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Special Political and Decolonization Committee (Fourth Committee)
Agenda item 47
Israeli practices and settlement activities affecting the rights of the Palestinian people and other Arabs of the occupied territories

Algeria, Brunei Darussalam, Cuba, Egypt, Iraq, Jordan, Lebanon, Mauritania, Namibia, Qatar, Saudi Arabia, Senegal, Tunisia and State of Palestine: revised draft resolution

Israeli practices affecting the human rights of the Palestinian people in the Occupied Palestinian Territory, including East Jerusalem

The General Assembly,

Recalling the Universal Declaration of Human Rights,[1]

Recalling also the International Covenant on Civil and Political Rights,[2] the International Covenant on Economic, Social and Cultural Rights[3] and the Convention on the Rights of the Child,[4] and affirming that these human rights instruments must be respected in the Occupied Palestinian Territory, including East Jerusalem,

Reaffirming its relevant resolutions, including resolution 75/98 of 10 December 2020, as well as those adopted at its tenth emergency special session,

Recalling the relevant resolutions of the Human Rights Council,

Recalling also the relevant resolutions of the Security Council, and stressing the need for their implementation,

Having considered the report of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of

[1] Resolution 217 A (III).
[2] See resolution 2200 A (XXI), annex.
[3] Ibid.
[4] United Nations, *Treaty Series*, vol. 1577, No. 27531.

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the Occupied Territories[5] and the report of the Secretary-General on the work of the Special Committee,[6]

Taking note of the report of the Special Rapporteur of the Human Rights Council on the situation of human rights in the Palestinian territories occupied since 1967,[7] as well as of other relevant recent reports of the Human Rights Council,

Taking note also of the report of the independent international commission of inquiry established pursuant to Human Rights Council resolution S-30/1,[8]

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,

Taking note of the recent report by the Economic and Social Commission for Western Asia on the economic and social repercussions of the Israeli occupation on the living conditions of the Palestinian people in the Occupied Palestinian Territory, including East Jerusalem, and the Arab population in the occupied Syrian Golan,[9]

Deeply regretting that 55 years have passed since the onset 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,

Aware of the responsibility of the international community to promote human rights and ensure respect for international law, and recalling in this regard its resolution 2625 (XXV) of 24 October 1970,

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,[10] and recalling also relevant General Assembly resolutions,

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,

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

Noting the accession by Palestine to several human rights treaties and the core humanitarian law conventions, as well as other international treaties,

Reaffirming the principle of the inadmissibility of the acquisition of territory by force,

Reaffirming also the applicability of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949,[11] to the Occupied Palestinian Territory, including East Jerusalem, and other Arab territories occupied by Israel since 1967,

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[5] A/77/501.
[6] A/76/333.
[7] A/HRC/49/87.
[8] A/77/328.
[9] A/77/90-E/2022/66.
[10] See A/ES-10/273 and A/ES-10/273/Corr.1.
[11] United Nations, *Treaty Series*, vol. 75, No. 973.

Reaffirming further the obligation of the States parties to the Fourth Geneva Convention[12] under articles 146, 147 and 148 with regard to penal sanctions, grave breaches and responsibilities of the High Contracting Parties,

Recalling the statement of 15 July 1999 and the declarations adopted on 5 December 2001 and on 17 December 2014[13] 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, aimed at ensuring respect for the Convention in the Occupied Palestinian Territory, including East Jerusalem,

Reaffirming that all States have the right and the duty to take actions in conformity with international 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,[14]

Stressing also the need 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,

Gravely concerned by the tensions and violence in the recent period throughout the Occupied Palestinian Territory, including East Jerusalem and including with regard to the holy places of Jerusalem, including the Haram al-Sharif, and deploring the loss of innocent civilian life,

Reaffirming that the international community, through the United Nations, has a legitimate interest in the question of the City of Jerusalem and in the protection of the unique spiritual, religious and cultural dimensions of the city, as foreseen in relevant United Nations resolutions on this matter,

Reaffirming also the obligation to respect the historic status quo, the special significance of the holy sites, and the importance of the City of Jerusalem for the three monotheistic religions,

Recognizing that security measures alone cannot remedy the escalating tensions, instability and violence, and calling for full respect for international law, including humanitarian and human rights law, including for the protection of civilian life, as well as for the promotion of human security, the de-escalation of the situation, the exercise of restraint, including from provocative actions and rhetoric, and the establishment of a stable environment conducive to the pursuit of peace,

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, women and non-violent, peaceful demonstrators, as well as journalists, medical personnel and humanitarian personnel; the arbitrary imprisonment and detention of Palestinians, some of whom have been imprisoned for decades; the use of collective punishment; the closure of areas; the confiscation of land; the establishment and expansion of settlements; the construction

[12] Ibid.
[13] A/69/711-S/2015/1, annex.
[14] S/2003/529, annex.

of a wall in the Occupied Palestinian Territory in departure from the Armistice Line of 1949; the destruction of property and infrastructure; the forced displacement of civilians, including attempts at forced transfers of Bedouin communities; 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, and demanding the cessation of all such unlawful actions,

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

Deploring the continuing and negative consequences of the conflicts in and around the Gaza Strip and the high number of casualties among Palestinian civilians in the recent period, including among children, and any violations of international law, and calling for full respect for international humanitarian and human rights law and for the principles of legality, distinction, precaution and proportionality,

Gravely concerned about the disastrous humanitarian situation and the critical socioeconomic and security situation in the Gaza Strip, including that resulting from the prolonged closures and severe economic and movement restrictions that in effect amount to a blockade and deepen poverty and despair among the Palestinian civilian population, and about the short- and long-term detrimental impacts of this situation and the widespread destruction and continued impeding of the reconstruction process by Israel, the occupying Power, on the human rights situation,

Recalling with grave concern the United Nations country team report of August 2012, entitled “Gaza in 2020: a liveable place?”,

Recalling the statement by the President of the Security Council of 28 July 2014,[15]

Stressing the need for the full implementation by all parties of Security Council resolution 1860 (2009) of 8 January 2009 and General Assembly resolution ES-10/18 of 16 January 2009,

Stressing also 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, and regretting the lack of progress made in this regard,

Gravely concerned by reports regarding serious human rights violations and grave breaches of international humanitarian law committed during the successive military operations in the Gaza Strip,[16] and reiterating the necessity for serious follow-up by all parties of the recommendations addressed to them towards ensuring accountability and justice,

Stressing the need for 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 and harassment,

[15] S/PRST/2014/13; see *Resolutions and Decisions of the Security Council, 1 August 2013–31 July 2014* (S/INF/69).

[16] See A/63/855-S/2009/250; S/2015/286, annex; A/HRC/12/48; and A/HRC/29/52.

Expressing deep concern about the Israeli policy of closures and the imposition of severe restrictions, including through hundreds of obstacles to movement, checkpoints and a permit regime, all of which obstruct the freedom of movement of persons and goods, including medical and humanitarian goods, and the follow-up and access to donor-funded projects of development cooperation and humanitarian assistance, 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 impacting their socioeconomic and humanitarian situation, which remains dire in the Gaza Strip, and the efforts aimed at rehabilitating and developing the Palestinian economy, and calling for the full lifting of restrictions,

Expressing grave concern that thousands of Palestinians, including many children and women, as well as elected representatives, continue to be held in Israeli prisons or detention centres under harsh conditions, including unhygienic conditions, solitary confinement, the extensive use of administrative detention of excessive duration without charge and denial of due process, lack of proper medical care and widespread medical neglect, including for prisoners who are ill, with the risk of fatal consequences, and denial of family visits, that impair their well-being, and expressing grave concern also about the ill-treatment and harassment and all reports of torture of any Palestinian prisoners,

Expressing deep concern about the hunger strikes by Palestinian prisoners in protest of the harsh conditions of their imprisonment and detention by the occupying Power, while taking note of agreements reached on conditions of detention in Israeli prisons and calling for their full and immediate implementation,

Recalling the United Nations Standard Minimum Rules for the Treatment of Prisoners (the Nelson Mandela Rules)[17] and the United Nations Rules for the Treatment of Women Prisoners and Non-custodial Measures for Women Offenders (the Bangkok Rules),[18] 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 line with international humanitarian law and human rights law, in order to ensure dignified closure in accordance with their religious beliefs and traditions,

Stressing the need for the prevention of all acts of violence, harassment, provocation and incitement by extremist Israeli settlers and groups of armed settlers, especially against Palestinian civilians, including children, and their properties, including homes, agricultural lands and historic and religious sites, including in Occupied East Jerusalem, and deploring the violation of the human rights of Palestinians in this regard, including acts of violence leading to death and injury among civilians,

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, in this regard recalling the importance of the mandate and the positive contribution of the Temporary International Presence in Hebron, and regretting the unilateral decision by the Government of Israel not to renew its mandate,

[17] Resolution 70/175, annex.
[18] Resolution 65/229, annex.

Stressing the need for an immediate and complete cessation of all acts of violence, including military attacks, destruction and acts of terror,

Stressing also that the protection of civilians is a critical component in ensuring peace and security, as well as the need for measures to be taken to guarantee the safety and protection of the Palestinian civilian population throughout the Occupied Palestinian Territory, consistent with the provisions and obligations of international humanitarian law,

Stressing further the need to respect the right of peaceful assembly,

Taking note of the report of the Secretary-General on the protection of the Palestinian civilian population[19] and the observations made therein on ways and means for ensuring the safety, protection and well-being of the Palestinian civilian population under Israeli occupation,

Noting the continued efforts and tangible progress made in the Palestinian security sector, and noting also the continued cooperation that benefits both Palestinians and Israelis, in particular by promoting security and building confidence,

Urging the parties to observe calm and restraint and to refrain from provocative actions, incitement and inflammatory rhetoric, especially in areas of religious and cultural sensitivity, including in East Jerusalem, and to take every possible step to defuse tensions and promote conditions conducive to the credibility and success of the peace negotiations,

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

1. *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, and 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;

2. *Demands* that Israel, the occupying Power, cease all measures contrary to international law, as well as discriminatory legislation, policies and actions in the Occupied Palestinian Territory that violate the human rights of the Palestinian people, including the killing and injury of civilians, the arbitrary detention and imprisonment of civilians, the forced displacement of civilians, including attempts at forced transfers of Bedouin communities, the transfer of its own population into the Occupied Palestinian Territory, including East Jerusalem, the destruction and confiscation of civilian property, including home demolitions, including if carried out as collective punishment in violation of international humanitarian law, and any obstruction of humanitarian assistance, 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;

3. *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;

[19] A/ES-10/794.

4. *Takes note* of the report of the Secretary-General on the protection of the Palestinian civilian population, notably the observations made therein, including the possible expansion of existing protection mechanisms to prevent and deter violations, and calls for continued efforts within the United Nations human rights framework regarding the legal protection and safety of the Palestinian civilian population;

5. *Calls* for full cooperation by Israel with the relevant special rapporteurs and other relevant mechanisms and inquiries of the Human Rights Council, including the facilitation of entry to the Occupied Palestinian Territory, including East Jerusalem, for monitoring and reporting on the human rights situation therein according to their respective mandates;

6. *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, inter alia, gravely and detrimentally impact the human rights of the Palestinian people, including their right to self-determination, and the prospects for achieving without delay an end to the Israeli occupation that began in 1967 and a just, lasting and comprehensive peace settlement between the Palestinian and Israeli sides, and calls for the full respect and implementation of all relevant General Assembly and Security Council resolutions in this regard, including Security Council resolution 2334 (2016) of 23 December 2016;

7. *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 strike, also calls for efforts between the two sides for the further release of prisoners and detainees, and further 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);

8. *Condemns* all acts of violence, including all acts of terror, provocation, incitement and destruction, especially any use of force by the Israeli occupying forces against Palestinian civilians in violation of international law, particularly in the Gaza Strip, including against journalists, medical personnel and humanitarian personnel, which have caused extensive loss of life and vast numbers of injuries, including among children and women;

9. *Also condemns* all acts of violence by militants and armed groups, including the firing of rockets, against Israeli civilian areas, resulting in loss of life and injury;

10. *Reiterates its demand* for the full implementation of Security Council resolution 1860 (2009);

11. *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 in General Assembly 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 reparations for all damage caused by the construction of the wall, which has gravely impacted the human rights and the socioeconomic living conditions of the Palestinian people;

12. *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;

13. *Calls upon* Israel, the occupying Power, to cease its imposition of prolonged closures and economic and movement restrictions, including those amounting to a blockade on the Gaza Strip, and in this regard to fully implement the Agreement on Movement and Access and the Agreed Principles for the Rafah Crossing, both of 15 November 2005, in order to allow for the sustained and regular movement of persons and goods and for the acceleration of long overdue and massive reconstruction needs and economic recovery in the Gaza Strip, while noting the tripartite agreement facilitated by the United Nations in this regard;

14. *Stresses* the urgent need to address the continuing health crisis in the Gaza Strip, including by ensuring the provision of adequate infrastructure, medical supplies and equipment, alongside expertise, to deal with the increasing caseload of injuries requiring complex treatment in the context of the protests in the Gaza Strip;

15. *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;

16. *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 passage of more than 55 years of the Israeli occupation and the continued denial and violation of the human rights of the Palestinian people;

17. *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, and urges in this regard the implementation of the agreement signed in Cairo on 12 October 2017,[20] which would be an important step towards achieving Palestinian unity and lead to the effective functioning of the Palestinian Government, including in the Gaza Strip, under the leadership of President Mahmoud Abbas, consistent with the Palestine Liberation Organization commitments and the Quartet principles;

18. *Decides*, in accordance with Article 96 of the Charter of the United Nations, to request the International Court of Justice, pursuant to Article 65 of the Statute of the Court, to render an advisory opinion on the following questions, considering the rules and principles of international law, including the Charter of the United Nations, international humanitarian law, international human rights law, relevant resolutions of the Security Council, the General Assembly and the Human Rights Council, and the advisory opinion of the Court of 9 July 2004:

(a) What are the legal consequences arising from the ongoing violation by Israel of the right of the Palestinian people to self-determination, from its prolonged occupation, settlement and annexation of the Palestinian territory occupied since 1967, including measures aimed at altering the demographic composition, character and status of the Holy City of Jerusalem, and from its adoption of related discriminatory legislation and measures?

(b) How do the policies and practices of Israel referred to in paragraph 18 (a) above affect the legal status of the occupation, and what are the legal consequences that arise for all States and the United Nations from this status?

[20] S/2017/899, annex.

19. *Requests* the Secretary-General to report to the General Assembly at its seventy-eighth session on the implementation of the present resolution, including with regard to the applicability of the Fourth Geneva Convention to the Occupied Palestinian Territory, including East Jerusalem, and the other occupied Arab territories.

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Israeli practices and settlement activities affecting the rights of the Palestinian people and other Arabs of the occupied territories

Report of the Special Political and Decolonization Committee (Fourth Committee)

Rapporteur: Ms. María Noel **Beretta Tassano** (Uruguay)

I. Introduction

1. At its 3rd plenary meeting, on 16 September 2022, the General Assembly, on the recommendation of the General Committee, decided to include in the agenda of its seventy-seventh session the item entitled "Israeli practices and settlement activities affecting the rights of the Palestinian people and other Arabs of the occupied territories" and to allocate it to the Special Political and Decolonization Committee (Fourth Committee).

2. The Fourth Committee held a general debate on the item at its 24th and 25thmeetings, on 9 and 10 November 2022, and took action on the item at its 26th meeting, on 11 November. Statements and observations made in the course of the Committee's consideration of the item are reflected in the relevant summary records.[1]

3. For its consideration of the item, the Committee had before it the following documents:

(a) Report of the Secretary-General on Israeli settlements in the Occupied Palestinian Territory, including East Jerusalem, and the occupied Syrian Golan (A/77/493);

(b) Report of the Secretary-General on the occupied Syrian Golan (A/77/520);

(c) Note by the Secretary-General transmitting the fifty-fourth report of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories (A/77/501);

[1] A/C.4/77/SR.24, A/C.4/77/SR.25 and A/C.4/77/SR.26.

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4. At the 24th meeting, on 9 November, the representative of Sri Lanka, in his capacity as Chair of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories, introduced the report of that Committee.

5. At the same meeting, the Assistant Secretary-General for Human Rights, introduced the reports of the Secretary-General, followed by an interactive dialogue.

