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Agenda item 54**United Nations Relief and Works Agency for Palestine Refugees in the Near East
Report of the Special Political and Decolonization Committee (Fourth Committee)***Rapporteur:* Ms. Clotilde Ferry (Monaco)**I. Introduction**

1. At its 2nd plenary meeting, on 18 September 2015, the General Assembly, on the recommendation of the General Committee, decided to include in the agenda of its seventieth session the item entitled "United Nations Relief and Works Agency for Palestine Refugees in the Near East" and to allocate it to the Special Political and Decolonization Committee (Fourth Committee).
2. The Fourth Committee considered the item at its 21st, 22nd and 25th meetings, on 9, 10 and 17 November 2015. The Committee held a general debate on the item at its 21st and 22nd meetings and took action on the item at its 25th meeting (see A/C.4/70/SR.21, 22 and 25).
3. For its consideration of the item, the Committee had before it the following documents:
 - (a) Report of the Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East (A/70/13 and Add.1);
 - (b) Report of the Secretary-General on persons displaced as a result of the June 1967 and subsequent hostilities (A/70/308);
 - (c) Report of the Secretary-General on Palestine refugees' properties and their revenues (A/70/340);
 - (d) Report of the Working Group on the Financing of the United Nations Relief and Works Agency for Palestine Refugees in the Near East (A/70/379);
 - (e) Note by the Secretary-General transmitting the report of the United Nations Conciliation Commission for Palestine (A/70/319).
4. At its 21st meeting, on 9 November, the Committee heard a statement by the Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA) (see A/C.4/70/SR.21).
5. At the same meeting, the representative of Norway, in her capacity as Rapporteur of the Working Group on the Financing of UNRWA, introduced the report of the Working Group (see A/C.4/70/SR.21).
6. Also at the same meeting, the observer for the State of Palestine made a statement (see A/C.4/70/SR.21).

II. Consideration of proposals

7. At its 25th meeting, on 17 November, the Committee was informed that the draft resolutions contained in documents A/C.4/70/L.15 to L.18 had no programme budget implications.

A. Draft resolution A/C.4/70/L.15

8. At the 25th meeting, on 17 November, the representative of Indonesia, on behalf of Afghanistan, Algeria, Austria, Bahrain, Belgium, Bolivia (Plurinational State of), Bosnia and Herzegovina, Brunei Darussalam, Bulgaria, the Comoros, Croatia, Cuba, Cyprus, the Czech Republic, Denmark, Djibouti, Ecuador, Egypt, Estonia, Finland, France, Germany, Greece, Hungary, Indonesia, Iraq, Ireland, Italy, Jordan, Kuwait, Lebanon, Luxembourg, Malta, Mauritania, Monaco, Morocco, Namibia, the Netherlands, Nicaragua, Oman, Poland, Portugal, Qatar, Romania, Saudi Arabia, Senegal, Serbia, Slovakia, Slovenia, South Africa, Spain, the Sudan, Sweden, Tunisia, the United Arab Emirates, the United Kingdom of Great Britain and Northern Ireland, Yemen and the State of Palestine, introduced a draft resolution entitled "Assistance to Palestine refugees" (A/C.4/70/L.15). Subsequently, Brazil, Iceland, Latvia, Liechtenstein, Lithuania, Malaysia, Maldives, Mali, Norway, Switzerland, Ukraine and Venezuela (Bolivarian Republic of) joined in sponsoring the draft resolution.
9. At the same meeting, the Committee adopted draft resolution A/C.4/70/L.15 by a recorded vote of 158 to 1, with 10 abstentions (see para. 16, draft resolution I). The voting was as follows:¹

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, Cabo Verde, Cambodia, Central African Republic, Chile, China, Colombia, Comoros, Congo, Costa Rica, Croatia, Cuba, Cyprus, Czech Republic, Democratic People's Republic of Korea, Denmark, Djibouti, Dominican Republic, Ecuador, Egypt, El Salvador, Eritrea, Estonia, Ethiopia, Fiji, Finland, France, Gabon, Georgia, Germany, Ghana, Greece, Guatemala, Guinea, Guyana, Honduras, Hungary, Iceland, Indonesia, Iran (Islamic Republic of), Iraq, Ireland, Italy, Jamaica, Japan, Jordan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Latvia, Lebanon, Lesotho, Libya, Liechtenstein, Lithuania, Luxembourg, Malawi, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Monaco, Mongolia, Montenegro, Morocco, Myanmar, Namibia, Nepal, Netherlands, New Zealand, Nicaragua, Nigeria, Norway, Oman, Pakistan, Panama, Papua New Guinea, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Saint Lucia, San Marino, Saudi Arabia, Senegal, Serbia, Sierra Leone, Singapore, Slovakia, Slovenia, Solomon Islands, South Africa, Spain, Sri Lanka, Sudan, Suriname, Sweden, Switzerland, Syrian Arab Republic, Tajikistan, Thailand, The former Yugoslav Republic of Macedonia, Timor-Leste, Togo, Tonga, 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, Viet Nam, Yemen, Zambia, Zimbabwe.

Against:

Israel.

