



DIVISION FOR
PALESTINIAN RIGHTS

Bulletin

on action by the United Nations system and
intergovernmental organizations
relevant to the question of Palestine

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I. UN SPECIAL COORDINATOR ISSUES STATEMENT CONDEMNING ROCKET FIRE FROM GAZA

On 2 March 2017, the United Nations Special Coordinator for the Middle East Peace Process, Nickolay Mladenov, issued the following [statement](#):

I condemn yesterday's firing of a rocket from Gaza towards Israel. This is the third such incident in the past 30 days after a period of almost four months of quiet. Such provocations seek only to undermine peace.

I call on all responsible parties to exercise maximum restraint, avoid escalation and prevent incidents that jeopardize the lives of Palestinians and Israelis.

II. UN HUMAN RIGHTS EXPERTS EXPRESS CONCERN OVER ISRAEL'S GROWING CONSTRAINTS ON HUMAN RIGHTS DEFENDERS

On 3 March 2017, the UN Special Rapporteur on the situation of human rights in the Palestinian territories occupied since 1967, Michael Lynk, and the UN Special Rapporteur on human rights defenders, Michel Forst, expressed deep concern about the escalating restrictions that the Israeli Government was placing on human rights defenders in the occupied Palestinian territory. The Office of the High Commissioner for Human Rights issued the following [press release](#):

Two United Nations Independent Experts are calling on the Israeli Government to fully respect the fundamental rights and freedoms of human rights defenders and organizations in the Occupied Palestinian Territory.

The UN Special Rapporteur on the situation of human rights in the Palestinian territories occupied since 1967, Michael Lynk, and the UN Special Rapporteur on human rights defenders, Michel Forst, say human rights defenders in the region have been facing escalating restrictions by Israel on their activities.

"We are deeply concerned by the latest constraints on the invaluable work being done by human rights activists – Palestinian, Israeli and international – who investigate, research, advocate and peacefully mobilize with respect to human rights concerns in the Occupied Palestinian Territory," they said.

"Israel has an obligation under international law to protect human rights defenders and promote their work," said

the two Special Rapporteurs. "The activities of such people are crucial to ensuring meaningful protection of those individuals and communities whose fundamental rights are threatened. However, it appears that Israel's latest actions are instead targeting these activists and undermining their efforts to defend others."

The Special Rapporteurs were concerned about three developments in recent days; firstly, the dispersal of a protest on 24 February by the Israeli military using tear gas, sound bombs and rubber bullets; the peaceful protest, organized annually by a number of human rights organizations, brings together Palestinians and Israelis. The demonstrators call for the re-opening of Shuhada Street, the former commercial center of Hebron, which has been closed to Palestinians since an Israeli settler carried out a shooting at the Ibrahimi Mosque in 1994, killing 29 Palestinian worshippers.

The Rapporteurs also expressed concern about a bill introduced in the

Israeli Knesset which, if passed, would require all Israeli non-governmental organizations receiving more than half of their funding from foreign public sources to pay fees associated with requests filed under the country's Freedom of Information Act. The bill, which would primarily affect human rights organizations, is the latest legislation debated or enacted by the Knesset that specifically targets Israeli human rights defenders and is designed to obstruct advocacy and activism.

A new law passed in July 2016 requires organizations that receive more than half of their funding from foreign public sources, a large majority of which are human rights groups, to indicate this on all publications. The Rapporteurs noted that this has a chilling effect on human rights work and skews public perception of human rights organizations.

Lastly, the Rapporteurs criticized the Israeli Government's decision to deny a work visa application submitted by one of the investigators of Human Rights Watch, an organization which has worked in Israel for almost three decades.

"We urge the Israeli Government to fully respect the fundamental rights and freedoms of human rights defenders and organizations," the Special Rapporteurs said. "In particular, we call upon the Government to respect and permit peaceful assembly, to withdraw and rescind all restrictive legislation that targets human rights defenders, and to allow international rights organizations such as Human Rights Watch to freely operate in Israel and OPT."

The Special Rapporteurs will continue to monitor the human rights situation in the OPT, and they reiterate their respective requests to visit at the earliest opportunity.

III. UN SPECIAL COORDINATOR ADDRESSES MINISTERIAL COUNCIL OF THE LEAGUE OF ARAB STATES

On 7 March 2017, the United Nations Special Coordinator for the Middle East Peace Process, Nikolay Mladenov, made the following [remarks](#) at the Ministerial Council of the League of Arab States:

I applaud your unfaltering commitment to supporting the Palestinian people in their rightful quest to put an end to a half-century of occupation and establish an independent state of their own.

Their cause is your cause. It is our cause. It is the cause of peace.

Today, as the region faces challenges that require all moderate forces to work together against the common threat of extremism and terror, cooperation is needed more than ever.

In 2002 and 2007, you extended your hand through the [Arab Peace Initiative](#), recognizing that there cannot be

sustainable peace between Israelis and Arabs without Palestinian statehood.

True peace will remain elusive without the recognition that both Palestinians and Israelis have legitimate national aspirations that can only be realized in two states that live in peace, security and mutual recognition.

That is why today is not the time to give up on the two-state solution, which is indeed under grave threat. A threat defined not so much by statements, but by policies and actions that aim to undermine it on a daily basis.

Israel's settlement enterprise, violence, and the absence of visionary leadership continue to define the conflict.

...

Sadly, today the situation on the ground is grim. Anger and frustration among Palestinians are growing. The adoption of the so-called "Regularisation Law", which contravenes international law; legislative attempts to annex parts of the West Bank; a rise in the demolition of Palestinian structures and the situation in Gaza — all these developments eat away at the two-state solution, destroy hope and strengthen the hand of extremists on all sides.

Since the beginning of the year significant settlement moves have been made in the occupied West Bank. These have included tenders for around 800 units and the advancement of plans for over 3,300 units, some of which have reached the final approval stage. Construction has also been advanced in East Jerusalem.

I want to reiterate the UN position that settlement activities are illegal under international law and once again call on Israel to stop all such activities.

I am concerned, too, by continuing violence. So-called "lone wolf" attacks continue, though greatly reduced as compared to 2016. Clashes between Israeli Security Forces and Palestinians also continue and the UN has repeatedly warned Israel that the use of force must be calibrated.

And regrettably for the last decade Gaza remains under the control of Hamas, beyond the reach of the Palestinian government.

After three brutal conflicts, Israel's crippling closures and the decade-long political divide, two million Palestinians are trapped in a humanitarian tragedy in

Gaza. Much work remains as 50,000 Palestinians live in temporary shelters. The UN needs some USD 160 million for the reconstruction of nearly 4,000 totally destroyed homes. Addressing chronic challenges, such as unemployment and access to basic services of water and energy, must remain a priority.

I also take the opportunity to draw attention to the USD 115 million shortfall in UNRWA's core budget for 2017. This affects the Agency's key services of healthcare, education and social services for vulnerable Palestine refugees throughout the region.

Meanwhile, a decade of closures on Gaza, of rocket fire towards Israel, and multiple conflicts, have convinced many that there is no hope for peace.

I reiterate that the illicit arms build-up, militant activity and provocations, which risk renewed escalation and further suffering, must be terminated.

....

These negative trends entrench a dangerous one-state reality of perpetual occupation and conflict. They must be urgently reversed.

We need a new approach to restore hope and create a political horizon, and your role as the League of Arab States in this process can be critical.

In December, the UN Security Council adopted resolution [2334](#) that reiterated some of the key obstacles to achieving a negotiated two-state solution.

Later in January, at the Paris Conference, the international community reaffirmed its commitment to the two-state solution and to the need for follow up and international engagement.

I welcome Arab League engagement to further these objectives.

However, the obligations of the occupying power come first.

Israel must demonstrate its commitment to the two-state solution by ceasing illegal settlement activities and by implementing policy shifts consistent with prior agreements that increase Palestinian civil authority.

Palestine, too, must continue its state-building investment and tackle the challenges of violence and unity.

Allow me to take this opportunity to congratulate the Palestinian government, civil society and the business community for finalising an ambitious National Policy Agenda. Translating that vision into reality is critical to strengthening the foundations for a future Palestinian state and the UN stands ready to support it.

....

The bloody history of this conflict has offered us many lessons. Some we have learnt. Many we have not.

One such lesson is that opportunities to advance peace are rare and must be seized.

Another is that the necessary compromises will always be difficult.

A third is that resolutions and communique alone are not enough.

What is required is action. Action by the leaders themselves. Action by the international community and the region.

In closing, let me thank you once again for the opportunity to address the Council and express — on behalf of Secretary-General Guterres and all of us at the United Nations — our wish to continue working ever more closely with you, as the League of Arab States has a crucial role in this regard.

The United Nations will continue to stand with the Palestinian people and all those who work for peace and for a just and fair resolution to this conflict.

I wish you success.

I wish Palestine success.

IV. SECRETARY-GENERAL SUBMITS REPORT ON THE HUMAN RIGHTS SITUATION IN THE OCCUPIED PALESTINIAN TERRITORY

*On 16 March 2017, United Nations Secretary-General António Guterres submitted a report on the “Human rights situation in the Occupied Palestinian Territory, including East Jerusalem”, pursuant to Human Rights Council resolution 31/34. The following are the conclusion and recommendations as contained in an advanced, unedited version** of the report ([A/HRC/34/38](#)):*

IV. Conclusions

72. Chronic violations of international human rights law and international humanitarian law by all parties have persisted. Violations by Israel of fundamental provisions of the law of occupation continued, particularly with the closures in Gaza and the consolidation and expansion of settlements, suggesting clear patterns and policies. The transfer of parts of the Israeli and the Palestinian

populations, and the lack of respect for public and private property, profoundly alter the status quo in the Occupied Palestinian Territory.

73. The absence of law enforcement and accountability against Israeli perpetrators further contravenes Israel’s obligation as an occupying power to ensure public order and safety, and to protect the Palestinian population in all

circumstances. Moreover, the application of Israeli national law to Israelis in the West Bank raises concerns under international law.

74. In 2013, experts denounced the “creeping annexation” of the West Bank, preventing the establishment of a contiguous and viable Palestinian State, and undermining the right of the Palestinian people to self-determination.¹⁶³ The devastating impact of the Israeli occupation on the rights of the Palestinian population can only be reasserted.

75. International law violations by the Palestinian Authority, the authorities in Gaza and Palestinian armed groups are also of concern. The obligation of the Palestinian authorities in upholding human rights in the entirety of the occupied Palestinian territory has to be emphasized as an essential element of the State of Palestine.

V. Recommendations

76. All violations and abuses of the human rights of the Palestinian people must immediately cease and such violations and abuses must be promptly, impartially and independently investigated and those responsible held accountable. All parties must respect international law and comply with their obligations or responsibilities under international human rights law.

77. All parties, including Palestinian armed groups, shall respect the applicable rules of international humanitarian law,

¹⁶³ A/HRC/22/63, para. 101

including, where applicable, the principles of distinction, proportionality and precaution, and ensure accountability for all violations.

78. All previous recommendations of the United Nations human rights treaty bodies and other mechanisms, of my predecessor as Secretary-General and of the High Commissioner for Human Rights, as well as commissions of inquiry and fact-finding missions, which remain valid, must be fully and promptly implemented.

