



General Assembly

Distr.
LIMITEDA/70/L.13
13 November 2015

Original: English

Seventieth session
Agenda item 368
Question of Palestine

Afghanistan, Algeria, Bahrain, Bolivia (Plurinational State of), Comoros, Djibouti, Ecuador, Egypt, Indonesia, Iraq, Jordan, Kuwait, Lebanon, Malta, Mauritania, Morocco, Nicaragua, Oman, Qatar, Saudi Arabia, Sudan, Tunisia, United Arab Emirates, Yemen and State of Palestine: draft resolution

Peaceful settlement of the question of Palestine*The General Assembly,**Recalling* its relevant resolutions, including those adopted at its tenth emergency special session,*Recalling also* its resolution 58/292 of 6 May 2004,*Recalling further* relevant Security Council resolutions, including resolutions 242 (1967) of 22 November 1967, 338 (1973) of 22 October 1973, 1397 (2002) of 12 March 2002, 1515 (2003) of 19 November 2003, 1544 (2004) of 19 May 2004 and 1850 (2008) of 16 December 2008,*Recalling* the affirmation by the Security Council of the vision of a region where two States, Israel and Palestine, live side by side within secure and recognized borders,*Noting with concern* that it has been 68 years since the adoption of its resolution 181 (II) of 29 November 1947 and 48 years since the occupation of Palestinian territory, including East Jerusalem, in 1967,*Having considered* the report of the Secretary-General submitted pursuant to the request made in its resolution 69/23 of 25 November 2014,¹*Reaffirming* the permanent responsibility of the United Nations with regard to the question of Palestine until the question is resolved in all its aspects in accordance with international law and relevant resolutions,*Recalling* the advisory opinion rendered on 9 July 2004 by the International Court of Justice on the legal consequences of the construction of a wall in the Occupied Palestinian Territory,² and recalling also its resolutions ES-10/15 of 20 July 2004 and ES-10/17 of 15 December 2006,*Convinced* that achieving a just, lasting and comprehensive settlement of the question of Palestine, the core of the Arab-Israeli conflict, is imperative for the attainment of comprehensive and lasting peace and stability in the Middle East,*Stressing* that the principle of equal rights and self-determination of peoples is among the purposes and principles enshrined in the Charter of the United Nations,*Reaffirming* the principle of the inadmissibility of the acquisition of territory by war,*Reaffirming also* the applicability of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949,³ to the Occupied Palestinian Territory, including East Jerusalem,*Recalling* its resolution 2625 (XXV) of 24 October 1970, and reiterating the importance of maintaining and strengthening international peace founded upon freedom, equality, justice and respect for fundamental human rights and of developing friendly relations among nations irrespective of their political, economic and social systems or the level of their development,*Reaffirming* the illegality of the Israeli settlements in the Palestinian territory occupied since 1967, including East Jerusalem,*Expressing grave concern* about the extremely detrimental impact of Israeli settlement policies, decisions and activities in the Occupied Palestinian Territory, including East Jerusalem, including on the contiguity, integrity and viability of the Territory, the viability of the two-State solution based on the pre-1967 borders and the efforts to advance a peaceful settlement in the Middle East,*Expressing grave concern also* about all acts of violence, intimidation and provocation by Israeli settlers against Palestinian civilians, including children, and properties, including homes, mosques, churches and agricultural lands, condemning acts of terror by several extremist Israeli settlers, and calling for accountability for the illegal actions perpetrated in this regard,*Reaffirming* the illegality of Israeli actions aimed at changing the status of Jerusalem, including settlement construction and expansion, home demolitions, evictions of Palestinian residents, excavations in and around religious and historic sites, and all other unilateral measures aimed at altering the character, status and demographic composition of the city and of the Territory as a whole, and demanding their immediate cessation,*Expressing its grave concern* in particular about tensions, provocations and incitement regarding the holy places of Jerusalem, including the Haram al-Sharif, and urging restraint and respect for the sanctity of the holy sites by all sides,*Reaffirming* that the construction by Israel, the occupying Power, of a wall in the Occupied Palestinian Territory, including in and around East Jerusalem, and its associated regime are contrary to international law,*Encouraging* all States and international organizations to continue to actively pursue policies to ensure respect for their obligations under international law with regard to all illegal Israeli practices and measures in the Occupied Palestinian Territory, including East Jerusalem, particularly Israeli settlements,*Expressing deep concern* about the continuing Israeli policies of closures and severe restrictions on the movement of persons and goods, including medical and humanitarian, via the imposition of prolonged closures and severe economic and movement restrictions that in effect amount to a blockade, as well as of checkpoints and a permit regime throughout the Occupied Palestinian Territory, including East Jerusalem,*Expressing deep concern also* about the consequent negative impact of such policies on the contiguity of the Territory and the serious socioeconomic and humanitarian situation of the Palestinian people, which is a disastrous humanitarian crisis in the Gaza Strip, and on the efforts aimed at rehabilitating and developing the damaged Palestinian economy, while taking note of developments regarding the situation of access there based on the trilateral agreement facilitated by the United Nations in this regard and on the resumption of some trade from Gaza to the West Bank for the first time since 2007, and calling for the full lifting of restrictions,*Recalling* the mutual recognition 22 years ago between the Government of the State of Israel and the Palestine Liberation Organization, the representative of the Palestinian people,⁴ and the need for full compliance with the agreements concluded between the two sides,*Recalling also* the endorsement by the Security Council, in resolution 1515 (2003), of the Quartet road map to a permanent two-State solution to the Israeli-Palestinian