6. Also at the same meeting, the observer for the State of Palestine made a statement.

II. Consideration of proposals

7. At its 26th meeting, on 11 November, the Committee was informed of the programme budget implications relating to draft resolution A/C.4/77/L.12/Rev.1, contained in document A/C.4/77/L.16. The Committee was also informed that draft resolutions A/C.4/77/L.13 and A/C.4/77/L.14 contained no programme budget implications

A. Draft resolution A/C.4/77/L.12/Rev.1

8. At the 26th meeting, on 11 November, the representative of Namibia, on behalf of Algeria, Brunei Darussalam, Cuba, Egypt, Iraq, Jordan, Lebanon, Mauritania, Namibia, Qatar, Saudi Arabia, Senegal, Tunisia and the State of Palestine, introduced a draft resolution entitled "Israeli practices affecting the human rights of the Palestinian people in Occupied Palestinian Territory, including East Jerusalem" (A/C.4/77/L.12/Rev.1). Subsequently, the following countries joined in sponsoring the draft resolution: Bahrain, Bangladesh, Bolivia (Plurinational State of), Djibouti, Indonesia, Kuwait, Malaysia, Maldives, Morocco, Niger, Oman, Pakistan, Somalia, South Africa, Sudan, United Arab Emirates, Venezuela (Bolivarian Republic of) and Yemen.

9. At the same meeting, the Committee adopted draft resolution A/C.4/77/L.12/Rev.1 by a recorded vote of 98 to 17, with 52 abstentions (see para. 14, draft resolution I). The voting was as follows:[2]

In favour:

Afghanistan, Algeria, Angola, Antigua and Barbuda, Argentina, Armenia, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belgium, Belize, Benin, Botswana, Brazil, Brunei Darussalam, Cabo Verde, Cambodia, Chad, Chile, China, Comoros, Cuba, Democratic People's Republic of Korea, Djibouti, Dominican Republic, Egypt, El Salvador, Gabon, Gambia, Guinea, Guinea-Bissau, Guyana, Indonesia, Iran (Islamic Republic of), Iraq, Ireland, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Lebanon, Lesotho, Libya, Luxembourg, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Mongolia, Morocco, Mozambique, Namibia, Nicaragua, Niger, Nigeria, Oman, Pakistan, Panama, Paraguay, Peru, Poland, Portugal, Qatar, Russian Federation, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Saudi Arabia, Senegal, Sierra Leone, Singapore, Slovenia, Somalia, South Africa, Sri Lanka, Sudan, Suriname, Syrian Arab, Republic, Tajikistan, Timor-Leste, Trinidad and Tobago, Tunisia, Turkmenistan,

[2] The delegation of Albania subsequently indicated that it had intended to vote against. The delegation of the Plurinational State of Bolivia subsequently indicated that it had intended to vote in favour.

Türkiye, Uganda, Ukraine, United Arab Emirates, Uzbekistan, Viet Nam, Yemen, Zimbabwe.

Against:

Australia, Austria, Canada, Czechia, Estonia, Germany, Guatemala, Hungary, Israel, Italy, Liberia, Lithuania, Marshall Islands, Micronesia (Federated States of), Nauru, Palau, United States of America.

Abstaining:

Albania, Andorra, Belarus, Bosnia and Herzegovina, Bulgaria, Burundi, Cameroon, Colombia, Costa Rica, Côte D'Ivoire, Croatia, Cyprus, Denmark, Ecuador, Eritrea, Ethiopia, Finland, France, Georgia, Ghana, Greece, Haiti, Honduras, Iceland, India, Japan, Latvia, Liechtenstein, Monaco, Montenegro, Myanmar, Netherlands, New Zealand, North Macedonia, Norway, Philippines, Republic of Korea, Republic of Moldova, Romania, Rwanda, San Marino, Serbia, Slovakia, Solomon Islands, South Sudan, Spain, Sweden, Switzerland, Thailand, Togo, United Kingdom of Great Britain and Northern Ireland, Uruguay.

B. Draft resolution A/C.4/77/L.13

10. At the 26th meeting, on 11 November, the representative of Cuba, on behalf of Algeria, Bahrain, Bangladesh, Bolivia (Plurinational State of), Brunei Darussalam, Cuba, the Democratic People's Republic of Korea, Egypt, Iraq, Jordan, Lebanon, Mauritania, Morocco, Namibia, Nicaragua, Oman, Qatar, Saudi Arabia, Senegal, South Africa, the Syrian Arab Republic, Tunisia, the United Arab Emirates, Venezuela (Bolivarian Republic of) and the State of Palestine, introduced a draft resolution entitled "The occupied Syrian Golan" (A/C.4/77/L.13). Subsequently, the following countries joined in sponsoring the draft resolution: Indonesia, Kuwait, Malaysia, Maldives, Niger, Somalia, Sudan and Yemen.

11. At the same meeting, the Committee adopted draft resolution A/C.4/77/L.13 by a recorded vote of 148 to 3, with 22 abstentions (see para. 14, draft resolution II). The voting was as follows:[3]

In favour:

Afghanistan, Albania, Algeria, Andorra, Angola, Antigua and Barbuda, Argentina, Armenia, Austria, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belgium, Belize, Benin, Bhutan, Bosnia and Herzegovina, Botswana, Brunei Darussalam, Bulgaria, Burkina Faso, Cabo Verde, Cambodia, Chad, Chile, China, Colombia, Comoros, Costa Rica, Croatia, Cuba, Cyprus, Czechia, Democratic People's Republic of Korea, Denmark, Djibouti, Dominican Republic, Egypt, El Salvador, Eritrea, Estonia, Ethiopia, Finland, France, Gabon, Gambia, Georgia, Germany, Ghana, Greece, Guinea, Guinea-Bissau, Guyana, Hungary, Iceland, India, Indonesia, Iran (Islamic Republic of), Iraq, Ireland, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Latvia, Lebanon, Lesotho, Libya, Liechtenstein, Lithuania, Luxembourg, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Monaco, Mongolia, Montenegro, Morocco, Mozambique, Myanmar, Namibia, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, North Macedonia, Norway, Oman, Pakistan, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Saint Kitts and Nevis,

[3] The delegation of the Plurinational State of Bolivia subsequently indicated that it had intended to vote in favour.

Saint Lucia, Saint Vincent and the Grenadines, San Marino, Saudi Arabia, Senegal, Serbia, Sierra Leone, Singapore, Slovakia, Slovenia, Somalia, South Africa, Spain, Sri Lanka, Sudan, Suriname, Sweden, Switzerland, Syrian Arab Republic, Tajikistan, Thailand, Timor-Leste, Trinidad and Tobago, Tunisia, Turkmenistan, Türkiye, Uganda, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, Uzbekistan, Viet Nam, Yemen, Zimbabwe.

Against:

Israel, Liberia, United States of America.

Abstaining:

Australia, Brazil, Burundi, Cameroon, Canada, Côte D'Ivoire, Ecuador, Guatemala, Haiti, Honduras, Madagascar, Malawi, Marshall Islands, Micronesia (Federated States of), Nauru, Panama, Rwanda, Solomon Islands, South Sudan, Togo, Tonga, Uruguay.

C. Draft resolution A/C.4/77/L.14

12. At the 26th meeting, on 11 November, the representative of Cuba, on behalf of Algeria, Brunei Darussalam, Cuba, Egypt, Iraq, Jordan, Lebanon, Mauritania, Namibia, Qatar, Saudi Arabia, Senegal and the State of Palestine, introduced a draft resolution entitled "Israeli settlements in the Occupied Palestinian Territory, including East Jerusalem, and the occupied Syrian Golan" (A/C.4/77/L.14). Subsequently, the following countries joined in sponsoring the draft resolution: Austria, Bahrain, Bangladesh, Belgium, Bolivia (Plurinational State of), Bosnia and Herzegovina, Bulgaria, Comoros, Croatia, Cyprus, Denmark, Estonia, Finland, France, the Gambia, Germany, Greece, Indonesia, Ireland, Italy, Kuwait, Latvia, Liechtenstein, Lithuania, Luxembourg, Malaysia, Maldives, Malta, Montenegro, Morocco, Netherlands, Niger, North Macedonia, Norway, Oman, Poland, Portugal, Romania, Serbia, Slovakia, Slovenia, Somalia, South Africa, Spain, Sudan, Sweden, Switzerland, Tunisia, United Arab Emirates, Venezuela (Bolivarian Republic of) and Yemen.

13. At the same meeting, the Committee adopted draft resolution A/C.4/77/L.14, by a recorded vote of 150 to 8, with 14 abstentions (see para. 14, draft resolution III). The voting was as follows:[4]

In favour:

Afghanistan, Albania, Algeria, Andorra, Angola, Antigua and Barbuda, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belgium, Belize, Benin, Bhutan, Bosnia and Herzegovina, Botswana, Brunei Darussalam, Bulgaria, Burkina Faso, Cabo Verde, Cambodia, Chad, Chile, China, Colombia, Comoros, Congo, Costa Rica, Croatia, Cuba, Cyprus, Democratic People's Republic of Korea, Denmark, Djibouti, Dominican Republic, Egypt, El Salvador, Eritrea, Estonia, Ethiopia, Finland, France, Gabon, Gambia, Georgia, Germany, Ghana, Greece, Guinea, Guinea-Bissau, Guyana, Honduras, Iceland, India, Indonesia, Iran (Islamic Republic of), Iraq, Ireland, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Latvia, Lebanon, Lesotho, Libya, Liechtenstein, Lithuania, Luxembourg, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Monaco, Mongolia, Montenegro, Morocco, Mozambique, Myanmar, Namibia, Nepal, Netherlands, New Zealand,

[4] The delegation of the Plurinational State of Bolivia subsequently indicated that it had intended to vote in favour.

Nicaragua, Niger, Nigeria, North Macedonia, Norway, Oman, Pakistan, Panama, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, San Marino, Saudi Arabia, Senegal, Serbia, Sierra Leone, Singapore, Slovakia, Slovenia, Somalia, South Africa, Spain, Sri Lanka, Sudan, Suriname, Sweden, Switzerland, Syrian Arab Republic, Tajikistan, Thailand, Timor-Leste, Trinidad and Tobago, Tunisia, Turkmenistan, Türkiye, Uganda, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, Uzbekistan, Viet Nam, Yemen, Zimbabwe.

Against:

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

Abstaining:

Brazil, Burundi, Cameroon, Côte D'Ivoire, Czechia, Ecuador, Guatemala, Haiti, Madagascar, Rwanda, Solomon Islands, South Sudan, Togo, Uruguay.

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

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

Draft resolution I
Israeli practices affecting the human rights of the Palestinian people in the Occupied Palestinian Territory, including East Jerusalem

The General Assembly,

Recalling the Universal Declaration of Human Rights,[1]

Recalling also the International Covenant on Civil and Political Rights,[2] the International Covenant on Economic, Social and Cultural Rights[3] and the Convention on the Rights of the Child,[4] and affirming that these human rights instruments must be respected in the Occupied Palestinian Territory, including East Jerusalem,

Reaffirming its relevant resolutions, including resolution 75/98 of 10 December 2020, as well as those adopted at its tenth emergency special session,

Recalling the relevant resolutions of the Human Rights Council,

Recalling also the relevant resolutions of the Security Council, and stressing the need for their implementation,

Having considered the report of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories[5] and the report of the Secretary-General on the work of the Special Committee,[6]

Taking note of the report of the Special Rapporteur of the Human Rights Council on the situation of human rights in the Palestinian territories occupied since 1967,[7] as well as of other relevant recent reports of the Human Rights Council,

Taking note also of the report of the independent international commission of inquiry established pursuant to Human Rights Council resolution S-30/1,[8]

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,

Taking note of the recent report by the Economic and Social Commission for Western Asia on the economic and social repercussions of the Israeli occupation on the living conditions of the Palestinian people in the Occupied Palestinian Territory, including East Jerusalem, and the Arab population in the occupied Syrian Golan,[9]

[1] Resolution 217 A (III).
[2] See resolution 2200 A (XXI), annex.
[3] Ibid.
[4] United Nations, *Treaty Series*, vol. 1577, No. 27531.
[5] A/77/501.
[6] A/76/333.
[7] A/HRC/49/87.
[8] A/77/328.
[9] A/77/90-E/2022/66.

Deeply regretting that 55 years have passed since the onset 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,

Aware of the responsibility of the international community to promote human rights and ensure respect for international law, and recalling in this regard its resolution 2625 (XXV) of 24 October 1970,

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,[10] and recalling also relevant General Assembly resolutions,

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,

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

Noting the accession by Palestine to several human rights treaties and the core humanitarian law conventions, as well as other international treaties,

Reaffirming the principle of the inadmissibility of the acquisition of territory by force,

Reaffirming also the applicability of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949,[11] to the Occupied Palestinian Territory, including East Jerusalem, and other Arab territories occupied by Israel since 1967,

Reaffirming further the obligation of the States parties to the Fourth Geneva Convention[12] under articles 146, 147 and 148 with regard to penal sanctions, grave breaches and responsibilities of the High Contracting Parties,

Recalling the statement of 15 July 1999 and the declarations adopted on 5 December 2001 and on 17 December 2014[13] 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, aimed at ensuring respect for the Convention in the Occupied Palestinian Territory, including East Jerusalem,

Reaffirming that all States have the right and the duty to take actions in conformity with international 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

[10] See A/ES-10/273 and A/ES-10/273/Corr.1.
[11] United Nations, *Treaty Series*, vol. 75, No. 973.
[12] Ibid.
[13] A/69/711-S/2015/1, annex.

el-Sheikh understandings, and the implementation of the Quartet road map to a permanent two-State solution to the Israeli-Palestinian conflict,[14]

Stressing also the need 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,

Gravely concerned by the tensions and violence in the recent period throughout the Occupied Palestinian Territory, including East Jerusalem and including with regard to the holy places of Jerusalem, including the Haram al-Sharif, and deploring the loss of innocent civilian life,

Reaffirming that the international community, through the United Nations, has a legitimate interest in the question of the City of Jerusalem and in the protection of the unique spiritual, religious and cultural dimensions of the city, as foreseen in relevant United Nations resolutions on this matter,

Reaffirming also the obligation to respect the historic status quo, the special significance of the holy sites, and the importance of the City of Jerusalem for the three monotheistic religions,

Recognizing that security measures alone cannot remedy the escalating tensions, instability and violence, and calling for full respect for international law, including humanitarian and human rights law, including for the protection of civilian life, as well as for the promotion of human security, the de-escalation of the situation, the exercise of restraint, including from provocative actions and rhetoric, and the establishment of a stable environment conducive to the pursuit of peace,

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, women and non-violent, peaceful demonstrators, as well as journalists, medical personnel and humanitarian personnel; the arbitrary imprisonment and detention of Palestinians, some of whom have been imprisoned 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 destruction of property and infrastructure; the forced displacement of civilians, including attempts at forced transfers of Bedouin communities; 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, and demanding the cessation of all such unlawful actions,

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

Deploring the continuing and negative consequences of the conflicts in and around the Gaza Strip and the high number of casualties among Palestinian civilians in the recent period, including among children, and any violations of international law, and calling for full respect for international humanitarian and human rights law and for the principles of legality, distinction, precaution and proportionality,

[14] S/2003/529, annex.

Gravely concerned about the disastrous humanitarian situation and the critical socioeconomic and security situation in the Gaza Strip, including that resulting from the prolonged closures and severe economic and movement restrictions that in effect amount to a blockade and deepen poverty and despair among the Palestinian civilian population, and about the short- and long-term detrimental impacts of this situation and the widespread destruction and continued impeding of the reconstruction process by Israel, the occupying Power, on the human rights situation,

Recalling with grave concern the United Nations country team report of August 2012, entitled "Gaza in 2020: a liveable place?",

Recalling the statement by the President of the Security Council of 28 July 2014,[15]

Stressing the need for the full implementation by all parties of Security Council resolution 1860 (2009) of 8 January 2009 and General Assembly resolution ES-10/18 of 16 January 2009,

Stressing also 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, and regretting the lack of progress made in this regard,

Gravely concerned by reports regarding serious human rights violations and grave breaches of international humanitarian law committed during the successive military operations in the Gaza Strip,[16] and reiterating the necessity for serious follow-up by all parties of the recommendations addressed to them towards ensuring accountability and justice,

Stressing the need for 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 and harassment,

Expressing deep concern about the Israeli policy of closures and the imposition of severe restrictions, including through hundreds of obstacles to movement, checkpoints and a permit regime, all of which obstruct the freedom of movement of persons and goods, including medical and humanitarian goods, and the follow-up and access to donor-funded projects of development cooperation and humanitarian assistance, 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 impacting their socioeconomic and humanitarian situation, which remains dire in the Gaza Strip, and the efforts aimed at rehabilitating and developing the Palestinian economy, and calling for the full lifting of restrictions,

Expressing grave concern that thousands of Palestinians, including many children and women, as well as elected representatives, continue to be held in Israeli prisons or detention centres under harsh conditions, including unhygienic conditions, solitary confinement, the extensive use of administrative detention of excessive duration without charge and denial of due process, lack of proper medical care and widespread medical neglect, including for prisoners who are ill, with the risk of fatal consequences, and denial of family visits, that impair their well-being, and expressing

[15] S/PRST/2014/13; see *Resolutions and Decisions of the Security Council, 1 August 2013–31 July 2014* (S/INF/69).