79. All States party to the Geneva Conventions should take measures to ensure the respect of the Conventions by all sides.

80. Israel must end and reverse all settlement activity in the West Bank, including East Jerusalem, and lift the situation of blockade in Gaza.

81. In ensuring its legitimate security needs, Israel must respect international humanitarian law and international human rights law.

82. The Palestinian authorities should take steps to encourage national political parties to resolve the political disunity that obstructs the equal implementation of the human rights obligations of the Government of the State of Palestine throughout the occupied Palestinian territory.

**The final text will be posted in the on-line version of the March Monthly Bulletin (<https://unispal.un.org/DPA/DPR/unispal.nsf/0/D921A9F0462CA15D85258105004CE838>) that is posted in the UNISPAL database once it becomes available.

V. SECRETARY-GENERAL SUBMITS REPORT ON ISRAELI SETTLEMENTS

On 16 March 2017, pursuant to Human Rights Council resolution 31/36 Secretary-General António Guterres submitted a report on “Israeli settlements in the Occupied Palestinian Territory, including East Jerusalem, and in the occupied Syrian Golan”. Following are the conclusions and recommendations contained in the advanced, unedited version** of the report ([A/HRC/34/39](#)):

Conclusions and Recommendations

61. Israeli settlement activity is incompatible with Israel's obligations under international law. Settlement activity is a key driver of humanitarian need in the West Bank, including East Jerusalem, and lies at the core of a range of human rights violations. Israeli settlement activity further constitutes one of the main obstacles to a viable Palestinian State. The significant role that the production and trade of settlement goods plays in helping to support and maintain settlements is also of concern.

62. Israel must implement all relevant United Nations resolutions, including Security Council resolution 497 (1981), and withdraw from territory it has occupied since 1967. To meet its obligations under international law, Israel must stop building settlements, reverse any settlement development activity, and make full reparations to individuals and communities concerned, which include the obligation to re-establish the situation affected by violations.⁹⁶

63. Within the scope of its obligation to respect and ensure respect for human rights within the Occupied Palestinian Territory, the Government of Israel has the duty to protect the Palestinian population against human rights abuses by third parties, including business enterprises. It should implement the United Nations Guiding Principles on Business and Human Rights and, in particular, take the necessary legislative, administrative policy and remedial actions to prevent,

⁹⁶ International Law Commission, draft articles for the responsibility of States for internationally wrongful acts, 2001, arts. 30-31.

investigate, punish and redress abuses. The Israeli authorities must rescind all policies and practices that, directly or indirectly, are likely to lead to the forcible transfer of Palestinians, including policies and practices that contribute to the creation of a coercive environment that forces people to leave their communities. Specifically, Israeli authorities must:

(a) Refrain from any initiative to relocate communities in Area C in contravention of international law.

(b) Cease the implementation of a planning and zoning regime that is discriminatory and restrictive and that facilitates the construction and expansion of settlements and the Wall, in violation of international law.

(c) Cease the demolition of homes and private property of Palestinians and take all measures to prevent violence and other coercive measures perpetrated by public officials or settlers;

(d) Ensure that any incident of violence by private actors, including settlers, against Palestinians and their property are investigated, that perpetrators are prosecuted and, if convicted, punished with appropriate sanctions, and that victims are provided with effective remedies in accordance with international standards.⁹⁷

64. Third-Party states should provide guidance on implementing the United Nations Guiding Principles on Business and Human Rights to business enterprises domiciled in their territory and/or

⁹⁷ CCPR/C/ISR/CO/4 (21 November 2014), para. 16.

jurisdiction which operate in conflict-affected areas, including in the context of military occupation, such as in the Occupied Palestinian Territory.

65. Business enterprises should undertake human rights due diligence in order to identify, prevent, mitigate and account for how they address any adverse human rights impact on Palestinians they may cause or contribute to, or which may

be directly linked to their operations, products or services.

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VI. SPECIAL RAPPORTEUR SUBMITS REPORT ON THE SITUATION OF HUMAN RIGHTS IN THE PALESTINIAN TERRITORIES OCCUPIED SINCE 1967

*On 16 March 2017, the report of the United Nations Special Rapporteur on the situation of human rights in the Palestinian territories occupied since 1967, Michal Lynk, was published. The following are the concluding remarks and recommendations contained in the advanced, unedited version** of report ([A/HRC/34/70](https://www.unhcr.org/refugees/4/HRC/34/70)):*

C. Conclusions

62. The 50-year occupation, one that thickens by the day with no end even remotely in sight, has been profoundly corrosive of human rights and democratic values. How could it be otherwise? To perpetuate an alien rule over almost five million people, against their fervent wishes, inevitably requires the repression of rights, the erosion of the rule of law, the abrogation of international commitments, the imposition of deeply discriminatory practices, the hollowing out of well-accepted standards of military behaviour, the subjugation of the humanity of the Other, the denial of trends that are plainly evident, the embrace of illiberal politics and – the focus of this report – the scorning of those civil society organizations that raise the uncomfortable truths about the disfigured state of human rights under occupation.

63. A government that honours human rights and democratic values, and takes seriously its obligations under the *Declaration on Human Rights Defenders* would protect and encourage the work of human rights defenders, not ostracize and isolate them. It would publicly denounce

any incitement against human rights defenders, and would certainly not engage in inflaming the public against them. It would recognize the fundamental status in law of the freedoms of association, assembly, expression and opinion, and of movement, and would do all that it could to enable human rights defenders to enjoy them. Such a government would respect the critical scrutiny of their work, even if their reports and allegations excoriate the conduct of the government. It would treat all NGOs equitably. It would enact legislation to enlarge the freedoms of human rights defenders, and it would never impose discriminatory statutes or programs that impair their work. If it was to criticize human rights defenders, its comments would be measured and constructive. When threats or acts of violence are directed towards human rights defenders, its military and police services would act promptly to impartially investigate and prosecute. It would strive to build collaborative relationships with human rights defenders, and take advantage of their experience and expertise to deepen the public's respect for human rights and its defenders. And such a government – even one conducting a long-

term occupation – would accept that human rights can be infringed only as a last measure, and then only in a minimally impairing manner that is subject to meaningful judicial review.

64. In all these respects, the Israeli government has been significantly deficient in honouring its obligations under the *Declaration on Human Rights Defenders*. On the evidence gathered by this report, its treatment of human rights defenders – Palestinians, Israelis and internationals – who work on the vital issues arising from the occupation has been contrary to the basic guarantees of international human rights law. Nor is the situation improving. As the Israeli occupation entrenches,⁹⁷ and as these human rights defenders persist with their intrepid activism to investigate and oppose the regime of human rights violations that is integral to the occupation, all indications are that they will continue to be among the prime targets of those who are intolerant of their criticisms yet alarmed by their effectiveness.

IV. Recommendations

65. The Special Rapporteur recommends that the Government of Israel comply with international law and bring a complete end to its 50 years of occupation of the Palestinian territory occupied since 1967. The Special Rapporteur further recommends that the Government of Israel take the following immediate measures:

- (a) Repeal its recent legislation which confiscates private Palestinian lands
- (b) Comply fully with Security Council resolution 2334 concerning the settlements;
- (c) End the practice of demolition of Palestinian homes, and

enable the creation of a fair and transparent building permit system that would comply with the right to housing;

(d) Ensure the equitable funding of Palestinian education in East Jerusalem;

(e) End the blockade of Gaza, lift all restrictions on imports and exports, and facilitate the rebuilding of its housing and infrastructure, with due consideration to justifiable security considerations; and

(f) Ensure freedom of movement and the establishment of an equitable permit system for the residents of the Occupied Palestinian Territory.

66. With respect to human rights defenders, the Special Rapporteur recommends that the Government of Israel take the following immediate measures:

(a) Fully honour and implement the rights and obligations contained in the Declaration on Human Rights Defenders;

(b) End the use of the criminal, legal and security tools to obstruct the legitimate work of human rights defenders, including the use of arbitrary arrests and detentions, and ensure fair and speedy trials for any human rights defenders charged with an offence;

(c) Fully respect the fundamental freedoms of assembly, association, expression and movement in the Occupied Palestinian Territory;

(d) Actively combat incitement against the work of human rights defenders;

(e) Repeal all restrictive legislation targeting human rights defenders;

(f) Take all reasonable steps to demonstrate respect for the work of human rights defenders in the Occupied

⁹⁷ “Israel Passes Provocative Law to Retroactively Legalize Settlements”, *The New York Times*; “Emboldened by Trump, Israel Approves a Wave of West Bank Settlement Expansion”, *The New York Times*.

Palestinian Territory until the end of occupation.

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VII. HUMAN RIGHTS COUNCIL ADOPTS FOUR RESOLUTIONS ON THE QUESTION OF PALESTINE

*On 21 March 2017, the Human Rights Council adopted the following four draft resolutions related to the question of Palestine ([A/HRC/34/L.38](#), [A/HRC/34/L.39](#), [A/HRC/34/L.40](#) and [A/HRC/34/L.41/Rev.1](#))** :*

34/... Ensuring accountability and justice for all violations of international law in the Occupied Palestinian Territory, including East Jerusalem.

The Human Rights Council,

Guided by the purposes and principles of the Charter of the United Nations,

Recalling the relevant rules and principles of international law, including international humanitarian law and human rights law, in particular the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, which is applicable to the Occupied Palestinian Territory, including East Jerusalem,

Recalling also the Universal Declaration of Human Rights and the other human rights covenants, including the International Covenant on Civil and Political Rights, the International Covenant on Economic, Social and Cultural Rights and the Convention on the Rights of the Child,

Recalling further the statement of 15 July 1999 and the declarations adopted on 5 December 2001 and on 17 December 2014 by the Conference of High Contracting Parties to the Fourth Geneva Convention on measures to enforce the Convention in the Occupied Palestinian Territory, including East Jerusalem, at which the High Contracting Parties reaffirmed, inter alia, their commitment to uphold their obligation to ensure respect for the Convention in the Occupied Palestinian Territory, including East Jerusalem,

Recalling its relevant resolutions, including resolutions S-9/1 of 12 January 2009, 19/17 of 22 March 2012 and S-21/1 of 23 July 2014,

Recalling also 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,

Expressing its appreciation to the United Nations Independent Commission of Inquiry on the 2014 Gaza Conflict, and all other relevant United Nations mechanisms, as well as the treaty bodies and other United Nations bodies, for their reports,

Recognizing the work of Palestinian, Israeli and international civil society actors and human rights defenders in documenting and countering violations of international law in the Occupied Palestinian Territory, including East Jerusalem,

Affirming the obligation of all parties to respect international humanitarian law and international human rights law,

Emphasizing the importance of the safety and well-being of all civilians, and reaffirming the obligation to ensure the protection of civilians in armed conflict,

Gravely concerned by reports regarding serious human rights violations

and grave breaches of international humanitarian law, including possible war crimes, including the findings of the United Nations Independent International Fact-Finding Mission on the Gaza Conflict, of the United Nations independent international fact-finding mission to investigate the implications of Israeli settlements on the civil, political, economic, social and cultural rights of the Palestinian people throughout the Occupied Palestinian Territory, including East Jerusalem, of the independent commission of inquiry on the 2014 Gaza conflict, and of the boards of inquiry convened by the Secretary-General,

