



## DIVISION FOR PALESTINIAN RIGHTS

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

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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. SPECIAL RAPPORTEUR ON THE SITUATION OF HUMAN RIGHTS IN THE PALESTINIAN TERRITORIES OCCUPIED SINCE 1967 MAKES REMARKS AT DIALOGUE WITH HUMAN RIGHTS COUNCIL**

*On 2 July 2012, the Human Rights Council held an interactive dialogue session with Richard Falk, the Special Rapporteur on the situation of human rights in the Palestinian territories occupied since 1967, during which Mr. Falk introduced his report. The following is a reproduction of Mr. Falk's concluding remarks:*

The stature and legitimacy of the Human Rights Council was itself an issue, and to be passive in the face of this Israeli non-cooperation undermined the obligations of a Member of the United Nations as a State to exercise its own responsibility to cooperate with the Organization and its various procedures. It was important to distinguish the pattern of non-cooperation from the more important pattern of non-compliance with human rights standards and the related defiance of international law obligations. Absence of consistency undermined the international rule of law and tainted the capacity of the United Nations as such to implement law in a way that treated equals equally, and that had not happened in relation to the situation of the Palestinians. It was important to recognize unlawfulness on both sides. Palestinians had lived without the protection of law or the benefit of rights. How could this situation be tolerated and claims still be heard of the international community's responsibility to protect? This

defied moral imagination and was a serious challenge to the international community. Mr. Falk, in response to a question on possible genocide, said that genocide was a delicate issue that required much documentation. He believed that at this stage the most important focus should be on crimes against humanity. There were issues that were calling for some kind of concerted attention by the Human Rights Council and the international community as a whole. In conclusion, there was an end in view of how much rhetoric alone could address this horrible situation Palestinians had been living under for so long. For the Human Rights Council to retain its own credibility, it had to move beyond rhetoric, and find ways to take seriously the suffering of the Palestinian people and adopt measures commensurate with that suffering and display a political will to end the situation of lawlessness that had characterized the Palestinian occupation for so long.

## **II. UNESCO WORLD HERITAGE COMMITTEE ADOPTS THREE DECISIONS ON PALESTINIAN CULTURAL HERITAGE**

*During its thirty-sixth session, held at Saint Petersburg from 24 June to 6 July 2012, the World Heritage Committee of UNESCO adopted three decisions, on the Old City of Jerusalem and its Walls; the Mughrabi Ascent; and the Protection of the Palestinian cultural and natural heritage. The texts of the decisions are reproduced below:*

**Decision: 36 COM 7A.23.I**  
**Old City of Jerusalem and its Walls (site proposed by Jordan) (C 148 rev)**

*The World Heritage Committee,*

1. *Having examined* Document WHC-12/36.COM/7A.Add,

2. *Recalling* Decision 35 COM 7A.22, adopted at its 35th session (UNESCO, 2011),

3. *Recalling* the relevant provisions on the protection of cultural heritage including the four Geneva Conventions (1949), the Hague Convention for the Protection of Cultural Property in the Event of Armed Conflict of 1954, the Convention for the Protection of the World Cultural and Natural Heritage of 1972, the inscription of the Old City of Jerusalem and its Walls at the request of Jordan on the World Heritage List (1981) and on the List of World Heritage in Danger (1982), and the recommendations, resolutions and decisions of UNESCO,

4. *Reaffirming* that nothing in the present decision, which aims at the safeguarding of the cultural heritage of the Old City of Jerusalem and its Walls, shall in any way affect the relevant United Nations resolutions and decisions, in particular the relevant Security Council resolutions on the legal status of Jerusalem,

5. *Affirming* the importance of maintaining the integrity and authenticity in the Old City of Jerusalem and its Walls on both sides,

6. *Affirms* the necessity of cooperation to facilitate access to the Old City of Jerusalem and its Walls, including heritage sites therein, in the context of the UNESCO Conventions for the protection of the cultural heritage, and *recognizes the concerns* expressed regarding the restricting obstacles imposed by the Israeli authorities on the freedom of access;

7. *Thanks* international donors for their generous contributions to the UNESCO Action Plan for the Safeguarding of the Cultural Heritage of the Old City of Jerusalem and both sides of its Walls, and *calls upon* the international donor community to further support, through extra-budgetary funding, activities aimed at the safeguarding of the integrity and authenticity of the cultural heritage of the

Old City of Jerusalem and both sides of its Walls;

8. *Requests* the World Heritage Centre to make technical expertise and assistance available for the current and future conservation works foreseen in and around the Old City of Jerusalem and its Walls, taking into consideration the activities foreseen in the context of the Action Plan, as needed;

9. *Regrets* the Israeli refusal to comply with the World Heritage Centre and UNESCO decisions and *requests* Israel to timely cooperate and facilitate the implementation of the World Heritage Committee Decision 34 COM 7A.20 which requests, inter alia, a joint World Heritage Centre/ICCROM/ICOMOS reactive monitoring mission to the Old City of Jerusalem and its Walls;

10. *Also regrets* the persistence of the Israeli archaeological excavations and works in the Old City of Jerusalem and on both sides of its Walls, and the failure of Israel to provide the World Heritage Centre with adequate and comprehensive information about its archeological activities thereon, and *asks* the Israeli authorities to cease such excavations and works in conformity with the UNESCO Conventions for the protection of cultural heritage;

11. *Asks* in this regard, that the World Heritage Centre states in its relevant reports on the obstacles related to the provision of such information by the Israeli authorities and *also requests* the World Heritage Centre to play a proactive role;

12. *Further requests* the World Heritage Centre to apply the Reinforced monitoring mechanism to the Old City of Jerusalem and on both sides of its Walls, and *also requests* that the World Heritage Centre validates in a concrete manner the flow of information

provided by the concerned parties on the ongoing activities in and around the Old City of Jerusalem and its Walls;

13. *Encourages* the Director-General of UNESCO to take the necessary measures, in consultation and cooperation with the concerned parties, to reactivate and reinvigorate the implementation of the short-, medium- and long-term objectives of the Action Plan, including training, education and cultural activities, and the preservation of sites and monuments of the Old City of Jerusalem and its Walls as inscribed on the World Heritage List;

14. *Thanks* the Director-General of UNESCO and the World Heritage Centre for steps undertaken in the implementation of the Action Plan for the Safeguarding of the Cultural Heritage of the Old City of Jerusalem and *further requests* them to report on this matter and on the state of conservation of the property at its 37th session in 2013;

15. *Decides* to retain the Old City of Jerusalem and its Walls on the List of World Heritage in Danger.