Abstaining:

Cameroon, Canada, Cote d'Ivoire, Madagascar, Marshall Islands, Micronesia (Federated States of), Nauru, Palau, Paraguay, United States of America.

B. Draft resolution A/C.4/70/L.16

10. At the 25th meeting, on 17 November, the representative of Indonesia, on behalf of Afghanistan, Algeria, Bahrain, Bolivia (Plurinational State of), Brunei Darussalam, the Comoros, Cuba, Djibouti, Ecuador, Egypt, Indonesia, Iraq, Jordan, Kuwait, Lebanon, Mauritania, Morocco, Namibia, Nicaragua, Oman, Qatar, Saudi Arabia, Senegal, South Africa, the Sudan, Tunisia, the United Arab Emirates, Yemen and the State of Palestine, introduced a draft resolution entitled "Persons displaced as a result of the June 1967 and subsequent hostilities" (A/C.4/70/L.16). Subsequently, Malaysia, Maldives, Mali and Venezuela (Bolivarian Republic of) joined in sponsoring the draft resolution.

11. At the same meeting, the Committee adopted draft resolution A/C.4/70/L.16 by a recorded vote of 157 to 7, with 6 abstentions (see para. 16, draft resolution II). The voting was as follows:²

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, Cabo Verde, Cambodia, Chile, China, Colombia, Comoros, Congo, Costa Rica, Croatia, Cuba, Cyprus, Czech Republic, Democratic People's Republic of Korea, Denmark, Djibouti, Dominican Republic, Ecuador, Egypt, El Salvador, Eritrea, Estonia, Ethiopia, Fiji, Finland, France, Gabon, Georgia, Germany, Ghana, Greece, Guatemala, Guinea, Guyana, Hungary, Iceland, Indonesia, Iran (Islamic Republic of), Iraq, Ireland, Italy, Jamaica, Japan, Jordan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Latvia, Lebanon, Lesotho, Libya, Liechtenstein, Lithuania, Luxembourg, Malawi, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Monaco, Mongolia, Montenegro, Morocco, Myanmar, Namibia, Nepal, Netherlands, New Zealand, Nicaragua, Nigeria, Norway, Oman, Pakistan, Panama, Papua New Guinea, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Saint Lucia, Samoa, San Marino, Saudi Arabia, Senegal, Serbia, Sierra Leone, Singapore, Slovakia, Slovenia, Solomon Islands, South Africa, Spain, Sri Lanka, Sudan, Suriname, Sweden, Switzerland, Syrian Arab Republic, Tajikistan, Thailand, The former Yugoslav Republic of Macedonia, Timor-Leste, Togo, Tonga, 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, Viet Nam, Yemen, Zambia, Zimbabwe.

Against:

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

Abstaining:

Cameroon, Central African Republic, Cote d'Ivoire, Honduras, Madagascar, Paraguay.

C. Draft resolution A/C.4/70/L.17

12. At the 25th meeting, on 17 November, the representative of Indonesia, on behalf of Afghanistan, Algeria, Bahrain, Bolivia (Plurinational State of), Brunei Darussalam, the Comoros, Cuba, Djibouti, Ecuador, Egypt, Indonesia, Iraq, Jordan, Kuwait, Lebanon, Mauritania, Morocco, Namibia, Nicaragua, Oman, Qatar, Saudi Arabia, Senegal, South Africa, the Sudan, Tunisia, the United Arab Emirates, Yemen and the State of Palestine, introduced a draft resolution entitled "Operations of the United Nations Relief and Works Agency for Palestine Refugees in the Near East" (A/C.4/70/L.17). Subsequently, Malaysia, Maldives, Mali and Venezuela (Bolivarian Republic of) joined in sponsoring the draft resolution.

13. At the same meeting, the Committee adopted draft resolution A/C.4/70/L.17 by a recorded vote of 158 to 6, with 6 abstentions (see para. 16, draft resolution III). The voting was as follows:³

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, Cabo Verde, Cambodia, Chile, China, Colombia, Comoros, Congo, Costa Rica, Croatia, Cuba, Cyprus, Czech Republic, Democratic People's Republic of Korea, Denmark, Djibouti, Dominican Republic, Ecuador, Egypt, El Salvador, Eritrea, Estonia, Ethiopia, Fiji, Finland, France, Gabon, Georgia, Germany, Ghana, Greece, Guatemala, Guinea, Guyana, Honduras, Hungary, Iceland, Indonesia, Iran (Islamic Republic of), Iraq, Ireland, Italy, Jamaica, Japan, Jordan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Latvia, Lebanon, Lesotho, Libya, Liechtenstein, Lithuania, Luxembourg, Malawi, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Monaco, Mongolia, Montenegro, Morocco, Myanmar, Namibia, Nepal, Netherlands, New Zealand, Nicaragua, Nigeria, Norway, Oman, Pakistan, Panama, Papua New Guinea, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Saint Lucia, Samoa, San Marino, Saudi Arabia, Senegal, Serbia, Sierra Leone, Singapore, Slovakia, Slovenia, Solomon Islands, South Africa, Spain, Sri Lanka, Sudan, Suriname, Sweden, Switzerland, Syrian Arab Republic, Tajikistan, Thailand, The former Yugoslav Republic of Macedonia, Timor-Leste, Togo, Tonga, 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, Viet Nam, Yemen, Zambia, Zimbabwe.

