



## Economic and Social Council

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### 2004/3. Situation in occupied Palestine

*The Commission on Human Rights,*

*Guided* by the purposes and principles of the Charter of the United Nations, in particular the provisions of Articles 1 and 55 thereof, which affirm the right of peoples to self-determination, and reaffirming the need for the scrupulous respect of the principle of refraining in international relations from the threat or use of force, as specified in the Declaration on Principles of International Law concerning Friendly Relations and Cooperation among States in Accordance with the Charter of the United Nations, adopted by the General Assembly in its resolution 2625 (XXV) of 24 October 1970,

*Guided also* by the provisions of article 1 of the International Covenant on Economic, Social and Cultural Rights and article 1 of the International Covenant on Civil and Political Rights, which affirm that all peoples have the right to self-determination,

*Guided further* by the provisions of the Vienna Declaration and Programme of Action, adopted in June 1993 by the World Conference on Human Rights, and in particular Part I, paragraphs 2 and 3, relating to the right of self-determination of all peoples and especially those subject to foreign occupation,

*Recalling* General Assembly resolutions [181 A and B \(II\)](#) of 29 November 1947 and [194 \(III\)](#) of 11 December 1948, as well as all other resolutions which confirm and define the inalienable rights of the Palestinian people, particularly their right to self-determination,

*Recalling also* Security Council resolutions [242 \(1967\)](#) of 22 November 1967, [338 \(1973\)](#) of 22 October 1973, [1397 \(2002\)](#) of 12 March 2002 and [1402 \(2002\)](#) of 30 March 2002,

*Recalling further* its previous resolutions in this regard, the latest of which is its resolution 2003/3 of 14 April 2003,

*Reaffirming* the right of the Palestinian people to self-determination in accordance with the provisions of the Charter of the United Nations, the relevant United Nations resolutions and declarations, and the provisions of international covenants and instruments relating to the right to self-determination as an international principle and as a right of all peoples in the world, as it is a *jus cogens* in international law and a basic condition for achieving a just, lasting and comprehensive peace in the region of the Middle East,

1. *Reaffirms* the inalienable, permanent and unqualified right of the Palestinian people to self-determination, including their right to establish their sovereign and independent Palestinian State, and looks forward to the early fulfilment of this right;

2. *Requests* the Secretary-General to transmit the present resolution to the Government of Israel and all other Governments, to disseminate it on the widest possible scale and to make available to the Commission on Human Rights, prior to the convening of its sixty-first session, all information pertaining to the implementation of the present resolution by the Government of Israel;

3. *Decides* to include in the provisional agenda of its sixty-first session the item entitled "The right of peoples to self-determination and its application to peoples under colonial or alien domination or foreign occupation" and to consider the situation in occupied Palestine under that agenda item, as a matter of high priority.

44th meeting

8 April 2004

[Adopted by a recorded vote of 52 votes to 1.

See chap. V.]