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Extracted from:

UNESCO doc. WHC-12/36.COM/19

<http://whc.unesco.org/en/sessions/36COM/>

**Old City of Jerusalem and its Walls (site proposed by Jordan) (C 148 rev) – The Mughrabi Ascent**

**Decision: 36 COM 7A.23.II**

*The World Heritage Committee,*

1. *Having examined* Document WHC-12/36.COM/7A.Add,

2. *Recalling* previous UNESCO decisions, including 176 EX/Special Plenary Meeting/Decision, Decision 34 COM 7A.20

of the World Heritage Committee adopted at its 34th session (Brasilia, 2010), and 187 EX/Decision 5 relating to the Ascent to the Mughrabi Gate in the Old City of Jerusalem,

3. *Also recalling* the relevant provisions on the protection of cultural heritage, including in the four Geneva Conventions (1949), the relevant provisions of the Hague Convention for the Protection of Cultural Property in the Event of Armed Conflict of 1954, the Convention for the Protection of the World Cultural and Natural Heritage of 1972, the inscription of the Old City of Jerusalem and its Walls at the request of Jordan on the World Heritage List (1981) and on the List of World Heritage in Danger (1982), and recommendations, resolutions and decisions of UNESCO,

4. *Reaffirming* the purpose and spirit of the professional encounter at the technical level on 13 January 2008, as well as the follow-up meeting on 24 February 2008,

5. *Noting* the Sixth, Seventh, Eighth, and Ninth and its Addendum, Tenth and Eleventh Reinforced Monitoring Reports prepared by the World Heritage Centre,

6. *Recognizes* the concerns raised in this regard about the decision by the Jerusalem District Planning and Construction Commission on the town planning scheme for the Mughrabi Ascent, and the subsequent decision by Israel's National Council for Planning and Construction to adopt "an alternative plan for the Mughrabi Ascent", approved on 31 October 2010 by the above-mentioned Commission;

7. *Requests* that, despite the decisions mentioned in paragraph 6, the process for the design of the Mughrabi Ascent be inclusive of all parties concerned, in accordance with obligations and duties of such parties as stipulated in the content of

previous World Heritage Committee decisions;

8. *Reaffirms* in this regard, that no measures, unilateral or otherwise, should be taken which will affect the authenticity and integrity of the site, in accordance with the Convention for the Protection of the World Cultural and Natural Heritage of 1972 and the relevant provisions on the protection of cultural heritage of the Hague Convention for the Protection of Cultural Property in the Event of Armed Conflict of 1954;

9. *Notes* the request made by the World Heritage Committee in previous decisions, and requests, in this regard, the Israeli authorities to continue cooperation with all concerned parties, in particular with Jordanian and Waqf experts;

10. *Acknowledges receipt* of the Jordanian design for the restoration and preservation of the Mughrabi Ascent, submitted to the World Heritage Centre on 27 May 2011, and thanks Jordan for its cooperation in accordance with the relevant provisions of UNESCO conventions for the protection of cultural heritage;

11. *Affirms* in this regard, that the UNESCO-initiated process for follow-up to the design of the Mughrabi Ascent, which aims at proactively facilitating an accepted and monitored solution concerning the Mughrabi Ascent among all parties concerned, be coordinated with all such parties, in accordance with the spirit and content of previous World Heritage Committee decisions;

12. *Acknowledges* in this regard, the concerns raised regarding Israel's submission and content of its plan for the Mughrabi Ascent, referred to in paragraph 6, and *requests* the World Heritage Centre to be proactive and follow closely, in the context of the Reinforced monitoring

mechanism, the developments associated with this process;

13. *Notes with satisfaction* the access provided by Israel to the Mughrabi Ascent for Jordanian and Waqf experts on 23 May, 8 August and 28 November 2010, and reiterates its request that Israel continues cooperation commenced with all parties concerned, in particular with Jordanian and Waqf experts to enable agreement on, and implementation of, a final design for the restoration and preservation of the Mughrabi Ascent among all parties concerned;

14. *Also notes* in this regard, reports of preliminary discussions between Jordan and Israel concerning the Mughrabi Ascent, which stipulate, inter alia, that no measures, unilateral or otherwise, shall be taken on the site in accordance with paragraph 8 above, and the necessity of an accepted design and implementation thereof among all parties concerned; and reiterates in this regard, the need for the parties concerned to coordinate and cooperate on all related aspects of this issue;

15. *Encourages* the Director-General to facilitate coordinated action and professional exchanges between all the parties concerned;

16. *Decides* to continue applying the Reinforced monitoring mechanism for the state of conservation of the Mughrabi Ascent, and also requests a report from the World Heritage Centre every four months, until the 37th session of the World Heritage Committee in 2013.

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Extracted from:  
UNESCO doc. WHC-12/36.COM/19  
<http://whc.unesco.org/en/sessions/36COM/>  
Decision: 36 COM 7A.23.I

**Decision: 36 COM 11**

## **Protection of the Palestinian cultural and natural heritage**

*The World Heritage Committee,*

1. *Having examined* Document WHC-12/36.COM/11,

2. *Recalling* Decision 35 COM 11 adopted at its 35th session (UNESCO, 2011),

3. *Takes note* of the information provided by the World Heritage Centre and welcomes Palestine as a Party to the World Heritage Convention;

4. *Commends* the efforts of all professionals involved in preserving the Palestinian cultural and natural heritage despite the prevailing conditions;

5. *Urges* all parties concerned with the safeguarding of heritage to take appropriate measures to prevent and avoid any damage to the Palestinian cultural and natural heritage, including the Jerusalem Southern Terraced Landscape, known as Battir;

6. Encourages the reactivation of the joint Israeli-Palestinian Technical Committee for Archaeology, in coordination with the concerned parties, as recommended at the 29th, 30th, 34th and 35th sessions of the World Heritage Committee;

7. *Reiterates its request* that the World Heritage Centre and ICOMOS undertake a mission to assess the state of conservation of the main sites listed in the inventory and the Tentative List;

8. *Invites* the World Heritage Centre to continue assisting the Palestinian institutions concerned in reinforcing their capacity in the protection, preservation and management of the Palestinian cultural and natural heritage.