Against:

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

Abstaining:

Cameroon, Central African Republic, Cote d'Ivoire, Madagascar, Nauru, Paraguay.

D. Draft resolution A/C.4/70/L.18

14. At the 25th meeting, on 17 November, the representative of Indonesia, on behalf of Afghanistan, Algeria, Austria, Bahrain, Belgium, Bolivia (Plurinational State of), Bosnia and Herzegovina, Brunei Darussalam, Bulgaria, the Comoros, Croatia, Cuba, Cyprus, the Czech Republic, Denmark, Djibouti, Ecuador, Egypt, Estonia, Finland, France, Germany, Greece, Hungary, Indonesia, Iraq, Ireland, Italy, Jordan, Kuwait, Lebanon, Luxembourg, Malta, Mauritania, Morocco, Namibia, the Netherlands, Nicaragua, Oman, Poland, Portugal, Qatar, Romania, Saudi Arabia, Senegal, Serbia, Slovakia, Slovenia, South Africa, Spain, the Sudan, Sweden, Tunisia, the United Arab Emirates, the United Kingdom of Great Britain and Northern Ireland, Yemen and the State of Palestine, introduced a draft resolution entitled "Palestine refugees' properties and their revenues" (A/C.4/70/L.18). Subsequently, Brazil, Iceland, Latvia, Liechtenstein, Lithuania, Malaysia, Maldives, Mali, Norway, Switzerland, Ukraine and Venezuela (Bolivarian Republic of) joined in sponsoring the draft resolution.

15. At the same meeting, the Committee adopted draft resolution A/C.4/70/L.18 by a recorded vote of 157 to 7, with 6 abstentions (see para. 16, draft resolution IV).

The voting was as follows:⁴

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, Cabo Verde, Cambodia, Chile, China, Colombia, Comoros, Congo, Costa Rica, Croatia, Cuba, Cyprus, Czech Republic, Democratic People's Republic of Korea, Denmark, Djibouti, Dominican Republic, Ecuador, Egypt, El Salvador, Eritrea, Estonia, Ethiopia, Fiji, Finland, France, Gabon, Georgia, Germany, Greece, Guatemala, Guinea, Guyana, Honduras, Hungary, Iceland, Indonesia, Iran (Islamic Republic of), Iraq, Ireland, Italy, Jamaica, Japan, Jordan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Latvia, Lebanon, Lesotho, Libya, Liechtenstein, Lithuania, Luxembourg, Malawi, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Monaco, Mongolia, Montenegro, Morocco, Myanmar, Namibia, Nepal, Netherlands, New Zealand, Nicaragua, Nigeria, Norway, Oman, Pakistan, Panama, Papua New Guinea, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Saint Lucia, Samoa, San Marino, Saudi Arabia, Senegal, Serbia, Sierra Leone, Singapore, Slovakia, Slovenia, Solomon Islands, South Africa, Spain, Sri Lanka, Sudan, Suriname, Sweden, Switzerland, Syrian Arab Republic, Tajikistan, Thailand, The former Yugoslav Republic of Macedonia, Timor-Leste, Togo, Tonga, 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, Viet Nam, Yemen, Zambia, Zimbabwe.

Against:

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

Abstaining:

Cameroon, Central African Republic, Cote d'Ivoire, Ghana, Madagascar, Paraguay.

Endnotes

¹ The delegations of India and Kazakhstan subsequently indicated that, had they been present, they would have voted in favour.

² The delegations of India and Kazakhstan subsequently indicated that, had they been present, they would have voted in favour.

³ The delegations of India and Kazakhstan subsequently indicated that, had they been present, they would have voted in favour.

⁴ The delegations of India and Kazakhstan subsequently indicated that, had they been present, they would have voted in favour.

III. Recommendations of the Special Political and Decolonization Committee (Fourth Committee)

16. The Special Political and Decolonization Committee (Fourth Committee) recommends to the General Assembly the adoption of the following draft resolutions:

Draft resolution I

Assistance to Palestine refugees

The General Assembly,

Recalling its resolution 194 (III) of 11 December 1948 and all its subsequent resolutions on the question, including resolution 69/86 of 5 December 2014,

Recalling also its resolution 302 (IV) of 8 December 1949, by which, inter alia, it established the United Nations Relief and Works Agency for Palestine Refugees in the Near East,

Recalling further the relevant resolutions of the Security Council,

Aware of the fact that, for more than six decades, the Palestine refugees have suffered from the loss of their homes, lands and means of livelihood,

Affirming the imperative of resolving the problem of the Palestine refugees for the achievement of justice and for the achievement of lasting peace in the region,

Acknowledging the essential role that the Agency has played for over 60 years since its establishment in ameliorating the plight of the Palestine refugees through the provision of education, health, relief and social services and ongoing work in the areas of camp infrastructure, microfinance, protection and emergency assistance,

Taking note of the report of the Commissioner-General of the Agency covering the period from 1 January to 31 December 2014,¹