conflict⁵ and the call in Council resolution 1850 (2008) for the parties to fulfil their obligations under the road map and to refrain from any steps that could undermine confidence or prejudice the outcome of negotiations on a final peace settlement,

Stressing 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,

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

Urging renewed efforts by the international community aimed at advancing and accelerating the conclusion of a peace treaty to attain without delay an end to the Israeli occupation that began in 1967 by resolving all outstanding issues, including all core issues, without exception, for a just, lasting and peaceful settlement of the Israeli-Palestinian conflict, in accordance with the internationally recognized basis of the two-State solution, and ultimately of the Arab-Israeli conflict as a whole for the realization of a comprehensive peace in the Middle East,

Reiterating support for the convening of an international conference in Moscow, as envisioned by the Security Council in resolution 1850 (2008) and the Quartet statement of 23 September 2011, for the advancement and acceleration of the peace efforts towards the fulfilment of its stated objectives,

Noting the important contribution to peace efforts of the United Nations Special Coordinator for the Middle East Peace Process and Personal Representative of the Secretary-General to the Palestine Liberation Organization and the Palestinian Authority, including within the framework of the activities of the Quartet and with regard to the recent trilateral agreement regarding the Gaza Strip,

Welcoming the ongoing efforts of the Ad Hoc Liaison Committee for the Coordination of the International Assistance to Palestinians, under the chairmanship of Norway, and noting its recent meeting at United Nations Headquarters on 30 September 2015, at which donor countries reaffirmed the necessity of continued and increased donor support in this critical period for urgently addressing the immense humanitarian, reconstruction and recovery needs in the Gaza Strip and furthering Palestinian economic recovery and development,

Recognizing the efforts being undertaken by the Palestinian Government, with international support, to reform, develop and strengthen its institutions and infrastructure, emphasizing the need to preserve and further develop Palestinian institutions and infrastructure, despite the obstacles presented by the ongoing Israeli occupation, and commending in this regard the ongoing efforts to develop the institutions of an independent Palestinian State, including through the implementation of the Palestinian National Development Plan on governance, economy, social development and infrastructure (2014-2016), including the National Strategic Framework for Development Policies and Interventions in Area C, and the significant achievements made, as confirmed by the positive assessments made by international institutions regarding readiness for statehood, including by the World Bank, the International Monetary Fund, the United Nations and the Ad Hoc Liaison Committee, while also expressing concern about the negative impact of the current instability and financial crisis being faced by the Palestinian Government, *Recognizing also* the positive contribution of the United Nations Development Assistance Framework, which is aimed, inter alia, at enhancing development support and assistance to the Palestinian people and strengthening institutional capacity in line with Palestinian national priorities,

Welcoming the convening of the Cairo International Conference on Palestine: Reconstructing Gaza, on 12 October 2014, and urging the timely and full disbursement of pledges for expediting the provision of humanitarian assistance and the reconstruction process,