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Extracted from:

UNESCO doc. WHC-12/36.COM/19

<http://whc.unesco.org/en/sessions/36COM/>

## **III. UNITED NATIONS ASIAN AND PACIFIC MEETING IN SUPPORT OF ISRAELI-PALESTINIAN PEACE CONVENES IN BANGKOK**

*On 10 July 2012, the Committee on the Exercise of the Inalienable Rights of the Palestinian People convened the two-day United Nations Asian and Pacific Meeting in Support of Israeli-Palestinian Peace at the Economic and Social Commission for Asia and the Pacific (ESCAP), in Bangkok, under the theme “International efforts at addressing the obstacles to the two-State solution — the role of Asian and Pacific governmental and non-governmental actors”. United Nations Secretary-General Ban Ki-moon’s message, which was delivered at the meeting by Wolfgang Gieger, Director of the Division for Palestinian Rights of the Department of Political Affairs of the United Nations Secretariat, is reproduced below (GA/PAL/1239 and SG/SM/14408):*

It is my pleasure to send greetings to this Asian and Pacific Meeting in Support of Israeli-Palestinian Peace. I commend the Committee on the Exercise of the Inalienable Rights of the Palestinian People for organizing this forum.

The Israeli-Palestinian peace process has been for some time at a dangerous standstill. As we speak, there are ongoing intensive efforts between the parties to avoid renewed deadlock. The Middle East Quartet continues to stress the urgent need for

mutual confidence-building measures in support of efforts to resume dialogue and substantive negotiations, as well as to keep the prospects for a two-State solution alive.

However, recent actions on the ground have not contributed to a conducive environment for dialogue. Israel has continued settlement activity, contrary to international law and its commitments under the road map. And violence between Israeli settlers and Palestinians has escalated.

Moreover, settlements and their infrastructure, as well as the barrier, which deviates from the green line in contravention to the advisory opinion of the International Court of Justice, severely restrict movement and access for Palestinians and hamper the development of their economy.

Since the beginning of this year, and contrary to Israel's obligations under international law, more than 370 Palestinian structures have been demolished in the West Bank, including East Jerusalem, displacing some 600 people, including women, children and elderly.

The situation in Gaza also remains unsustainable. Gaza's recovery and long-term economic growth remain a priority for the United Nations. The closure, now entering its sixth year, has had a devastating impact. More than 80 per cent of families depend on humanitarian aid, yet Gaza remains subject to severe restrictions on imports, exports and the movement of people, by land, air and sea. Lifting these restrictions, within the framework of Security Council resolution 1860 (2009), would help to rebuild self-reliance and sustainability of the Gazan economy, and reduce dependency on donor aid. I continue to call on Israel to take measures to that end.

Meanwhile, I reiterate my condemnation of the firing of rockets from the Gaza Strip into Israel. Militants must stop their indiscriminate attacks against Israeli civilians. I also call on Israel to show maximum restraint.

I was disappointed to learn that voter registration in Gaza was suspended. I hope that the authorities responsible will reverse this suspension. I am convinced that progress on reconciliation remains a fundamental aspect of peace, as a unified Palestinian polity is central to realizing a two-State solution based on principles of peaceful co-existence and mutual recognition. I continue to believe that negotiations with Israel and Palestinian reconciliation, within the framework of the commitments of the Palestine Liberation Organization and under the leadership of President Abbas, are not mutually exclusive.

The establishment of a Palestinian State living side by side with a secure State of Israel is long overdue. Palestinians have lived under occupation for too long, enduring its restrictions, limitations and indignities. The Israeli population must also be able to live without fear of indiscriminate rocket fire or other threats. Yet today the long-hoped-for two-State solution is increasingly at risk, moving us further away from our shared objective of a comprehensive peace in the region.

The only way to avoid more suffering and violence is through negotiations aimed at resolving all permanent status issues. All of us in the international community, including the countries of Asia and the Pacific, must act collectively to help steer the situation towards a historic peace agreement. I look forward to your contributions and wish you a successful meeting.



#### **IV. SECRETARY-GENERAL ISSUES MESSAGE TO THE UNITED NATIONS- LEAGUE OF ARAB STATES GENERAL MEETING ON COOPERATION**

*On 10 July 2012, the United Nations Secretary-General issued a message to the general meeting on cooperation between representatives of the secretariats of the organizations of the United Nations system and the General Secretariat of the League of Arab States and its specialized organizations held at the United Nations Office at Vienna. The message, which was delivered by Levent Bilman, Director of the Policy and Mediation Division of the Department of Political Affairs, included a section on the Middle East process. An excerpt from this message is reproduced below:*

...

The impasse in the Middle East peace process remains another major concern for our two organizations. Together, we must create the conditions for meaningful negotiations. The Palestinian Authority needs the continuing support of the international community for its

commendable State-building efforts, including financial help to ensure the payment of salaries and delivery of services to the population. We must also ensure that UNRWA receives the funds it needs to provide its vital assistance. I urge LAS members do to their part on both counts.

...