[16] See A/63/855-S/2009/250; S/2015/286, annex; A/HRC/12/48; and A/HRC/29/52.

grave concern also about the ill-treatment and harassment and all reports of torture of any Palestinian prisoners,

Expressing deep concern about the hunger strikes by Palestinian prisoners in protest of the harsh conditions of their imprisonment and detention by the occupying Power, while taking note of agreements reached on conditions of detention in Israeli prisons and calling for their full and immediate implementation,

Recalling the United Nations Standard Minimum Rules for the Treatment of Prisoners (the Nelson Mandela Rules)[17] and the United Nations Rules for the Treatment of Women Prisoners and Non-custodial Measures for Women Offenders (the Bangkok Rules),[18] 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 line with international humanitarian law and human rights law, in order to ensure dignified closure in accordance with their religious beliefs and traditions,

Stressing the need for the prevention of all acts of violence, harassment, provocation and incitement by extremist Israeli settlers and groups of armed settlers, especially against Palestinian civilians, including children, and their properties, including homes, agricultural lands and historic and religious sites, including in Occupied East Jerusalem, and deploring the violation of the human rights of Palestinians in this regard, including acts of violence leading to death and injury among civilians,

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, in this regard recalling the importance of the mandate and the positive contribution of the Temporary International Presence in Hebron, and regretting the unilateral decision by the Government of Israel not to renew its mandate,

Stressing the need for an immediate and complete cessation of all acts of violence, including military attacks, destruction and acts of terror,

Stressing also that the protection of civilians is a critical component in ensuring peace and security, as well as the need for measures to be taken to guarantee the safety and protection of the Palestinian civilian population throughout the Occupied Palestinian Territory, consistent with the provisions and obligations of international humanitarian law,

Stressing further the need to respect the right of peaceful assembly,

Taking note of the report of the Secretary-General on the protection of the Palestinian civilian population[19] and the observations made therein on ways and means for ensuring the safety, protection and well-being of the Palestinian civilian population under Israeli occupation,

Noting the continued efforts and tangible progress made in the Palestinian security sector, and noting also the continued cooperation that benefits both Palestinians and Israelis, in particular by promoting security and building confidence,

[17] Resolution 70/175, annex.
[18] Resolution 65/229, annex.
[19] A/ES-10/794.

Urging the parties to observe calm and restraint and to refrain from provocative actions, incitement and inflammatory rhetoric, especially in areas of religious and cultural sensitivity, including in East Jerusalem, and to take every possible step to defuse tensions and promote conditions conducive to the credibility and success of the peace negotiations,

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

1. *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, and 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;

2. *Demands* that Israel, the occupying Power, cease all measures contrary to international law, as well as discriminatory legislation, policies and actions in the Occupied Palestinian Territory that violate the human rights of the Palestinian people, including the killing and injury of civilians, the arbitrary detention and imprisonment of civilians, the forced displacement of civilians, including attempts at forced transfers of Bedouin communities, the transfer of its own population into the Occupied Palestinian Territory, including East Jerusalem, the destruction and confiscation of civilian property, including home demolitions, including if carried out as collective punishment in violation of international humanitarian law, and any obstruction of humanitarian assistance, 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;

3. *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;

4. *Takes note* of the report of the Secretary-General on the protection of the Palestinian civilian population, notably the observations made therein, including the possible expansion of existing protection mechanisms to prevent and deter violations, and calls for continued efforts within the United Nations human rights framework regarding the legal protection and safety of the Palestinian civilian population;

5. *Calls for* full cooperation by Israel with the relevant special rapporteurs and other relevant mechanisms and inquiries of the Human Rights Council, including the facilitation of entry to the Occupied Palestinian Territory, including East Jerusalem, for monitoring and reporting on the human rights situation therein according to their respective mandates;

6. *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, inter alia, gravely and detrimentally impact the human rights of the Palestinian people, including their right to self-determination, and the prospects for achieving without delay an end to the Israeli occupation that began in 1967 and a just, lasting and comprehensive peace settlement between the Palestinian and Israeli sides, and calls for the full respect and

implementation of all relevant General Assembly and Security Council resolutions in this regard, including Security Council resolution 2334 (2016) of 23 December 2016;

7. *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 strike, also calls for efforts between the two sides for the further release of prisoners and detainees, and further 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);

8. *Condemns* all acts of violence, including all acts of terror, provocation, incitement and destruction, especially any use of force by the Israeli occupying forces against Palestinian civilians in violation of international law, particularly in the Gaza Strip, including against journalists, medical personnel and humanitarian personnel, which have caused extensive loss of life and vast numbers of injuries, including among children and women;

9. *Also condemns* all acts of violence by militants and armed groups, including the firing of rockets, against Israeli civilian areas, resulting in loss of life and injury;

10. *Reiterates its demand* for the full implementation of Security Council resolution 1860 (2009);

11. *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 in General Assembly 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 reparations for all damage caused by the construction of the wall, which has gravely impacted the human rights and the socioeconomic living conditions of the Palestinian people;

12. *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;

13. *Calls upon* Israel, the occupying Power, to cease its imposition of prolonged closures and economic and movement restrictions, including those amounting to a blockade on the Gaza Strip, and in this regard to fully implement the Agreement on Movement and Access and the Agreed Principles for the Rafah Crossing, both of 15 November 2005, in order to allow for the sustained and regular movement of persons and goods and for the acceleration of long overdue and massive reconstruction needs and economic recovery in the Gaza Strip, while noting the tripartite agreement facilitated by the United Nations in this regard;

14. *Stresses* the urgent need to address the continuing health crisis in the Gaza Strip, including by ensuring the provision of adequate infrastructure, medical supplies and equipment, alongside expertise, to deal with the increasing caseload of injuries requiring complex treatment in the context of the protests in the Gaza Strip;

15. *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;

16. *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 passage of more than 55 years of the Israeli occupation and the continued denial and violation of the human rights of the Palestinian people;

17. *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, and urges in this regard the implementation of the agreement signed in Cairo on 12 October 2017,[20] which would be an important step towards achieving Palestinian unity and lead to the effective functioning of the Palestinian Government, including in the Gaza Strip, under the leadership of President Mahmoud Abbas, consistent with the Palestine Liberation Organization commitments and the Quartet principles;

18. *Decides*, in accordance with Article 96 of the Charter of the United Nations, to request the International Court of Justice, pursuant to Article 65 of the Statute of the Court, to render an advisory opinion on the following questions, considering the rules and principles of international law, including the Charter of the United Nations, international humanitarian law, international human rights law, relevant resolutions of the Security Council, the General Assembly and the Human Rights Council, and the advisory opinion of the Court of 9 July 2004:

(a) What are the legal consequences arising from the ongoing violation by Israel of the right of the Palestinian people to self-determination, from its prolonged occupation, settlement and annexation of the Palestinian territory occupied since 1967, including measures aimed at altering the demographic composition, character and status of the Holy City of Jerusalem, and from its adoption of related discriminatory legislation and measures?

(b) How do the policies and practices of Israel referred to in paragraph 18 (a) above affect the legal status of the occupation, and what are the legal consequences that arise for all States and the United Nations from this status?

19. *Requests* the Secretary-General to report to the General Assembly at its seventy-eighth session on the implementation of the present resolution, including with regard to the applicability of the Fourth Geneva Convention to the Occupied Palestinian Territory, including East Jerusalem, and the other occupied Arab territories.

[20] S/2017/899, annex.

Draft resolution II
The occupied Syrian Golan

The General Assembly,

Having considered the report of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories,[1]

Deeply concerned that the Syrian Golan, occupied since 1967, has been under continued Israeli military occupation,

Recalling Security Council resolution 497 (1981) of 17 December 1981,

Recalling also its previous relevant resolutions, the most recent of which was resolution 76/81 of 9 December 2021,

Having considered the report of the Secretary-General submitted in pursuance of resolution 76/81,[2]

Recalling its previous relevant resolutions in which, inter alia, it called upon Israel to put an end to its occupation of the Arab territories,

Reaffirming once more the illegality of the decision of 14 December 1981 taken by Israel to impose its laws, jurisdiction and administration on the occupied Syrian Golan, which has resulted in the effective annexation of that territory,

Reaffirming that the acquisition of territory by force is inadmissible under international law, including the Charter of the United Nations,

Reaffirming also the applicability of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949,[3] to the occupied Syrian Golan,

Bearing in mind Security Council resolution 237 (1967) of 14 June 1967,

Welcoming the convening at Madrid of the Peace Conference on the Middle East on the basis of Security Council resolutions 242 (1967) of 22 November 1967 and 338 (1973) of 22 October 1973 aimed at the realization of a just, comprehensive and lasting peace, and expressing grave concern about the stalling of the peace process on all tracks,

1. *Calls upon* Israel, the occupying Power, to comply with the relevant resolutions on the occupied Syrian Golan, in particular Security Council resolution 497 (1981), in which the Council, inter alia, decided that the Israeli decision to impose its laws, jurisdiction and administration on the occupied Syrian Golan was null and void and without international legal effect and demanded that Israel, the occupying Power, rescind forthwith its decision;

2. *Also calls upon* Israel to desist from changing the physical character, demographic composition, institutional structure and legal status of the occupied Syrian Golan and in particular to desist from the establishment of settlements;

3. *Determines* that all legislative and administrative measures and actions taken or to be taken by Israel, the occupying Power, that purport to alter the character and legal status of the occupied Syrian Golan are null and void, constitute a flagrant

[1] A/77/501.
[2] A/77/520.
[3] United Nations, *Treaty Series*, vol. 75, No. 973.

violation of international law and of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, and have no legal effect;

4. *Calls upon* Israel to desist from imposing Israeli citizenship and Israeli identity cards on the Syrian citizens in the occupied Syrian Golan, and from its repressive measures against the population of the occupied Syrian Golan;

5. *Deplores* the violations by Israel of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949;

6. *Calls once again upon* Member States not to recognize any of the legislative or administrative measures and actions referred to above;

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

Draft resolution III
Israeli settlements in the Occupied Palestinian Territory, including East Jerusalem, and the occupied Syrian Golan

The General Assembly,

Guided by the principles and purposes of the Charter of the United Nations and the need to respect the obligations arising from the Charter and other instruments and rules of international law,

Reaffirming the inadmissibility of the acquisition of territory by force,

Recalling its relevant resolutions, including resolution 76/82 of 9 December 2021, as well as those resolutions adopted at its tenth emergency special session,

Recalling also the relevant resolutions of the Security Council, including resolutions 242 (1967) of 22 November 1967, 446 (1979) of 22 March 1979, 465 (1980) of 1 March 1980, 476 (1980) of 30 June 1980, 478 (1980) of 20 August 1980, 497 (1981) of 17 December 1981, 904 (1994) of 18 March 1994 and 2334 (2016) of 23 December 2016, and stressing the need for their implementation,

Recalling further the Universal Declaration of Human Rights,[1]

Recalling the International Covenant on Civil and Political Rights,[2] the International Covenant on Economic, Social and Cultural Rights[3] and the Convention on the Rights of the Child,[4] and affirming that these human rights instruments must be respected in the Occupied Palestinian Territory, including East Jerusalem,

Reaffirming the applicability of the Regulations annexed to the Hague Convention IV of 1907, the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949,[5] and relevant provisions of customary law, including those codified in Additional Protocol I[6] to the four Geneva Conventions,[7] to the Occupied Palestinian Territory, including East Jerusalem, and to other Arab territories occupied by Israel since 1967, including the occupied Syrian Golan,

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,[8]

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,[9] 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 that "the Israeli settlements in the Occupied Palestinian Territory (including East Jerusalem) have been established in breach of international law",[10]

[1] Resolution 217 A (III).
[2] See resolution 2200 A (XXI), annex.
[3] Ibid.
[4] United Nations, *Treaty Series*, vol. 1577, No. 27531.
[5] Ibid., vol. 75, No. 973.
[6] Ibid., vol. 1125, No. 17512.
[7] Ibid., vol. 75, Nos. 970–973.
[8] Ibid., No. 973.
[9] See A/ES-10/273 and A/ES-10/273/Corr.1.
[10] Ibid., advisory opinion, para. 120.

Taking note of the recent reports of the Special Rapporteur of the Human Rights Council on the situation of human rights in the Palestinian territories occupied since 1967,[11] as well as of other relevant recent reports of the Council,

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,[12]

Recalling also the Declaration of Principles on Interim Self-Government Arrangements of 13 September 1993[13] and the subsequent implementation agreements between the Palestinian and Israeli sides,

Recalling further the Quartet road map to a permanent two-State solution to the Israeli-Palestinian conflict,[14] 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,

Recalling its resolution 67/19 of 29 November 2012,

Noting the accession by Palestine to several human rights treaties and the core humanitarian law conventions, as well as other international treaties,

Aware that Israeli settlement activities involve, inter alia, the transfer of nationals of the occupying Power into the occupied territories, the confiscation of land, the forced transfer of Palestinian civilians, including Bedouin families, the exploitation of natural resources, the fragmentation of territory and other actions against the Palestinian civilian population and the civilian population in the occupied Syrian Golan that are contrary to international law,

Bearing in mind the extremely detrimental impact of Israeli settlement policies, decisions and activities on the ongoing regional and international efforts to resume and advance the peace process, on the prospects for the achievement of peace in the Middle East in accordance with 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 on the viability and credibility of that solution,

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

Deploring in particular Israel's construction and expansion of settlements in and around occupied East Jerusalem, including its so-called E-1 plan that 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,

Deploring the plans to demolish the Palestinian village of Khan al-Ahmar, in contravention of international law, which would have serious consequences with regard to the displacement of its residents, severely threaten the viability of the two-

[11] A/HRC/49/87; see also A/77/356.
[12] A/HRC/22/63.
[13] A/48/486-S/26560, annex.
[14] S/2003/529, annex.

State solution and undermine the prospect of peace, given the area's sensitive location and importance for preserving the contiguity of the Palestinian territory, and demanding the cessation of such plans,

Condemning the demolition by Israel, in contravention of international law, of Palestinian buildings in the neighbourhood of Wadi al-Hummus in the village of Sur Bahir, south of occupied East Jerusalem, and of homes in Masafer Yatta, as well as other coercive measures potentially leading to the forced displacement and affecting over 1,200 Palestinian civilians,

Taking note of the Quartet report of 1 July 2016,[15] and stressing its recommendations, as well as its relevant statements in which the Quartet members concluded that, inter alia, the continuing policy of settlement construction and expansion, designation of land for exclusive Israeli use and denial of Palestinian development, including the recent high rate of demolitions, are steadily eroding the two-State solution,

Deploring the continuing unlawful construction by Israel of the wall inside the Occupied Palestinian Territory, including in and around East Jerusalem, and expressing its concern, in particular, about the route of the wall in departure from the Armistice Line of 1949 and in such a way as to include the great majority of the Israeli settlements in the Occupied Palestinian Territory, including East Jerusalem, and which is causing humanitarian hardship and a serious decline of socioeconomic conditions for the Palestinian people, is fragmenting the territorial contiguity of the Territory and undermining its viability, and could prejudge future negotiations and make the two-State solution physically impossible to implement,

Condemning acts of violence and terror against civilians on both sides, and recalling the need to end all acts of violence, including acts of terror, provocation, incitement and destruction,

Condemning also all acts of violence, destruction, harassment, provocation and incitement by Israeli settlers in the Occupied Palestinian Territory, including East Jerusalem, against Palestinian civilians, including children, and their properties, including historic and religious sites, and agricultural lands, as well as acts of terror by several extremist Israeli settlers, and calling for accountability for the illegal actions perpetrated in this regard,

Taking note of the relevant reports of the Secretary-General, including pursuant to Security Council resolution 2334 (2016),[16]

1. *Reaffirms* that the Israeli settlements in the Occupied Palestinian Territory, including East Jerusalem, and in the occupied Syrian Golan are illegal and an obstacle to peace and economic and social development;

2. *Demands* that Israel 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 other Arab territories occupied by Israel since 1967, including the occupied Syrian Golan, and abide scrupulously by the provisions of the Convention, in particular article 49, and comply with all of 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 of the occupied Syrian Golan;

[15] S/2016/595, annex.