Condemning all violations of human rights and of international humanitarian law, and appalled at the widespread and unprecedented levels of destruction, death and human suffering caused in the Occupied Palestinian Territory, including East Jerusalem,

Stressing the urgency of achieving without delay an end to the Israeli occupation that began in 1967, and affirming that this is necessary in order to uphold human rights and international law,

Deploring the non-cooperation by Israel with all Human Rights Council fact-finding missions and the independent commission of inquiry on the 2014 Gaza conflict and the refusal to grant access to, and cooperate with, international human rights bodies and a number of United Nations special procedures seeking to investigate alleged violations of international law in the Occupied Palestinian Territory, including East Jerusalem,

Regretting the lack of implementation of the recommendations contained in the reports of the independent commission of inquiry on the 2014 Gaza conflict, the United Nations independent international fact-finding mission to investigate the implications of Israeli settlements on the

civil, political, economic, social and cultural rights of the Palestinian people throughout the Occupied Palestinian Territory, including East Jerusalem, and the United Nations Fact-Finding Mission on the Gaza Conflict, which follows a pattern of lack of implementation of recommendations made by United Nations mechanisms and bodies,

Alarmed that long-standing systemic impunity for international law violations has allowed for the recurrence of grave violations without consequence, 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,

Regretting the lack of progress in the conduct of domestic investigations in accordance with international law standards, and aware of the existence of numerous legal, procedural, and practical obstacles in the Israeli civil and criminal legal system contributing to the denial of access to justice for Palestinian victims and of their right to an effective judicial remedy,

Emphasizing the need for States to investigate and prosecute grave breaches of the Geneva Conventions of 1949 and other serious violations of international humanitarian law, to end impunity, to uphold their obligations to ensure respect, and to promote international accountability,

Noting the accession by the State of Palestine on 2 January 2015 to the Rome Statute of the International Criminal Court,

1. *Welcomes* the report of the independent commission of inquiry on the 2014 Gaza conflict;¹

2. *Calls upon* all duty bearers and United Nations bodies to pursue the

¹ A/HRC/29/52.

implementation of the recommendations contained in the reports of the independent commission of inquiry on the 2014 Gaza conflict, the United Nations independent international fact-finding mission to investigate the implications of Israeli settlements on the civil, political, economic, social and cultural rights of the Palestinian people throughout the Occupied Palestinian Territory, including East Jerusalem, and the United Nations Fact-Finding Mission on the Gaza Conflict, in accordance with their respective mandates;

3. *Notes* the importance of the work of the independent commission of inquiry on the 2014 Gaza conflict, the United Nations independent international fact-finding mission to investigate the implications of Israeli settlements on the civil, political, economic, social and cultural rights of the Palestinian people throughout the Occupied Palestinian Territory, including East Jerusalem, and the United Nations Fact-Finding Mission on the Gaza Conflict of 2009 and the information collected regarding grave violations in support of future accountability efforts, in particular, information on alleged perpetrators of violations of international law;

4. *Emphasizes* the need to ensure that all those responsible for violations of international humanitarian law and international human rights law are held to account, through appropriate, fair and independent national or international criminal justice mechanisms, as well as to ensure the provision of effective remedy to all victims, including full reparations, and stresses the need to pursue practical steps towards these goals to ensure justice for all victims and to contribute to the prevention of future violations;

5. *Stresses* that all efforts to end the Israeli-Palestinian conflict should be grounded in respect for international humanitarian law and international human

rights law, and should ensure credible and comprehensive accountability for all violations of international law in order to bring about sustainable peace;

6. *Calls upon* the parties concerned to cooperate fully with the preliminary examination of the International Criminal Court and with any subsequent investigation that may be opened;

7. *Denounces* all acts of intimidation and threats directed at civil society actors and human rights defenders involved in documenting and countering violations of international law and impunity in the Occupied Palestinian Territory, including East Jerusalem, and calls upon all States to ensure their protection;

8. *Calls upon* all States to promote compliance with international law, and all High Contracting Parties to the Fourth Geneva Convention to respect, and to ensure respect for, international humanitarian law in the Occupied Palestinian Territory, including East Jerusalem, in accordance with article 1 common to the Geneva Conventions, and to fulfil their obligations under articles 146, 147 and 148 of the said Convention with regard to penal sanctions, grave breaches, and the responsibilities of the High Contracting Parties, including by ensuring that they do not become involved in internationally unlawful conduct;

9. *Recommends* that the General Assembly remain apprised of the matter until it is satisfied that appropriate action with regard to implementing the recommendations made by the United Nations Independent International Fact-Finding Mission on the Gaza Conflict in its report has been or is being taken appropriately at the national or international levels to ensure justice for victims and accountability for perpetrators;

10. *Requests* the United Nations High Commissioner for Human Rights to report on the implementation of the present

resolution to the Human Rights Council at its thirty-seventh session;

11. *Decides* to remain seized of the matter.

34/... Right of the Palestinian people to self-determination

The Human Rights Council,

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, and affirming the inadmissibility of acquisition of territory resulting from the threat or use of force,

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 International Covenants on Human Rights, the Universal Declaration of Human Rights and the Declaration on the Granting of Independence to Colonial Countries and Peoples, in particular article 1 thereof, and by the provisions of the Vienna Declaration and Programme of Action, adopted on 25 June 1993 by the World Conference on Human Rights,¹ and in particular Part I, paragraphs 2 and 3, relating to the right of self-determination

**The final version of the resolution will be posted in the on-line version of the March Monthly Bulletin (<https://unispal.un.org/DPA/DPR/unispal.nsf/0/D921A9F0462CA15D85258105004CE838>) that is posted in the UNISPAL database once it becomes available.

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, and all other relevant United Nations resolutions, including those adopted by the General Assembly, the Commission on Human Rights and the Human Rights Council, that 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,

Taking note of General Assembly resolution 67/19 of 29 November 2012,

Reaffirming the right of the Palestinian people to self-determination in accordance with the provisions of the Charter, 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, and emphasizing that this jus cogens norm of international law is a basic prerequisite for achieving a just, lasting and comprehensive peace in the Middle East,

Deploring the plight of millions of Palestine refugees and displaced persons who have been uprooted from their homes, and expressing deep regret about the fact that more than half of the Palestinian people continue to live in exile in refugee

¹A/CONF.157/23.

camps throughout the region and in the diaspora,

Affirming the applicability of the principle of permanent sovereignty over natural resources to the Palestinian situation as an integral component of the right to self-determination,

Recalling the conclusion of the International Court of Justice, in its advisory opinion of 9 July 2004, that the right to self-determination of the Palestinian people, which is a right *erga omnes*, is severely impeded by Israel, the occupying Power, through the construction of the wall in the Occupied Palestinian Territory, including East Jerusalem, which, together with the Israeli settlement enterprise and measures previously taken, results in serious violations of international humanitarian and human rights law including forcible transfer of Palestinians and Israeli acquisition of Palestinian land,

Considering that the right to self-determination of the Palestinian people is being violated further by Israel through the existence and ongoing expansion of settlements in the Occupied Palestinian Territory, including East Jerusalem,

Noting that the failure to bring the occupation to an end after 50 years heightens the international responsibility to uphold the human rights of the Palestinian people, and expressing its deep regret that the question of Palestine remains unresolved 70 years since the resolution on partition,

Reaffirming that the United Nations will continue to be engaged on the question of Palestine until the question is resolved in all its aspects in accordance with international law,

1. *Reaffirms* the inalienable, permanent and unqualified right of the Palestinian people to self-determination, including their right to live in freedom,

justice and dignity and the right to their independent State of Palestine;

2. *Deeply regrets* the onset of the fiftieth year of the Israeli occupation, calls upon Israel, the occupying Power, to immediately end its occupation of the Occupied Palestinian Territory, including East Jerusalem, and reaffirms its support for the solution of two States, Palestine and Israel, living side by side in peace and security;

3. *Expresses grave concern* at the fragmentation and the changes in the demographic composition of the Occupied Palestinian Territory, including East Jerusalem, which are resulting from Israel's continuing construction and expansion of settlements, forcible transfer of Palestinians and construction of the wall, *stresses* that this fragmentation, which undermines the possibility of the Palestinian people realizing their right to self-determination, is incompatible with the purposes and principles of the Charter of the United Nations, and emphasizes in this regard the need for respect for and preservation of the territorial unity, contiguity and integrity of all of the Occupied Palestinian Territory, including East Jerusalem;

4. *Confirms* that the right of the Palestinian people to permanent sovereignty over their natural wealth and resources must be used in the interest of their national development, the well-being of the Palestinian people and as part of the realization of their right to self-determination;

5. *Calls upon* all States to ensure their obligations of non-recognition, non-aid or assistance with regard to the serious breaches of peremptory norms of international law by Israel, and also calls upon them to cooperate further to bring, through lawful means, an end to these serious breaches and a reversal of Israel's illegal policies and practices;

6. *Urges* all States to adopt measures as required to promote the realization of the right to self-determination of the Palestinian people, and to render assistance to the United Nations in carrying out the responsibilities entrusted to it by the Charter regarding the implementation of this right;

7. *Decides* to remain seized of the matter.

**The final version of the resolution will be posted in the on-line version of the March Monthly Bulletin (<https://unispal.un.org/DPA/DPR/unispal.nsf/0/D921A9F0462CA15D85258105004CE838>) that is posted in the UNISPAL database once it becomes available.