Taking note also of the special report of the Commissioner-General, submitted pursuant to paragraph 21 of General Assembly resolution 302 (IV) and conveyed by the Secretary-General on 4 August 2015, regarding the severe financial crisis of the Agency and its effect on core services,²

Aware of the continuing needs of the Palestine refugees throughout all the fields of operation, namely, Jordan, Lebanon, the Syrian Arab Republic and the Occupied Palestinian Territory,

Expressing grave concern at the especially difficult situation of the Palestine refugees under occupation, including with regard to their safety, well-being and socioeconomic living conditions,

Expressing grave concern in particular at the grave humanitarian situation and socioeconomic conditions of the Palestine refugees in the Gaza Strip, and underlining the importance of emergency and humanitarian assistance and urgent reconstruction efforts,

Noting the signing of the Declaration of Principles on Interim Self-Government Arrangements on 13 September 1993 by the Government of Israel and the Palestine Liberation Organization³ and the subsequent implementation agreements,

1. *Notes with regret* that repatriation or compensation of the refugees, as provided for in paragraph 11 of General Assembly resolution 194 (III), has not yet been effected, and that, therefore, the situation of the Palestine refugees continues to be a matter of grave concern and the Palestine refugees continue to require assistance to meet basic health, education and living needs;

2. *Also notes with regret* that the United Nations Conciliation Commission for Palestine has been unable to find a means of achieving progress in the implementation of paragraph 11 of General Assembly resolution 194 (III), and reiterates its request to the Conciliation Commission to continue exerting efforts towards the implementation of that paragraph and to report to the Assembly on the efforts being exerted in this regard as appropriate, but no later than 1 September 2016;

3. *Affirms* the necessity for the continuation of the work of the United Nations Relief and Works Agency for Palestine Refugees in the Near East and the importance of its unimpeded operation and its provision of services, including emergency assistance, for the well-being, protection and human development of the Palestine refugees and for the stability of the region, pending the just resolution of the question of the Palestine refugees;

4. *Calls upon* all donors to continue to strengthen their efforts to meet the anticipated needs of the Agency, including with regard to increased expenditures arising from conflicts and instability in the region and the serious socioeconomic and humanitarian situation, particularly in the Occupied Palestinian Territory, and those needs mentioned in recent emergency, recovery and reconstruction appeals and plans for the Gaza Strip and in the regional crisis response plans to address the situation of Palestine refugees in the Syrian Arab Republic and those Palestine refugees who have fled to countries in the region;

5. *Commends* the Agency for its provision of vital assistance to the Palestine refugees and its role as a stabilizing factor in the region and the tireless efforts of the staff of the Agency in carrying out its mandate.

Endnotes

¹ Official Records of the General Assembly, Seventieth Session, Supplement No. 13 (A/70/13); and *ibid.*, Supplement No. 13A (A/70/13/Add.1).

² A/70/272, annex.

³ A/48/486-5/26560, annex.

Draft resolution II

Persons displaced as a result of the June 1967 and subsequent hostilities

The General Assembly,

Recalling its resolutions 2252 (ES-V) of 4 July 1967, 2341 B (XXII) of 19 December 1967 and all subsequent related resolutions,

Recalling also Security Council resolutions 237 (1967) of 14 June 1967 and 259 (1968) of 27 September 1968,

Taking note of the report of the Secretary-General submitted in pursuance of its resolution 69/87 of 5 December 2014,¹

Taking note also of the report of the Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East covering the period from 1 January to 31 December 2014,²

Concerned about the continuing human suffering resulting from the June 1967 and subsequent hostilities,

Taking note of the relevant provisions of the Declaration of Principles on Interim Self-Government Arrangements of 13 September 1993³ with regard to the modalities for the admission of persons displaced in 1967, and concerned that the process agreed upon has not yet been effected,

Taking note also of its resolution 67/19 of 29 November 2012,

1. *Reaffirms* the right of all persons displaced as a result of the June 1967 and subsequent hostilities to return to their homes or former places of residence in the territories occupied by Israel since 1967;

2. *Stresses* the necessity for an accelerated return of displaced persons, and calls for compliance with the mechanism agreed upon by the parties in article XII of the Declaration of Principles on Interim Self-Government Arrangements of 13 September 1993³ on the return of displaced persons;

3. *Endorses*, in the meantime, the efforts of the Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East to continue to provide humanitarian assistance, as far as practicable, on an emergency basis, and as a temporary measure, to persons in the area who are currently displaced and in serious need of continued assistance as a result of the June 1967 and subsequent hostilities;

4. *Strongly appeals* to all Governments and to organizations and individuals to contribute generously to the Agency and to the other intergovernmental and non-governmental organizations concerned for the above-mentioned purposes;

5. *Requests* the Secretary-General, after consulting with the Commissioner-General, to report to the General Assembly before its seventy-first session on the

progress made with regard to the implementation of the present resolution.

Endnotes

¹ A/70/308.

² *Official Records of the General Assembly, Seventieth Session, Supplement No. 13 (A/70/13); and ibid., Supplement No. 13A (A/70/13/Add.1).*

³ A/48/486-5/26560, annex.