Welcoming also the ministerial meetings of the Conference on Cooperation among East Asian Countries for Palestinian Development convened in Tokyo in February 2013 and Jakarta in March 2014 as a forum for the mobilization of political and economic assistance, including via exchanges of expertise and lessons learned, in support of Palestinian development,

Recognizing the continued efforts and tangible progress made in the Palestinian security sector, noting the continued 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,

Recognizing also that security measures alone cannot remedy the tensions, instability and violence, and calling for full respect for international law, including for the protection of civilian life, as well as the promotion of human security, the de-escalation of the situation, the exercise of restraint, including from provocative actions and rhetoric, and the establishment of a stable environment conducive to the pursuit of peace,

Gravely concerned over the negative developments that have continued to occur in the Occupied Palestinian Territory, including East Jerusalem, including the escalation of violence and any excessive use of force, resulting in a large number of deaths and injuries, mostly among Palestinian civilians, including children and women, the construction and expansion of settlements and the wall, the arbitrary arrest and detention of more Palestinian civilians, the acts of violence, vandalism and brutality committed against Palestinian civilians by Israeli settlers in the West Bank, the widespread destruction of public and private Palestinian property, including religious sites, and infrastructure and including the demolition of homes, including if carried out as a means of collective punishment, the internal forced displacement of civilians, especially among the Bedouin community, and the consequent deterioration of the socioeconomic and humanitarian conditions of the Palestinian people,

Deploing the conflict in and around the Gaza Strip in July and August 2014 and the civilian casualties caused, including the killing and injury of thousands of Palestinian civilians, including children, women and the elderly, and the widespread destruction of thousands of homes and civilian infrastructure, including schools, hospitals, water, sanitation and electricity networks, economic, industrial and agricultural properties, public institutions, religious sites and United Nations schools and facilities, as well as the internal displacement of hundreds of thousands of civilians and any violations of international law, including humanitarian and human rights law, in this regard,

Taking note of the report and findings of the independent commission of inquiry established pursuant to Human Rights Council resolution S-21/1,⁷ and stressing the need to ensure accountability for all violations of international humanitarian law and international human rights law in order to end impunity, ensure justice, deter further violations, protect civilians and promote peace,

Expressing grave concern over the persisting disastrous humanitarian situation and socioeconomic conditions in the Gaza Strip as a result of the prolonged Israeli closures and severe economic and movement restrictions that in effect amount to a blockade and the continuing negative repercussions of the military operations in the Gaza Strip in July and August 2014, in November 2012 and between December 2008 and January 2009, particularly as a result of the widespread destruction and trauma inflicted and delays in reconstruction and recovery,

Recalling the statement of the President of the Security Council of 28 July 2014,⁸

Stressing the need for calm and restraint by the parties, including by consolidating the ceasefire agreement of 26 August 2014, achieved under the auspices of Egypt, to avert the deterioration of the situation,

Reiterating 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,

Stressing that the situation in the Gaza Strip is unsustainable and that a durable ceasefire agreement must lead to a fundamental improvement in the living conditions of the Palestinian people in the Gaza Strip, including through the sustained and regular opening of crossing points, and ensure the safety and wellbeing of civilians on both sides,

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

Expressing grave concern about the imprisonment and detention by Israel of thousands of Palestinians, including children, under harsh conditions, and all violations of international humanitarian law and human rights law which have occurred in this regard,

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

Stressing the need for measures to be taken to guarantee the safety and protection of the Palestinian civilian population throughout the Occupied Palestinian Territory, consistent with the provisions and obligations of international humanitarian law,

Stressing also the need to respect the right of peaceful assembly,

Welcoming the formation of the Palestinian Government of national consensus under the leadership of the President, Mahmoud Abbas, consistent with Palestine Liberation Organization commitments and the Quartet principles, and emphasizing the need for respect for and the preservation of the territorial integrity and unity of the Occupied Palestinian Territory, including East Jerusalem,

Affirming the need to support the Palestinian Government of national consensus in its assumption of full government responsibilities in both the West Bank and the Gaza Strip, in all fields, as well as through its presence at Gaza's crossing points,

