 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 in accordance with the two-State solution of Israel and Palestine, living side by side in peace and security within recognized borders, on the basis of the pre-1967 borders,

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 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,

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

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

Gravely concerned about the rising incidents of violence, harassment, provocation and incitement by illegal armed Israeli settlers in the Occupied Palestinian Territory, including East Jerusalem, against Palestinian civilians, 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 calling, in this regard, for

respect of 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, as well as of the meeting of the Council of 18 February 2011,

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;

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

⁹ A/66/356, A/66/362, A/66/364, A/66/373 and A/66/400.

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-seventh session on the implementation of the present resolution.

*81st plenary meeting
9 December 2011
Adopted by 160 votes in favour,
7 against and 5 abstentions*

66/79.

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 65/105 of 10 December 2010 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 Council on the situation of human rights in the Palestinian territories occupied since

¹ Resolution 217 A (III).

² See resolution 2200 A (XXI), annex.

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

⁴ See A/66/370.

⁵ A/66/356.

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,

⁶ A/HRC/16/72; see also A/66/358.

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.

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, 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 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,

⁹ S/2003/529, annex.

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 about 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,

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,

Also expressing deep concern 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 impair the Territory's contiguity, and about the consequent violation of the human rights of the Palestinian people and the negative impact on their socio-economic situation and the efforts aimed at rehabilitating and developing the Palestinian economy, 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,

Further expressing deep concern that thousands of Palestinians, including many children and women, continue to be held in Israeli prisons or detention centres under harsh conditions, including, inter alia, unhygienic conditions, solitary confinement, lack of proper medical care, denial of family visits and denial of due process, that impair their well-being, and expressing deep concern 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,

¹⁰ See A/63/855-S/2009/250.

¹¹ A/HRC/12/48.

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 centres,

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 1949⁸ 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-seventh session on the implementation of the present resolution.

*81st plenary meeting
9 December 2011*

*Adopted by 158 votes in favour,
9 against and 4 abstentions*

IV. SECRETARY-GENERAL ISSUES STATEMENT ON SETTLEMENT EXPANSION IN THE WEST BANK

The following statement was issued on 12 December 2011 by the Spokesperson for Secretary-General Ban Ki-moon (SG/SM/14016).

The Secretary-General is deeply concerned about today's reports of the Government of Israel's decision to approve the construction of 40 houses and a farm near the settlement of Efrat in the occupied territory near the Palestinian town of Bethlehem.

The Secretary-General calls again on the Government of Israel to freeze all settlement activity. Such activity is contrary

to international law and the road map, and prejudices final status negotiations.

These actions by the Government of Israel come at a critical juncture when the Quartet continues efforts to facilitate the resumption of direct negotiations between the parties. For this to succeed, the parties must refrain from provocative actions and help create a positive environment for negotiations.

V. UNITED NATIONS EDUCATIONAL, SCIENTIFIC AND CULTURAL ORGANIZATION ANNOUNCES THE RAISING OF THE PALESTINIAN FLAG AT ITS HEADQUARTERS

The following press release was issued on 13 December 2011 by the United Nations Educational Scientific and Cultural Organization.

The Palestinian flag was raised at United Nations Educational, Scientific and Cultural organization's headquarters today to mark the admission of Palestine to the organization. The President of the Palestinian Authority, Mahmoud Abbas, the United Nations Educational, Scientific and

Cultural Organization's Director-General, Irina Bokova, the President of the General Conference, Katalin Bogyay, the Chairperson of the Executive Board, Alissandra Cummins, and the Presidents of the regional groups were present at the ceremony.

VI. OFFICE FOR THE COORDINATION OF HUMANITARIAN AFFAIRS ANNOUNCES THE 2012 CONSOLIDATED APPEAL

At a press conference held on 14 December 2011 in Geneva, United Nations Under-Secretary-General for Humanitarian Affairs and Emergency Relief Coordinator Valerie Amos launched the 2012 Consolidated Appeal. The executive summary of the appeal is reproduced below.

