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### Right of peoples to self-determination

#### Report of the Third Committee

*Rapporteur*: Ms. Adriana **Murillo Ruin** (Costa Rica)

#### I. Introduction

1. At its 2nd plenary meeting, on 20 September 2013, the General Assembly, on the recommendation of the General Committee, decided to include in the agenda of its sixty-eighth 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 38th to 40th meetings, on 4 and 5 November 2013, and considered proposals and took action on item 68 at its 44th, 46th, 47th, 49th and 51st meetings, on 12, 14, 19, 21 and 26 November. An account of the Committee’s discussion is contained in the relevant summary records ([A/C.3/68/SR.38-40](#) , 44, 46, 47, 49 and 51).

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#### II. Consideration of proposals

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#### C. Draft resolution A/C.3/68/L.68

14. At the 46th meeting, on 14 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, Cabo Verde, Chile, China, the Comoros, the Congo, Côte d’Ivoire, Croatia, Cuba, Cyprus, the Czech Republic, the Democratic People’s Republic of Korea, Denmark, Djibouti, Ecuador, Egypt, El Salvador, Eritrea, Estonia, Finland, France, the Gambia, Germany, Ghana, Greece, Guinea, Guinea-Bissau, Guyana, Hungary, Iceland, India, Indonesia, Iraq, Ireland, Italy, Jordan, Kenya, Kuwait, the Lao People’s Democratic Republic, Latvia, Lebanon, Liberia, Libya, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Mauritania, Monaco, Montenegro, Morocco, Mozambique, Myanmar, Namibia, the Netherlands, New Zealand, Nicaragua, the Niger, Nigeria, Norway, Oman, Pakistan, Peru, Poland, Portugal, Qatar, Romania, the Russian Federation, Saint Vincent and the Grenadines, San Marino, Saudi Arabia, Senegal, Serbia, Sierra Leone, Slovakia, Slovenia, Spain, Sri Lanka, the Sudan, Suriname, Swaziland, Sweden, Switzerland, the former Yugoslav Republic of Macedonia, Timor-Leste, Tunisia, Turkey, Uganda, Ukraine, the United Arab Emirates, the United Kingdom of Great Britain and Northern Ireland, the United Republic of Tanzania, Uzbekistan, Venezuela (Bolivarian Republic of), Viet Nam, Yemen, Zimbabwe and the State of Palestine, introduced a draft resolution entitled “The right of the Palestinian people to self-determination” ([A/C.3.68/L.68](#)).

15. At the same meeting, the representative of Egypt orally revised the draft resolution by replacing the eighth preambular paragraph, which read:

*Welcoming* the resumption 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 Initiative and the Quartet road map to a permanent two-State solution to the Israeli-Palestinian conflict, and stressing the need to accelerate the negotiations, within the agreed time frame of nine months, for the achievement of a just, lasting and comprehensive peace settlement between the Palestinian and Israeli sides,

with the following:

*Welcoming* the resumption 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 Initiative and the Quartet road map to a permanent two-State solution to the Israeli-Palestinian conflict, aiming for the achievement of a just, lasting and comprehensive peace settlement between the Palestinian and Israeli sides, within the agreed time frame of nine months.

16. At the 49th meeting, on 21 November, the representative of Egypt announced that Belarus, Belize, Costa Rica, Ethiopia, Gabon, Lesotho, Seychelles, Somalia, South Africa, Switzerland, Tajikistan and Zambia had joined in sponsoring draft resolution A/C.3/68/L.68. Subsequently, Grenada, Jamaica and Kazakhstan also joined in sponsoring the draft resolution.

17. At the same meeting, the representative of Israel requested a recorded vote on the draft resolution.

18. Also at the same meeting, the Committee adopted draft resolution A/C.3/68/L.68, as orally revised, by a recorded vote of 165 to 6, with 3 abstentions (see para. 22, draft resolution III). 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, Bhutan, Bolivia (Plurinational State of), Bosnia and Herzegovina, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Burundi, Cabo Verde, Cambodia, Chile, China, Colombia, Comoros, Congo, Costa Rica, Côte d'Ivoire, Croatia, Cuba, Cyprus, Czech Republic, Democratic People's Republic of Korea, 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, Guyana, Haiti, Honduras, Hungary, Iceland, India, Indonesia, Iran (Islamic Republic of), Iraq, Ireland, Italy, Jamaica, 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, Nigeria, Norway, Oman, Pakistan, Panama, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Saint Lucia, Saint Vincent and the Grenadines, Samoa, San Marino, Sao Tome and Principe, Saudi Arabia, Senegal, Serbia, Seychelles, Sierra Leone, Singapore, Slovakia, Slovenia, Solomon Islands, South Africa, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Switzerland, Syrian Arab Republic, Tajikistan, Thailand, the former Yugoslav Republic of Macedonia, Timor-Leste, Trinidad and Tobago, Tunisia, Turkey, 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), Palau, United States of America.

*Abstaining :*

Cameroon, Paraguay, Tonga.

19. Also at the 49th meeting, statements were made after the vote by the representative of Argentina and the observer for the State of Palestine (see [A/C.3/68/SR.49](#) ).  
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### **III. Recommendations of the Third Committee**

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

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#### **Draft resolution III**

##### **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,<sup>1</sup> the Universal Declaration of Human Rights,<sup>2</sup> the Declaration on the Granting of Independence to Colonial Countries and Peoples<sup>3</sup> and the Vienna Declaration and Programme of Action adopted at the World Conference on Human Rights on 25 June 1993,<sup>4</sup>

*Recalling* the Declaration on the Occasion of the Fiftieth Anniversary of the United Nations,<sup>5</sup>

*Recalling also* the United Nations Millennium Declaration,<sup>6</sup>

*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,<sup>7</sup> and noting in particular the reply of the Court, including on the right of peoples to self-determination, which is a right *erga omne*,<sup>8</sup>

*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,<sup>9</sup>

*Welcoming* the resumption 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 Initiative<sup>10</sup> and the Quartet road map to a permanent two-State solution to the Israeli-Palestinian conflict,<sup>11</sup> and stressing the need to accelerate the negotiations, within the agreed time frame of nine months, for the 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 [67/158](#) of 20 December 2012,

*Taking note* of its resolution [67/19](#) of 29 November 2012,

*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*

<sup>1</sup> Resolution 2200 A (XXI), annex.

<sup>2</sup> Resolution 217 A (III).

<sup>3</sup> Resolution 1514 (XV).

<sup>4</sup> A/CONF.157/24 (Part I), chap. III.

<sup>5</sup> Resolution 50/6.

<sup>6</sup> Resolution 55/2.

<sup>7</sup> See A/ES-10/273 and Corr.1.

<sup>8</sup> Ibid., advisory opinion, para. 88.

<sup>9</sup> Ibid., para. 122.

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

<sup>11</sup> S/2003/529, annex.

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