Stressing the urgent need for sustained and active international involvement, including by the Quartet, and welcoming in this regard its statement of 30 September 2015, and for concerted initiatives to support the parties in building a climate for peace, to assist the parties in advancing and accelerating the peace process negotiations for the achievement of a just, lasting and comprehensive peace settlement that ends the occupation which began in 1967 and results in the

independence of a democratic, contiguous and viable State of Palestine living side by side in peace and security with Israel and its other neighbours, on the basis of relevant United Nations resolutions, the terms of reference of the Madrid Conference, the road map and the Arab Peace Initiative,⁹
Taking note of the application of Palestine for admission to membership in the United Nations, submitted on 23 September 2011,⁹
Taking note also of its resolution 67/19 of 29 November 2012, by which, inter alia, Palestine was accorded non-member observer State status in the United Nations, and taking note of the follow-up report of the Secretary-General,⁹
Noting the accession by Palestine, on 1 April 2014, to several human rights treaties and the core humanitarian law conventions,
Acknowledging the efforts being undertaken by civil society to promote a peaceful settlement of the question of Palestine,
Recalling the findings by the International Court of Justice, in its advisory opinion, including on the urgent necessity for the United Nations as a whole to redouble its efforts to bring the Israeli-Palestinian conflict, which continues to pose a threat to international peace and security, to a speedy conclusion, thereby establishing a just and lasting peace in the region,"
Stressing the urgency of achieving without delay an end to the Israeli occupation that began in 1967,
Affirming once again the right of all States in the region to live in peace within secure and internationally recognized borders,
1. *Reaffirms* the necessity of achieving a peaceful settlement of the question of Palestine, the core of the Arab-Israeli conflict, in all its aspects, and of intensifying all efforts towards that end, and stresses in this regard the urgency of salvaging the prospects for realizing 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;
2. *Calls* for the intensification of efforts by the parties, including through negotiations, with the support of the international community, towards the conclusion of a final peace settlement;
3. *Urges* the undertaking of renewed international efforts to achieve a comprehensive, just and lasting peace, based on the relevant United Nations resolutions, the terms of reference of the Madrid Conference, including the principle of land for peace, the Arab Peace Initiative adopted by the Council of the League of Arab States at its fourteenth session,⁶ the Quartet road map to a permanent two-State solution to the Israeli-Palestinian conflict,⁵ and the existing agreements between the Israeli and Palestinian sides;
4. *Stresses* the need for a resumption of negotiations based on clear parameters and with a defined time frame aimed at expediting the realization of a just, lasting and comprehensive settlement, and in this regard encourages serious efforts by the United States of America, the European Union, the Russian Federation and the United Nations, as members of the Quartet, and by the League of Arab States and all other concerned States;
5. *Encourages* continued serious regional and international efforts to follow up and promote the Arab Peace Initiative, including by the Ministerial Committee formed at the Riyadh summit in March 2007;
6. *Calls for*, in this regard, the timely convening of an international conference in Moscow, as envisioned by the Security Council in resolution 1850 (2008), for the advancement and acceleration of the achievement of a just, lasting and comprehensive peace settlement;
7. *Calls upon* both parties to act responsibly on the basis of international law and their previous agreements and obligations, in particular adherence to the road map, irrespective of reciprocity, in order to create the conditions necessary for the advancement of peace efforts;
8. *Calls upon* the parties themselves, with the support of the Quartet and other interested parties, to exert all efforts necessary to halt the deterioration of the situation, to reverse all unilateral and unlawful measures taken on the ground since 28 September 2000, to take every possible step to promote conditions conducive to the success of peace negotiations and to refrain from actions that undermine trust or prejudice final status issues;
9. *Calls upon* the parties to observe calm and restraint and to refrain from provocative actions, incitement and inflammatory rhetoric, especially in areas of religious and cultural sensitivity, including in East Jerusalem, and calls for respect for the historic status quo at the holy places of Jerusalem, including the Haram al-Sharif, in word and in practice, and for immediate and serious efforts to defuse tensions;
10. *Underscores* the need for the parties to take confidence-building measures aimed at improving the situation on the ground, promoting stability, building trust and fostering the peace process, including an immediate halt to all settlement activities and home demolitions, the undertaking of measures to address settler violence and ensure accountability, the further release of prisoners and an end to arbitrary arrests and detentions;