Executive summary

2011 was marked by significant political developments in the region and in the occupied Palestinian territory. These included a reconciliation agreement reached between the two main political factions Fatah and Hamas in May, a Palestine application for full membership at the United Nations in September, and a subsequent campaign to join individual United Nations organizations. Unfortunately, an ongoing stalemate in direct negotiations between Israel and the Palestine Liberation Organization stymied political progress.

In April, the Palestinian Authority presented its Palestinian National Development Plan (2011-2013), and later in the year its efforts were recognized by the United Nations, the World Bank and the International Monetary Fund, which declared that the Palestinian Authority was now above the threshold for a functioning

state. Gaza recorded some economic growth in 2011, albeit from a very low base, and a decline in unemployment. However, this growth is considered unsustainable as the blockade remains in place, limiting the productive base (i.e., the manufacturing sector) and restricting access to export markets. The growth has also not translated into an increase in food security: 52 per cent of the population in Gaza remains food-insecure.

The main features of the Israeli occupation remain in place and consequently the humanitarian needs in the occupied Palestinian territory have not fundamentally changed. Serious protection and human rights issues, limited access to essential services and entrenched levels of food insecurity continue to characterize the day-to-day lives of many Palestinians. Civilian casualties rose more than 30 per cent in Gaza and the West Bank compared to 2010. Israeli authorities continued to impose a blockade on Gaza, amounting to

collective punishment of the population and affecting every aspect of life in the Gaza Strip. Livelihoods remained severely constrained by policies that restricted access to the areas with the most viable agricultural and fishing prospects. Restrictions on the movement of goods and people into Gaza have created chronic problems in health services, education and wash, sanitation and hygiene facilities. In East Jerusalem, fewer people were displaced in 2011, but the city and its Palestinian population became progressively more isolated from the rest of

the West Bank. Communities in Area C of the West Bank came under increasing pressure—there was a rise in demolitions, a marked increase in settler violence, no easing on movement restrictions and no progress on the planning and zoning regime. Bedouin and herder communities in particular were affected. The threat to lives and livelihoods became too great for many, coping strategies were overwhelmed and an increasing number of Palestinians were displaced from their homes and their land.

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

On 15 December 2011, at the 86th plenary meeting of its 66th session, the General Assembly considered agenda item 70 (b), entitled “Strengthening the coordination of humanitarian and disaster relief assistance of the United Nations, including special economic assistance: assistance to the Palestinian people” and adopted resolution 66/118 without a vote. The text of the resolution is reproduced below. For the verbatim record of the meeting, see A/66/PV.86.

66/118. **Assistance to the Palestinian people**

The General Assembly,

Recalling its resolution 65/134 of 15 December 2010, 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 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

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.

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 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,

Welcoming the latest meetings of the Ad Hoc Liaison Committee for the Coordination of the International Assistance to Palestinians, held in New York on 21 September 2010 and on 18 September 2011,

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 implementation of the Palestinian Reform and Development Plan 2008-2010 and the presentation of the Palestinian National Development Plan 2011-2013 on governance, economy, social development and infrastructure, and stressing the need for continued international support for the Palestinian State-building process, as outlined in the Chair's summary of the meeting of the Ad

Hoc Liaison Committee held on 18 September 2011,

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 within the Quartet by the United States of America, the European Union, the United Nations and the Russian Federation 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,

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

⁵ S/2003/529, annex.

⁶ A/66/80-E/2011/111.

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

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

4. *Stresses* the importance of the work of the United Nations Special Coordinator for the Middle East Peace Process and Personal Representative of the Secretary-General to the Palestine Liberation Organization and the Palestinian Authority and of the steps taken under the auspices of the Secretary-General to ensure the achievement of a coordinated mechanism for United Nations activities throughout the occupied territories;

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

6. *Welcomes*, in this regard, the meetings of the Ad Hoc Liaison Committee for the Coordination of the International Assistance to Palestinians, held in New York on 21 September 2010 and on 18 September 2011, 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-seventh 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-seventh session the sub-item entitled "Assistance to the Palestinian people".