[16] A/76/304, A/76/333, A/76/336 and A/77/493.

3. *Reiterates its demand* for the immediate and complete cessation of all Israeli settlement activities in all of the Occupied Palestinian Territory, including East Jerusalem, and in the occupied Syrian Golan, and calls in this regard for the full implementation of all the relevant resolutions of the Security Council, including, inter alia, resolutions 446 (1979), 452 (1979) of 20 July 1979, 465 (1980), 476 (1980), 478 (1980), 1515 (2003) of 19 November 2003 and 2334 (2016);

4. *Stresses* that a complete cessation of all Israeli settlement activities is essential for salvaging the two-State solution on the basis of the pre-1967 borders;

5. *Also stresses* the urgent need to reverse negative trends on the ground, including the building of settlements and the demolition of Palestinian homes, which are imperilling the viability of the two-State solution and entrenching a situation of unequal rights and discrimination, and are preventing the Palestinian people from exercising their fundamental rights;

6. *Recalls* the affirmation by the Security Council, in its resolution 2334 (2016), that it will not recognize any changes to the 4 June 1967 lines, including with regard to Jerusalem, other than those agreed by the parties through negotiations;

7. *Stresses* that the occupation of a territory is to be a temporary, de facto situation, whereby the occupying Power can neither claim possession nor exert its sovereignty over the territory it occupies, recalls in this regard the principle of the inadmissibility of the acquisition of land by force and therefore the illegality of the annexation of any part of the Occupied Palestinian Territory, including East Jerusalem, which constitutes a breach of international law, undermines the viability of the two-State solution and challenges the prospects for a just, lasting and comprehensive peace settlement, and expresses its grave concern at recent statements calling for the annexation by Israel of areas in the Occupied Palestinian Territory;

8. *Condemns* in this regard settlement activities in the Occupied Palestinian Territory, including East Jerusalem, and in the occupied Syrian Golan and any activities involving the confiscation of land, the disruption of the livelihood of protected persons, the forced transfer of civilians and the annexation of land, whether de facto or through national legislation;

9. *Demands* that Israel, the occupying Power, comply with its legal obligations, as mentioned in the advisory opinion rendered on 9 July 2004 by the International Court of Justice;

10. *Reiterates its call for* the prevention of all acts of violence, destruction, harassment and provocation by Israeli settlers, especially against Palestinian civilians and their properties, including historic and religious sites and including in Occupied East Jerusalem, and their agricultural lands;

11. *Calls for* accountability for the illegal actions perpetrated by Israeli settlers in the Occupied Palestinian Territory, stresses in this regard the need for the implementation of Security Council resolution 904 (1994), in which the Council called upon Israel, the occupying Power, to continue to take and implement measures, including the confiscation of arms, aimed at preventing illegal acts of violence by Israeli settlers, and called for measures to be taken to guarantee the safety and protection of the Palestinian civilians in the occupied territory, recalls in this regard the report of the Secretary-General on the protection of the Palestinian civilian population,[17] and welcomes the Secretary-General's observations, including with respect to the expansion of existing protection mechanisms to prevent and deter violations;

[17] A/ES-10/794.

12. *Stresses* the responsibility of Israel, the occupying Power, to investigate all acts of settler violence against Palestinian civilians and their properties and to ensure accountability for these acts and end prevailing impunity in this regard;

13. *Calls upon* all States and international organizations to continue to actively pursue policies that ensure respect for their obligations under international law with regard to all illegal Israeli practices and measures in the Occupied Palestinian Territory, including East Jerusalem, particularly Israeli settlement activities;

14. *Calls for* measures of accountability, consistent with international law, in the light of continued non-compliance with the demands for a complete and immediate cessation of all settlement activities, which are illegal under international law, constitute an obstacle to peace and threaten to make a two-State solution impossible, stressing that compliance with and respect for international humanitarian law and international human rights law is a cornerstone for peace and security in the region;

15. *Recalls*, in this regard, the statement of 15 July 1999 and the declarations adopted on 5 December 2001 and on 17 December 2014[18] 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, welcomes in this regard initiatives by States parties, both individually and collectively, in accordance with article 1 of the Convention, aimed at ensuring respect for the Convention and accountability, and calls upon all High Contracting Parties to the Convention to continue, individually and collectively, to exert all efforts to ensure respect for its provisions by Israel, the occupying Power, in the Occupied Palestinian Territory, including East Jerusalem, and other Arab territories occupied by Israel since 1967;

16. *Also recalls* that the Security Council, in its resolution 2334 (2016), called upon all States to distinguish, in their relevant dealings, between the territory of the State of Israel and the territories occupied since 1967;

17. *Calls upon* all States, consistent with their obligations under international law and the relevant resolutions, not to recognize, and not to render aid or assistance in maintaining, the situation created by measures that are illegal under international law, including those aimed at advancing annexation in the Occupied Palestinian Territory, including East Jerusalem, and other Arab territories occupied by Israel since 1967;

18. *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,[19] concerning the Guiding Principles on Business and Human Rights[20] 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;

19. *Requests* the Secretary-General to report to the General Assembly at its seventy-eighth session on the implementation of the present resolution;

20. *Decides* to include in the provisional agenda of its seventy-eighth session the item entitled "Israeli practices and settlement activities affecting the rights of the Palestinian people and other Arabs of the occupied territories".

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[18] A/69/711-S/2015/1, annex.

[19] See *Official Records of the General Assembly, Sixty-sixth Session, Supplement No. 53* (A/66/53), chap. III, sect. A.

[20] A/HRC/17/31, annex.

United Nations A/C.4/77/SR.25

General Assembly
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Special Political and Decolonization Committee (Fourth Committee)

Summary record of the 25th meeting
Held at Headquarters, New York, on Thursday, 10 November 2022, at 10 a.m.

Chair: Mr. Kasselakis (Vice-Chair) . . . . . (Greece)

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22-25405 (E)

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In the absence of Mr. Al Hassan (Oman), Mr. Kasselakis (Greece), Vice-Chair, took the Chair.

The meeting was called to order at 10.05 a.m.

Agenda item 47: Israeli practices and settlement activities affecting the rights of the Palestinian people and other Arabs of the occupied territories (*continued*) (A/77/501, A/77/520 and A/77/493)

1. **Mr. Ghelich** (Islamic Republic of Iran) said that the findings set out in the reports under consideration were appalling. The mandate of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories must be supported in order to further raise awareness of illegal Israeli activities and mobilize international action to end such violations of basic human rights. As the occupying Power, the Israeli regime had continued to conduct forcible evictions and possibly the forcible transfer of Palestinian families for more than seven decades, in flagrant violation of international law, international humanitarian law and United Nations resolutions. The unlawful, inhumane and expansionist policies of Israel had denied the Palestinian people their inalienable rights and caused their living conditions to worsen. Palestinians continued to be subjected to violence and intimidation by Israeli settlers. The occupying regime had taken unprecedented measures to Judaize Jerusalem and to alter or eliminate the Palestinian Christian and Muslim presence there. The international community must hold the apartheid regime of Israel accountable for those violations. His country remained steadfast in supporting the Palestinian people in their legitimate resistance against the occupation and in their quest to exercise the right to self-determination and establish a sovereign State with Al-Quds al-Sharif (Jerusalem) as its capital.

2. The Syrian Golan was an integral part of the Syrian Arab Republic. All discriminatory and illegal policies towards the Syrian population and all attempts to change its physical character, demographic composition and legal status constituted a flagrant violation of their human rights, of international law and of the Geneva Convention relative to the Protection of Civilian Persons in Time of War. As had been stated by the Security Council, the decision by Israel to impose its laws and administration in the occupied Syrian Golan Heights was without international legal effect.

3. **Mr. Abusrewel** (Libya) said that the question of Palestine remained a major concern for both the Government and the people of Libya. Grave violations of the rights of the Palestinian people continued despite condemnations, United Nations resolutions and international peace initiatives. Peace would not be achieved so long as Palestinian territory remained occupied and the occupation authorities continued to build settlements, annex territory, impose unjust blockades and construct walls that made the Palestinian territories resemble a giant prison. With time, the prospects for a two-State solution had faded.

4. The policy pursued by the occupying Power in the Occupied Palestinian Territory was illegal, illegitimate and inhumane. It was high time for the international community to act in order to end the worst and most violent occupation known to humanity. Otherwise, the next generation of Palestinians would not see peace as a solution and would see no way to establish an independent State with Al-Quds Al-Sharif as its capital. Attempting to force the Palestinians to settle in other societies would not be a solution; the Palestinian people demanded the right to return to their homeland.

5. Some might wonder why his delegation was discussing the concerns of the Palestinian people when Libya was suffering from multiple serious crises. The answer was that, while all Arab peoples faced crises, the Palestinian question remained an unhealed wound in the heart of every Arab, every defender of self-determination and every champion of human rights.

6. **Mr. Akay** (Niger) said that an absence of serious negotiations and an inability to tackle the causes of the Israeli-Palestinian conflict had led to an alarming security situation in the Occupied Palestinian Territory. The military operations conducted by the Israeli security forces had sparked a rise in violence, particularly affecting women and children. Such disproportionate use of force had disastrous consequences for civilian populations. The strict restrictions imposed by Israel on the movement of people and goods hindered the provision of basic social services and economic activities. All States, including Israel, the occupying Power, must respect their international obligations with regard to the protection of civilians.

7. His delegation was deeply concerned by the attack on a school in Nablus on 4 October 2022 by Israeli settlers, which had flagrantly violated Security Council resolution 2601 (2021). Settlement activities, including evictions and forced displacements, were part of the daily lives of Palestinians and had significant psychological consequences. While the Palestinian people faced economic pressures and the risk of food insecurity, humanitarian action in the Occupied Palestinian Territory also faced a chronic financial shortfall. The international community must demonstrate greater solidarity with the Palestinian people, notably through support for the United Nations

Relief and Works Agency for Palestine Refugees in the Near East (UNRWA).

8. The apartheid situation experienced by the Palestinian people as a result of the Israeli occupation was deeply concerning. Niger supported the two-State solution, in line with the relevant resolutions of the United Nations and the Organization of Islamic Cooperation.

9. **Ms. Özgür** (Türkiye) said that unilateral actions in the Occupied Palestinian Territory fuelled tensions and conflict, diminished the chance of lasting peace in the region and undermined prospects for a two-State solution. The rising tension owing to raids and military blockades in the West Bank and East Jerusalem were particularly concerning. Continuing violations of the sanctity and status of Jerusalem and the Aqsa Mosque were unacceptable, and illegal settlements, forced evictions, demolitions, arbitrary arrests and settler violence must come to an end. The decision to list Palestinian civil society groups as terror organizations should be revoked.

10. It was essential to address the root causes of the issues affecting the region through negotiations. However, the lack of progress towards a solution was deeply troubling, and had been compounded by the international community's lack of interest. Türkiye consistently supported the right of the Palestinian people to live in a sovereign and independent State of Palestine, based on the borders of 4 June 1967, with East Jerusalem as its capital. It also supported the application of the State of Palestine for full membership in the United Nations.

11. **Mr. Al-barati** (Yemen) said that Yemen supported the inalienable right of the Palestinian people to establish a sovereign and independent State, in line with relevant international resolutions and with the Arab Peace Initiative, which stressed that comprehensive peace and the normalization of relations with Israel must be predicated on an end to the occupation of Arab lands, the exercise of the inalienable right of the Palestinian people to self-determination, and the right of Palestine refugees to return to their homeland and to a just solution consistent with General Assembly resolution 194 (III). A viable Palestinian State should be established within the borders of 4 June 1967, with East Jerusalem as its capital. Continued efforts were needed, including through support for the Hashemite guardianship of the Muslim and Christian holy sites in the occupied city of Jerusalem, to preserve the city's Muslim and Christian demographic character.

12. His Government condemned the settler-colonial policies of the occupying Power and called on the Security Council to implement its resolution 2334 (2016). The Israeli entity, the occupying Power, should immediately end all settlement activity in all Palestinian territories, especially in Jerusalem. The Israeli blockade of the Gaza Strip should be lifted and all Palestinian detainees should be released, especially women, children and older persons. Yemen welcomed the signature by Palestinian factions of a national reconciliation agreement as an important step towards Palestinian statehood.

13. The State of Palestine should be granted full membership in the United Nations. Countries that had not yet done so should recognize the State of Palestine and support all its endeavours to hold the Israeli regime accountable for crimes against humanity and war crimes. In that regard, Yemen welcomed the announcement of Australia that it had revoked its recognition of West Jerusalem as the capital of Israel and called on other countries to do likewise.

14. Yemen categorically rejected all Israeli measures aimed at altering the legal and demographic status quo in the Syrian Golan and considered all Israeli practices aimed at consolidating its full control over the Golan to be null and void and in violation of international agreements, the Charter of the United Nations and relevant United Nations resolutions. The Syrian people had a right to recover all of the occupied Syrian Golan within the borders of 4 June 1967, in accordance with the Arab Peace Initiative and relevant international resolutions.

15. **Mr. Hossain** (Bangladesh) said that, although the international community had repeatedly called for an end to the aggressive activities against the Palestinian people, the Israeli occupying forces continued the blockade of the Gaza Strip, the indiscriminate killing of women and children, the expansion of illegal settlements, the demolition of Palestinian homes and the forcible transfer of Palestinian civilians throughout the Occupied Palestinian Territory. Those illegal activities were in grave violation of international law and the rights of the Palestinian people. Bangladesh remained committed to supporting the just struggle of the Palestinian people for an independent, viable and sovereign Palestinian State, with East Jerusalem as its capital, under a two-State solution based on the pre-1967 borders.

16. The Israeli occupation and its apartheid practices should be definitively dismantled; all relevant United Nations resolutions and all prior recommendations set out in the reports of the Special Committee should be implemented; and access to the Occupied Palestinian Territory and the occupied Syrian Golan should be

facilitated for the Special Committee, the Special Rapporteur on the situation of human rights in the Palestinian territories occupied since 1967, and the Independent International Commission of Inquiry on the Occupied Palestinian Territory, including East Jerusalem, and Israel.

17. The lack of access to basic services for the Palestinian people was deeply concerning; such access must be ensured without delay to prevent further deterioration of the humanitarian situation. The continued Israeli occupation was the biggest impediment to Palestine achieving the Sustainable Development Goals. Also of concern were discrimination in access to justice, attacks on journalists, evictions and demolitions, and detention of Palestinians, including children. Bangladesh therefore welcomed the request, in the draft resolution on Israeli practices affecting the human rights of the Palestinian people in the Occupied Palestinian Territory, including East Jerusalem (A/C.4/77/L.12) for the International Court of Justice to render an advisory opinion on the matter. The General Assembly should develop a plan to end the Israeli occupation and apartheid regime, including through concrete measures taken by the Security Council to ensure the compliance of Israel.

18. **Ms. Samai** (Algeria) said that her delegation fully supported Palestinian sovereignty over all Palestinian territories occupied since 1967, the establishment of an independent Palestinian State with East Jerusalem as its capital and the right of return of refugees, in accordance with the Arab Peace Initiative and authoritative international resolutions. The Palestinian people had languished under occupation for decades. Political horizons were narrowing because the occupying Power continued to violate international law and the relevant United Nations resolutions and to systematically undermine the two-State solution through apartheid and a policy of fait accompli.

19. Her delegation strongly condemned the escalating aggression against Jerusalem, the intensification of forcible evictions and the attempt to alter the city's demographic composition. It condemned the construction and expansion of Israeli settlements, the seizure of Palestinian property, house demolitions, the annexation of territory, violations of holy places and attempts to alter the historical and legal status quo of the Haram Al-Sharif. The international community should oppose the Israeli colonial settlement regime, which engendered discrimination and apartheid. It should bring its policies and positions into line with the rule of law and promote peace and security through multilateral engagement in the peace process, with a view to implementing the two-State solution.