11. *Stresses* the need for the removal of checkpoints and other obstructions to the movement of persons and goods throughout the Occupied Palestinian Territory, including East Jerusalem, and the need for respect and preservation of the territorial unity, contiguity and integrity of all of the Occupied Palestinian Territory, including East Jerusalem;
12. *Also stresses* the need for an immediate and complete cessation of all acts of violence, including military attacks, destruction and acts of terror;
13. *Reiterates its demand* for the full implementation of Security Council resolution 1860 (2009);
14. *Reiterates* the need for the full implementation by both parties of the Agreement on Movement and Access and of the Agreed Principles for the Rafah Crossing, of 15 November 2005, and the need, specifically, to allow for the sustained opening of all crossings into and out of the Gaza Strip for humanitarian supplies, movement and access, as well as for commercial flows and all necessary construction materials, and stresses the urgent need to promote reconstruction and address the alarming unemployment rate, including among youth, including through the implementation of United Nations-led projects and civilian reconstruction activities, all of which are essential for alleviating the disastrous humanitarian situation, including the impact of the large-scale displacement of civilians in July and August 2014, improving the living conditions of the Palestinian people and promoting the recovery of the Palestinian economy;
15. *Calls upon* Israel, the occupying Power, to comply strictly with its obligations under international law, including international humanitarian law, and to cease all of its measures that are contrary to international law and all unilateral actions in the Occupied Palestinian Territory, including East Jerusalem, that are aimed at altering the character, status and demographic composition of the Territory, including the confiscation and de facto annexation of land, and thus at prejudging the final outcome of peace negotiations, with a view to achieving without delay an end to the Israeli occupation that began in 1967;
16. *Reiterates its demand* for the complete cessation of all Israeli settlement activities in the Occupied Palestinian Territory, including East Jerusalem, and in the occupied Syrian Golan, and calls for the full implementation of the relevant Security Council resolutions;
17. *Stresses*, in this regard, the need for Israel forthwith to abide by its road map obligation to freeze all settlement activity, including so-called "natural growth", and to dismantle settlement outposts erected since March 2001;
18. *Calls for* the cessation of all provocations, including by Israeli settlers, in East Jerusalem, including in and around religious sites;
19. *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 Justice² and as demanded in General Assembly resolutions ES-10/13 of 21 October 2003 and ES-10/15, and, inter alia, that it immediately cease its construction of the wall in the Occupied Palestinian Territory, including East Jerusalem, and calls upon all States Members of the United Nations to comply with their legal obligations, as mentioned in the advisory opinion;
20. *Reaffirms its commitment*, in accordance with international law, to the two-State solution of Israel and Palestine, living side by side in peace and security within recognized borders, based on the pre-1967 borders;
21. *Calls for*:
(a) The withdrawal of Israel from the Palestinian territory occupied since 1967, including East Jerusalem;
(b) The realization of the inalienable rights of the Palestinian people, primarily the right to self-determination and the right to their independent State;
22. *Also stresses* the need for a just resolution of the problem of Palestine refugees in conformity with its resolution 194 (III) of 11 December 1948;
23. *Urges* Member States to expedite the provision of economic, humanitarian and technical assistance to the Palestinian people and the Palestinian Government during this critical period in order to help to alleviate the serious humanitarian situation in the Occupied Palestinian Territory, including East Jerusalem, which is disastrous in the Gaza Strip, to rehabilitate the Palestinian economy and infrastructure and to support the development and strengthening of Palestinian institutions and Palestinian State-building efforts in preparation for independence;
24. *Requests* the Secretary-General to continue his efforts with the parties concerned, and in consultation with the Security Council, towards the attainment of a peaceful settlement of the question of Palestine and the promotion of peace in the region and to submit to the General Assembly at its seventy-first session a report on these efforts and on developments on this matter.

Endnotes

¹ A/70/354-S/2015/677.

² See A/ES-10/273 and Corr. 1.

³ United Nations, *Treaty Series*, vol. 75, No. 973.

⁴ See A/48/486-5/26560, annex.

⁵ S/2003/529, annex.

⁶ A/56/1026-5/2002/932, annex II, resolution 14/221.

⁷ A/HRC/29/52.

⁸ SPRST/2014/13.

⁹ A/66/371-5/2011/592, annex I.

¹⁰ A/67/738.

¹¹ A/ES-10/273 and Corr.1, advisory opinion, para. 161.