#### **V. UNCTAD ISSUES REPORT ON DEVELOPMENTS IN THE ECONOMY OF THE OCCUPIED PALESTINIAN TERRITORY**

*At its fifty-ninth session, held in Geneva from 17 to 28 September 2012, the Trade and Development Board of the United Nations Conference on Trade and Development discussed item 11(b) of the provisional agenda, entitled "Report on UNCTAD assistance to the Palestinian people". On 15 July, the Board discussed the report, the executive summary of which is reproduced below:*

The long-term prospects for Palestinian economic development became even more unattainable in 2011 than in the previous years. Restrictions on movement, faltering aid flows, a paralysed private sector, and a chronic fiscal crisis cloud the horizons. The recent recovery of growth in Gaza is unsustainable. High unemployment persists, exacerbating poverty, with one in two Palestinians classified as poor. Under current circumstances, where private demand is weak, reduction in Palestinian Authority spending is counterproductive. Donors need to make predictable aid disbursements, and greater capture of trade-related fiscal revenue is warranted to prevent a full-blown socio economic crisis. The impact of occupation on the Palestinian productive base, especially the

agriculture sector, has been devastating. The economy has lost access to 40 per cent of West Bank land, 82 per cent of its groundwater and more than two thirds of its grazing land. In Gaza, half of the cultivable area and 85 per cent of fishery resources are inaccessible. Strategic Palestinian economic development stands to benefit from the establishment of an agricultural development bank to provide credit, risk-sharing and investment in agriculture. Despite limited resources, UNCTAD continued to support Palestinian institutional capacity development in different areas, including training and technical cooperation projects on customs modernization, trade facilitation and econometric modelling of the Palestinian economy.

## **VI. SPECIAL COORDINATOR FOR THE MIDDLE EAST PEACE PROCESS BRIEFS SECURITY COUNCIL ON THE SITUATION IN THE MIDDLE EAST, INCLUDING THE PALESTINIAN QUESTION**

*On 25 July 2012, 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 Palestine Authority, Robert Serry, briefed the Security Council on the situation in the Middle East, including the Palestinian question. Excerpts from the briefing are reproduced below (S/PV.6816):*

Let me at the outset join the Secretary-General and the Council in condemning in the strongest possible terms the deadly terror attack on 18 July against a bus carrying Israeli tourists outside the Burgas airport in Bulgaria. The explosion, reportedly executed by a suicide bomber, killed six civilians, five of them Israeli and one Bulgarian, and injured more than 30 people, several critically. We extend our condolences to the families of the victims and wish a speedy recovery to the injured. That heinous act provides a reminder, as noted by the Quartet on the Middle East in its statement on 19 July, of the need for the members of the international community to stand side by side in the effort to prevent terrorism wherever it may be practiced.

The Quartet also reaffirmed its commitment to continuing efforts to reach a comprehensive, just and lasting settlement in the Middle East, where all people may live in peace and security.

In that regard, the past month has been characterized by a continuation of the effort to restart talks amid continued worrying developments on the ground. Quiet, direct exchanges between the parties are ongoing in an attempt to reach agreement on a package of measures that would create an environment conducive to talks and pave the way for high-level contacts.

President Abbas has emphasized the importance of a release of Palestinian prisoners arrested before the Oslo accords

were agreed. He has also underlined the critical importance of Israel's allowing the delivery of weapons and ammunition intended for the Palestinian security forces that are held in Jordan. It is vital that such steps be taken to enable a continuation of effective security coordination. More generally, it is concerning that we have not seen urgently needed enabling steps or other measures that would bolster the Palestinian Authority (PA).

Quartet envoys have remained in close contact with each other and the parties, and a number of high-level visits have taken place. On 25 and 26 June, Russian President Vladimir Putin held meetings in Israel and with President Abbas in Bethlehem. United States Secretary of State Hillary Clinton also visited Israel on 16 and 17 July, and on 6 July met with President Abbas in Paris, where the Palestinian President also met with French President Hollande, European Union High Representative Ashton, and United Kingdom Foreign Secretary Hague. The Arab League Follow-up Committee held consultations in Doha on 22 July, in which it supported a Palestinian approach to the United Nations to seek further recognition without specifying a timeline.

In sum, the effort to restart direct talks has not reached a breaking point, but there has not been a breakthrough either, and that is increasingly of concern. While talks remain stalled, events on the ground continue to move in the wrong direction.

To begin with, the Palestinian Authority faces an acute challenge in maintaining its solvency. At the start of the year, the Authority announced that it owed \$1.1 billion in bank loans and \$400 million to the private sector. In addition, it expects a \$1-billion shortfall in funding towards its \$3.5-billion budget for 2012. At the start of July, the Palestinian Finance Minister announced that the Palestinian Authority could not pay all June salaries to its 150,000 employees on time. Last week, Saudi Arabia announced a contribution of \$100 million. This is positive news that has provided the Palestinian Authority with a welcome respite, including by allowing it to pay the June salaries, but it will be brief.

We call on other donors, particularly other Gulf countries, to consider making a timely donation during this period of critical shortage. We have also repeatedly pointed to the need for an improved mechanism for the transfer of the VAT revenues Israel collects on behalf of the Palestinian Authority to enhance transparency and efficiency. Last week, Israeli authorities transferred half of the monthly VAT collection to the PA two weeks early in order to assist with the payment of salaries ahead of the holy month of Ramadan.

On 17 July, Israel approved 5,000 permits for Palestinian construction workers to work in Israel, in addition to the 34,250 permits that have already been issued for Palestinian workers to work there. This initiative is welcome, but more needs to be done to ease access and movement and enable economic growth throughout the West Bank, including Area C, the Jordan Valley and Gaza. In Gaza, next steps must include enabling exports to Israel and other countries, as well as transfers to and from the West Bank. This will in turn enable economic growth and, in addition, provide

much needed additional revenue through taxation for the Palestinian Authority.

Settlement announcements continued this month, with the Israel Land Authority publishing tenders for 171 new settlement units in East Jerusalem, 41 in Pisgat Ze'ev, and 130 units in Har Homa. Additionally, 13 Palestinian structures, including three residences, were demolished in the West Bank during the reporting period, leading to the displacement of 20 Palestinians, including seven children. We are also concerned about recent reports that the Israeli Minister of Defence has ordered the demolition of eight Palestinian villages near Hebron so that the area can be used for military training.

On 18 July, a Higher Education Committee nominated by the Israeli military commander of the West Bank approved an application by a college in the settlement of Ariel, which is deep in the West Bank, to upgrade its status to that of university. While still pending approval, such an upgrade would considerably increase Government funding, resulting in an increase in enrolment, which now stands at 12,000 students. This represents a further encroachment into the West Bank and runs counter to Israel's road map obligations to freeze settlement activity, including natural growth.