Adopted without a vote

⁷ A/51/889-S/1997/357, annex.

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

On 19 December 2011, at the 89th plenary meeting of its 66th session, the General Assembly considered agenda item 68, entitled “Right of the peoples to self-determination” and adopted resolution 66/146. The text of the resolution is reproduced below. For the verbatim record of the meeting, see A/66/PV.89.

66/146. The right of the Palestinian people to self-determination

The General Assembly,

Aware that the development of friendly relations among nations, based on respect for the principle of equal rights and self-determination of peoples, is among the purposes and principles of the United Nations, as defined in the Charter,

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

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

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

Recalling also the United Nations Millennium Declaration,⁶

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

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

Expressing the urgent need for the resumption and accelerated advancement of negotiations within the Middle East peace process, based on the relevant United Nations resolutions, the Madrid terms of reference, including the principle of land for

¹ Resolution 2200 A (XXI), annex.

² Resolution 217 A (III).

³ Resolution 1514 (XV).

⁴ A/CONF.157/24 (Part I), chap. III.

⁵ See resolution 50/6.

⁶ See resolution 55/2.

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

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

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.

peace, the Arab Peace Initiative¹⁰ and the Quartet road map to a permanent two-State solution to the Israeli-Palestinian conflict,¹¹ and for the speedy achievement of a just, lasting and comprehensive peace settlement between the Palestinian and Israeli sides,

Stressing the need for respect for and preservation of the territorial unity, contiguity and integrity of all of the Occupied Palestinian Territory, including East Jerusalem, and recalling in this regard its resolution 58/292 of 6 May 2004,

Recalling its resolution 65/202 of 21 December 2010,

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

¹¹ S/2003/529, annex.

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.

*Adopted by 182 votes in favour,
7 against and 3 abstentions*

IX. ASSISTANT SECRETARY-GENERAL FOR POLITICAL AFFAIRS BRIEFS SECURITY COUNCIL ON THE SITUATION IN THE MIDDLE EAST, INCLUDING THE PALESTINIAN QUESTION

On 20 December 2011, Mr. Oscar Fernandez-Taranco, Assistant Secretary-General for Political Affairs, briefed the Security Council on the situation in the Middle East, including the Palestinian question. Excerpts of the briefing are reproduced below (S/PV.6692).

Credible progress in the search for peace between Israel and the Palestinians is more urgent than ever, but it has remained elusive in the context of tensions on the ground, deep mistrust between the parties and volatile regional dynamics. Over the past month, violent incidents erupted at a worrisome rate. Another dangerous round of escalation also occurred in Gaza. The realization of the two-State solution has not advanced, eroding hopes and underscoring the urgent need for both sides to engage without further delay in serious substantive negotiations to resolve all permanent status issues.

Efforts to help the parties resume direct talks continue. On 14 December,

Quartet envoys and Quartet Representative Blair held their third round of separate meetings with the Israeli and Palestinian negotiators. They reiterated the 23 September statement by Quartet principals (see SG/2178) and stressed the important objective of a direct exchange between the parties without delay or preconditions, beginning with a preparatory meeting and leading to the presentation of comprehensive proposals on territory and security. The envoys called on the parties to create an environment conducive to restarting talks and urged both sides to refrain from provocative actions.

We continue to believe that de-escalation is necessary to facilitate the

resumption of direct, meaningful engagement between the two sides. It is encouraging that, at the last meeting with the Quartet envoys, both Israel and the Palestinians signalled a willingness to think constructively about reciprocal actions that may help reduce tensions. Envoys will intensify their efforts to help the parties in that regard.