34/... Human rights situation in the Occupied Palestinian Territory, including East Jerusalem

The Human Rights Council,

Recalling the Universal Declaration of Human Rights, the International Covenant on Civil and Political Rights, the International Covenant on Economic, Social and Cultural Rights, the Convention on the Rights of the Child and the Optional Protocol thereto on the involvement of children in armed conflict, the Convention on the Elimination of All Forms of Discrimination against Women, the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment and the International Convention on the Elimination of All Forms of Racial Discrimination, and affirming that these human rights instruments, among others, are applicable to and must be respected in the Occupied Palestinian Territory, including East Jerusalem,

Recalling also relevant resolutions of the Human Rights Council,

Taking note of the recent reports of the Special Rapporteur on the situation of human rights in the Palestinian territories occupied since 1967, and other relevant recent reports of the Human Rights Council,

Deeply regretting the onset of the fiftieth year of the Israeli occupation, and stressing the urgent need for efforts to reverse the negative trends on the ground and to restore a political horizon for

advancing and accelerating meaningful negotiations aimed at the achievement of a peace agreement that will bring a complete end to the Israeli occupation that began in 1967 and the resolution of all core final status issues, without exception, leading to a peaceful, just, lasting and comprehensive solution of the question of Palestine,

Noting the accession by Palestine to several human rights treaties and the core humanitarian law conventions, and its accession on 2 January 2015 to the Rome Statute of the International Criminal Court,

Deploring Israel's recurrent practice of withholding Palestinian tax revenues,

Aware of the responsibility of the international community to promote human rights and ensure respect for international law,

Recalling the advisory opinion rendered on 9 July 2004 by the International Court of Justice, and recalling also General Assembly resolutions ES-10/15 of 20 July 2004 and ES-10/17 of 15 December 2006,

Noting in particular the Court's reply, including that the construction of the wall being built by Israel, the occupying Power, in the Occupied Palestinian Territory, including in and around East Jerusalem, and its associated regime are contrary to international law,

Reaffirming the principle of the inadmissibility of the acquisition of territory by force, and deeply concerned at the fragmentation of the Occupied Palestinian Territory, including East Jerusalem, through the construction of settlements, settler roads, the wall and other measures that are tantamount to de facto annexation of Palestinian land,

Emphasizing the applicability of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, to the Occupied Palestinian Territory, including East Jerusalem, and reaffirming the obligation of the States parties to the Fourth Geneva Convention under articles 146, 147 and 148 with regard to penal sanctions, grave breaches and responsibilities of the High Contracting Parties,

Reaffirming that all States have the right and the duty to take actions in conformity with international human rights law and international humanitarian law to counter deadly acts of violence against their civilian population in order to protect the lives of their citizens,

Stressing the need for full compliance with the Israeli-Palestinian agreements reached within the context of the Middle East peace process, including the Sharm el-Sheikh understandings, and the implementation of the Quartet road map to a permanent two-State solution to the Israeli-Palestinian conflict,

Also stressing the importance of accountability in preventing future conflicts and ensuring that there is no impunity for violations and abuses, thereby contributing to peace efforts and avoiding the recurrence of violations of international law, including international humanitarian law and international human rights law,

Expressing grave concern about the continuing systematic violation of the

human rights of the Palestinian people by Israel, the occupying Power, including that arising from the excessive use of force and military operations causing death and injury to Palestinian civilians, including children and women, and to non-violent, peaceful demonstrators and to journalists, including through the use of live ammunition; the arbitrary detention of Palestinians, some of whom have been detained for decades; the use of collective punishment; the closure of areas; the confiscation of land; the establishment and expansion of settlements; the construction of a wall in the Occupied Palestinian Territory in departure from the Armistice Line of 1949; the forcible displacement of civilians, including of Bedouin communities; the policies and practices that discriminate against and disproportionately affect the Palestinian population in the Occupied Palestinian Territory, including East Jerusalem; the discriminatory allocation of water resources between Israeli settlers, who reside illegally in the Occupied Palestinian Territory, and the Palestinian population of the said Territory; the violation of the basic right to adequate housing, which is a component of the right to an adequate standard of living; the destruction of property and infrastructure; and all other actions by it designed to change the legal status, geographical nature and demographic composition of the Occupied Palestinian Territory, including East Jerusalem,

Gravely concerned by the ongoing demolition by Israel, the occupying Power, of Palestinian homes and of structures provided as humanitarian aid, in particular in occupied East Jerusalem, including when carried out as an act of collective punishment in violation of international humanitarian law, the occurrence of which has escalated at unprecedented rates, and by the revocation of residence permits and the eviction of Palestinian residents of the City,

Deploring 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 elderly persons, the widespread destruction of thousands of homes and of 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, the internal displacement of hundreds of thousands of civilians, and any violations of international law, including humanitarian and human rights law, in this regard,

Gravely concerned in particular about the disastrous humanitarian situation and the critical socioeconomic and security situations in the Gaza Strip, including that resulting from the prolonged continuous closures and severe economic and movement restrictions that in effect amount to a blockade, and from the continuing and vastly negative repercussions of the military operations between December 2008 and January 2009, in November 2012 and in July and August 2014, and about the firing of rockets into Israel,

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 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, and through its presence at Gaza crossing points,

Expressing deep concern about the short- and long-term detrimental impact of such widespread destruction and the continued impediments to the reconstruction process on the human rights situation and on the socioeconomic and humanitarian conditions of the Palestinian civilian population, and calling upon the international community to step up its efforts in order to provide the Gaza Strip with the assistance that it requires,

Stressing the need to end immediately the closure of the Gaza Strip and for the full implementation of the Agreement on Movement and Access and the Agreed Principles for the Rafah Crossing, both of 15 November 2005, to allow for the freedom of movement of the Palestinian civilian population within and into and out of the Gaza Strip, while taking into account Israeli concerns,

Stressing the need also for all parties, in conformity with the relevant provisions of international humanitarian law, to cooperate fully with the United Nations and other humanitarian agencies and organizations and to ensure the safe and unhindered access of humanitarian personnel, and the delivery of supplies and equipment, in order to allow such personnel to perform efficiently their task of assisting affected civilian populations, including refugees and internally displaced persons,

Expressing deep concern at the Israeli policy of closures and the imposition of severe restrictions and checkpoints, several of which have been transformed into structures akin to permanent border crossings, other physical obstacles and a permit regime, which are applied in a discriminatory manner affecting the Palestinian population only, and all of which obstruct the freedom of movement of persons and goods, including medical and humanitarian goods, throughout the Occupied Palestinian Territory, including East Jerusalem, and impair the Territory's

contiguity, consequently violating the human rights of the Palestinian people and negatively affecting their socioeconomic and humanitarian situation, which remains dire in the Gaza Strip, and the efforts aimed at rehabilitating and developing the Palestinian economy,

Convinced that the Israeli occupation has gravely impeded the efforts to achieve sustainable development and a sound economic environment in the Occupied Palestinian Territory, including East Jerusalem, and expressing grave concern at the consequent deterioration of economic and living conditions,

Deploring all policies and practices whereby Israeli settlers, who reside illegally in the Occupied Palestinian Territory, including East Jerusalem, are accorded preferential treatment over the Palestinian population in terms of access to roads, infrastructure, land, property, housing, natural resources and judicial mechanisms, resulting in widespread human rights violations of Palestinians,

Emphasizing that the destruction of property and the forced displacement of Palestinian communities in the Occupied Palestinian Territory, including East Jerusalem, constitute, in all but the most limited cases as specified under international law, violations of the prohibitions on the destruction of property and on forcible transfers, respectively, under articles 53 and 49 of the Fourth Geneva Convention,

Deeply concerned at reports of the hampering and destruction of humanitarian assistance by Israel, contributing to a coercive environment that can lead to the forcible transfer of Palestinian civilians in the Occupied Palestinian Territory,

Expressing deep concern that thousands of Palestinians, including many children and women and elected members of the Palestinian Legislative Council,

continue to be detained and held in Israeli prisons or detention centres under harsh conditions, including, inter alia, unhygienic conditions, solitary confinement, lack of proper medical care, denial of family visits and denial of due process, that impair their well-being, and expressing deep concern also about the ill-treatment and harassment of any Palestinian prisoner and all reports of torture,

Expressing deep concern also at the recent hunger strikes by numerous Palestinian prisoners in protest at the harsh conditions of their imprisonment and detention by the occupying Power, while taking note of the agreement reached in May 2012 on conditions of detention in Israeli prisons and calling for its full and immediate implementation,

Recalling the United Nations Standard Minimum Rules for the Treatment of Prisoners (the Nelson Mandela Rules) and the United Nations Rules for the Treatment of Women Prisoners and Non-custodial Measures for Women Offenders (the Bangkok Rules), and calling for respect for those rules,

Recalling also the prohibition under international humanitarian law of the deportation of civilians from occupied territories,

Deploring the practice of withholding the bodies of those killed, and calling for the release of the bodies that have not yet been returned to their relatives, in accordance with international humanitarian law and human rights law,

Expressing concern at the possible consequences of the enactment by Israel, the occupying Power, of military orders regarding the detention, imprisonment and deportation of Palestinian civilians from the Occupied Palestinian Territory, including East Jerusalem, and recalling in this regard the prohibition under

international humanitarian law of the deportation of civilians from occupied territories,

Stressing the need for the protection of human rights defenders engaged in the promotion of human rights issues in the Occupied Palestinian Territory, including East Jerusalem, to allow them to carry out their work freely and without fear of attacks, harassment, arbitrary detention or criminal prosecution,

Convinced of the need for an international presence to monitor the situation, to contribute to ending the violence and protecting the Palestinian civilian population and to help the parties to implement the agreements reached, and in this regard recalling the positive contribution of the Temporary International Presence in Hebron,

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,

Emphasizing the right of all people in the region to the enjoyment of human rights as enshrined in the international human rights covenants,

1. *Stresses* the need for Israel, the occupying Power, to withdraw from the Palestinian territory occupied since 1967, including East Jerusalem, so as to enable the Palestinian people to exercise its universally recognized right to self-determination;

2. *Reiterates* that all measures and actions taken by Israel, the occupying Power, in the Occupied Palestinian Territory, including East Jerusalem, in violation of the relevant provisions of the

Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, and contrary to the relevant resolutions of the Security Council are illegal and have no validity;

3. *Demands* that Israel, the occupying Power, comply fully with the provisions of the Fourth Geneva Convention of 1949 and cease immediately all measures and actions taken in violation and in breach of the Convention;

4. *Calls for* urgent measures to ensure the safety and protection of the Palestinian civilian population in the Occupied Palestinian Territory, including East Jerusalem, in accordance with the relevant provisions of international humanitarian law and as called for by the Security Council in its resolution 904 (1994) of 18 March 1994;

5. *Demands* that Israel, the occupying Power, cease all practices and actions that violate the human rights of the Palestinian people, and that it fully respect human rights law and comply with its legal obligations in this regard, including in accordance with relevant United Nations resolutions;

6. *Reiterates* the need for respect for the territorial unity, contiguity and integrity of all of the Occupied Palestinian Territory and for guarantees of the freedom of movement of persons and goods within the Palestinian territory, including movement into and from East Jerusalem, into and from the Gaza Strip, between the West Bank and the Gaza Strip, and to and from the outside world;

7. *Also reiterates* the responsibility of Israel, the occupying Power, to respect the right to health of all persons within the Occupied Palestinian Territory and to facilitate the immediate, sustained and unfettered passage of humanitarian relief, including the access of medical personnel, their equipment, transport and supplies to

all areas under occupation, including the Gaza Strip, and stresses the need for the unhindered passage of ambulances at checkpoints, especially in times of conflict;

8. *Demands* that Israel, the occupying Power, cease immediately its imposition of prolonged closures and economic and movement restrictions, including those amounting to a blockade on the Gaza Strip, which severely restricts the freedom of movement of Palestinians within, into and out of Gaza and their access to basic utilities, housing, education, work, health and an adequate standard of living via various measures, including import and export restrictions, that have a direct impact on livelihoods, economic sustainability and development throughout Gaza, aggravating the state of de-development in Gaza, and in this regard calls upon Israel to implement fully the Agreement on Movement and Access and the Agreed Principles for the Rafah Crossing, in order to allow for the sustained and regular movement of persons and goods and for the acceleration of long overdue reconstruction in the Gaza Strip;

9. *Expresses grave concern* at the confiscation and damage by Israel of fishing nets in the Gaza Strip for which there is no discernible security justification;