At the same time, a committee led by retired Supreme Court Justice Edmond Levy and commissioned by the Israeli Government to provide recommendations on "the status of the construction" in the West Bank submitted its report to the Prime Minister on 9 July. The report claimed that the Israeli presence in the West Bank was not a military occupation, recommended post-facto approval of outposts which the Israeli legal system deems illegal, and proposed changes to the process of

approving settlement construction. The Israeli Government has not endorsed the report, but such proposals are in direct contradiction to international law. I reiterate that any settlement construction in the occupied Palestinian territory, including East Jerusalem, is contrary to international law and Israel's commitments under the road map, and should stop. As the Quartet has stated on numerous occasions, any Israeli settlement activity in the West Bank cannot prejudice the outcome of negotiations and will not be recognized by the international community.

As in previous reporting periods, clashes between Israeli settlers and Palestinians have continued. Settlers attacked Palestinians near Hebron on 30 June, and Nablus was the site of clashes during Israeli visits to Joseph's Tomb on 21 June and 18 July. Settler attacks on Palestinian property, including agricultural land and orchards, also continued, resulting in over 1,000 trees being damaged.

Palestinian attacks on Israelis in the West Bank, mostly consisting of stone-throwing at Israeli vehicles, also continued, resulting in one Israeli injury on 11 July. On 27 June, a Palestinian was shot and injured by an Israeli security guard at the entrance of the settlement of Ma'ale Adumim after allegedly hitting an Israeli police car with his vehicle. On 17 July, a Palestinian was arrested for attacking an Israeli girl in Area C.

Citing security, Israeli security forces conducted 477 operations in the West Bank, which was an increase from previous months, resulting in 185 Palestinians, including eight children, being injured, while two Israeli soldiers were also injured. A total of 246 Palestinians were arrested, including a member of the Palestinian Legislative Council affiliated with Hamas,

on 15 July. On 9 July, a Jerusalem court sentenced two former Israeli police officers to 30 months in prison for the negligent death of a Palestinian in 2008.

Most Palestinians injuries and arrests during the reporting period took place during demonstrations against the barrier, which deviates from the Green Line in contravention to the advisory opinion of the International Court of Justice. A Palestinian demonstration in Ramallah on 30 June against a planned meeting between President Abbas and then Deputy Prime Minister of Israel Shaul Mofaz resulted in clashes with Palestinian security forces. Although the meeting was canceled, demonstrations continued for two more days to protest the use of force by Palestinian police. I would like to again stress that the right of peaceful protest must be upheld and that all protests should be kept strictly non-violent.

Palestinian security forces continued to work to maintain law and order in the West Bank. The Palestinian security operation that started in Jenin in May in the northern West Bank continues. More than 150 suspects have been apprehended, including members of Palestinian security forces. On 30 June, a senior Fatah member was shot and injured in Jenin. On 8 July, Prime Minister Fayyad inaugurated the Palestine College for Police Sciences in the presence of the President of the European Commission.

On a positive note, as part of the 14 May agreement to end the mass prisoner hunger strike, on 16 July 48 relatives from the Gaza strip were allowed to visit 25 detainees in Israeli prisons, and on 23 July 33 relatives visited 27 detainees. There are more than 500 detainees from Gaza in Israeli prisons. This was the first time since 2007 that such family visits from Gaza had taken place. Four detainees have continued their hunger strikes. In the West Bank, on 19 July Israeli

authorities released the Speaker of the Palestinian Parliament, Aziz Dweik, who had been held for six months under administrative detention.

Internal political dynamics remain fluid. On 17 July, the Kadima party led by Shaul Mofaz left Prime Minister Netanyahu's coalition after two months in the Government. Kadima's decision to leave the coalition emerged after disagreements on the renewal of a law regarding the military service of the Jewish Haredi community. The creation of the large coalition in May had stirred expectations for renewed momentum regarding the peace process.

On the Palestinian side, efforts to advance reconciliation were again delayed when the de facto authorities in Gaza decided to suspend the voter registration process that the Central Elections Commission had planned for 3 to 14 July. We have voiced our clear disappointment with this decision and continue to believe that the democratic renewal of institutions in the occupied territories is long overdue. On 10 July, the Palestinian Authority, pending further developments on reconciliation, called for municipal elections to be held throughout the occupied territories on 20 October. This has been rejected by Hamas. During my recent visit to Egypt on 25 and 26 June, just days after Mohamed Morsy was announced as Egypt's next President, I received firm assurances from the Egyptian authorities of their continued efforts to reach reconciliation. President Abbas met with President Morsy on 18 July, and Hamas leader Khaled Meshal met the Egyptian President the following day. We continue to support such efforts through Egyptian auspices, under the leadership of President Abbas and within the framework of the commitments of the Palestine Liberation Organization, the positions of the Quartet and the Arab Peace Initiative.

I visited Gaza from 2 to 5 July, and was again struck by the fragility and unsustainability of the present situation, which has led to unacceptable hardship for the local population. That is partially explained by growing funding challenges for United Nations operations. For example, the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA) currently requires an additional \$57 million to meet the shortfall in its core operating budget, covering all of its operations, and an additional \$168 million to fully fund the emergency appeal, including the provision of food aid to almost 700,000 vulnerable refugees in the West Bank and Gaza. Most urgent is the funding of \$7.5 million to meet food procurement distribution needs in Gaza for 2012. That funding shortfall has already resulted in the cancellation of UNRWA's Summer Games for the children of Gaza and, if not addressed, will result in cuts to essential UNRWA programming across the occupied Palestinian territory.

United Nations reconstruction work in Gaza, which now totals \$360 million, has had a positive effect not only for those who receive services but also on short-term employment. However, the economic benefits of increased employment will end with the conclusion of that work. Deeper and more fundamental change is therefore required to enable a functioning Gazan economy, beginning with authorizing exports to Israel and other countries, as well as transfers to and from the West Bank. Without that essential step, Gaza's future will remain tenuous at best. In addition, I urge donors to continue to fund United Nations reconstruction work in Gaza through the Palestinian Authority-United Nations Trust Fund. I also urge the Government of Israel to continue to grant approvals for outstanding United Nations reconstruction work in the Gaza Strip, and

emphasize once more that there should be a broader opening for the entry of all construction materials into Gaza.