It is worth noting that, while the Palestinian flag was raised at United Nations Educational, Scientific and Cultural Organization headquarters on 13 December, the Palestinian Authority has not taken further steps towards membership in other United Nations organs or specialized agencies. The Government of Israel decided on 30 November to renew the transfer of tax and customs revenues owed to the Palestinian Authority, which had been withheld after the vote at the United Nations Educational, Scientific and Cultural Organization. It is critical that such transfers continue regularly and predictably, so as to safeguard the achievements of the Palestinian Authority's State-building agenda.

The reporting period witnessed a series of developments that are cause for continued serious concern. Several new settlement constructions have been announced. On 27 November, a plan for the construction of 119 housing units in the West Bank settlement of Shilo was approved. On 7 December the construction permit process for 14 housing units in the East Jerusalem neighbourhood of Ras al-Amud advanced closer to completion. On 12 December, approval was given for the construction of 40 homes and a farm near the West Bank settlement of Efrat, close to the Palestinian town of Bethlehem, impeding the natural development of that Palestinian urban centre. On 17 December, the Government of Israel announced its intention to issue construction tenders for 1,028 housing units in the settlements of Har Homa, Beitar Illit and Giv'at Ze'ev. As the Secretary-General

reaffirmed on 12 December, all settlement construction in the occupied Palestinian territory is contrary to international law and Israel's obligations under the road map, prejudices final status negotiations and should stop.

During the reporting period, 57 Palestinian structures, comprising 28 residences, were demolished in the West Bank owing to the lack of permits. Six of those demolitions took place in East Jerusalem, marking the resumption of demolitions of residential structures in the city following a period of relative restraint.

Throughout this year, we have repeatedly warned about the increase in settler violence. It is deeply troubling that attacks by settlers on Palestinians and their property have become a systematic occurrence—often, but not exclusively, in the context of anticipated Government action against illegal settlement construction. Six Palestinians, including two children, were injured by settlers during the reporting period. On 14, 18 and 19 December, cars and other Palestinian property were set on fire. Several mosques were also targeted. On 7 December, an arson attack was carried out against a mosque in the West Bank village of Burqin. On 15 December, a mosque in Burka village, close to Ramallah, was set on fire. On 19 December, a mosque was desecrated near Hebron. In addition, on 13 December, a mosque that is not currently in use was desecrated in West Jerusalem. During the night of 12 December, several dozen Israeli extremists stormed an Israel Defense Forces base and blocked adjacent roads in the West Bank. In parallel, a group of Israeli extremists approached the border with Jordan and was stopped from crossing by the Israeli Defense Forces. We welcome Prime Minister Netanyahu's strong condemnation of such violent acts and his stated intent to prevent such incidents from reoccurring. It is critical that those statements be translated into swift

and decisive action, including for the protection of Palestinians and their property.

Demonstrations against the barrier in the occupied West Bank continue on a regular basis, as the barrier's route deviates from the Green Line in contravention of the advisory opinion of the International Court of Justice. On 10 December, a Palestinian protesting the takeover of privately-owned land by Israeli settlers died from wounds sustained the day before in the West Bank locality of Nabi Saleh, when an Israeli Defense Forces soldier fired a tear gas canister at close range from an armoured Israeli Defense Forces vehicle at which the protester had been throwing stones. Sixty-one Palestinians and three Israeli Defense Forces soldiers were also injured during similar protests. We await the results of the investigation that was launched by the Israeli authorities. Allow me to stress that the right to peaceful protest must be upheld and that protests should be kept strictly non-violent.

During the reporting period, citing security reasons, the Israel Defense Forces conducted 337 operations in the West Bank, during which 154 Palestinians were injured, including six children, and 233 arrested. On 18 December, 550 prisoners, including 55 minors and six women, were released as part of the second phase of the agreement to exchange prisoners for captured Israeli soldier Gilad Shalit.

Palestinian security forces have continued working to uphold law and order in the West Bank, including seizing and defusing unexploded devices on 21 and 23 November and 3 December. Close cooperation has continued with Israeli security forces, leading to the arrest of a number of suspected perpetrators of violence against Palestinians and their properties.