Draft resolution III

Operations of the United Nations Relief and Works Agency for Palestine Refugees in the Near East

The General Assembly,

Recalling its resolutions 194 (III) of 11 December 1948, 212 (III) of 19 November 1948, 302 (IV) of 8 December 1949 and all subsequent related resolutions, including its resolution 69/88 of 5 December 2014,

Recalling also the relevant resolutions of the Security Council,

Having considered the report of the Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East covering the period from 1 January to 31 December 2014,¹

Taking note of the letter dated 16 June 2015 from the Chair of the Advisory Commission of the Agency to the Commissioner-General,²

Deeply concerned about the extremely critical financial situation of the Agency, caused in part by the structural underfunding of the Agency, as well as its rising expenditures resulting from the deterioration of the socioeconomic and humanitarian conditions and the conflicts and rising instability in the region and their significant negative impact on the provision of necessary Agency services to the Palestine refugees, including its emergency, recovery, reconstruction and development programmes in all fields of operation,

Taking note of the special report of the Commissioner-General, submitted pursuant to paragraph 21 of General Assembly resolution 302 (IV), and transmitted by the Secretary-General on 4 August 2015, regarding the severe financial crisis of the Agency and the negative implications for Agency services, including its education programme for some 500,000 Palestine refugee children in more than 685 schools and some 7,000 youth in 8 vocational training centres,³

Expressing appreciation for the mobilization of donors and host countries in response to the financial crisis, and expressing particular appreciation to the donors that extended generous support to avert the suspension of the Agency's education programme, while acknowledging the steadfast support of all other donors to the Agency,

Commending the Agency for the measures taken to address the financial crisis, including internal measures to contain costs,

Emphasizing the imperative of ensuring sustained and predictable financial support for the Agency, a pillar of stability for a registered population of 5.3 million Palestine refugees, including through the provision of the necessary resources to enable it to continue to deliver its vital services uninterrupted,

Welcoming the support for the Agency reaffirmed at the ministerial meeting convened on 26 September 2015 and at the high-level conference convened on 2 June 2015 in New York to commemorate the sixty-fifth anniversary of the commencement of the Agency's operations,

Recalling Articles 100, 104 and 105 of the Charter of the United Nations and the Convention on the Privileges and Immunities of the United Nations,⁴

Recalling also the Convention on the Safety of United Nations and Associated Personnel,⁵

Recalling further its resolutions 69/133 of 12 December 2014 on the safety and security of humanitarian personnel and the protection of United Nations personnel and 68/102 of 13 December 2013 on the strengthening of the coordination of emergency humanitarian assistance of the United Nations, calling, *inter alia*, upon all States to ensure respect for and protection of all humanitarian personnel and United Nations and associated personnel, to respect the principles of humanity, neutrality, impartiality and independence for the provision of humanitarian assistance and to respect and ensure respect for the inviolability of United Nations premises,

Affirming the applicability of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949,⁶ to the Palestinian territory occupied since 1967, including East Jerusalem,

Aware of the continuing needs of the Palestine refugees in all fields of operation, namely, Jordan, Lebanon, the Syrian Arab Republic and the Occupied Palestinian Territory,

Bearing in mind the 2030 Agenda for Sustainable Development,⁷ including the pledge that no one will be left behind, *Gravely concerned* about the extremely difficult socioeconomic conditions being faced by the Palestine refugees in the Occupied Palestinian Territory, including East Jerusalem, particularly in the refugee camps in the Gaza Strip, as a result of the recurrent military operations, continuing prolonged Israeli closures, the construction of settlements and the wall, and the severe economic and movement restrictions that in effect amount to a blockade, which have deepened unemployment and poverty rates among the refugees, with potentially lasting, longterm negative effects, while taking note of developments with regard to the situation of access there,

Deploping 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, as well as the widespread destruction of or damage to 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,

Deploping also attacks affecting United Nations installations, including Agency schools sheltering displaced civilians, and all other breaches of the inviolability of United Nations premises during the conflict in the Gaza Strip in July and August 2014, as reported in the summary by the Secretary-General of the report of the Board of Inquiry⁸ and by the independent commission of inquiry established pursuant to Human Rights Council resolution S-21/1,⁹ and stressing the imperative of ensuring accountability,

Gravely concerned about the lasting negative repercussions of the military operations in the Gaza Strip between December 2008 and January 2009, as well as in November 2012, on the humanitarian and socioeconomic situation of the Palestine refugees in the Gaza Strip,

Commending the extraordinary efforts by the Agency to provide shelter, emergency relief, medical, food, protection and other humanitarian assistance during the military operations of July and August 2014,

Recognizing the need for the swift implementation of all aspects of the temporary tripartite agreement facilitated by the United Nations in September 2014, and stressing the urgent need for the lifting of all Israeli closures and restrictions on the Gaza Strip and for the reconstruction of destroyed homes and infrastructure,

Recalling, in this regard, its resolution ES-10/18 of 16 January 2009 and Security Council resolution 1860 (2009) of 8 January 2009,

Calling upon Israel to ensure the unimpeded import of essential construction materials into the Gaza Strip and to reduce the burdensome cost of importation of Agency supplies, while taking note of recent developments with regard to the tripartite agreement facilitated by the United Nations,