The violence in Gaza, which resumed in early June, has continued. A total of 183 projectiles fired from Gaza landed in Israel, including 27 Grad rockets and 21 mortar shells. Several rockets were intercepted by the Iron Dome system. Heavy machine gun shots were also fired from Gaza at a commercial plaza in southern Israel on 9 July, without casualties. The Israel Defense Forces conducted six incursions and 31 airstrikes into Gaza, resulting in nine Palestinians killed, including six militants and three civilians, while 54 Palestinians were injured, including 24 militants and 30 civilians. We continue to condemn such indiscriminate rocket attacks from Gaza into Israel and call for their complete cessation. We also urge Israel to show maximum restraint.

On 17 July, the de facto Ministry of Interior in Gaza executed by hanging three Palestinians convicted of murder, in violation of the Palestinian legal framework that requires prior ratification by the President. Six death sentences have been implemented in Gaza since the beginning of 2012, and 14 since 2007. That runs counter to the worldwide moratorium on the death penalty called for by the General Assembly.

On a separate issue that relates to United Nations relations with Israel, I wish to report that, on 10 July, the Permanent Representative of Israel sent a letter to Under-Secretary-General Amos inquiring about the status of the Office for the Coordination of Humanitarian Affairs (OCHA) and its activities in the occupied Palestinian territory. The United Nations

will work with the Government of Israel to address the issues and explain the important work of OCHA in the occupied Palestinian territory.

Now allow me to turn to regional events.

...

Lebanon has also continued to face significant challenges ...

...

In conclusion, I am addressing the Council today only two months before the General Assembly's general debate, in September, and almost a year since the Council was presented with the Palestinian application for membership in the United Nations. When I was last before the Council, in May, I warned that we were increasingly moving away from a two-State solution towards a one-State reality that would also diminish the prospects for regional peace in the spirit of the Arab Peace Initiative.

The continuous negative trends, as reported today and in previous briefings, just further manifest the reality that consistently undermines our common goal of a negotiated two-State solution that will end the conflict and end the occupation that started in 1967. The international community should understand that, absent a credible political horizon for the establishment of a Palestinian State living side by side in peace and security with Israel, its own efforts in pursuit of that goal will increasingly lack credibility. The parties must now do their part to overcome admittedly difficult obstacles and take the steps necessary to enable an environment conducive to serious engagement. But I fear that time is running out.

## VII. ECONOMIC AND SOCIAL COUNCIL ADOPTS RESOLUTION ON ECONOMIC AND SOCIAL REPERCUSSIONS OF THE ISRAELI OCCUPATION

*On 26 July 2012, the Economic and Social Council considered and voted on the draft resolution entitled “Economic and social repercussions of the Israeli occupation on the living conditions of the Palestinian people in the Occupied Palestinian Territory, including East Jerusalem, and the Arab population in the occupied Syrian Golan” (E/2012/L.21). The resolution was adopted by a recorded vote of 45 in favour to 2 against (Canada, United States), with 3 abstentions (Australia, Cameroon, El Salvador). The text of the resolution is reproduced below:*

*The Economic and Social Council,*

*Recalling* General Assembly resolution 66/225 of 22 December 2011,

*Recalling* also its resolution 2011/41 of 28 July 2011,

*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, 252 (1968) of 21 May 1968, 338 (1973) of 22 October 1973, 465 (1980) of 1 March 1980 and 497 (1981) of 17 December 1981,

*Recalling* the resolutions of the tenth emergency special session of the General Assembly, including ES-10/13 of 21 October 2003, ES-10/14 of 8 December 2003, ES-10/15 of 20 July 2004 and ES-10/17 of 15 December 2006,

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

*Recalling* the International Covenant on Civil and Political Rights,<sup>2</sup> the International

Covenant on Economic, Social and Cultural Rights,<sup>2</sup> and the Convention on the Rights of the Child,<sup>3</sup> 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,

*Stressing* the importance of the revival and acceleration of serious and credible negotiations within the Middle East peace process on the basis of Security Council resolutions 242 (1967), 338 (1973), 425 (1978) of 19 March 1978, 1397 (2002) of 12 March 2002, 1515 (2003) of 19 November 2003, 1544 (2004) of 19 May 2004 and 1850 (2008) of 16 December 2008, the principle of land for peace, the Arab Peace Initiative<sup>4</sup> and the Quartet road map,<sup>5</sup> as well as compliance with the agreements reached between the Government of Israel and the Palestine Liberation Organization, the representative of the Palestinian people,

*Reaffirming* the principle of the permanent sovereignty of peoples under foreign occupation over their natural resources, and expressing concern in that regard about the exploitation of natural resources by Israel, the occupying Power, in the Occupied Palestinian Territory,

<sup>3</sup> United Nations, *Treaty Series*, vol. 1577, No. 27531.

<sup>4</sup> A/56/1026-S/2002/932, annex II, resolution 14/221.

<sup>5</sup> S/2003/529, annex.

<sup>1</sup> United Nations, *Treaty Series*, vol. 75, No. 973.