In East Jerusalem, Palestinian residency rights remain a serious human

rights concern. On 6 December, the second of four Hamas-affiliated members of the Palestinian Legislative Council from East Jerusalem, who had been sheltered by the International Committee of the Red Cross since June 2010, was deported from East Jerusalem to Ramallah. In a separate development, the Mughrabi Gate ramp to the Temple Mount/Haram al-Sharif, through which tourists and non-Muslims access the compound, was reopened on 14 December after a temporary closure over safety concerns raised by the municipality.

In Gaza and southern Israel, we once again witnessed a dangerous deterioration in the security situation. On 7 December, an Islamic Jihad militant was killed and another critically wounded by an Israeli Air Force missile. Israel has said that the two militants were planning to launch an attack along the buffer zone. On 8 December, an Israeli air strike killed two militants in Gaza City and injured 10 civilians. Israel stated that one of the militants had been involved in attacks against Israel before and was planning more. The firing of projectiles from Gaza into Israel intensified in the wake of the air strike, with no reported damage or injuries. The Office of the United Nations Special Coordinator for the Middle East Peace Process has actively supported Egyptian efforts to restore calm.

During the entire reporting period, 45 projectiles, including five Grad rockets, were fired from Gaza into Israel. The Israeli Defense Forces conducted nine incursions and 13 air strikes, resulting in the deaths of three Palestinian militants and three civilians, while five Palestinian militants and 21 civilians sustained injuries. We condemn in the strongest terms any indiscriminate firing of projectiles towards civilian areas and call on Israel to show maximum restraint. Obligations under international humanitarian law must be respected for the protection of civilians.

The implementation of United Nations projects with a total value of approximately \$365 million continues in Gaza and construction materials for those projects are entering through the Kerem Shalom crossing. Special Coordinator Serry recently visited Gaza and noted the progress being made in the Khan Younis housing project and a number of United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA) schools. While three major UNRWA housing projects are still pending approval, that progress improves the lives of people in Gaza and must be sustained and expanded. We are encouraged by a limited resumption of agricultural exports to Europe, worth an estimated \$25 million during the reporting period.

However, extensive restrictions remain in place, and the needs of Gaza's civilian population remain significant. We continue to call for the full liberalization of imports of construction materials as a means of enabling the legitimate economy and replacing the illicit tunnel trade. It is important that exports be allowed to resume at scale, including transfers to the West Bank. Those changes could be applied with due consideration for Israel's legitimate security concerns, in line with Security Council resolution 1860 (2009) in all its aspects, and could make a significant difference in the lives of many Gazans. We will continue to work with the Government of Israel and the Palestinian Authority in that regard.

We are concerned by the de facto authorities' intent to tax the Bank of Palestine and the Palestine Islamic Bank, as well as the subsequent travel ban on senior bank staff. The regular functioning of the banking sector is vital to the Gazan economy. Furthermore, the United Nations relies on the financial services of those institutions for its operations in Gaza.

This past weekend, a series of meetings among the Palestinian factions began in Cairo as part of efforts to advance Palestinian reconciliation. The finalization of many of the key provisions of the reconciliation accord remains outstanding, and meetings will continue throughout this week. We continue to support reconciliation efforts within the framework of the commitments of the Palestine Liberation Organization, the positions of the Quartet and the Arab Peace Initiative.

Finally, the United Nations Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression, Mr. Frank La Rue, visited the occupied Palestinian territories and Israel from 6 to 17 December, the first such visit. He shared his initial findings and recommendations in Jerusalem on 18 December.

...

Turning back to the Middle East peace process, let me conclude by reiterating our worry that as the year draws to a close, the situation on the ground is deteriorating and the path towards peace remains dangerously uncertain. We must not allow such negative dynamics to prevail; too much is at stake. Our challenge remains to help the parties overcome them, and I urge them to utilize the opportunity provided by the framework laid out by the Quartet to de-escalate the situation, return to direct talks with serious proposals on borders and security, and stop provocations. The Quartet remains focused on achieving progress in the coming period, and the parties can be assured that the United Nations will continue to play its role in support of their efforts to achieve a just, lasting and comprehensive peace in the Middle East.