20. The occupation of the Syrian Arab Golan was a significant threat to regional peace and security. All authoritative international resolutions stipulated that the Geneva Convention relative to the Protection of Civilian Persons in Time of War was applicable to the occupied Syrian Arab Golan and stated that the imposition by the occupying Power of its laws, jurisdiction and administration on the Golan were null and void and without international legal effect.

21. Mindful of the need for a comprehensive political settlement, Algeria had hosted meetings that had culminated in the adoption of the Algiers Declaration regarding reconciliation among Palestinian factions. It supported the application of the State of Palestine for full membership in the United Nations.

22. **Ms. Omarali** (Brunei Darussalam) said that current global challenges, including geopolitical conflicts, climate change, food insecurity and recovery from the coronavirus disease (COVID-19) pandemic, had exacerbated the struggles of the Palestinian people. More than ever, the international community must enhance its efforts to improve the situation in Palestine. The ongoing work of UNRWA to provide health care, water and sanitation and proper education to Palestinians was commendable, despite the current financial shortfalls; its mandate should therefore be renewed. Brunei Darussalam would continue to support the efforts of UNRWA to provide critical humanitarian assistance and adequate health care in the Occupied Palestinian Territory, and had established donation channels to that end.

23. The Palestinian people deserved freedom, justice and access to equal economic and social opportunities. They continued to be deprived of their inalienable rights to self-determination, basic freedoms and safe return to their homes and property. Brunei Darussalam reaffirmed its strong condemnation of the repeated violations of Palestinian human rights and dignity and ongoing illegal actions of the occupying Power, which continued to refuse to engage with the Special Committee. The occupying Power should return to the negotiating table, de-escalate tensions and refrain from acts that might further aggravate the situation. Her country supported the two-State solution based on the pre-1967 borders, with East Jerusalem as the capital of the State of Palestine. It believed that Palestine should be granted full membership in the United Nations.

24. **Mr. Mills** (United States of America) said that both Israelis and Palestinians deserved to live safely and securely, with equal measures of freedom, dignity, security and prosperity. A negotiated two-State solution remained the best way forward, through direct

negotiations between the parties. His delegation continued to oppose the annual submission of a number of draft resolutions biased against Israel; it rejected measures that were not constructive and sought to delegitimize that country. Failure to acknowledge the shared history of the Haram al-Sharif/Temple Mount in those draft resolutions demonstrated that they were intended only to denigrate, rather than to contribute to peace. His delegation was therefore deeply concerned by some of the wording in the draft resolution on Israeli practices affecting the human rights of the Palestinian people in the Occupied Palestinian Territory, including East Jerusalem (A/C.4/77/L.12), including on the request for an advisory opinion from the International Court of Justice. Such efforts were counterproductive and detracted from the shared objective of a negotiated two-State solution. Moreover, that wording had been inserted late in the negotiation process, something that had not allowed for sufficient consultation on the matter.

25. The one-sided approach of the General Assembly towards the Middle East undermined trust between parties and failed to create the kind of positive international environment that was conducive to achieving peace. That approach consumed limited time and diverted resources from other global challenges, while failing to contribute towards a negotiated solution to the Israeli-Palestinian conflict. Every year in the Fourth Committee, many delegations reiterated the same messages they had delivered for years. It was time to move beyond those talking points and pay attention to events in the region. In recent years, several countries had signed the Abraham Accords and other normalization agreements with Israel, leading to a new course of progress and possibilities across the Middle East. For example, the Negev Forum provided an opportunity to expand regional cooperation and integration to achieve shared security and prosperity. In that connection, while negotiations had been indirect and did not constitute normalization, Israel and Lebanon had made the historic and difficult decision to demarcate a maritime boundary. Meanwhile, however, there had been no change in the discussions of the Fourth Committee. The General Assembly should seek a new way forward and abandon resolutions that were biased against Israel and distracted from efforts to achieve peace.

26. **Ms. Kuzee** (Namibia) said that the occupying Power had not been sufficiently held to account for its long-standing practices of annexation, settlement expansion and human rights violations in the Occupied Palestinian Territory. Its refusal to cooperate with the United Nations was regrettable. Moreover, the violations of human rights and international law documented in the report of the Special Rapporteur on the situation of human rights in the Palestinian territories occupied since 1967 (A/77/356) raised questions regarding the complacency of the international community.

27. Namibia continued to support the two-State solution of Palestine and Israel living side by side in peace and security, on the borders of 4 June 1967, with East Jerusalem as the capital of Palestine. That remained the only viable solution for a comprehensive, lasting peace in accordance with the relevant United Nations resolutions. Her delegation also supported the full membership of the State of Palestine in the United Nations. Action should be taken at the international level to support the Palestinian people, who had the inalienable right to political and economic freedom and civil liberties. Namibia supported the proposal of requesting an advisory opinion from the International Court of Justice on the legal consequences arising from the prolonged occupation of Palestine by Israel.

28. **Mr. Sithole** (South Africa) said that, in order to entrench the domination of Israelis over Palestinians, Israel was institutionalizing a regime of systematic oppression and an apartheid system against the Palestinian people. The hallmarks of the crime of apartheid were clearly articulated in the relevant reports, including those by Amnesty International and Human Rights Watch. Holding Israel accountable for such atrocities was not anti-Semitic. The forcible evictions and demolitions and the legitimization of settlements by Israel were particularly alarming, recalling the apartheid era in South Africa. The systematic inequality in the Occupied Palestinian Territory was reminiscent of the two systems of justice and education that were implemented in South Africa during the apartheid regime.

29. All United Nations mechanisms should be used in support of Palestinian self-determination. The United Nations must seek justice for the Palestinian people through the application of international law, international human rights law and international humanitarian law, which Israel had violated for more than six decades. The possibility of reviving a mechanism such as the Special Committee against Apartheid should be considered for that purpose. South Africa also supported the legitimate Palestinian application for full membership in the United Nations and urged other Member States to do the same.

30. The international community, including the General Assembly and Security Council, must compel Israel to cease all illegal settlement activities in the Occupied Palestinian Territory, including East

Jerusalem; all acts of violence, provocation and incitement; and all other illegal practices and human rights violations. The continuous expansion of Israeli settlements onto Palestinian land and the threat of annexation violated international law and undermined the prospects for a two-State solution. Although the issue had been on the agenda of the United Nations since its establishment, no concrete actions had been taken to address such crimes against humanity.

31. **Ms. Ratnamurti** (Indonesia) said that the deteriorating human rights situation in the Occupied Palestinian Territory, including East Jerusalem, and in the occupied Syrian Golan, was deeply concerning. The oppression and disproportionate use of force by the occupying Power had led to numerous civilian casualties, and sustained apartheid policies had further denied the inhabitants of the occupied territories their basic rights and livelihoods. The expansion of illegal settlements in the occupied territories diminished hopes for the two-State solution and incited further violence and human rights violations. The occupation must not be normalized, and the occupying Power must be held accountable for its violations of international law and international humanitarian law, particularly against the backdrop of calls for accountability further to recent developments in eastern Europe. A just and lasting solution was necessary to end the long-standing cycle of violence and hardship. All parties should take action to revive the peace process and realize the two-State solution, based on internationally agreed parameters and the relevant United Nations resolutions.

32. **Mr. Alajmi** (Kuwait) said that the State of Palestine had the fundamental right to absolute sovereignty over all its territories occupied in 1967. His delegation stressed the Arab identity of East Jerusalem as the capital of the State of Palestine and called on the international community to take a more effective stand against the wide-ranging crimes of the Israeli occupation, which included grave breaches of international humanitarian law and human rights law, the Charter of the United Nations, Security Council resolution 2334 (2016), the 2004 advisory opinion of the International Court of Justice and the Geneva Convention relative to the Protection of Civilian Persons in Time of War. Those breaches included the continuing illegal blockade of the Gaza Strip; the intentional targeting of civilians and civilian facilities; the obstruction of humanitarian and medical assistance; and settler-colonial practices in the Occupied Palestinian Territory, including the annexation of territory, the expansion and construction of settlements, the expulsion of Palestinian residents, the demolition of Palestinian homes and the confiscation of property. Kuwait condemned the desecration by settlers and occupation forces of holy places in Jerusalem. Such actions were aimed at altering the historic status quo of the Aqsa Mosque, dividing it spatially and temporally and obstructing the right of Muslims to pray there.

33. The international community must act decisively to stop the crimes committed by the occupying Power and lift the blockade on the Gaza Strip in order to end the growing humanitarian and economic crisis. The international community must also support the efforts of the State of Palestine to provide international protection for the Palestinian people in the Occupied Palestinian Territory in accordance with relevant United Nations resolutions. The occupation authorities must hold to account those responsible for the assassination of Shireen Abu Akleh and engage in good-faith negotiations towards a two-State solution, in accordance with international resolutions and the Arab Peace Initiative.

34. **Mr. Nishiyama** (Japan) said that his delegation continued to support a two-State solution based on the relevant Security Council resolutions and internationally agreed parameters. It was concerned at the situation on the ground, including the large number of casualties due to violence, especially in parts of the West Bank. The parties should show restraint and make efforts towards confidence-building, particularly between security authorities. The expansion of Israeli settlements in the West Bank, including East Jerusalem, was highly concerning, as it violated international law and United Nations resolutions and had a significant impact on Palestinian human rights. The Government of Israel should immediately halt settlement activities, demolitions and evictions, which undermined the viability of a two-State solution.

35. The humanitarian, socioeconomic and security situation in the Gaza Strip remained dire, and involved a vicious cycle of violence that must end. If people lost hope for the future after years of suffering, they would become more inclined towards violence to make their voices heard. Japan would continue its efforts to improve the situation, including through its invitation programme for teachers from Gaza. It hoped that the reconciliation agreement signed in Algeria would lead to the realization of elections in the Palestinian territories, which would both promote Palestinian unity and enhance the legitimacy of the Palestinian Authority. The Foreign Minister of Japan had exchanged views with 16 Arab ambassadors in Japan in October 2022 and had confirmed the commitment of his country to peace in the Middle East.

36. **Mr. Erdan** (Israel) said that every year, a package of distorted resolutions that were completely detached from reality was adopted at the United Nations, singling out and condemning Israel, which was the only vibrant liberal democracy in the Middle East. The only outcome of those resolutions was to perpetuate the conflict and exacerbate the situation on the ground. When the immoral, politicized anti-Israel majority at the United Nations supported the abhorrent lies of the Palestinians, it led them to believe that they could continue spreading their culture of hatred and violence denying the right of Israel to exist as a Jewish State, and refusing to make any concessions, which were essential for reconciliation and peace. However, Israel would never surrender to their radicalism and hate, and no biased external body would endanger its future.

37. The Palestinians had never been interested in peace; they were only interested in the destruction of the Jewish State by any means, be it terror, hate or delegitimization. That much had been clear since the United Nations had voted in favour of establishing a Jewish State. The Palestinians had immediately rejected that State and attempted to murder all of the Jews in Israel. They had rejected every peace plan and initiative. Their serial rejectionism and support for terror were the only barriers to peace.

38. The draft resolution on Israeli practices affecting the human rights of the Palestinian people in the Occupied Palestinian Territory, including East Jerusalem (A/C.4/77/L.12) would close the door to any future progress. It provided for a poisonous measure, namely the involvement of the International Court of Justice. The Palestinians were exploiting the Court as a weapon of mass destruction in their jihad war aimed at demonizing Israel. By weaponizing an international body to force Israel to submit to all of their outrageous demands, the Palestinians were destroying any chance for future dialogue. Israel must and would defend itself against such threats and unilateral steps. One year before, without any call for negotiations or mutual concessions, President Abbas had threatened to turn to the International Court of Justice unless Israel acceded to all his destructive demands. During the previous year, however, the Palestinians had continued funding terrorists with millions of dollars, spreading hatred and glorifying murder. Nearly 5,000 Palestinian terror attacks had been perpetrated against Israelis during the past 11 months. The act of involving the International Court of Justice would do more damage than merely inflaming the conflict; it would destroy any hope for progress. Abbas sought to damage Israel, but his actions would primarily harm the Palestinians. It was common knowledge that the Palestinian Authority had no control over Gaza, and that Abbas had constantly cancelled elections because the overwhelming majority of Palestinians did not support him.

39. The weaponization of an external body to impose the twisted reality of the Palestinians on Israel was doomed to fail. No entity would force Israel to endanger its future and security, and no one could say that the Jewish people were colonizing their own ancestral homeland. The draft resolution, together with all the other distorted Palestinian resolutions, presented complete falsehoods. Israel was a peace-seeking nation, having already signed peace agreements with six Muslim countries. By ensuring tolerance and cooperation, instead of hate and terror, a better future could be created. However, the Palestinians preferred to strengthen hatred, and until their destructive practices were condemned, reconciliation was impossible. The involvement of the International Court of Justice dashed any hopes for reconciliation. Any Member State that supported the draft resolution would become marionettes in the Palestinians' fatal charade, and would only serve the Palestinians' true goal, namely, to eviscerate the State of Israel.

40. **Mr. Al-Thani** (Qatar) said that the Israeli occupation of Palestinian and Arab territories constituted a crime and a blatant violation of the principles of international law, the Charter of the United Nations, General Assembly resolutions and other relevant international declarations. A just and lasting settlement of the question of Palestine could be achieved only on the basis of international law, the authoritative international resolutions and the Arab Peace Initiative. Such a solution required an end to the occupation of all Arab lands, including the Syrian Golan and Lebanese territories; a halt to settlements; a just resolution to the refugee question; and the guarantee of the inalienable rights of the Palestinians, especially their right to self-determination and to establish a viable independent Palestinian State within the borders of 4 July 1967, with East Jerusalem as its capital. In addition, the status quo in Al-Quds al-Sharif and the Islamic and Christian holy places must not be compromised.

41. Qatar condemned all measures that contravened international law in the occupied Palestinian and Arab territories, such as discriminatory laws and measures, the killing and wounding of civilians, detentions and forced expulsions, and the destruction and confiscation of civilian property, including the systematic demolition of homes as collective punishment. Qatar also rejected the obstruction and politicization of humanitarian assistance and the unjust 16-year blockade of the Gaza Strip.

42. The expansion of the illegal settlements, including in East Jerusalem, was an obstacle to the realization of the two-State solution and to social and economic development. The decision of Israel to impose its laws, jurisdiction and administration on the occupied Syrian Arab Golan was null and without international legal effect.

43. The Geneva Convention relative to the Protection of Civilian Persons in Time of War was applicable to the situation in the Occupied Palestinian Territory, including East Jerusalem, and in other Arab territories occupied since 1967. International mechanisms should be established to implement, according to a fixed timetable, the report of the Secretary-General on the protection of the Palestinian civilian population (A/ES-10/794). Existing protection mechanisms should be expanded and revitalized in order to deter violations. In addition, Qatar condemned the assassination of the journalist Shireen Abu Akleh and called on the international community to open an immediate investigation.

44. **Mr. Jardali** (Lebanon) said that his delegation condemned the refusal of Israel to allow the Special Committee to enter the occupied territories, which hindered its ability to carry out its mandate. For more than half a century, on the pretext of security, Israel had violated the human rights of the Palestinians and other Arabs. The report of the Special Committee (A/77/501) showed that there had been a notable escalation in discriminatory measures against Palestinians and Arabs, including a worrying increase in the number of Palestinians killed by Israeli occupation forces. That year had been the bloodiest for Palestinians in the West Bank since 2005, when the Office for the Coordination of Humanitarian Affairs had begun systematically tracking the numbers of Palestinians killed. There had also been a steady increase in settler violence against Palestinians, with support and participation from the Israeli security forces. In particular, the killing in Janin of the journalist Shireen Abu Akleh and the wounding of her colleague, Ali Samoudi, underscored the brutality of the occupation.

45. Since 1967, Israel had permitted the construction of 279 settlements in the West Bank, including East Jerusalem, and there were now approximately 700,000 settlers. Meanwhile, Israel had issued stop-work orders against most Palestinian infrastructure projects on the pretext that permits had not been obtained; however, from 2016 to 2020, fewer than 1 per cent of Palestinian building permit requests in Area C had been approved. In addition, 80 per cent of demolition orders in the entire Occupied Palestinian Territory, which included 56 schools, occurred within 3 km of existing settlements. That situation showed that the goal was to connect existing settlements and undermine Palestinian territorial contiguity and the establishment of a viable Palestinian State. That was a blatant violation of Security Council resolutions, including resolution 2334 (2016).