<sup>2</sup> See General Assembly resolution 2200 A (XXI), annex.

including East Jerusalem, and in the occupied Syrian Golan,

*Convinced* that the Israeli occupation has gravely impeded the efforts to achieve sustainable development and a sound economic environment in the Occupied Palestinian Territory, including East Jerusalem, and in the occupied Syrian Golan, and expressing grave concern about the consequent deterioration of economic and living conditions,

*Commending*, in that regard, the efforts of the Palestinian Authority to improve the economic and social situation in the Occupied Palestinian Territory, especially in the areas of governance, the rule of law and human rights, livelihoods and productive sectors, education and culture, health, social protection, infrastructure and water,

*Gravely concerned*, in that regard, about the accelerated construction of settlements and implementation of other related measures by Israel in the Occupied Palestinian Territory, particularly in and around occupied East Jerusalem, as well as in the occupied Syrian Golan, in violation of international humanitarian law and relevant United Nations resolutions,

*Expressing deep concern* about the rising incidence of violence, harassment, provocation, vandalism 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,

*Gravely concerned* by the serious repercussions on the economic and social conditions of the Palestinian people caused by Israel's construction of the wall and its associated regime inside the Occupied

Palestinian Territory, including in and around East Jerusalem, and the resulting violation of their economic and social rights, including the right to work, to health, to education, to property, to an adequate standard of living and to freedom of access and movement,

*Recalling*, in that regard, 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,<sup>6</sup> and General Assembly resolution ES-10/15, and stressing the need to comply with the obligations mentioned therein,

*Expressing grave concern* at the extensive destruction by Israel, the occupying Power, of properties, including the increased demolition of homes, economic institutions, historical landmarks, agricultural lands and orchards, in the Occupied Palestinian Territory, including East Jerusalem, in particular in connection with its construction of the wall, contrary to international law, in the Occupied Palestinian Territory, including in and around East Jerusalem,

*Expressing grave concern also* over the continuing and intensifying policy of home demolitions, evictions and revocation of residency rights, which have caused the further displacement of the Palestinian population in and around occupied East Jerusalem, as well as measures to further isolate the city from its natural Palestinian environs, including through the accelerated construction of settlements, the construction of the wall, the confiscation of land and the continued imposition of checkpoints, which

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<sup>6</sup> 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.



have seriously exacerbated the already critical socioeconomic situation being faced by the Palestinian population,

*Expressing grave concern further* about Israeli military operations and the continuing Israeli policy of closures and severe restrictions on the movement of persons and goods, including humanitarian personnel and food, medical, fuel, construction materials and other essential supplies, via the imposition of crossing closures, checkpoints and a permit regime throughout the Occupied Palestinian Territory, including East Jerusalem, and the consequent negative impact on the socioeconomic situation of the Palestinian people, in particular the Palestinian refugee population, which remains that of a humanitarian crisis,

*Taking note* of recent developments regarding the situation of access to the Gaza Strip, although grave hardships continue to prevail as a result of the prolonged Israeli closures and severe economic and movement restrictions that in effect amount to a blockade, and calling in that regard for the full implementation of Security Council resolution 1860 (2009) of 8 January 2009 with a view to ensuring the full opening of the border crossings for the sustained and regular movement of persons and goods, including humanitarian aid, commercial flows and construction materials, and emphasizing the need for security for all civilian populations,

*Deploring* the heavy casualties among civilians, including hundreds of children and women, the internal displacement of thousands of civilians and widespread damage to homes, vital civilian infrastructure, hospitals, schools, food supply installations, economic, industrial and agricultural properties, and several United Nations facilities in the Gaza Strip,

which have a grave impact on the provision of vital health and social services to Palestinian women and their families and on their socioeconomic living conditions, all caused by the military operations between December 2008 and January 2009,

*Recalling*, in that regard, the relevant United Nations reports, including those of the Economic and Social Council, the Economic and Social Commission for Western Asia and the Human Rights Council,

*Expressing deep concern* about the short- and long-term detrimental impact of such widespread destruction and the hampering of the reconstruction process, by Israel, the occupying Power, on the socioeconomic and humanitarian conditions of the Palestinian civilian population in the Gaza Strip, and calling in that regard for the immediate acceleration of the reconstruction process in the Gaza Strip with the assistance of the donor countries, including the disbursement of funds pledged at the International Conference in Support of the Palestinian Economy for the Reconstruction of Gaza, held in Sharm el-Sheikh, Egypt, in March 2009,

*Gravely concerned* about various reports of the United Nations and specialized agencies regarding the substantial aid dependency caused by prolonged border closures, inordinate rates of unemployment, widespread poverty and severe humanitarian hardships, including food insecurity and rising health-related problems, including high levels of malnutrition, among the Palestinian people, especially children, in the Occupied Palestinian Territory, including East Jerusalem,

*Expressing grave concern* at the deaths and injuries caused to civilians, including children, women and peaceful

demonstrators, and emphasizing that the Palestinian civilian population must be protected in accordance with international humanitarian law,

*Emphasizing* the importance of the safety and well-being of all civilians, and calling for the cessation of all acts of violence, including all acts of terror, provocation, incitement and destruction, and all firing of rockets,

*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 unhygienic conditions, solitary confinement, excessive use of administrative detention, lack of proper medical care and denial of family visits and of due process, that impair their well-being, and expressing deep concern also about any ill-treatment and harassment of Palestinian prisoners and all reports of torture, while taking note of the recent agreement reached on conditions of detention in Israeli prisons and calling for its full and immediate implementation,

*Conscious* of the urgent need for the reconstruction and development of the economic and social infrastructure of the Occupied Palestinian Territory, including East Jerusalem, as well as the urgent need to address the humanitarian crisis facing the Palestinian people, including by ensuring the unimpeded provision of humanitarian assistance and the sustained and regular flow of persons and goods into and out of the Gaza Strip,

*Recognizing* the efforts being undertaken by the Palestinian Authority, with international support, to rebuild, reform and strengthen its damaged institutions and promote good governance, emphasizing the need to preserve the Palestinian national institutions and infrastructure and

commending, in that regard, the implementation of the 2009 plan of the Palestinian Authority entitled “Palestine: Ending the Occupation, Establishing the State” for building the institutions of an independent Palestinian State within a twenty-four month period and the significant achievements that have been brought about, as confirmed by international institutions, including the World Bank, the International Monetary Fund and the United Nations in their reports to the meeting on 13 April 2011 of the Ad Hoc Liaison Committee for the Coordination of the International Assistance to Palestinians, and acknowledging the development plan of the Palestinian Authority for the period 2011-2013,

*Commending*, in that regard, the important work being done by the United Nations, the specialized agencies and the donor community in support of the economic and social development of the Palestinian people in line with their national development and State-building plan completed at the end of August 2011, as well as the assistance being provided in the humanitarian field,

*Stressing* the importance of national unity among the Palestinian people and emphasizing the need for the respect and preservation of the territorial integrity and unity of the Occupied Palestinian Territory, including East Jerusalem,

