



General Assembly

Distr.
GENERALA/67/456
7 December 2012

Original: English

Sixty-seventh session
Agenda item 68

Right of peoples to self-determination

Report of the Third Committee

Rapporteur : Mr. Suljuk Mustansar **Tarar** (Pakistan)

I. Introduction

1. At its 2nd plenary meeting, on 21 September 2012, the General Assembly, on the recommendation of the General Committee, decided to include in the agenda of its sixty-seventh session the item entitled “Right of peoples to self-determination” and to allocate it to the Third Committee.
2. The Third Committee held a general discussion on the item jointly with item 67, entitled “Elimination of racism, racial discrimination, xenophobia and related intolerance”, at its 28th to 30th meetings, on 5 and 6 November 2012, and considered proposals and took action on item 68 at its 35th, 36th, 38th, 41st, 46th and 47th meetings, on 8, 13, 15, 20, 27 and 28 November. An account of the Committee’s discussion is contained in the relevant summary records (A/C.3/67/SR.28-30, 35, 36, 38, 41, 46 and 47).

/...

II. Consideration of proposals

/...

B. Draft resolution A/C.3/67/L.54

11. At the 38th meeting, on 15 November, the representative of Egypt, on behalf of Afghanistan, Albania, Algeria, Andorra, Angola, Antigua and Barbuda, Armenia, Austria, Azerbaijan, Bahrain, Bangladesh, Belgium, Benin, Bolivia (Plurinational State of), Bosnia and Herzegovina, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Burundi, Cape Verde, Chad, China, the Comoros, Costa Rica, Côte d’Ivoire, Cuba, Cyprus, the Democratic People’s Republic of Korea, Denmark, Djibouti, Ecuador, Egypt, Eritrea, Estonia, Ethiopia, Finland, France, Gabon, the Gambia, Greece, Guinea, Guyana, Hungary, Iceland, India, Indonesia, Iraq, Ireland, Italy, Jordan, Kenya, Kuwait, the Lao People’s Democratic Republic, Lebanon, Lesotho, Libya, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Mauritania, Monaco, Montenegro, Morocco, Myanmar, Namibia, New Zealand, Nicaragua, the Niger, Nigeria, Norway, Oman, Pakistan, Peru, Poland, Portugal, Qatar, the Republic of Moldova, Romania, the Russian Federation, Saint Vincent and the Grenadines, San Marino, Saudi Arabia, Senegal, Serbia, Slovakia, Slovenia, Somalia, South Africa, Spain, Sri Lanka, the Sudan, Suriname, Swaziland, Sweden, Switzerland, the former Yugoslav Republic of Macedonia, Tunisia, Turkey, Uganda, the United Arab Emirates, the United Kingdom of Great Britain and Northern Ireland, Uzbekistan, Venezuela (Bolivarian Republic of), Viet Nam, Yemen, Zambia, Zimbabwe and Palestine, introduced a draft resolution entitled “The right of the Palestinian people to self-determination” ([A/C.3/67/L.54](#)).
12. At the 46th meeting, on 27 November, the representative of Egypt made a statement on behalf of the sponsors of the draft resolution A/C.3/67/L.54 (see A/C.3/67/SR.46). Subsequently, Barbados, Belize, Belarus, Chile, the Congo, Croatia, the Czech Republic, the Democratic Republic of the Congo, Germany, Ghana, Grenada, Guinea-Bissau, Kyrgyzstan, Latvia, Liberia, Mauritius, Mozambique, the Netherlands, Paraguay, Seychelles, Sierra Leone, Tajikistan, Timor-Leste, the United Republic of Tanzania and Ukraine joined in sponsoring the draft resolution.
13. Also at its 46th meeting, the Committee adopted draft resolution A/C.3/67/L.54 by a recorded vote of 173 to 6, with 3 abstentions (see para. 19, draft resolution II). The voting was as follows:

In favour :