46. Lebanon shared concerns about the dire humanitarian and economic situation in the Gaza Strip as a result of the land, sea and air blockade. Lebanon condemned the plan of the occupation authorities to increase the number of Israeli settlers in the occupied Syrian Golan over the next five years through new settlement construction. It also condemned the discriminatory measures against Syrians in the Golan and the plundering of the region's natural resources. The international community must break the deadlock by pressing Israel to cease its violations, end the occupation and comply with the relevant Security Council resolutions.

47. **Mr. Mohamed** (Sudan) said that the reports under consideration underscored the significant deterioration of the situation in the occupied Arab territories, particularly in the West Bank and the Gaza Strip. Illegal and unilateral practices carried out by Israel violated the rules of international law, international humanitarian law and human rights law. Violence against the Palestinians had increased, and the illegal blockade of the Gaza Strip, the demolition and confiscation of homes, the construction of settlements, restrictions on the freedom of movement and the closure of crossing points had continued. In addition, Israel pursued unilateral measures aimed at changing the demographic composition and the legal and historic status of Al-Quds al-Sharif.

48. Those practices fuelled tension, which threatened the two-State solution and dispelled hopes for peace. His delegation called for an end to the Israeli occupation of the occupied Arab territories, including the occupied Syrian Golan. The international community should compel Israel to implement international resolutions, urge Israel to stop altering the historic, religious, legal and demographic character of Al-Quds al-Sharif, and support the resumption of negotiations for an independent and sovereign Palestinian State within the borders of 4 June 1967, with Al-Quds al-Sharif as its capital, in accordance with United Nations resolutions, international law and the Arab Peace Initiative.

49. The Sudan welcomed the recent agreement reached by Palestinian factions in Algeria and the efforts made by Arab countries to support Palestinian reconciliation, reconstruction and the resumption of

negotiations. It supported the application of the State of Palestine for full membership in the United Nations.

50. **Mr. Pérez Ayestarán** (Bolivarian Republic of Venezuela) said that his delegation was deeply concerned by the worsening situation on the ground in Palestine and the diminishing prospects for a peaceful, just, lasting and comprehensive solution. Israeli settlement activities affected the rights of the Palestinian people and other Arab inhabitants of the occupied territories; ran counter to international law, including international humanitarian law and human rights law; and violated Security Council resolution 2334 (2016). The Security Council had been unable to uphold its own resolutions owing to the repeated veto exercised by one of its permanent members. Such impunity encouraged the occupying Power to continue with its brutal aggression, domination, exploitation, appropriation, colonial occupation and apartheid. Accountability was therefore necessary as a guarantee for peace.

51. The human rights of the Palestinian people continued to be systematically violated on a daily basis with impunity. Such violations included the arbitrary detention of innocent civilians; the persecution of Palestinian civil society organizations; the annexation of Palestinian land; and the construction of settlements. Security Council resolution 497 (1981), demanding the withdrawal of Israel from the Syrian Golan, also remained unfulfilled. The Bolivarian Republic of Venezuela rejected any measure or unilateral action by the occupying Power claiming to alter the legal, physical or demographic status of the occupied Syrian Golan, as well as any measure to exercise jurisdiction there through the use of force.

52. A two-State solution supported by the international community was the only means to end the Israeli-Palestinian conflict and move towards the withdrawal of Israel from the Syrian Golan and from all the occupied Arab territories. To that end, the Security Council must promote a resumption of political dialogue and credible negotiations between the parties, and must put an end to its double standards and exceptionalism.

53. His delegation fully supported the draft resolution on Israeli practices affecting the human rights of the Palestinian people in the Occupied Palestinian Territory, including East Jerusalem (A/C.4/77/L.12). Despite the threats voiced by the permanent representative of the occupying Power, the draft resolution deserved collective support. An advisory opinion of the International Court of Justice would provide the necessary legal guidance for progress towards justice, reparations and peace in Palestine and across the Middle East, as well as a political horizon towards the end of the Israeli occupation. His delegation did not understand the fear of the Israeli Government; if the Israeli regime was sure of the legality of its practices and policies, it had no reason to discredit the proposal. By doing so, it merely demonstrated its interest in perpetuating its policies of occupation and apartheid.

54. His delegation steadfastly supported the inalienable right of the Palestinian people to self-determination and to a free, independent and sovereign Palestinian State on the basis of the pre-1967 borders, with East Jerusalem as its capital. It also supported the full membership of Palestine in the United Nations.

55. **Mr. Razali** (Malaysia) said that the reports under consideration painted an appalling picture of living conditions for Palestinians and Syrians in the occupied territories. The continuous systematic oppression of Palestinians through discrimination, denial of basic human rights, inhumane acts and confiscation of their land and property were tantamount to the crime of apartheid. Malaysia was alarmed at the number of Palestinian fatalities, including children, recorded in the West Bank in 2022, as well as the intensification of illegal settler violence and attacks against Palestinians, often with the support of the occupying Power's forces, resulting in deaths, injuries and property damage. The international community must ensure the protection of the Palestinian people and hold the perpetrators accountable.

56. The continued impunity of Israel was unsustainable, and its intractable attitude showed that it did not have the will to work towards a just solution for lasting peace in the region. The international community should urge Israel to end its illegal colonial settler occupation and apartheid regime, in accordance with international law, international humanitarian law and the relevant United Nations resolutions. The international community should also uphold and implement the relevant United Nations resolutions with regard to the occupied Syrian Golan.

57. Malaysia was fully committed to alleviating the plight of the Palestinian people and working towards the realization of their inalienable right to self-determination. The conflict could be resolved only through a two-State solution based on the pre-1967 borders, with East Jerusalem as the capital of the State of Palestine. His country supported the call to seek guidance from the principal judicial organ of the United Nations on the legal consequences of the actions of Israel. Malaysia continued to support the work of UNRWA, including by providing predictable funding.

58. It was high time for the international community to recognize the statehood of Palestine by granting it full membership in the United Nations. The current

inconsistency and injustice had persisted for too long. The Palestinian people deserved to live freely in peace, dignity and prosperity as a member of the Organization.

59. **Ms. Elarja Flitti** (Observer for the League of Arab States) said that the reports under consideration showed that Israel continued to violate international norms and resolutions and to pursue illegal, unilateral measures in order to impose a fait accompli. Its systematic and brutal settlement policy was aimed at annexing all Arab and Palestinian territories through demolitions, forced expulsions, blockade, illegal detention and the killing of defenceless Palestinians, including women and children.

60. The League of Arab States condemned all violations carried out by Israel in the occupied Arab territories, including the occupied Syrian Arab Golan. The Palestinian people and the people of the occupied Syrian Arab Golan were experiencing mounting despair and frustration because the international community had no genuine vision, and because no genuine progress had been made towards the recovery of their inalienable rights. That situation was alarming. Such despair could not be overcome without direct negotiations between the Palestinian and the Israeli sides and without the establishment of a Palestinian State, with Al-Quds al-Sharif as its capital, on the basis of the borders of 4 June 1967. It was not enough for Israel to stress the importance of the two-State solution in the General Assembly; rather, it must immediately enter into direct negotiations, halt the attacks carried out by settlers and security forces, and put a stop to all violations of the human rights of the citizens in the occupied Arab territories in Palestine, Syria and Lebanon.

61. Because it had never been held accountable by the Security Council, Israel had been able to scale up its violations, including attacks by settlers, the plunder of more occupied Palestinian and Syrian lands, defiance of the international two-State solution consensus, disregard for United Nations resolutions and pursuit of a policy of apartheid. It had even silenced journalists, including Shireen Abu Akleh, with live ammunition. Not only had Israel refused to allow an international investigation by the Security Council into the circumstances of that incident, but its security forces had intervened to disrupt her funeral.

62. The League of Arab States consistently rejected all illegal practices and arbitrary measures carried out by Israel, the occupying Power, that were aimed at creating a new status quo through the exploitation of the natural resources of the State of Palestine and the occupied Syrian Arab Golan. It supported the work of the Special Committee and denounced the refusal of Israel to allow that body to carry out its mandate and visit the occupied Arab territories. Israel must comply with international resolutions as the only way to achieve a just and lasting peace in the Middle East.

63. **Ms. Abdelhady-Nasser** (Observer for the State of Palestine), speaking in exercise of the right of reply, said that multilateralism and the international system were in crisis, partly due to the disdain and disrespect with which Israel treated the United Nations, to which it owed its establishment. Israel believed that it was above the law and came to international forums to peddle rhetoric and propaganda, belittling and insulting the sovereign countries that stood on principle and refused to condone its human rights abuses and war crimes.

64. Israel had been emboldened by the absence of genuine accountability. In the Security Council, it continued to be shielded from consequences for its violations. By escalating its crimes, it proved every day that it did not want to end its illegal colonial occupation and apartheid policies. By way of its arrogant rhetoric, false allegations and hostile diatribes, it sought to divert attention from the occupation, blockade and persecution, which included the killing of women and children; hunting down of Palestinian men and boys for sport; holding of millions in captivity; destroying, pillaging and plundering; and perpetrating daily violence and terror to maintain its control of another people and their land.

65. The representative of Israel had claimed that the problem lay in resolutions upholding international law, rather than the violations and crimes systematically committed by the occupying Power. He had insultingly referred to delegations that supported the application of international law as the immoral majority. Such behaviour was not acceptable in a diplomatic forum. In his hysterical tirade, he had described the involvement of the International Court of Justice as a destructive step and a form of weaponization. However, it was difficult to see how a legal advisory opinion delivered by the principal judicial organ of the international community could threaten Israel. It was also unclear what peace process would be undermined; Israel itself had rejected negotiations and repeatedly blocked the resumption of such a process. Israel was destroying the two-State solution and the international consensus for peace. Requesting an advisory opinion from the International Court of Justice was a peaceful, legitimate response to the escalating Israeli crimes against the Palestinian people and the obstruction of a political horizon. It was not a unilateral step; it was a multilateral step taken by the General Assembly, based on international law and human rights.

66. The statement made by the representative of Israel was part of a long-standing pattern of distorting the facts and divert attention from the crimes of the occupation, thereby evading responsibility. No one should accept such accusations against those who sought to uphold the law and help the Palestinian people to exercise their rights and access justice. While Israel threatened and insulted Member States, the Palestinian people continued to endure an illegal, violent, supremacist occupation every single day, with no end in sight.

The meeting rose at 12.15 p.m.

United Nations A/C.4/77/SR.26

General Assembly
Seventy-seventh session

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Special Political and Decolonization Committee (Fourth Committee)

Summary record of the 26th meeting
Held at Headquarters, New York, on Friday, 11 November 2022, at 10 a.m.

Chair: Mr. Al Hassan . . . . . (Oman)

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Completion of the Committee's work

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The meeting was called to order at 10.10 a.m.

Agenda item 46: United Nations Relief and Works Agency for Palestine Refugees in the Near East (*continued*) (A/C.4/77/L.9, A/C.4/77/L.10 and A/C.4/77/L.11)

1. **Ms. Joyini** (South Africa), introducing draft resolution A/C.4/77/L.10, said that, in paragraph 6, the General Assembly would renew the mandate of the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA) until 30 June 2026.

2. **Mr. Nasir** (Indonesia), introducing draft resolution A/C.4/77/L.9, said that, in paragraph 17, the General Assembly would decide to consider a gradual increase in the United Nations regular budget allocation to UNRWA to support expenses for operational costs, and invite the Secretary-General to submit a proposal for consideration by the relevant committees at its seventy-eighth session.

3. Introducing draft resolution A/C.4/77/L.11, he said that, in paragraph 2, the General Assembly would request the Secretary-General to take all appropriate steps for the protection of Arab property, assets and property rights in Israel. In paragraph 5, it would urge the two sides to deal with the issue of Palestine refugees' properties and their revenues within the framework of the final status peace negotiations.

Draft resolution A/C.4/77/L.9: Operations of the United Nations Relief and Works Agency for Palestine Refugees in the Near East

4. **Ms. Ukabiala** (Secretary of the Committee), said that the following delegations had become sponsors: Algeria, Austria, Bahrain, Belgium, Bolivia (Plurinational State of), Bosnia and Herzegovina, Bulgaria, Comoros, Croatia, Cyprus, Denmark, Estonia, Finland, France, Gambia, Germany, Greece, Guinea, Iceland, Iraq, Ireland, Italy, Kuwait, Latvia, Lichtenstein, Lithuania, Luxembourg, Malaysia, Maldives, Malta, Montenegro, Morocco, Netherlands, Niger, North Macedonia, Norway, Oman, Poland, Portugal, Romania, Serbia, Slovakia, Slovenia, Somalia, Spain, Sudan, Sweden, Türkiye, United Arab Emirates, Venezuela (Bolivarian Republic of) and Yemen.

5. Under the terms of paragraph 17 of the draft resolution, the General Assembly would decide to consider a gradual increase in the United Nations regular budget allocation to the Agency that would, in addition to covering international staff requirements, in accordance with General Assembly resolution 3331 B (XXIX), be utilizable to support expenses for operational costs related to executive and administrative management functions of UNRWA. The General Assembly would invite the Secretary-General, accordingly, to submit proposals for consideration by the relevant committees at the seventy-eighth session of the General Assembly. Pursuant to that paragraph, the Secretariat would thus propose, in the context of the proposed programme budget, starting with the budget year 2024, a gradual increase in resource requirements to support expenses for operational costs related to executive and administrative management functions of the Agency, in addition to resource requirements to cover the expenses for salaries of international staff, in accordance with General Assembly resolution 3331 B (XXIX). Adoption of the draft resolution would therefore give rise to budgetary implications, starting with the proposed programme budget for 2024. However, due to the need for further internal consultations, the Secretariat was currently not in a position to provide estimates of the additional resource requirements that would be proposed for 2024 and for the subsequent budget years. Accordingly, the adoption of draft resolution A/C.4/77/L.9 would not entail any budgetary implications for the proposed programme budget for 2023.

6. *A recorded vote was taken.*

In favour:

Afghanistan, Albania, Algeria, Andorra, Angola, Antigua and Barbuda, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belgium, Belize, Benin, Bhutan, Bolivia (Plurinational State of), Bosnia and Herzegovina, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Cabo Verde, Cambodia, Chad, Chile, China, Colombia, Comoros, Congo, Costa Rica, Côte d'Ivoire, Croatia, Cuba, Cyprus, Czechia, Democratic People's Republic of Korea, Denmark, Djibouti, Dominican Republic, Ecuador, Egypt, El Salvador, Equatorial Guinea, Eritrea, Estonia, Ethiopia, Finland, France, Gabon, Gambia, Georgia, Germany, Ghana, Greece, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, Hungary, Iceland, India, Indonesia, Iran (Islamic Republic of), Iraq, Ireland, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Latvia, Lebanon, Lesotho, Libya, Liechtenstein, Lithuania, Luxembourg, Malawi, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Monaco, Mongolia, Montenegro, Morocco, Mozambique, Myanmar, Namibia, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, North Macedonia, Norway, Oman,

Pakistan, Panama, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, San Marino, Saudi Arabia, Senegal, Serbia, Sierra Leone, Singapore, Slovakia, Slovenia, Solomon Islands, Somalia, South Africa, South Sudan, Spain, Sri Lanka, Sudan, Suriname, Sweden, Switzerland, Syrian Arab Republic, Tajikistan, Thailand, Timor-Leste, Togo, Tonga, Trinidad and Tobago, Tunisia, Turkmenistan, Türkiye, Uganda, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, Uzbekistan, Viet Nam, Yemen, Zimbabwe.

Against:

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

Abstaining:

Burundi, Cameroon, Guatemala, Rwanda, Uruguay.

7. *Draft resolution* A/C.4/77/L.9 *was adopted by 164 votes to 6, with 5 abstentions*.

Draft resolution A/C.4/77/L.10: Assistance to Palestine refugees

8. **The Chair** said that the draft resolution had no programme budget implications.

9. **Ms. Ukabiala** (Secretary of the Committee) said that the following delegations had joined the sponsors: Austria, Bosnia and Herzegovina, Bulgaria, Comoros, Croatia, Cyprus, Czechia, Denmark, Djibouti, Estonia, Gambia, Greece, Hungary, Iceland, Ireland, Italy, Kuwait, Latvia, Liechtenstein, Lithuania, Luxembourg, Malaysia, Maldives, Malta, Montenegro, Morocco, Netherlands, Niger, North Macedonia, Norway, Oman, Portugal, Romania, Serbia, Slovakia, Slovenia, Somalia, Spain, Sudan, Sweden and Yemen.

10. *A recorded vote was taken*.

In favour:

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

Against:

Israel.