10. *Condemns* all acts of violence, including all acts of terror, provocation, incitement and destruction, especially the excessive use of force by the Israeli occupying forces against Palestinian civilians, particularly in the Gaza Strip, where bombardment of populated areas has caused extensive loss of life and a vast number of injuries, including among thousands of children and women, massive damage and destruction to homes, economic, industrial and agricultural properties, vital infrastructure, including water, sanitation and electricity networks,

religious sites and public institutions, including hospitals and schools, and United Nations facilities, and agricultural lands, and large-scale internal displacement of civilians, and the excessive use of force by the Israeli occupying forces against Palestinian civilians in the context of peaceful protests in the West Bank;

11. *Also condemns* the firing of rockets against Israeli civilian areas resulting in loss of life and injury;

12. *Calls upon* Israel to cease all violations of the right to education of Palestinians, including those stemming from restrictions on movement and incidents of harassment and attacks on school children and educational facilities by Israeli settlers and as a result of Israeli military action;

13. *Also calls upon* Israel to end all harassment, threats, intimidation and reprisals against human rights defenders and civil society actors who peacefully advocate for the rights of Palestinians in the Occupied Palestinian Territory, including by cooperating with United Nations human rights bodies, and underscores the need to investigate all such acts, to ensure accountability and effective remedies, and to take steps to prevent any further such threats, attacks, reprisals or acts of intimidation;

14. *Expresses deep concern* at the conditions of the Palestinian prisoners and detainees, including minors, in Israeli jails and detention centres, demands that Israel, the occupying Power, fully respect and abide by its international law obligations towards all Palestinian prisoners and detainees in its custody, and also expresses its concern at the continued extensive use of administrative detention, calls for a full implementation of the agreement reached in May 2012 for a prompt and independent investigation into all cases of death custody, and also calls upon Israel to

release immediately all Palestinian prisoners, including Palestinian legislators, detained in violation of international law;

15. *Calls for* urgent attention to the plight and the rights, in accordance with international law, of Palestinian prisoners and detainees in Israeli jails, including those on hunger strikes, and calls for respect for the United Nations Standard Minimum Rules for the Treatment of Prisoners (the Nelson Mandela Rules) and the United Nations Rules for the Treatment of Women Prisoners and Non-custodial Measures for Women Offenders (the Bangkok Rules);

16. *Calls upon* Israel to explicitly prohibit torture, including psychological torture and other cruel, inhuman or degrading treatment or punishment;

17. *Demands* that Israel cease its policy of transferring prisoners from the Occupied Palestinian Territory into the territory of Israel, and respect fully its obligations under article 76 of the Fourth Geneva Convention;

18. *Urges* Israel to ensure that any arrest, detention and/or trial of Palestinian children is in line with the Convention on the Rights of the Child, including by refraining from holding criminal proceedings against them in military courts that, by definition, fall short of providing the necessary guarantees to ensure respect for their rights and that infringe upon their right to non-discrimination;

19. *Deplores* the resumption by Israel of the policy of punitive home demolitions and the ongoing policy of revoking the residency permits of Palestinians living in East Jerusalem through various discriminatory laws, and the demolition of residential structures and the forced eviction of Palestinian families, in violation of their basic right to adequate housing and in violation of international humanitarian law;

20. *Expresses concern* at the Citizenship and Entry into Israel Law adopted by the Knesset, which suspends the possibility, with certain rare exceptions, of family reunification between Israeli citizens and persons residing in the Occupied Palestinian Territory, including East Jerusalem, thus adversely affecting the lives of many families;

21. *Demands* that Israel, the occupying Power, cease all of its settlement activities, the construction of the wall and any other measures aimed at altering the character, status and demographic composition of the Occupied Palestinian Territory, including in and around East Jerusalem, all of which have, inter alia, a grave and detrimental impact on the human rights of the Palestinian people and the prospects for a peaceful settlement;

22. *Also 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 Justice and as demanded by the General Assembly in its resolutions ES-10/15 of 20 July 2004 and ES-10/13 of 21 October 2003, and that it immediately cease the construction of the wall in the Occupied Palestinian Territory, including in and around East Jerusalem, dismantle forthwith the structure situated therein, repeal or render ineffective all legislative and regulatory acts relating thereto, and make reparation for all damage caused by the construction of the wall, which has had a grave impact on the human rights and the socioeconomic living conditions of the Palestinian people;

23. *Calls upon* Israel to immediately cease any demolitions or plans for demolitions that would result in the forcible transfer or forced eviction of Palestinians, particularly in the vulnerable areas of the Jordan Valley, the periphery of Jerusalem and the South Hebron Hills,

to facilitate the return of those Palestinian communities already subjected to forcible transfer or eviction to their original dwellings and to ensure adequate housing and legal security of tenure;

24. *Urges* Israel to ensure that water resource allocation in the Occupied Palestinian Territory is not discriminatory and does not result in water shortages disproportionately affecting the Palestinian population of the West Bank, and to take urgent steps to facilitate the restoration of the water infrastructure of the West Bank, including in the Jordan Valley, affected by the destruction of the wells of local civilians, roof water tanks and other water and irrigation facilities under military and settler operation since 1967;

25. *Deplores* the illegal Israeli actions in occupied East Jerusalem, including 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;

26. *Expresses grave concern at:*

(a) The restrictions imposed by Israel that impede access of Christian and Muslim worshippers to holy sites in the Occupied Palestinian Territory, including East Jerusalem, and calls upon Israel to include guarantees for non-discrimination on grounds of religion or belief as well as for the preservation and peaceful access to all religious sites;

(b) The increasing tensions in occupied East Jerusalem and the wider region, including those stemming from attempts aimed at illegally changing the status quo of holy sites;

27. *Urges* Member States to continue to provide emergency assistance to the Palestinian people to alleviate the financial

crisis and the dire socioeconomic and humanitarian situation, particularly in the Gaza Strip;

28. *Emphasizes* the need to preserve and develop the Palestinian institutions and infrastructure for the provision of vital public services to the Palestinian civilian population and the promotion of human rights, including civil, political, economic, social and cultural rights;

29. *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 inalienable human rights, including their right to self-determination, as a matter of urgency, in the light of the onset of the fiftieth year of the Israeli occupation and the continued denial and violation of the human rights of the Palestinian people;

30. *Deplores* the persistent non-cooperation of Israel with special procedure mandate holders and other United Nations mechanisms, and stresses the need for Israel to abide by all relevant United Nations resolutions and to cooperate with the Human Rights Council, all special procedures and the Office of the United Nations High Commissioner for Human Rights;

31. *Requests* the High Commissioner to report on the implementation of the present resolution to the Human Rights Council, with a particular focus on the factors perpetuating the arbitrary detention of Palestinian prisoners and detainees in Israeli jails in consultation with the Working Group on Arbitrary Detention, at its thirty-seventh session;

32. *Decides* to remain seized of the matter.

**The final version of the resolution will be posted in the on-line version of the March Monthly Bulletin (<https://unispal.un.org/DPA/DPR/unispal.nsf/0/D921A9F0462CA15D85258105004CE838>) that is posted in the UNISPAL database once it becomes available.

34/... Israeli settlements in the Occupied Palestinian Territory, including East Jerusalem, and in the occupied Syrian Golan

The Human Rights Council,

Guided by the principles of the Charter of the United Nations, and affirming the inadmissibility of the acquisition of territory by force,

Reaffirming that all States have an obligation to promote and protect human rights and fundamental freedoms, as stated in the Charter and as elaborated in the Universal Declaration of Human Rights, the International Covenants on Human Rights and other applicable instruments,

Recalling the relevant resolutions of the Commission on Human Rights, the Human Rights Council, the Security Council and the General Assembly reaffirming, inter alia, the illegality of the Israeli settlements in the occupied territories, including in East Jerusalem,

Recalling also Human Rights Council resolution 19/17 of 22 March 2012, in which the Council decided to establish an independent international fact-finding mission to investigate the implications of the Israeli settlements on the human rights of the Palestinian people throughout the Occupied Palestinian Territory, including East Jerusalem,

Reaffirming the applicability of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, to the Occupied Palestinian Territory, including East Jerusalem, and to the occupied Syrian Golan, and recalling the declarations adopted at the Conferences of High Contracting Parties to the Fourth Geneva Convention, held in Geneva on 5 December 2001 and 17 December 2014,

Noting the accession by Palestine to several human rights treaties and the core humanitarian law conventions, and its

accession on 2 January 2015 to the Rome Statute of the International Criminal Court,

Affirming that the transfer by the occupying Power of parts of its own civilian population into the territory it occupies constitutes a breach of the Fourth Geneva Convention and relevant provisions of customary law, including those codified in Additional Protocol I to the four Geneva Conventions,

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, and recalling also General Assembly resolutions ES-10/15 of 20 July 2004 and ES-10/17 of 15 December 2006,

Noting that the International Court of Justice concluded, inter alia, that the Israeli settlements in the Occupied Palestinian Territory, including East Jerusalem, had been established in breach of international law,

Taking note of the recent relevant reports of the Secretary-General, the Office of the United Nations High Commissioner for Human Rights, the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories and the treaty bodies monitoring compliance with the human rights treaties to which Israel is a party, and the recent reports of the Special Rapporteur on the situation of human rights in the Palestinian territories occupied since 1967,

Recalling the report of the independent international fact-finding mission to investigate the implications of the Israeli settlements on the civil, political, economic, social and cultural rights of the

Palestinian people throughout the Occupied Palestinian Territory, including East Jerusalem,¹

Expressing its grave concern at any action taken by any body, governmental or non-governmental, in violation of the Security Council and General Assembly resolutions relevant to Jerusalem,

Noting that Israel has been planning, implementing, supporting and encouraging the establishment and expansion of settlements in the Occupied Palestinian Territory, including East Jerusalem, since 1967, through, inter alia, the granting of benefits and incentives to settlements and settlers,

Recalling the Quartet road map to a permanent two-State solution to the Israeli-Palestinian conflict, and emphasizing specifically its call for a freeze on all settlement activity, including so-called natural growth, and the dismantlement of all settlement outposts erected since March 2001, and the need for Israel to uphold its obligations and commitments in this regard,

Taking note of General Assembly resolution 67/19 of 29 November 2012, by which, inter alia, Palestine was accorded the status of non-member observer State in the United Nations, and also of the follow-up report thereon of the Secretary-General,²

Aware that Israeli settlement activities involve, inter alia, the transfer of nationals of the occupying Power into the occupied territories, the confiscation of land, destruction of property, including homes and projects funded by the international community, the forcible displacement of Palestinian civilians, including Bedouin families, the exploitation of natural resources, the conduct of economic activity for the benefit of the occupying

Power, the disruption of the livelihood of protected persons, the de facto annexation of land and other actions against the Palestinian civilian population and the civilian population in the occupied Syrian Golan that are contrary to international law,

Affirming that the Israeli settlement activities in the Occupied Palestinian Territory, including East Jerusalem, undermine regional and international efforts aimed at the realization of the two-State solution of Israel and Palestine, living side by side in peace and security within recognized borders, on the basis of the pre-1967 borders, and stressing that the continuation of these policies seriously endangers the viability of the two-State solution, undermining the physical possibility of its realization, and entrenching a one-State reality of unequal rights,

Noting in this regard that the Israeli settlements fragment the West Bank, including East Jerusalem, into isolated geographical units, severely limiting the possibility of a contiguous territory and the ability to dispose freely of natural resources, both of which are required for the meaningful exercise of Palestinian self-determination, and deeply concerned by the magnitude, persistence and character of the settlement enterprise, which suggest that the occupation has been established with the intention of making it permanent in violation of the prohibition of acquisition of territory resulting from the use of force,

Noting that the settlement enterprise and the impunity associated with its persistence, expansion and related violence continue to be a root cause of many violations of the Palestinians' human rights, and constitute the main factors perpetuating Israel's belligerent occupation of the Palestinian Territory, including East Jerusalem, since 1967,

¹A/HRC/22/63.