Expressing concern about the severe classroom shortage in the Gaza Strip and the consequent negative impact on the right to education of refugee children,

Stressing the urgent need for the advancement of reconstruction in the Gaza Strip, including by ensuring the timely facilitation of construction projects and by sustaining the swift entry of construction materials needed for projects managed by the Agency, and the need for the accelerated implementation of other urgent United Nations-led civilian reconstruction activities,

Welcoming contributions made to the Agency's emergency appeals for the Gaza Strip following the military operations in July and August 2014, and calling urgently upon the international community for continued support in accordance with the Agency's strategic response plan,

Welcoming also 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,

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 must ensure the safety and well-being of civilians on both sides,

Affirming the need to support the Palestinian national consensus government 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,

Noting with appreciation the progress made towards rebuilding the Nahr el-Bared refugee camp, commending the Government of Lebanon, donors, the Agency and

other concerned parties for the continuing efforts to assist affected and displaced refugees, and emphasizing the need for additional funding to complete the reconstruction of the camp and end without delay the displacement from the camp of thousands of residents whose shelters have not been rebuilt,

Expressing deep concern at the critical situation of Palestine refugees in the Syrian Arab Republic and at the impact of the crisis on the Agency's ability to deliver its services, and regretting profoundly the loss of life among refugees and the killing of 14 staff members of the Agency in the crisis since 2012,

Emphasizing the need for increased assistance to Palestine refugees in the Syrian Arab Republic as well as those who have fled to neighbouring countries, and emphasizing the necessity of ensuring open borders for Palestine refugees fleeing the crisis in the Syrian Arab Republic, consistent with the principles of non-discrimination and non-refoulement under international law, and recalling in this regard the statement by the President of the Security Council of 2 October 2013,¹⁰

Aware of the valuable work done by the Agency in providing protection to the Palestinian people, in particular Palestine refugees, and recalling the need for the protection of all civilians in situations of armed conflict,

Deploping the endangerment of the safety of the Agency's staff and the damage and destruction caused to the facilities and properties of the Agency during the period covered by the report of the Commissioner-General, and stressing the need to maintain the neutrality of and safeguard the inviolability of United Nations premises, installations and equipment at all times,

Deploping also the breaches of the inviolability of United Nations premises, the failure to accord the property and assets of the Organization immunity from any form of interference and the failure to protect United Nations personnel, premises and property,

Deploping further the killing and injury of Agency staff members by the Israeli occupying forces in the Occupied Palestinian Territory since September 2000, including the 11 Agency personnel killed during the military operations in the Gaza Strip in July and August 2014,

Deploping the killing and wounding of refugee children and women sheltering in the Agency schools by the Israeli occupying forces during the military operations of July and August 2014,

Affirming the need for accountability and compensation to victims of violations of international law in accordance with international standards by all sides,

Deeply concerned about the continuing imposition of restrictions on the freedom of movement and access of the Agency's staff, vehicles and goods, and the injury, harassment and intimidation of the Agency's staff, which undermine and obstruct the work of the Agency, including its ability to provide essential basic and emergency services,

Recalling the statement of 15 July 1999 and the declarations adopted on 5 December 2001 and on 17 December 2014¹¹ by the Conference of High Contracting Parties to the Fourth Geneva Convention, including the call upon parties to facilitate the activities of the Agency, to guarantee its protection and to refrain from levying taxes and imposing undue financial burdens,

Aware of the agreement between the Agency and the Government of Israel,

Taking note of the agreement reached on 24 June 1994, embodied in an exchange of letters between the Agency and the Palestine Liberation Organization,¹²