Abstaining:

Burundi, Cameroon, Canada, Guatemala, Marshall Islands, Micronesia (Federated States of), Nauru, Palau, United States of America, Uruguay.

11. *Draft resolution A/C.4/77/L.10 was adopted by 165 votes to 1, with 10 abstentions.*

Draft resolution A/C.4/77/L.11: Palestine refugees' properties and their revenues

12. **The Chair** said that the draft resolution had no programme budget implications.

13. **Ms. Ukabiala** (Secretary of the Committee) said that the following delegations had joined the sponsors: Austria, Bosnia and Herzegovina, Bulgaria, Comoros, Croatia, Czechia, Denmark, Djibouti, Estonia, Greece, Hungary, Iceland, Ireland, Italy, Kuwait, Latvia, Liechtenstein, Lithuania, Luxembourg, Malaysia,

Maldives, Malta, Montenegro, Morocco, Netherlands, Niger, North Macedonia, Norway, Oman, Poland, Portugal, Romania, Serbia, Slovakia, Slovenia, Somalia, Spain, Sudan, Switzerland and Yemen.

14. *A recorded vote was taken.*

In favour:

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

Against:

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

Abstaining:

Brazil, Burundi, Cameroon, Guatemala, Rwanda, South Sudan, Togo.

15. *Draft resolution A/C.4/77/L.11 was adopted by 160 votes to 7, with 7 abstentions.*

16. **Ms. Webster** (Australia) said that, as a long-term supporter of the vital work of UNRWA, her delegation had voted in favour of draft resolution A/C.4/77/L.9. Australia had recently announced plans to double its contribution to the Agency that financial year, from 10 to 20 million Australian dollars. Its support for the draft resolution did not represent an endorsement of the proposal to consider a gradual increase in the United Nations regular budget allocation to UNRWA, a matter better considered by the Fifth Committee.

17. Her delegation strongly supported the General Assembly's call in the draft resolution for the Agency to further enhance its internal governance and oversight mechanisms to ensure that it was delivering on its mandate with transparency and accountability, and noted the ongoing commitment of UNRWA to neutrality in its operations. In view of the continued level of support for the draft resolution, Australia called on all States to back words with actions and contribute greater funding.

18. Her delegation had voted in favour of draft resolution A/C.4/77/L.11 because no one should be arbitrarily deprived of their property. It supported the call for both parties to deal with the issue of Palestine refugees' properties and revenues within the framework of final status peace negotiations. Australia continued to strongly support a two-State solution, which could be reached only through a negotiated outcome between the two parties. Accordingly, it encouraged the parties to return to direct negotiations in good faith.

19. **Mr. Weinstein** (United States of America) said that his delegation had once again abstained from voting on the draft resolution on assistance to Palestine refugees (A/C.4/77/L.10). As the United States remained opposed to efforts to shift the budget of UNRWA from voluntary to assessed contributions, it had voted against draft resolution A/C.4/77/L.9. His Government remained the largest single donor to UNRWA, providing nearly $344 million in 2022, including critical support for education, health and social services. All Member States should back up their rhetorical support for the Agency with actions by increasing their voluntary financial support, especially those that had voted in favour of the draft resolution but provided precious little support to the Agency. His delegation continued to urge UNRWA and United Nations leadership to reform the Agency and uphold its

commitment to the humanitarian principles of neutrality, independence, humanity and impartiality. For its part, the United States Government would continue to work with UNRWA to strengthen its accountability, transparency and consistency with United Nations principles.

Agenda item 47: Report of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories (*continued*) (A/C.4/77/L.12/Rev.1, A/C.4/77/L.13 and A/C.4/77/L.14)

20. **Mr. Gertze** (Namibia), introducing draft resolution A/C.4/77/L.12/Rev.1, said that, in addition to reiterating its call for Israel, the occupying Power, to comply with the Charter of the United Nations and all other international legal obligations, the General Assembly would, in paragraph 18, request an advisory opinion from the International Court of Justice on the legal consequences of the prolonged occupation and colonization by Israel of the Palestinian Territory, including East Jerusalem, and its violation of the Palestinian people's right to self-determination. In the nearly 20 years since the General Assembly had last asked the International Court of Justice for an advisory opinion on the question of Palestine, the situation had only worsened, and the occupying Power had defiantly rejected every entreaty by the international community to cease its violations. The request for an advisory opinion was not a controversial or confrontational response to the situation, but rather a peaceful, civilized, legal initiative to allow the principal international judicial organ to pronounce itself on the matter and offer urgent guidance to the international community in its quest for justice and peace.

21. **Mr. Romero Puentes** (Cuba), introducing draft resolution A/C.4/77/L.13, said that it contained only technical updates.

22. Introducing draft resolution A/C.4/77/L.14, he said that the title of the draft resolution had not been changed since previous sessions, notwithstanding an error that had appeared on the e-deleGATE platform.

23. **Mr. Erdan** (Israel), making a general statement before the voting, said that the international community stood at a crossroads; each Member State could, with the click of a button, choose to be an accomplice in destroying any hope for reconciliation. The long line of one-sided, anti-Israel resolutions adopted year after year by the Committee served the sole purpose of demonizing Israel while absolving the Palestinians – whose hypocrisy knew no limits – of any responsibility for their current situation. The Palestinians, whose regime obliterated civil liberties and paid terrorists to incentivize the murder of innocent Israeli civilians, had no right to give lessons on human rights or peace to Israel, the most vibrant liberal democracy in the Middle East and a signatory to four peace agreements in the previous two years. For Israel, peace was far more than an empty slogan. Israeli children were educated in tolerance and coexistence, while the Palestinian culture of incitement, hate and violence deliberately taught in schools poisoned the minds of generations.

24. In addition to regurgitating the same blatant fabrications of yore, the draft resolutions contained a far more destructive clause calling to involve the International Court of Justice. After rejecting every single peace initiative, the Palestinians sought to embroil an external body with the excuse that the conflict had not been resolved, a failure due solely to their rejectionism. By co-opting the Court to impose a decision, the Palestinians had the perfect excuse to continue boycotting the negotiating table to perpetuate the conflict. Their unstated precondition for negotiating, which they claimed to be ready to do, was for 100 per cent of their demands to be guaranteed. Involving a judicial organ in a decades-old conflict to dictate one side's demands to the other would ensure many more years of stagnation, which was precisely what the Palestinians wanted, as they had rejected every peace plan, including the United Nations partition plan in 1947.

25. Peace could be achieved only through bilateral negotiations and mutual concessions, not through the draft resolution's unilateral approach or the enlistment of the Organization's politicized, anti-Israel majority for the purpose of imposing the Palestinians' demands. What was more, the draft resolutions referred to the holiest site in Jerusalem, the Temple Mount, Har HaBayit, only by its Muslim name. Rather than an ignorant mistake, the omission was yet another attempt to distort history and erase the bond between the Jewish people and Jerusalem, something Israel would never allow. By doing so, the Palestinians demonstrated that freedom of worship was a value they refused to uphold. All delegations should vote against the draft resolution and, in so doing, oppose destructive falsehoods that would only perpetuate the conflict and stand on the right side of history.

26. **Mr. Weinstein** (United States of America), making a general statement before the voting, said that his delegation maintained that Israelis and Palestinians equally deserved to live safely and securely and enjoy freedom, dignity, justice and prosperity. The United States was firmly committed to supporting the path to a negotiated two-State solution through constructive

measures. Such a solution along the 1967 lines, with mutually agreed land swaps, remained the best way to ensure the future security and prosperity of Israel and fulfil the Palestinians' desire for a State of their own.

27. His delegation continued to have serious concerns about the draft resolutions proposed every year in the Committee. There were no shortcuts to a two-State solution, and that year's draft resolutions contained nothing that would advance peace or create the conditions for negotiations. His Government opposed all draft resolutions that were one-sided and held Israel to a standard not expected of other countries. The failure in the draft resolutions to acknowledge the shared history of the Haram al-Sharif/Temple Mount, a site sacred to both Jews and Muslims, demonstrated that the aim of the draft resolutions was to denigrate Israel, not to help achieve peace.

28. Of particular concern was the request in draft resolution A/C.4/77/L.12/Rev.1 for an advisory opinion from the International Court of Justice. That request was fundamentally inconsistent with prior Security Council resolutions, in which it had been established that negotiations were the pathway to resolving conflicts between Israel and its neighbours. A lasting and just two-State solution could be achieved only through direct negotiations between the parties. Any measures intended to bypass the critical function of negotiations would merely magnify distrust and make a two-State solution less likely. Accordingly, the United States strongly opposed the draft resolution and the request contained therein, and called on other Member States to vote against the package of counterproductive draft resolutions. The General Assembly should seek a new way forward and abandon biased, anti-Israel resolutions that distracted from efforts to achieve peace, as did the alarming establishment of a commission of inquiry by the Human Rights Council in May 2021. While charting a new path could be difficult, there were recent examples of bold initiatives, such as the normalization of relations between Israel and the United Arab Emirates, Bahrain and Morocco, and the recent indirect negotiations between Israel and Lebanon, which had resulted in the demarcation of a maritime boundary.

Draft resolution A/C.4/77/L.12/Rev.1: Israeli practices affecting the human rights of the Palestinian people in the Occupied Palestinian Territory, including East Jerusalem

29. **The Chair** said that the programme budget implications of the draft resolution were set out in document A/C.4/77/L.16.

30. **Ms. Ukabiala** (Secretary of the Committee) said that the following delegations had joined the sponsors: Bahrain, Bangladesh, Bolivia (Plurinational State of), Djibouti, Indonesia, Kuwait, Malaysia, Maldives, Morocco, Niger, Oman, Pakistan, Somalia, South Africa, Sudan, United Arab Emirates, Venezuela (Bolivarian Republic of) and Yemen.

31. *A recorded vote was taken.*

In favour:

Afghanistan, Algeria, Angola, Antigua and Barbuda, Argentina, Armenia, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belgium, Belize, Benin, Bosnia and Herzegovina, Botswana, Brazil, Brunei Darussalam, Cabo Verde, Cambodia, Chad, Chile, China, Comoros, Cuba, Democratic People's Republic of Korea, Djibouti, Dominican Republic, Egypt, El Salvador, Gabon, Gambia, Guinea, Guinea-Bissau, Guyana, Indonesia, Iran (Islamic Republic of), Iraq, Ireland, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Lebanon, Lesotho, Libya, Luxembourg, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Mongolia, Morocco, Mozambique, Namibia, Nicaragua, Niger, Nigeria, Oman, Pakistan, Panama, Paraguay, Peru, Poland, Portugal, Qatar, Russian Federation, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Saudi Arabia, Senegal, Sierra Leone, Singapore, Slovenia, Somalia, South Africa, Sri Lanka, Sudan, Suriname, Syrian Arab Republic, Tajikistan, Timor-Leste, Trinidad and Tobago, Tunisia, Turkmenistan, Türkiye, Uganda, Ukraine, United Arab Emirates, Uzbekistan, Viet Nam, Yemen, Zimbabwe.

Against:

Australia, Austria, Canada, Czechia, Estonia, Germany, Guatemala, Hungary, Israel, Italy, Liberia, Lithuania, Marshall Islands, Micronesia (Federated States of), Nauru, Palau, United States of America.

Abstaining:

Albania, Andorra, Belarus, Bosnia and Herzegovina, Bulgaria, Burundi, Cameroon, Colombia, Costa Rica, Côte d'Ivoire, Croatia, Cyprus, Denmark, Ecuador, Eritrea, Ethiopia, Finland, France, Georgia, Ghana, Greece, Haiti, Honduras, Iceland, India, Japan, Latvia, Liechtenstein, Monaco, Montenegro, Myanmar, Netherlands, New Zealand, North Macedonia, Norway, Philippines, Republic of Korea, Republic of Moldova, Romania, Rwanda, San Marino,

Serbia, Slovakia, Solomon Islands, South Sudan, Spain, Sweden, Switzerland, Thailand, Togo, United Kingdom of Great Britain and Northern Ireland, Uruguay.

32. *Draft resolution A/C.4/77/L.12/Rev.1 was adopted by 98 votes to 17, with 52 abstentions.*

Draft resolution A/C.4/77/L.13: The occupied Syrian Golan

33. **The Chair** said that the draft resolution had no programme budget implications.

34. **Ms. Ukabiala** (Secretary of the Committee) said that the following delegations had joined the sponsors: Indonesia, Kuwait, Malaysia, Maldives, Niger, Somalia, Sudan and Yemen.

35. *A recorded vote was taken.*

In favour:

Afghanistan, Albania, Algeria, Andorra, Angola, Antigua and Barbuda, Argentina, Armenia, Austria, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belgium, Belize, Benin, Bhutan, Bosnia and Herzegovina, Botswana, Brunei Darussalam, Bulgaria, Burkina Faso, Cabo Verde, Cambodia, Chad, Chile, China, Colombia, Comoros, Costa Rica, Croatia, Cuba, Cyprus, Czechia, Democratic People's Republic of Korea, Denmark, Djibouti, Dominican Republic, Egypt, El Salvador, Eritrea, Estonia, Ethiopia, Finland, France, Gabon, Gambia, Georgia, Germany, Ghana, Greece, Guinea, Guinea-Bissau, Guyana, Hungary, Iceland, India, Indonesia, Iran (Islamic Republic of), Iraq, Ireland, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Latvia, Lebanon, Lesotho, Libya, Liechtenstein, Lithuania, Luxembourg, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Monaco, Mongolia, Montenegro, Morocco, Mozambique, Namibia, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, North Macedonia, Norway, Oman, Pakistan, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, San Marino, Saudi Arabia, Senegal, Serbia, Sierra Leone, Singapore, Slovakia, Slovenia, Somalia, South Africa, Spain, Sri Lanka, Sudan, Suriname, Sweden, Switzerland, Syrian Arab Republic, Tajikistan, Thailand, Timor-Leste, Trinidad and Tobago, Tunisia, Turkmenistan, Türkiye, Uganda, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, Uzbekistan, Viet Nam, Yemen, Zimbabwe.

Against:

Israel, Liberia, United States of America.

Abstaining:

Australia, Brazil, Burundi, Cameroon, Canada, Côte d'Ivoire, Ecuador, Guatemala, Haiti, Honduras, Madagascar, Malawi, Marshall Islands, Micronesia (Federated States of), Nauru, Panama, Rwanda, Solomon Islands, South Sudan, Togo, Tonga, Uruguay.

36. *Draft resolution A/C.4/77/L.13 was adopted by 148 votes to 3, with 22 abstentions.*

Draft resolution A/C.4/77/L.14: Israeli settlements in the Occupied Palestinian Territory, including East Jerusalem, and the occupied Syrian Golan

37. **The Chair** said that the draft resolution had no budget implications.

38. **Ms. Ukabiala** (Secretary of the Committee) said that the following delegations had joined the sponsors: Austria, Bahrain, Bangladesh, Belgium, Bolivia (Plurinational State of), Bosnia and Herzegovina, Bulgaria, Comoros, Croatia, Cyprus, Denmark, Estonia, Finland, France, Gambia, Germany, Greece, Indonesia, Ireland, Italy, Kuwait, Latvia, Liechtenstein, Lithuania, Luxembourg, Malaysia, Maldives, Malta, Montenegro, Morocco, Netherlands, Niger, North Macedonia, Norway, Oman, Poland, Portugal, Romania, Serbia, Slovakia, Slovenia, Somalia, South Africa, Spain, Sudan, Sweden, Switzerland, Tunisia, United Arab Emirates, Venezuela (Bolivarian Republic of) and Yemen.

39. *A recorded vote was taken.*

In favour:

Afghanistan, Albania, Algeria, Andorra, Angola, Antigua and Barbuda, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belgium, Belize, Benin, Bhutan, Bosnia and Herzegovina, Botswana, Brunei Darussalam, Bulgaria, Burkina Faso, Cabo Verde, Cambodia, Chad, Chile, China, Colombia, Comoros, Congo, Costa Rica, Croatia, Cuba, Cyprus, Democratic People's Republic of Korea, Denmark, Djibouti, Dominican Republic, Egypt, El Salvador, Eritrea, Estonia, Ethiopia, Finland, France, Gabon, Gambia, Georgia, Germany, Ghana, Greece, Guinea, Guinea-Bissau, Guyana, Honduras, Iceland, India, Indonesia, Iran (Islamic Republic of), Iraq, Ireland, Italy, Jamaica,

Japan, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Latvia, Lebanon, Lesotho, Libya, Liechtenstein, Lithuania, Luxembourg, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Monaco, Mongolia, Montenegro, Morocco, Mozambique, Myanmar, Namibia, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, North Macedonia, Norway, Oman, Pakistan, Panama, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, San Marino, Saudi Arabia, Senegal, Serbia, Sierra Leone, Singapore, Slovakia, Slovenia, Somalia, South Africa, Spain, Sri Lanka, Sudan, Suriname, Sweden, Switzerland, Syrian Arab Republic, Tajikistan, Thailand, Timor-Leste, Trinidad and Tobago, Tunisia, Turkmenistan, Türkiye, Uganda, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, Uzbekistan, Viet Nam, Yemen, Zimbabwe.