²A/67/738.

Condemning the continuation by Israel, the occupying Power, of settlement activities in the Occupied Palestinian Territory, including in East Jerusalem, in violation of international humanitarian law, relevant United Nations resolutions, the agreements reached between the parties and obligations under the Quartet road map, and in defiance of the calls by the international community to cease all settlement activities,

Deploring in particular the construction and expansion of settlements by Israel in and around occupied East Jerusalem, including its so-called E-1 plan, which aims to connect its illegal settlements around and further isolate occupied East Jerusalem, the continuing demolition of Palestinian homes and eviction of Palestinian families from the city, the revocation of Palestinian residency rights in the city, and ongoing settlement activities in the Jordan Valley, all of which further fragment and undermine the contiguity of the Occupied Palestinian Territory,

Expressing grave concern at the continuing construction by Israel of the wall inside the Occupied Palestinian Territory, including in and around East Jerusalem, in violation of international law, and expressing its concern in particular at the route of the wall in departure from the Armistice Line of 1949, which is causing humanitarian hardship and a serious decline in socioeconomic conditions for the Palestinian people, is fragmenting the territorial contiguity of the Territory and undermining its viability, and could prejudice future negotiations by creating a fait accompli on the ground that could be tantamount to de facto annexation in departure from the Armistice Line of 1949, and make the two-State solution physically impossible to implement,

Deeply concerned that the wall's route has been traced in such a way to include the great majority of the Israeli settlements

in the Occupied Palestinian Territory, including East Jerusalem,

Gravely concerned at all acts of violence, destruction, harassment, provocation and incitement by extremist Israeli settlers and groups of armed settlers in the Occupied Palestinian Territory, including East Jerusalem, against Palestinian civilians, including children, and their properties, including homes, agricultural lands and historic and religious sites, and the acts of terror carried out by several extremist Israeli settlers, which are a long-standing phenomenon aimed at, inter alia, displacing the occupied population and facilitating the expansion of settlements,

Expressing concern at ongoing impunity for acts of settler violence against Palestinian civilians and their properties, and stressing the need for Israel to investigate and to ensure accountability for all of these acts,

Aware of the detrimental impact of the Israeli settlements on Palestinian and other Arab natural resources, especially as a result of the confiscation of land and the forced diversion of water resources, including the destruction of orchards and crops and the seizure of water wells by Israeli settlers, and of the dire socioeconomic consequences in this regard, which precludes the Palestinian people from being able to exercise permanent sovereignty over their natural resources,

Noting that the agricultural sector, considered the cornerstone of Palestinian economic development, has not been able to play its strategic role because of the dispossession of land and the denial of access for farmers to agricultural areas, water resources and domestic and external markets owing to the construction, consolidation and expansion of Israeli settlements,

Aware that numerous Israeli policies and practices related to settlement activity in the Occupied Palestinian Territory, including East Jerusalem, amount to blatant discrimination, including through the creation of a system privileging Israeli settlements and settlers, against the Palestinian people and in violation of their human rights,

Recalling Human Rights Council resolution 22/29 of 22 March 2013, in follow-up to the report of the independent international fact-finding mission to investigate the implications of Israeli settlements on the civil, political, economic, social and cultural rights of the Palestinian people throughout the Occupied Palestinian Territory, including East Jerusalem,

Recalling also the Guiding Principles on Business and Human Rights, which place responsibilities on all business enterprises to respect human rights by, inter alia, refraining from contributing to human rights abuses arising from conflict, and call upon States to provide adequate assistance to business enterprises to assess and address the heightened risks of abuses in conflict-affected areas, including by ensuring that their current policies, legislation, regulations and enforcement measures are effective in addressing the risk of business involvement in gross human rights abuses,

Noting that, in situations of armed conflict, business enterprises should respect the standards of international humanitarian law, and concerned that some business enterprises have, directly and indirectly, enabled, facilitated and profited from the construction and growth of the Israeli settlements in the Occupied Palestinian Territory,

Reaffirming the fact that the High Contracting Parties to the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12

August 1949, undertook to respect and to ensure respect for the Convention in all circumstances, and that States should not recognize an unlawful situation arising from breaches of peremptory norms of international law,

Emphasizing the importance for States to act in accordance with their own national legislation on promoting compliance with international humanitarian law with regard to business activities that result in human rights abuses,

Concerned that economic activities facilitate the expansion and entrenchment of settlements, aware that the conditions of harvesting and production of products made in settlements, inter alia, the exploitation of the natural resources of the Occupied Palestinian Territory, including East Jerusalem, involve the breach of applicable legal norms, and calling upon all States to respect their legal obligations in this regard, including the obligation to ensure respect for the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949,

Aware that products wholly or partially produced in settlements have been labelled as originating from Israel, and concerned about the significant role that the production and trade of such products plays in helping to support and maintain the settlements,

Aware also of the role of private individuals, associations and charities in third States that are involved in providing funding to Israeli settlements and settlement-based entities, contributing to the maintenance and expansion of settlements,

Noting that a number of business enterprises have decided to disengage from relationships or activities associated with

the Israeli settlements owing to the risks involved,

Expressing its concern at the failure of Israel, the occupying Power, to cooperate fully with the relevant United Nations mechanisms, in particular the Special Rapporteur on the situation of human rights in the Palestinian territories occupied since 1967,

1. *Reaffirms* that the Israeli settlements established since 1967 in the Occupied Palestinian Territory, including East Jerusalem, and in the occupied Syrian Golan are illegal under international law, and constitute a major obstacle to the achievement of the two-State solution and a just, lasting and comprehensive peace, and to economic and social development;

2. *Calls upon* Israel to accept the de jure applicability of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, to the Occupied Palestinian Territory, including East Jerusalem, and to the occupied Syrian Golan, to abide scrupulously by the provisions of the Convention, in particular article 49 thereof, and to comply with all its obligations under international law and cease immediately all actions causing the alteration of the character, status and demographic composition of the Occupied Palestinian Territory, including East Jerusalem, and the occupied Syrian Golan;

3. *Demands* that Israel, the occupying Power, immediately cease all settlement activities in all the Occupied Palestinian Territory, including East Jerusalem, and in the occupied Syrian Golan, and calls in this regard for the full implementation of all relevant resolutions of the Security Council, including, inter alia, resolutions 446 (1979) of 22 March 1979, 452 (1979) of 20 July 1979, 465 (1980) of 1 March 1980, 476 (1980) of 30 June 1980, 1515 (2003) of 19 November 2003 and 2334 (2016) of 23 December 2016;

4. *Also demands* that Israel, the occupying Power, comply fully with its legal obligations, as mentioned in the advisory opinion rendered on 9 July 2004 by the International Court of Justice, including to cease forthwith the works of construction of the wall being built in the Occupied Palestinian Territory, including in and around East Jerusalem, to dismantle forthwith the structure therein situated, to repeal or render ineffective forthwith all legislative and regulatory acts relating thereto, and to make reparation for the damage caused to all natural or legal persons affected by the construction of the wall;

5. *Condemns* the continuing settlement and related activities by Israel, including the expansion of settlements, the expropriation of land, the demolition of houses, the confiscation and destruction of property, the forcible transfer of Palestinians, including entire communities, and the construction of bypass roads, which change the physical character and demographic composition of the occupied territories, including East Jerusalem and the Syrian Golan, and constitute a violation of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, and in particular article 49 thereof;

6. *Also condemns* the construction of new housing units for Israeli settlers in the West Bank and around occupied East Jerusalem, as they seriously undermine the peace process and jeopardize the ongoing efforts by the international community to reach a final and just peace solution compliant with international law and legitimacy, including relevant United Nations resolutions, and constitute a threat to the two-State solution;

7. *Further condemns* the adoption by Israel, the occupying Power, of measures the express purpose of which is to facilitate and authorize the ultimate annexation of Palestinian land, in

contravention of peremptory norms of international law;

8. *Expresses its grave concern at, and calls for the cessation of:*

(a) The operation by Israel of a tramway linking the settlements with West Jerusalem, which is in clear violation of international law and relevant United Nations resolutions;

(b) The expropriation of Palestinian land, the demolition of Palestinian homes, demolition orders, forced evictions and “relocation” plans, the obstruction and destruction of humanitarian assistance and the creation of a coercive environment and unbearable living conditions, by Israel in areas identified for the expansion and construction of settlements, and other practices aimed at the forcible transfer of the Palestinian civilian population, including Bedouin communities and herders, and further settlement activities, including the denial of access to water and other basic services by Israel to Palestinians in the Occupied Palestinian Territory, including East Jerusalem, particularly in areas slated for settlement expansion, and including the appropriation of Palestinian property through, inter alia, declarations of so-called “State lands”, closed “military zones”, “national parks” and “archaeological” sites to facilitate and advance the expansion or construction of settlements and related infrastructure, in violation of Israel’s obligations under international humanitarian law and international human rights law;

(c) Israeli measures in the form of policies, laws and practices that have the effect of preventing Palestinians from full participation in the political, social, economic and cultural life of the Occupied Palestinian Territory, including East Jerusalem, and prevent their full development in both the West Bank and the Gaza Strip;

9. *Calls upon Israel, the occupying Power:*

(a) To end without delay its occupation of the territories occupied since 1967, to reverse the settlement policy in the occupied territories, including East Jerusalem and the Syrian Golan, and, as a first step towards the dismantlement of the settlement enterprise, to stop immediately the expansion of existing settlements, including so-called natural growth and related activities, to prevent any new installation of settlers in the occupied territories, including in East Jerusalem, and to discard its “E-1” plan;

(b) To put an end to all of the human rights violations linked to the presence of settlements, especially of the right to self-determination, and to fulfil its international obligations to provide effective remedy for victims;

(c) To take immediate measures to prohibit and eradicate all policies and practices that discriminate against and disproportionately affect the Palestinian population in the Occupied Palestinian Territory, including East Jerusalem, by, inter alia, putting an end to the system of separate roads for the exclusive use of Israeli settlers, who reside illegally in the said territory, to the complex combination of movement restrictions consisting of the wall, roadblocks and a permit regime that only affects the Palestinian population, the application of a two-tier legal system that has facilitated the establishment and consolidation of the settlements, and other violations and forms of institutionalized discrimination;

(d) To cease the requisition and all other forms of unlawful appropriation of Palestinian land, including so-called “State land”, and its allocation for the establishment and expansion of settlements, and to halt the granting of benefits and incentives to settlements and settlers;

(e) To put an end to all measures and policies resulting in the territorial fragmentation of the Occupied Palestinian Territory, including East Jerusalem, and which are isolating Palestinian communities into separate enclaves, and deliberately changing the demographic composition of the Occupied Palestinian Territory;