Afghanistan, Albania, Algeria, Andorra, Angola, Antigua and Barbuda, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belgium, Belize, Benin, Bhutan, Bolivia (Plurinational State of), Bosnia and Herzegovina, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Burundi, Cambodia, Cape Verde, Chile, China, Colombia, Comoros, Congo, Costa Rica, Côte d’Ivoire, Croatia, Cuba, Cyprus, Czech Republic, Democratic Republic of the Congo, Denmark, Djibouti, Dominican Republic, Ecuador, Egypt, El Salvador, Eritrea, Estonia, Ethiopia, Fiji, Finland, France, Gabon, Gambia, Georgia, Germany, Ghana, Greece, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Hungary, Iceland, India, Indonesia, Iran (Islamic Republic of), Iraq, Ireland, Italy, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lao People’s Democratic Republic, Latvia, Lebanon, Lesotho, Liberia, Libya, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Monaco, Mongolia, Montenegro, Morocco, Mozambique, Myanmar, Namibia, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Rwanda, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Samoa, San Marino, Sao Tome and Principe, Saudi Arabia, Senegal, Serbia, Sierra Leone, Singapore, Slovakia, Slovenia, Solomon Islands, Somalia, South Africa, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Switzerland, Syrian Arab Republic, Tajikistan, Thailand, the former Yugoslav Republic of Macedonia, Timor-Leste, Togo, Trinidad and Tobago, Tunisia, Turkey, Turkmenistan, Tuvalu, Uganda, Ukraine, United Arab Emirates, United Kingdom of Great Britain and

Northern Ireland, United Republic of Tanzania, Uruguay, Uzbekistan, Venezuela (Bolivarian Republic of), Viet Nam, Yemen, Zambia, Zimbabwe.

Against :

Canada, Israel, Marshall Islands, Micronesia (Federated States of), Nauru, United States of America.

Abstaining :

Cameroon, Honduras, South Sudan.

14. Before the vote, statements were made by the representatives of Israel, Argentina, Brazil, the United Kingdom and Egypt. After the vote, statements were made by the representatives of Argentina, Brazil, the United Kingdom and the observer for Palestine (see A/C.3/67/SR.46).

/...

III. Recommendations of the Third Committee

19. The Third Committee recommends to the General Assembly the adoption of the following draft resolutions:

/...

Draft resolution II

The right of the Palestinian people to self-determination

The General Assembly ,

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

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

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

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

Recalling also the United Nations Millennium Declaration,⁶

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

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

Expressing the urgent need for the resumption and accelerated advancement of negotiations within the Middle East peace process, based on the relevant resolutions of the United Nations, the Madrid terms of reference, including the principle of land for peace, the Arab Peace Initiative¹⁰ and the Quartet road map to a permanent two-State solution to the Israeli-Palestinian conflict,¹¹ and for the speedy achievement of a just, lasting and comprehensive peace settlement between the Palestinian and Israeli sides,

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

Recalling its resolution 66/146 of 19 December 2011,

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

1. *Reaffirms* the right of the Palestinian people to self-determination, including the right to their independent State of Palestine;

2. *Urges* all States and the specialized agencies and organizations of the United Nations system to continue to support and assist the Palestinian people in the early realization of their right to self-determination.

/...

Notes

¹ Resolution 2200 A (XXI), annex.

² Resolution 217 A (III).

³ Resolution 1514 (XV).

⁴ A/CONF.157/24 (Part I), chap. III.

⁵ See resolution 50/6.

⁶ Resolution 55/2.

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

Reports 2004 , p. 136.

⁸ See A/ES-10/273 and Corr.1, advisory opinion, para. 88; see also *Legal Consequences of the Construction of a Wall in the Occupied*

Palestinian Territory, Advisory Opinion, I.C.J. Reports 2004 , p. 136.

⁹ See A/ES-10/273 and Corr.1, advisory opinion, para. 122; see also *Legal Consequences of the Construction of a Wall in the Occupied Palestinian Territory, Advisory Opinion, I.C.J. Reports 2004* , p. 136.

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

¹¹ S/2003/529, annex.