1. *Reaffirms* that the effective functioning of the United Nations Relief and Works Agency for Palestine Refugees in the Near East remains essential in all fields of operation;
2. *Expresses its appreciation* to the Commissioner-General of the Agency, as well as to all the staff of the Agency, for their tireless efforts and valuable work, particularly in the light of the difficult conditions, instability and crises faced during the past year;
3. *Expresses special commendation* to the Agency for the essential role that it has played for more than 65 years since its establishment in providing vital services for the well-being, human development and protection of the Palestine refugees and the amelioration of their plight;
4. *Commends* the extraordinary efforts of the Agency, in cooperation with other United Nations agencies on the ground, to provide emergency humanitarian assistance, including shelter, food and medical aid, to refugees and affected civilians during the military operations in the Gaza Strip in July and August 2014, and recognizes its exemplary capacity to mobilize in emergency situations while continuously carrying out its core human development programmes;
5. *Expresses its appreciation* for the important support and cooperation provided by the host Governments to the Agency in the discharge of its duties;
6. *Also expresses its appreciation* to the Advisory Commission of the Agency, and requests it to continue its efforts and to keep the General Assembly informed of its activities;
7. *Takes note with appreciation* of the report of the Working Group on the Financing of the United Nations Relief and Works Agency for Palestine Refugees in the Near East¹³ and the efforts to assist in ensuring the financial security of the Agency, and requests the Secretary-General to provide the necessary services and assistance to the Working Group for the conduct of its work;
8. *Commends* the Agency's six-year medium-term strategy for 2016-2021 and the continuing efforts of the Commissioner-General to increase the budgetary transparency and efficiency of the Agency, as reflected in the Agency's programme budget for the biennium 2016-2017,¹⁴
9. *Also commends* the Agency for sustaining its reform efforts, despite difficult operational circumstances, and urges it to continue to apply maximum efficiency procedures to reduce operational and administrative costs and to maximize the use of resources;
10. *Takes note* of the special report of the Commissioner-General, submitted pursuant to paragraph 21 of General Assembly resolution 302 (IV) and transmitted by the Secretary-General on 4 August 2015, regarding the severe financial crisis of the Agency,³ and urges all States and international organizations to actively engage in efforts to address the conclusions and proposals therein;
11. *Commends* the Agency for its far-reaching measures to address its current financial crisis, and encourages the Agency to take further steps to reduce the deficit in its General Fund in order to safeguard the delivery of services, including the current provision of basic education to 500,000 children, primary health care to more than 3 million beneficiaries and assistance to 1.5 million of the most vulnerable Palestine refugees;
12. *Calls upon* all donors and relevant stakeholders to support the Agency, with a view to ensuring a sustainable and stable financial situation for the Agency in order to safeguard core programmes, pending the just resolution of the question of the Palestine refugees;
13. *Takes note with appreciation* of the report of the Secretary-General on the strengthening of the management capacity of the Agency,¹⁵ and urges all Member States to carefully consider the conclusions and recommendations contained therein, including the continued provision of financial resources from the regular budget of the United Nations;
14. *Endorses* the efforts of the Commissioner-General to continue to provide humanitarian assistance, as far as is practicable, on an emergency basis and as a temporary measure, to persons in the area who are internally displaced and in serious need of continuing assistance as a result of recent crises in the Agency's fields of operation;
15. *Encourages* the Agency to provide increased assistance, in accordance with its mandate, to affected Palestine refugees in the Syrian Arab Republic as well as to those who have fled to neighbouring countries, as detailed in the Syrian regional crisis response plans, and calls upon donors to urgently ensure sustained support to the Agency in this regard in the light of the continuing grave deterioration of the situation and the growing needs of the refugees;
16. *Welcomes* the progress made thus far by the Agency in rebuilding the Nahr el-Bared refugee camp in northern Lebanon, and calls for donor funding to enable the expeditious completion of its reconstruction, for the continued provision of relief assistance to those displaced following its destruction in 2007 and for the alleviation of their ongoing suffering through the provision of the necessary support and financial assistance until the reconstruction of the camp is complete;
17. *Encourages* the Agency, in close cooperation with other relevant United Nations entities, to continue to make progress in addressing the needs, rights and protection of children, women and persons with disabilities in its operations, including through the provision of necessary psychosocial and humanitarian support, in accordance with the Convention on the Rights of the Child,¹⁶ the Convention on the Elimination of All Forms of Discrimination against Women¹⁷ and the Convention on the Rights of Persons with Disabilities;¹⁸
18. *Recognizes* the acute protection needs of Palestine refugees across the region, and encourages the Agency's efforts to contribute to a coordinated and sustained response in accordance with international law;
19. *Commends*, in this regard, the Agency's provision of humanitarian and psychosocial support and other initiatives that provide recreational, cultural and educational activities for children during the summer, including in the Gaza Strip, and, recognizing their positive contribution, calls for full support for such initiatives by donor and host countries and encourages the building and strengthening of partnerships to facilitate and enhance the provision of these services;
20. *Calls upon* Israel, the occupying Power, to comply fully with the provisions of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949;⁶
21. *Also calls upon* Israel to abide by Articles 100, 104 and 105 of the Charter of the United Nations and the Convention on the Privileges and Immunities of the United Nations⁴ in order to ensure the safety of the personnel of the Agency, the protection of its institutions and the safeguarding of the security of its facilities in the Occupied Palestinian Territory, including East Jerusalem, at all times;

22. *Takes note* of the investigations into the incidents affecting the Agency's facilities during the conflict in the Gaza Strip in July and August 2014, and calls for ensuring accountability for all violations of international law;
23. *Urges* the Government of Israel to expeditiously reimburse the Agency for all transit charges incurred and other financial losses sustained as a result of the delays and restrictions on movement and access imposed by Israel;
24. *Calls upon* Israel particularly to cease obstructing the movement and access of the staff, vehicles and supplies of the Agency and to cease the levying of taxes, extra fees and charges, which affect the Agency's operations detrimentally;
25. *Reiterates its call upon* Israel to fully lift the restrictions impeding or delaying the import of necessary construction materials and supplies for the reconstruction and repair of thousands of damaged or destroyed refugee shelters, and for the implementation of suspended and urgently needed civilian infrastructure projects in refugee camps in the Gaza Strip;
26. *Requests* the Commissioner-General to proceed with the issuance of identification cards for Palestine refugees and their descendants in the Occupied Palestinian Territory;
27. *Notes with appreciation* the positive contribution of the Agency's microfinance and job creation programmes, encourages efforts to enhance the sustainability and benefits of microfinance services to a greater number of Palestine refugees, especially in view of the high unemployment rates affecting them, and youth in particular, and calls upon the Agency, in close cooperation with the relevant agencies, to continue to contribute to the development of the economic and social stability of the Palestine refugees in all fields of operation;
28. *Reiterates its appeals* to all States, the specialized agencies and non-governmental organizations to continue and to augment their contributions to the regular budget of the Agency, to increase their special allocations for grants and scholarships for higher education to Palestine refugees and to contribute to the establishment of vocational training centres for Palestine refugees, and requests the Agency to act as the recipient and trustee for the special allocations for grants and scholarships;
29. *Urges* all States, the specialized agencies and non-governmental organizations to support the Agency's valuable and necessary work in assisting the Palestine refugees in all fields of operation by providing or increasing their contributions to the Agency in order to address the serious financial constraints and underfunding affecting its regular budget, noting that financial needs have been exacerbated by conflicts and instability in the recent period and the deteriorating humanitarian situation on the ground;
30. *Calls*, in this regard, for the full and timely funding by donors of the Agency's emergency, recovery and reconstruction programmes as set out in its emergency appeals and response plans;
31. *Urges* the Agency to further explore innovative and diversified means to mobilize resources, including through partnerships with international financial institutions, the private sector and civil society.