(f) To take and implement serious measures, including confiscation of arms and enforcement of criminal sanctions, with the aim of ensuring full accountability for, and preventing, all acts of violence by Israeli settlers, and to take other measures to guarantee the safety and protection of Palestinian civilians and Palestinian properties in the Occupied Palestinian Territory, including East Jerusalem;

(g) To bring to a halt all actions, including those perpetrated by Israeli settlers, harming the environment, including the dumping of all kinds of waste materials in the Occupied Palestinian Territory, including East Jerusalem, and in the occupied Syrian Golan, which gravely threaten their natural resources, namely water and land resources, and which pose an environmental, sanitation and health threat to the civilian population;

(h) To cease the exploitation, damage, cause of loss or depletion and endangerment of the natural resources of the Occupied Palestinian Territory, including East Jerusalem, and of the occupied Syrian Golan;

10. *Welcomes* the adoption of the European Union Guidelines on the eligibility of Israeli entities and their activities in the territories occupied by Israel since June 1967 for grants, prizes and financial instruments funded by the European Union since 2014;

11. *Urges* all States and international organizations to ensure that they are not taking actions that either recognize as lawful, aid or assist the expansion of settlements or the construction of the wall in the Occupied Palestinian Territory, including East Jerusalem, and to continue to actively pursue policies that ensure respect of their obligations under international law with regard to these and all other illegal Israeli practices and measures in the Occupied Palestinian Territory, including East Jerusalem;

12. *Reminds* all States of their legal obligations as mentioned in the advisory opinion of the International Court of Justice of 9 July 2004 on the legal consequences of the construction of a wall in the Occupied Palestinian Territory, including not to recognize the illegal situation resulting from the construction of the wall, not to render aid or assistance in maintaining the situation created by such construction, and to ensure compliance by Israel with international humanitarian law as embodied in the Geneva Convention relative to the Protection of Civilian Persons in Time of War of 12 August 1949;

13. *Calls upon* all States:

(a) To distinguish, in their relevant dealings, between the territory of the State of Israel and the territories occupied since 1967, including not to provide Israel with any assistance to be used specifically in connection with settlements in these territories by, inter alia, regulating trade with settlements, consistent with their due diligence obligations under international law;

(b) To implement the Guiding Principles on Business and Human Rights in relation to the Occupied Palestinian Territory, including East Jerusalem, and to take appropriate measures to help ensure that businesses domiciled in their territory and/or under their jurisdiction, including

those owned or controlled by them, refrain from committing, contributing to, enabling or benefiting from the human rights abuses of Palestinians, in accordance with the expected standard of conduct in the Guiding Principles and relevant international laws and standards, by taking appropriate steps in view of the immitigable nature of the adverse impact of their activities on human rights;

(c) To provide guidance to individuals and businesses on the financial, reputational and legal risks, including the possibility of liability for corporate involvement in gross human rights abuses and the abuses of the rights of individuals, of becoming involved in settlement-related activities, including through financial transactions, investments, purchases, procurements, loans, the provision of services, and other economic and financial activities in or benefiting Israeli settlements, to inform businesses of these risks in the formulation of their national action plans for the implementation of the Guiding Principles on Business and Human Rights, and to ensure that their policies, legislation, regulations and enforcement measures effectively address the heightened risks of operating a business in the Occupied Palestinian Territory, including East Jerusalem;

(d) To increase monitoring of settler violence, with a view to promoting accountability;

14. *Calls upon* business enterprises to take all necessary measures to comply with their responsibilities under the Guiding Principles on Business and Human Rights and other relevant international laws and standards with respect to their activities in or in relation to the Israeli settlements and the wall in the Occupied Palestinian Territory, including East Jerusalem, and to avoid contributing to the establishment, maintenance, development or consolidation of Israeli

settlements or the exploitation of natural resources of the Occupied Palestinian Territory;

15. *Requests* that all parties concerned, including United Nations bodies, implement and ensure the implementation of the recommendations contained in the report of the independent international fact-finding mission to investigate the implications of Israeli settlements on the civil, political, economic, social and cultural rights of the Palestinian people throughout the Occupied Palestinian Territory, including East Jerusalem, and endorsed by the Human Rights Council through its resolution 22/29, in accordance with their respective mandates;

16. *Calls upon* the relevant United Nations bodies to take all necessary measures and actions within their mandates to ensure full respect for and compliance with Human Rights Council resolution 17/4 of 16 June 2011, on the Guiding Principles on Business and Human Rights and other relevant international laws and standards, and to ensure the implementation of the United Nations “Protect, Respect and Remedy” Framework, which provides a global standard for upholding human rights in relation to business activities that are connected with Israeli settlements in the Occupied Palestinian Territory, including East Jerusalem;

17. *Takes note* of the statement of the Working Group on the issue of human rights and transnational corporations and other business enterprises in follow-up to Human Rights Council resolution 22/29;

18. *Decides* to convene, at its thirty-sixth session, a panel discussion on “Israeli settlement activities in the Occupied Palestinian Territory, including East Jerusalem”, and requests the Office of the United Nations High Commissioner for Human Rights to liaise with States and all stakeholders, including relevant United

Nations agencies, funds and programmes, special procedures of the Human Rights Council, national human rights institutions and civil society, with a view to ensuring their participation in the panel discussion;

19. *Requests* the High Commissioner to report on the implementation of the provisions of the present resolution, with particular emphasis on the policies and practices linked to the settlement enterprise that discriminate against the

Palestinian population in the Occupied Palestinian Territory, including East Jerusalem, at its thirty-seventh session;

20. *Decides* to remain seized of the matter.

**The final version of the resolution will be posted in the on-line version of the March Monthly Bulletin (<https://unispal.un.org/DPA/DPR/unispal.nsf/0/D921A9F0462CA15D85258105004CE838>) that is posted in the UNISPAL database once it becomes available.

VIII. UN SPECIAL COORDINATOR BRIEFS SECURITY COUNCIL ON THE SITUATION IN THE MIDDLE EAST AND ON THE IMPLEMENTATION OF RESOLUTION 2334

On 24 March 2017, the United Nations Special Coordinator for the Middle East Peace Process, Nikolay Mladenov, briefed the Security Council on “the situation in the Middle East, including the Palestinian question” and on the implementation of Resolution 2334. The following is his briefing ([S/PV.7908](#)):

Today, on behalf of the Secretary-General, I would like to devote my regular briefing to the Council on the situation in the Middle East to reporting on the implementation of resolution 2334 (2016). In this first report, I will focus on developments on the ground, in accordance with the provisions of the resolution, including on regional and international efforts to advocate and advance the peace process.

Let me note from the outset that none of the developments on the ground can be divorced from the broader context in which they are happening — namely, the stalled peace process, the lack of dialogue between the parties and the increased radicalization on all sides. The reporting period witnessed a notable increase in statements, announcements and decisions related to settlement construction and expansion.

Resolution 2334 (2016) calls on Israel to take steps to “cease all settlement activities in the occupied Palestinian territory, including East Jerusalem”. No such steps were taken during the reporting period. In January, two major

announcements were made for a total of 5,500 housing units in settlements in Area C of the occupied West Bank. Within three weeks, some 3,000 housing units were advanced through the various stages of the planning process and over 240 units reached the final approval stage. Separately, tenders for some 800 housing units were issued. Eighty per cent of the 4,000 settlement moves during the reporting period were concentrated in and around major Israeli population centres close to the 1967 line, while some 20 per cent were in outlying locations deep inside the occupied West Bank.

Let me reiterate that the United Nations considers all settlement activities to be illegal under international law and one of the main obstacles to peace. On 1 February, the Government announced its intention to establish a new settlement for the residents of the illegal Amona outpost, following its demolition by order of the Israeli High Court of Justice on 2 February. While there was no advancement of settlement plans in occupied East Jerusalem during the reporting period, construction in at least

four East Jerusalem settlements was enabled by the granting of building permits for over 900 housing units in Pisgat Ze'ev, Ramat Shlomo, Ramot and Gilo southern slopes. Overall, the past three months have seen a high rate of settlement-related activity, especially when compared to 2016, which saw tenders for only 42 units issued and some 3,000 units advanced over 12 months in Area C.

The reporting period also witnessed large-scale demolitions of structures in Palestinian and Bedouin communities in Area C of the West Bank and East Jerusalem, due to the lack of Israeli-issued building permits, which are nearly impossible for Palestinians to acquire. According to the Office for the Coordination of Humanitarian Affairs, 145 structures were demolished in Area C. It has affected the homes of some 220 people, while another 4,000 people were impacted, directly or indirectly, by the destruction of other property and infrastructure. In occupied East Jerusalem, 48 structures were demolished and two seized, displacing 80 people and affecting 210 people.

There were also a number of concerning legislative developments during the reporting period. On 6 February, the Israeli Parliament approved the so-called Regularization Law, which, if implemented, would effectively authorize the taking of privately owned Palestinian land in occupied territory that has been used for settlement purposes. It contravenes international law and is deemed unconstitutional by many Israeli legal experts, including the Attorney General. Estimates suggest that the law could enable the retroactive regularization of thousands of housing units and the gradual legalization of dozens of settlement outposts. The law marks a significant shift in the long-standing Israeli position concerning the legal status of the occupied Palestinian territory.

Allow me to turn to the problems of violence and terror, inflammatory rhetoric and provocations that remain a hallmark of the conflict. Resolution 2334 (2016) calls on all to refrain from such acts and undertake efforts to combat them. During the reporting period, the security situation in Israel and the occupied Palestinian territory remained relatively calm. There was a rise, albeit from a low level, in certain categories of incidents, namely, rocket attacks against Israel from Gaza. Eleven Palestinians were killed and over 273 injured by the Israeli security forces, including during attacks or purported attacks, clashes and security operations. In addition, one Palestinian was killed by an Israeli civilian while attempting to carry out a stabbing attack, and two Palestinians died of wounds they had sustained in October and November 2016 from Israeli security forces.

Four Israeli soldiers were killed and 70 other Israelis were injured in attacks by Palestinians. On 8 January, a Palestinian man killed four Israeli soldiers and injured another 15 in a ramming attack in Jerusalem. On 9 February, in a terror attack in Petah Tikva, a Palestinian from Nablus shot and stabbed six Israelis. On 6 March, in a two-hour exchange of fire, a Palestinian activist, Basel Al-Araj, was killed during an arrest operation by Israeli security forces in Al-Bireh, which is near Ramallah, in Area A.

After over three months of calm, between 6 February and 19 March Palestinian extremists in Gaza fired 10 rockets towards Israel, five of which impacted without causing injury. In response to these attacks, the Israeli Defence Forces conducted 18 airstrikes at militant locations inside Gaza. In total, two Palestinians in Gaza were killed and 24 injured as a result of various Israeli military actions. On 16 January, in the village of Tuqu', near Bethlehem, a 17 year-old boy was shot dead by the Israeli security forces. The Israeli authorities have

opened an investigation into the incident, bringing to at least 17 the number of investigations opened into similar incidents since September 2015. This period saw a total of over 260 Palestinians killed by the Israeli security forces, 170 of whom were carrying out or reportedly carrying out attacks.