X. GENERAL ASSEMBLY ADOPTS RESOLUTION ON THE PERMANENT SOVEREIGNTY OF THE PALESTINIAN PEOPLE OVER THEIR NATURAL RESOURCES

On 22 December 2011, at the 91st plenary meeting of its 66th session, the General Assembly considered agenda item 61, entitled “Permanent sovereignty of the Palestinian people in the Occupied Palestinian Territory, including East Jerusalem, and of the Arab population in the occupied Syrian Golan over their natural resources”, and adopted resolution 66/225. The text of the resolution is reproduced below. For the verbatim record of the meeting, see A/66/PV.91.

66/225.

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

The General Assembly,

Recalling its resolution 65/179 of 20 December 2010, and taking note of Economic and Social Council resolution 2011/41 of 28 July 2011,

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

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

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

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

Reaffirming the applicability of the Geneva Convention relative to the Protection of Civilian Persons in Time of

War, of 12 August 1949,¹ to the Occupied Palestinian Territory, including East Jerusalem, and other Arab territories occupied by Israel since 1967,

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

Recalling also the advisory opinion rendered on 9 July 2004 by the International Court of Justice on the *Legal Consequences of the Construction of a Wall in the Occupied Palestinian Territory*,³ and recalling further its resolutions ES-10/15 of 20 July 2004 and ES-10/17 of 15 December 2006,

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

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

² See resolution 2200 A (XXI), annex.

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

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

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

Taking note, in this regard, of the 2009 report by the United Nations Environment Programme regarding the grave environmental situation in the Gaza Strip,⁴ and stressing the need for follow-up to the recommendations contained therein,

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

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

⁴ *Environmental Assessment of the Gaza Strip following the Escalation of Hostilities in December 2008-January 2009* (United Nations publication, Sales No. E.09.III.D.30).

Reaffirming the need for the resumption and accelerated advancement of negotiations within the Middle East peace process, on the basis of Security Council resolutions 242 (1967), 338 (1973) of 22 October 1973, 425 (1978) of 19 March 1978 and 1397 (2002) of 12 March 2002, the principle of land for peace, the Arab Peace Initiative⁵ and the Quartet performance-based road map to a permanent two-State solution to the Israeli-Palestinian conflict,⁶ as endorsed by the Security Council in its resolution 1515 (2003) of 19 November 2003 and supported by the Council in its resolution 1850 (2008) of 16 December 2008, for the achievement of a final settlement on all tracks,

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

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

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

Taking note of the note by the Secretary-General transmitting the report prepared by the Economic and Social Commission for Western Asia on the economic and social repercussions of the Israeli occupation on the living conditions of the Palestinian people in the Occupied

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

⁶ S/2003/529, annex.

Palestinian Territory, including East Jerusalem, and of the Arab population in the occupied Syrian Golan,⁷

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

2. *Demands* that Israel, the occupying Power, cease the exploitation, damage, cause of loss or depletion, and endangerment of the natural resources in the Occupied Palestinian Territory, including East Jerusalem, and in the occupied Syrian Golan;

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

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

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

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

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

8. *Requests* the Secretary-General to report to the General Assembly at its sixty-seventh session on the implementation of the present resolution, including with regard to the cumulative impact of the exploitation, damage and depletion by Israel of natural resources in the Occupied Palestinian Territory, including East Jerusalem, and in the occupied Syrian Golan, and decides to include in the provisional agenda of its sixty-seventh session the item entitled “Permanent sovereignty of the Palestinian people in the Occupied Palestinian Territory, including East Jerusalem, and of the Arab population in the occupied Syrian Golan over their natural resources”.

*Adopted with 167 votes in favour,
7 against and 6 abstentions*

⁷ A/65/72-E/2010/13.