Endnotes

¹ *Official Records of the General Assembly, Seventieth Session, Supplement No. 13 (A/70/13)*; and *ibid.*, *Supplement No. 13A (A/70/13/Add.1)*.

² *Ibid.*, *Supplement No. 13 (A/70/13)*, pp. 8-10.

³ A/70/272, annex.

⁴ Resolution 22 A (I).

⁵ United Nations, *Treaty Series*, vol. 2051, No. 35457.

⁶ *Ibid.*, vol. 75, No. 973.

⁷ Resolution 70/1.

⁸ S/2015/286, annex.

⁹ See A/HRC/29/52.

¹⁰ SPRST/2013/15; see *Resolutions and Decisions of the Security Council, 1 August 2013-31 July 2014 (SINF/69)*.

¹¹ A/69/711-S/2015/1, annex.

¹² *Official Records of the General Assembly, Forty-ninth Session, Supplement No. 13 (A/49/13)*, annex I.

¹³ A/70/379.

¹⁴ *Official Records of the General Assembly, Seventieth Session, Supplement No. 13A (A/70/13/Add.1)*.

¹⁵ A/65/705.

¹⁶ United Nations, *Treaty Series*, vol. 1577, No. 27531.

¹⁷ *Ibid.*, vol. 1249, No. 20378.

¹⁸ *Ibid.*, vol. 2515, No. 44910.

Draft resolution IV

Palestine refugees' properties and their revenues

The General Assembly,

Recalling its resolutions 194 (III) of 11 December 1948 and 36/146 C of 16 December 1981 and all its subsequent resolutions on the question,

Taking note of the report of the Secretary-General submitted pursuant to its resolution 69/89 of 5 December 2014,¹ as well as that of the United Nations Conciliation Commission for Palestine for the period from 1 September 2014 to 31 August 2015,²

Recalling that the Universal Declaration of Human Rights³ and the principles

of international law uphold the principle that no one shall be arbitrarily deprived of his or her property,

Recalling in particular its resolution 394 (V) of 14 December 1950, in which it directed the Conciliation Commission, in consultation with the parties concerned, to prescribe measures for the protection of the rights, property and interests of the Palestine refugees,

Noting the completion of the programme of identification and evaluation of Arab property, as announced by the Conciliation Commission in its twenty-second progress report,⁴ and the fact that the Land Office had a schedule of Arab owners and a file of documents defining the location, area and other particulars of Arab property,

Expressing its appreciation for the preservation and modernization of the existing records, including the land records, of the Conciliation Commission, and stressing the importance of such records for a just resolution of the plight of the Palestine refugees in conformity with resolution 194 (III),

Recalling that, in the framework of the Middle East peace process, the Palestine Liberation Organization and the Government of Israel agreed, in the Declaration of Principles on Interim Self-Government Arrangements of 13 September 1993,⁵ to commence negotiations on permanent status issues, including the important issue of the refugees,

1. *Reaffirms* that the Palestine refugees are entitled to their property and to the income derived therefrom, in conformity with the principles of equity and justice;

2. *Requests* the Secretary-General to take all appropriate steps, in consultation with the United Nations Conciliation Commission for Palestine, for the protection of Arab property, assets and property rights in Israel;

3. *Calls once again upon* Israel to render all facilities and assistance to the Secretary-General in the implementation of the present resolution;

4. *Calls upon* all the parties concerned to provide the Secretary-General with any pertinent information in their possession concerning Arab property, assets and property rights in Israel that would assist him in the implementation of the present resolution;

5. *Urges* the Palestinian and Israeli sides, as agreed between them, to deal with the important issue of Palestine refugees' properties and their revenues within the framework of the final status peace negotiations;

6. *Requests* the Secretary-General to report to the General Assembly at its seventy-first session on the implementation of the present resolution.

Endnotes

¹ A/70/340.

² A/70/319, annex.

³ Resolution 217 A (III).

⁴ *Official Records of the General Assembly, Nineteenth Session, Annexes, Annex No. 11, document A/5700.*

⁵ A/48/486-5/26560, annex.