One case, against Sergeant Elor Azaria, has led to an indictment and conviction for unlawful killing. On 4 January, Azaria was convicted of manslaughter for shooting dead an incapacitated Palestinian assailant in Hebron in March 2016. On 21 February, he was sentenced to prison for 18 months and demoted. As noted by the Spokesperson for the Office of the United Nations High Commissioner for Human Rights on 24 February 2017, such a lenient prison sentence “is difficult to reconcile with the intentional killing of an unarmed and prone individual”. On 7 March, the military prosecution, calling the current sentence “excessively lenient”, filed an appeal seeking a three-to-five year term of imprisonment.

While the resolution calls upon both parties to refrain from acts of provocation, incitement, and inflammatory rhetoric, such actions continued during the reporting period. The reactions of Hamas officials to terror attacks against Israelis have been particularly reprehensible and deserve condemnation. A recent sermon by a Hamas leader and member of the Palestinian Legislative Council in Gaza included appalling and racist language inciting violence against Jews. Statements were issued by Hamas and a number of other Palestinian factions celebrating as “heroic” the terror attacks in Jerusalem and in Petah Tikva. A senior leader, addressing a rally following the truck ramming, sent

“a message of encouragement and support for every jihadi who carries out an

attack that puts an end to the acts of the Zionist enemy”.

Regrettably, Palestinian Authority officials have not condemned those attacks, while Fatah’s social media pages continue to commemorate perpetrators of previous attacks against Israeli civilians.

Provocative statements also continued on the Israeli side. A number of politicians have called for the annexation of parts or all the West Bank and for a categorical denial of Palestinian statehood. One political leader called the notion of a Palestinian State a “historic disaster” and a “hallucination”, while another spoke of only the Jewish people having “national rights” between the Jordan and the sea.

Resolution 2334 (2016) reiterates the call of the Middle East Quartet on both parties to take affirmative steps to reverse the negative trends on the ground that are imperilling the two-State solution. Allow me to outline some of the moves taken by Israel and the Palestinian Authority that may be broadly considered to be in this context.

In February, the Palestinian Authority took a significant step towards strengthening its institutions and improving governance, by finalizing the Palestinian national policy agenda for 2017-2022. The agenda reiterates the Palestinian Authority’s commitment to State-building and to guaranteeing the rule of law. Continued support for the Palestinian Authority in providing governance and security remains critical. In January, the Palestinian Government approved the general budget for 2017 and, owing to the strong fiscal performance in the previous year, was able to reduce the budget deficit. Continued fiscal discipline and a push for revenue growth will be essential during this year as economic and financial conditions are likely to continue to be restrictive.

In a positive development, on 15 January, after six years of inactivity, Israel and the Palestinian Authority agreed to reactivate the Israeli-Palestinian Joint Water Committee. It was established under the Oslo agreements in order to improve the water infrastructure and supply in the West Bank and Gaza. The new agreement outlines the types of water projects that need approval by the Joint Water Committee, and thus by default those not requiring approval. This comes on the heels of agreements on electricity, 3G and postal services that have been signed in the past six months.

It is also important to note that both Israel and the Palestinian Authority remain committed to maintaining security coordination amid increasing political and popular pressure on the Palestinian Authority to cease such coordination. I take this opportunity to note the professionalism of the Palestinian security forces in providing public order. They operate in a highly volatile environment, and I encourage Israel and the international community to continue supporting the advancement of their capacity and capability.

The reporting period also saw progress in Gaza reconstruction and recovery. More than 225,000 tons of cement were imported through the temporary Gaza Reconstruction Mechanism — a significant increase over the previous three-month period. Israel also approved nearly 3,300 residential construction and reconstruction projects, compared to only 78 over the previous three months.

During the reporting period there were no developments related to Member States' distinguishing, in their relevant dealings, between the territory of the State of Israel and the territories occupied in 1967. There have, however, been efforts by the international community to take up its responsibility to resolve the conflict. In that respect, I would like to note the

international conference hosted by France on 15 January, which was attended by representatives of some 70 countries. As a follow-up, interested participants resolved to meet again before the end of 2017 to review progress and to support both sides in advancing a resolution to the conflict.

In January, representatives of most Palestinian factions, including Fatah and Hamas, met in Moscow. The Foreign Minister of the Russian Federation addressed the participants, stressing the need to overcome divisions on the basis of the Palestinian Liberation Organization political programme and the Arab Peace Initiative in order to create the conditions for meaningful negotiations.

On 7 March, I addressed a session of the Council of the Arab League in Cairo, where I spoke of the need to recognize that true peace requires the recognition that both Palestinians and Israelis have legitimate national aspirations that can be realized only in two States. The Arab League adopted a resolution that calls, inter alia, for developing an effective international mechanism to follow-up on the Paris conference for ending the Israeli occupation and achieving a two-State solution within a specific time frame.

Last week, the United States Special Representative for International Negotiations visited Israel, the West Bank and Jordan for initial meetings with political, security and civil society leaders and religious and youth groups. In statements following meetings with the Israeli Prime Minister and the Palestinian President, the Special Representative reaffirmed the United States interest in advancing a genuine and lasting peace. I am encouraged by ongoing efforts to reach agreement with the parties on steps on the ground that will create the conditions for Palestinian economic development and advancing peace.

In conclusion, I would like to share some broad observations about the reporting period. The January spike in illegal settlement announcements by Israel is deeply worrying. The large numbers of advancements, planned infrastructure development, legislative actions and moves to undertake large-scale demolitions vis-à-vis Palestinian communities in Area C indicate a clear intent to continue expanding the settlement enterprise in the occupied Palestinian territory. In the light of this, the adoption of the regularization law is a highly worrying development. Many of the advancements that have been made in the past three months will further sever the territorial contiguity of a future Palestinian State and accelerate the fragmentation of the West Bank. The expansion of the settlement of Kfar Adumim, where 320 units were moved forward during the reporting period, is gradually dividing the northern and southern West Bank. Planned construction in Shiloh effectively extends the zone that cuts across the central West Bank. Announcements in Kokhav Yakov, situated between Ramallah and East Jerusalem, and in Shavei Shomron, located at a crossroads connecting the three major Palestinian cities of Nablus, Jenin and Tulkarem, are also of strategic significance. Such actions are in breach of international law and must stop. Settlement expansion undermines the very essence of a two-State solution. Resolution 2334 (2016) states that the international community will not recognize any changes to the 4 June 1967 lines, including with regard to Jerusalem, other than those agreed to by the parties themselves through negotiations.

Meanwhile, there has been little progress in promoting Palestinian development in Area C. I am particularly concerned about herding communities in Area C in the West Bank, who are struggling to maintain a minimum standard of living in the face of pressure to move.

The United Nations has repeatedly stated that the relocation of communities without their fair and informed consent would contravene Israel's obligations as an occupying Power under international law. To foster a climate conducive to meaningful negotiations, Israel must do more to improve the daily lives of Palestinians. It is still crucial to ensure that they introduce significant policy changes that will increase Palestinian civil authority, support Palestinian development and preserve the prospect of a two-State solution, in line with the recommendations of the Middle East Quartet. The agreement to reactivate the Joint Water Commission, after six years of inactivity, is a step in the right direction, but much more can be done by both parties. I would like to take this opportunity to commend the Palestinian President and Prime Minister for developing a national policy agenda. With foreign aid continuing to decline, it is critical that the Palestinian Authority and its international partners work together in a structured, transparent and accountable way.

The continuing deadly violence in Israel and the occupied Palestinian territory during the past three months also remains a concern. The recent increase in rockets fired from Gaza towards Israel is a worrying development. Such potentially lethal provocations are unnecessary, dangerous and risk devastating escalation. Resolution 2334 (2016) calls on all to "clearly condemn all acts of terrorism". The continued incitements to violence against Jews emanating from Hamas extremists and some Palestinian groups is unacceptable and undermines trust and the prospects for peace. Similarly, it is important to note that despite the continuing closures on Gaza, there has been an increase in the importation of building materials under the Gaza Reconstruction Mechanism. However, the continued restrictions on importing various other materials — considered dual-use by

Israel but badly needed for humanitarian and development efforts — continue to be a major obstacle. Despite this positive development, much remains to be done.

International engagement on reviving the peace process over the past three months has confirmed the consensus that a two-State solution is the only way to realize the national aspirations of both peoples. It is critical to ensure that the momentum built over the past year continues to expand and ultimately develop into a concrete vision to end the occupation and the wider conflict. Shaping

a credible political horizon through reviving engagement between the parties with intensified international and regional support is essential to advancing that goal. These international efforts must be accompanied by significant steps taken on the ground by the parties themselves in order to create an environment conducive to negotiations. The United Nations will continue to call on and work with the parties and all interested stakeholders to find a just, sustainable and comprehensive solution to the Israeli-Palestinian conflict, based on the relevant Security Council resolutions.

IX. UN SECRETARY-GENERAL ADDRESSES THE SUMMIT OF THE LEAGUE OF ARAB STATES

On 29 March 2017 UN Secretary-General António Guterres addressed the 28th League of Arab States Summit at the Dead Sea, Jordan. Excerpts of his [remarks](#) are reproduced below:

Each of these conflicts has created tremendous suffering, displaced millions of people, unsettled an entire region and contributed to a new threat of global terrorism. They have consumed countless lives and much of our attention.

But that must not distract us from seeking to heal the longest open wound in the region: the plight of the Palestinian people.

For far too long, the international community has failed to provide the avenues and support for a just and lasting solution to the question of Palestine.

I understand the deep sense of despair of the Palestinian people. The dreams of generation after generation have been confined by the parameters of conflict, humiliation and half a century of occupation.

Some may think that the situation can simply be managed.

But Palestinians and Israelis do not need conflict management, they need conflict resolution.

The two-state solution is the only path to ensure that Palestinians and Israelis can realize their national aspirations and live in peace, security and dignity.

There is no Plan B.

That is why it is important to stop all unilateral actions that can undermine the two-state solution.

This is particularly true in relation to the need to stop settlement activities, which are illegal under international law. It is also important to condemn terrorism and to avoid incitement.

I salute the Arab League for offering a pathway through the Arab Peace Initiative.

We should not be allowed to be skeptical about the prospects for peace – because at the end of the day skepticism is an elaborate form of surrender to the assumptions of the moment.

On the contrary, when things are difficult, we must invest more.

...

X. UN SECRETARY-GENERAL CONDEMNS ISRAEL'S DECISION TO BUILD A NEW SETTLEMENT IN THE OCCUPIED PALESTINIAN TERRITORY

On 31 March 2017, the Spokesperson for Secretary-General António Guterres issued the following statement regarding Israel's decision to build new a settlement in the OPT ([SG/SM/18477](#)):

The Secretary-General took notice with disappointment and alarm of the decision by Israel to build a new settlement in the Occupied Palestinian Territory.

The Secretary-General has consistently stressed that there is no plan B for Israelis and Palestinians to live together in peace and security. He condemns all unilateral

actions that, like the present one, threaten peace and undermine the two-State solution.

Settlement activities are illegal under international law and present an obstacle to peace.