*Calling upon* both parties to fulfil their obligations under the road map in cooperation with the Quartet,

1. *Calls* for the full opening of the border crossings of the Gaza Strip, in line with Security Council resolution 1860 (2009), to ensure humanitarian access as well as the sustained and regular flow of persons and goods and the lifting of all movement restrictions imposed on the

Palestinian people, including those restrictions arising from ongoing Israeli military operations and the multilayered closures system, and for other urgent measures to be taken to alleviate the serious humanitarian situation in the Occupied Palestinian Territory, which is critical in the Gaza Strip, and calls for compliance by Israel, the occupying Power, with all of its legal obligations under international humanitarian law and United Nations resolutions in that regard;

2. *Stresses* the need to preserve the territorial contiguity, unity and integrity of the Occupied Palestinian Territory, including East Jerusalem, and to guarantee the freedom of movement of persons and goods throughout the Occupied Palestinian Territory, including East Jerusalem, as well as to and from the outside world;

3. *Also stresses* the need to preserve and develop Palestinian national institutions and infrastructure for the provision of vital public services to the Palestinian civilian population and to contribute to the promotion and protection of human rights, including economic and social rights;

4. *Demands* that Israel comply with the Protocol on Economic Relations between the Government of Israel and the Palestine Liberation Organization signed in Paris on 29 April 1994;<sup>7</sup>

5. *Calls upon* Israel to restore and replace civilian properties, vital infrastructure, agricultural lands and governmental institutions that have been damaged or destroyed as a result of its military operations in the Occupied Palestinian Territory;

6. *Reiterates the call* for the full implementation of the Agreement on Movement and Access of 15 November 2005, particularly the urgent and uninterrupted reopening of all crossings into the Gaza Strip, which is crucial to ensuring the passage of foodstuffs and essential supplies, including construction materials and adequate fuel supplies, as well as to ensuring the unhindered access of the United Nations and related agencies and regular commercial flows necessary for economic recovery to and within the Occupied Palestinian Territory, and emphasizes the need for security for all civilian populations;

7. *Calls upon* all parties to respect the rules of international humanitarian law, and to refrain from violence against the civilian population, in accordance with the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949;

8. *Reaffirms* the inalienable right of the Palestinian people and the Arab population of the occupied Syrian Golan to all their natural and economic resources, and calls upon Israel, the occupying Power, not to exploit, endanger or cause loss or depletion of those resources;

9. *Calls upon* Israel, the occupying Power, to cease its destruction of homes and properties, economic institutions and agricultural lands and orchards in the Occupied Palestinian Territory, including East Jerusalem, as well as in the occupied Syrian Golan;

10. *Also calls upon* Israel, the occupying Power, to end immediately its exploitation of natural resources, including water and mining resources, and to cease the dumping of all kinds of waste materials in the Occupied Palestinian Territory, including East Jerusalem, and in the occupied Syrian

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<sup>7</sup> See A/49/180-S/1994/727, annex, entitled "Agreement on the Gaza Strip and the Jericho Area", annex IV.

Golan, which gravely threaten their natural resources, namely, the water, land and energy resources, and present a serious environmental hazard and health threat to the civilian populations, and also calls upon Israel, the occupying Power, to remove all obstacles that obstruct implementation of critical environmental projects, including the sewage treatment plants in the Gaza Strip;

11. *Reaffirms* that the construction and expansion of Israeli settlements and related infrastructure in the Occupied Palestinian Territory, including East Jerusalem, and the occupied Syrian Golan, are illegal and constitute a major obstacle to economic and social development and to the achievement of peace, and calls for the full cessation of all settlement and settlement-related activity, including full cessation of all measures aimed at altering the demographic composition, legal status and character of the occupied territories, including in particular in and around Occupied East Jerusalem, in compliance with relevant Security Council resolutions and international law, including the Geneva Convention relative to the Protection of Civilian Persons in Time of War;

12. *Also reaffirms* that Israel's ongoing construction of the wall in the Occupied Palestinian Territory, including in and around East Jerusalem, is contrary to international law and is isolating East Jerusalem, fragmenting the West Bank and seriously debilitating the economic and social development of the Palestinian people, and calls in that regard for full compliance with the legal obligations mentioned in the 9 July 2004 advisory opinion of the International Court of Justice and in General Assembly resolution ES-10/15 and subsequent relevant resolutions;

13. *Calls upon* Israel to comply with the provisions of the Geneva Convention

relative to the Protection of Civilian Persons in Time of War and to facilitate visits of the Syrian citizens of the occupied Syrian Golan whose family members reside in their mother homeland, the Syrian Arab Republic, via the Qunaitra entrance;

14. *Emphasizes* the importance of the work of United Nations organizations and agencies in the Occupied Palestinian Territory, including East Jerusalem, and 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;

15. *Reiterates* the importance of the revival and accelerated advancement of negotiations of the peace process on the basis of relevant United Nations resolutions, including Security Council resolutions 242 (1967), 338 (1973), 425 (1978), 1397 (2002), 1515 (2003), 1544 (2004) and 1850 (2008), and the Madrid Conference, the principle of land for peace, the Arab Peace Initiative and the Quartet road map, as well as compliance with the agreements reached between the Government of Israel and the Palestine Liberation Organization, the representative of the Palestinian people, in order to pave the way for the realization of the two-State solution of Israel and Palestine living side by side in peace and security within recognized borders, based on the pre-1967 borders, and the achievement of a just, lasting and comprehensive peace settlement;

16. *Requests* the Secretary-General to submit to the General Assembly at its sixty-seventh session, through the Economic and Social Council, a report on the implementation of the present resolution and to continue to include in the report of the United Nations Special Coordinator an update on the living conditions of the

Palestinian people, in collaboration with relevant United Nations agencies;

17. *Decides* to include the item entitled “Economic and social repercussions of the Israeli occupation on the living conditions of the Palestinian people in the Occupied

Palestinian Territory, including East Jerusalem, and the Arab population in the occupied Syrian Golan” in the agenda of its substantive session of 2013.

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