Against:

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

Abstaining:

Brazil, Burundi, Cameroon, Côte d'Ivoire, Czechia, Ecuador, Guatemala, Haiti, Madagascar, Rwanda, Solomon Islands, South Sudan, Togo, Uruguay.

40. *Draft resolution A/C.4/77/L.14 was adopted by 150 votes to 8, with 14 abstentions.*

41. **Mr. Amorín** (Uruguay) said that while his delegation considered that the advisory opinions of the International Court of Justice were valuable international instruments that contributed to the development of public international law, it did not support the proposal to request an advisory opinion from the Court, and therefore dissociated itself from paragraph 18 of draft resolution A/C.4/77/L.12/Rev.1. That provision, which had been introduced with very little advance notice and without carrying out broad consultations, would be counterproductive, adding unnecessary tension instead of contributing to resolving the conflict. A just and lasting solution could be attained only through direct bilateral negotiations.

42. **Mr. Frémy** (France), speaking also on behalf of Austria, Belgium, Bulgaria, Croatia, Cyprus, Czechia, Denmark, Estonia, Finland, Germany, Greece, Ireland, Italy, Latvia, Lithuania, Luxembourg, Malta, the Netherlands, Poland, Portugal, Romania, Slovakia, Slovenia, Spain and Sweden, said that the use of the term "Palestine" could not be construed as recognition of a State of Palestine and was without prejudice to the individual positions of member States of the European Union on the issue and, therefore, to the question of the validity of any accession to the international instruments referred to in draft resolution A/C.4/77/L.12/Rev.1. Furthermore, the European Union as a whole had not expressed a legal view with regard to the term "forced displacement".

43. With respect to the holy sites in Jerusalem, the developments and recurrent violent clashes at the Temple Mount/Haram al-Sharif were a matter of concern. Recalling the special significance of the holy sites, the European Union called for the status quo of the Temple Mount/Haram al-Sharif established in 1967 to be upheld, in line with previous understandings and acknowledging the special role of Jordan. The position of the European Union with respect to the draft resolution did not imply a change in its stance on the terminology concerning the Temple Mount/Haram al-Sharif. While the European Union welcomed the addition of wording reaffirming the special significance of the holy sites and the importance of the city of Jerusalem for the three monotheistic religions, it was important for wording used in reference to the holy sites to reflect the importance and historical significance of both the city of Jerusalem and the holy sites for the three monotheistic religions, as well as to take account of religious and cultural sensitivities. The future choice of language used in draft resolutions might affect the collective support of the European Union for the draft resolutions according to the established voting pattern.

44. Peace and friendship among nations must be based on international law, including the Charter of the United Nations and the obligation to settle international disputes by peaceful means. As the principal judicial organ of the United Nations, the International Court of Justice played a key role in that respect and in the development of international law. Proposals to request or requests for advisory opinions from the Court should be thoroughly discussed and consulted with the United Nations membership, in a timely manner.

45. **Ms. Webster** (Australia) said that her delegation had voted against draft resolution A/C.4/77/L.12/Rev.1 because it did not support a referral to the International Court of Justice and opposed the draft resolution's clear bias against Israel. Parties must take every possible step to defuse tensions and promote conditions conducive to a resumption of peace negotiations and achieving a just and enduring peace agreement. Referring the matter to the International Court of Justice would be unhelpful in

bringing the parties together for negotiation. The Court's advisory jurisdiction should not be used to address bilateral disputes.

46. In view of the importance of respect for all religions and people, her delegation was disappointed that the draft resolution continued the practice of mentioning only the Haram al-Sharif and omitting the Jewish term Temple Mount when referring to the holy sites in Jerusalem. The omission was a failure to recognize the shared and diverse history of Jerusalem.

47. **Mr. Gafoor** (Singapore) said that his delegation had voted in favour of draft resolution A/C.4/77/L.12/Rev.1, in line with its consistent approach to General Assembly resolutions related to Palestine and its long-standing, principled support for a negotiated two-State solution that would allow Israelis and Palestinians to live side by side in peace and security. However, it had reservations regarding paragraph 18, in which the General Assembly would seek an advisory opinion from the International Court of Justice on the questions set out in that paragraph. Its reservation concerned the use of the Court's advisory jurisdiction to bypass the need for a State's consent to submit bilateral political disputes for adjudication. Even if it was legally permissible for the General Assembly to seek an advisory opinion from the International Court of Justice, it was not appropriate to involve the Court in the dispute in that manner. The underlying dispute, which concerned territorial boundaries, could be settled only through direct negotiations between the parties, or by the binding decision of an appropriate international tribunal to whose adjudication both disputing parties had given consent. A request for an advisory opinion required serious consideration and inclusive and open-ended consultations with all delegations, including the parties involved in a dispute. In that instance, there had been no time for proper consideration and inclusive consultations, as the matter had been belatedly added to an existing draft resolution. Lastly, the Haram al-Sharif should be referred to as Temple Mount/Haram Al-Sharif to reflect its shared and diverse history.

48. **Mr. Egas Benavides** (Ecuador) said that his delegation had abstained from voting on draft resolution A/C.4/77/L.12/Rev.1 owing to the inclusion, a few days prior to the vote, of a request for the International Court of Justice to issue an advisory opinion. The wording pertaining to that request had not been subject to a consultation process, and there had not been sufficient time to analyse it.

49. **Mr. Edbrooke** (Liechtenstein) said that Liechtenstein was strongly supportive of the advisory opinion function of the International Court of Justice, which had a central role in giving guidance on questions of public international law. The dispute over the situation in the Middle East clearly entailed questions of that nature. Guidance from the Court on the relevant legal questions could help provide clarity with respect to that and other situations, in addition to contributing to the realization of a solution consistent with international law.

50. Liechtenstein attached the highest value to safeguarding the high standing of the International Court of Justice and the integrity of its proceedings. The request to seek an advisory opinion from the Court was a decision of the highest importance that affected all States committed to upholding the rule of law and promoting and ensuring respect for international law. His delegation was therefore concerned that the request had been inserted with little notice and without consultation of the membership as a whole, even though it had ramifications that extended well beyond the conflict in the Middle East. The request would have been strengthened by the collective wisdom of a larger group of Member States, in particular, those already supportive of its aims. Such a process could also have fostered a greater sense of ownership over matters pertaining to international law. Liechtenstein had therefore decided to abstain from voting on draft resolution A/C.4/77/L.12/Rev.1.

51. **Mr. Fepuleai** (New Zealand) said that New Zealand had a long-held policy on Israeli-Palestinian issues and shared the concerns expressed in draft resolution A/C.4/77/L.12/Rev.1. Israeli settlements in the Occupied Palestinian Territory were a violation of international law and imperilled the two-State solution. However, his delegation had abstained from voting on the draft resolution. It regretted that the proposal to request an advisory opinion from the International Court of Justice proposal had not been circulated to members in sufficient time to allow for appropriate consideration. It also had concerns with the nature of the question as drafted and, in particular, did not agree with the legal characterization of the situation, in subparagraph 18 (a), as an annexation under international law. Despite those concerns, New Zealand was confident that the Court's approach to the question would be consistent with international law.

52. **Mr. Nishiyama** (Japan) said that Japan fully understood the desire of Palestinians to seek all available avenues, in the light of the stalemate in the peace process and the dire situation on the ground. It was also necessary to consider carefully which would be the most appropriate approach to achieving a lasting peace in the Middle East.

53. After careful consideration, Japan had decided to abstain from voting on draft resolution A/C.4/77/L.12/Rev.1. His Government supported the right of the Palestinian people to self-determination and a two-State solution. Japan had also supported General Assembly resolution ES-10/15, which had been adopted after the issuance of the advisory opinion of the International Court of Justice on the legal consequences of the construction of a wall in the Occupied Palestinian Territory. That advisory opinion continued to contribute to the rule of law, including by reaffirming the illegality of acquisition of territory by force.

54. Japan once again urged the parties to exert further efforts to build mutual trust, exercise maximum restraint, avoid any unilateral action that hindered the resumption of peace talks, and resume and advance direct negotiation in order to realize a two-State solution at the earliest possible time.

55. **Mr. Kiboino** (Kenya) said that Kenya welcomed any initiatives consistent with the Charter of the United Nations and existing resolutions that could generate positive momentum. A lasting solution to the conflict would require both parties to engage in direct bilateral negotiations and cease all activities on the ground. In line with its principled position, Kenya had voted in favour of the draft resolution as a whole. However, his delegation disassociated itself from paragraph 18 of the draft resolution; the paragraph, as currently framed, was too prescriptive and pre-empted the proposed process involving the International Court of Justice. It therefore risked creating another barrier to real movement from both parties, instead of improving the prospects for resuming negotiations.

56. **Mr. Ruppacher** (Austria) said that both Israelis and Palestinians deserved to live in peace and security and have their human rights respected. All sides must uphold international law, including international humanitarian law and international human rights law. Wording referring to the holy sites of Jerusalem should reflect the importance and historical significance of the sites for the three monotheistic religions, and should respect religious and cultural sensitivities. It was therefore regrettable that only the term Haram al-Sharif had been used to refer to the Temple Mount/Haram al-Sharif site.

57. Austria was strongly committed to strengthening the rule of law at the national and international levels and believed that a rules-based international system was an essential precondition for lasting peace, security, economic development and social progress. While the possibility of requesting advisory opinions from the International Court of Justice, as the principal judicial organ of the United Nations, was essential, his delegation regretted the manner in which the proposal for an advisory opinion had been included in the draft resolution. Such a request must be based on a thorough analysis and discussion among Member States. However, time had not allowed for such a discussion or for the concrete formulation of the questions, a fact that was all the more regrettable because the advisory opinion concerned not only the parties but all States Members of the United Nations. Moreover, an advisory opinion from the International Court of Justice would not help the two parties relaunch a political process but would instead further confirm the impression that one country was scrutinized disproportionately often by international forums. For those reasons, Austria had been unable to support the draft resolution.

58. **Mr. Ghelich** (Islamic Republic of Iran) said that the adoption of all draft resolutions under agenda items 46 and 47 by an overwhelming majority was indicative of the widespread support among Committee members for the inalienable rights of the Palestinian people and for holding the occupying Israeli regime accountable for its crimes against Palestinians, in particular, women and children. Over the previous seven decades, the question of Palestine had been the core issue facing the Middle East and had directly or indirectly affected the other problems in the region. The killing of innocent children, women and elderly people, including in Gaza, had shocked the world; and they were merely one example of the suffering of the Palestinian people over the previous decades.

59. Since the tragedy of Palestine had occurred, various concerned countries, the United Nations and other organizations had taken numerous initiatives to address the crisis and mitigate the plight of the Palestinian people. Resolutions had been adopted condemning the suffering faced by the Palestinian people, various plans for peace had been proposed, and fact-finding missions had been established. However, support for the Israeli regime on the part of certain powers had prevented the international community from finding a just solution to the crisis.

60. Only by ending the Israeli occupation, restoring the right of the Palestinian people to self-determination, facilitating the return of Palestine refugees to their homeland and establishing an independent and viable State of Palestine with Jerusalem as its capital would it be possible to bring decades of conflict and instability in the Middle East to an end and establish a durable peace.

61. **Mr. Mansour** (Observer for the State of Palestine) said that the State of Palestine was grateful to all

delegations that had voted in favour of the draft resolutions. The overwhelming majority in support of the draft resolutions reflected the unwavering international consensus on the question of Palestine. Mobilizing the components of the international law-based order, including international justice, was a legitimate, peaceful mechanism to confront violent, illegal actions. His people wanted and deserved freedom. It appreciated the long-standing support of nations that, informed by their own struggles against oppression, had remained true to their principles. Nothing justified supporting or tacitly condoning the Israeli occupation and annexation and the displacement and dispossession of the Palestinian people.

62. In a fit of hysteria, Israel had persisted in insulting, berating and threatening sovereign States. Seeking to bend international law to its gross violations, Israel demanded that countries look away from its crimes and apply a double standard to it. The Charter of the United Nations prohibited the annexation of land by force and enshrined the right of peoples to self-determination. Both norms had been violated by Israel in its bid to impose an occupation without end with the aim of annexing land and expelling a people. Nevertheless, the day would surely come when young Palestinians would fly the flag of Palestine on the churches, mosques and walls of Al-Quds al-Sharif.

63. **Ms. Gui** Dan (China) said that China had voted in favour of the draft resolutions on the question of Palestine. A comprehensive, just and lasting solution, the peaceful coexistence of the State of Palestine and Israel, and the common development of the Arab and Jewish peoples were in the shared interest of both parties and the long-term goal of regional stability.

64. Her Government supported the Palestinian people in its pursuit of a fully sovereign and independent State of Palestine on the pre-1967 borders, with East Jerusalem as its capital. The two-State solution must be upheld, and negotiations between Palestine and Israel on an equal footing must be promoted, in line with the relevant United Nations resolutions, the principle of land for peace and the Arab Peace Initiative. The international community should remain objective and impartial and step up efforts to foster peace.

65. In draft resolution A/C.4/77/L.12/Rev.1, the International Court of Justice was requested to give an advisory opinion. The Court should strictly abide by its own Statute and the Charter of the United Nations in lawfully exercising its advisory jurisdiction.

66. **Mr. Croker** (United Kingdom) said that the United Kingdom remained committed to working with both Israel and the Palestinian Authority to advance a peaceful two-State solution with Jerusalem as the shared capital. In view of the alarming instability in the West Bank, all sides should work together to urgently de-escalate the situation. His delegation had abstained from voting on draft resolution A/C.4/77/L.12/Rev.1 because it did not believe that a referral to the International Court of Justice would be helpful in bringing the parties back to dialogue. Moreover, it was inappropriate, without the consent of both parties, to ask the Court for an advisory opinion on what was essentially a bilateral dispute. The proposal of an advisory opinion from the Court on the Occupied Palestinian Territory had been a recommendation from a report of the commission of inquiry established by the Human Rights Council in 2021. The United Kingdom once again regretted the establishment of the commission, which furthered the Council's disproportionate focus on Israel and was not subject to a time limit.

67. The draft resolution also referred to the Haram al-Sharif/Temple Mount site in Jerusalem in purely Islamic terms, an approach with which his delegation had long registered its disagreement. Future resolutions should adequately reflect the particular significance of Jerusalem and the Haram al-Sharif/Temple Mount site for many groups around the world, especially the Abrahamic faiths of Christianity, Islam and Judaism. The United Kingdom was committed to preserving the religious status quo and valued the important role of Jordan as custodian of the holy sites in Jerusalem.

68. **Mr. Costa Chaves** (Timor-Leste) said that his delegation had voted in favour of draft resolution A/C.4/77/L.12/Rev.1 to reaffirm its solidarity with the Palestinian people in its quest to achieve its inalienable rights and build a future of peace, justice, security and dignity for both Palestinians and Israelis. However, Timor-Leste disassociated itself from the recent substantial update to the draft resolution, especially paragraph 18 thereof, which contained an urgent request for an advisory opinion from the International Court of Justice. The request might undermine the peace process, especially efforts to find a two-State solution.

Agenda item 124: Revitalization of the work of the General Assembly (*continued*) (A/C.4/77/L.15)

Draft decision A/C.4/77/L.15: Proposed programme of work and timetable of the Special Political and Decolonization Committee (Fourth Committee) for the seventy-eighth session of the General Assembly

69. **Mr. Kris** (United States of America) said that his delegation firmly believed that some of the methods which the Committee had adopted during the coronavirus disease (COVID-19) pandemic, particularly

the joint general debate, had helped to make its work more rational and efficient. As the Committee returned to its pre-pandemic working methods, it was worth considering how to optimize the time which delegations shared in the same meeting room, in order to make the Committee's work as efficient as possible and best serve delegations, capitals and the peoples they represented. His delegation would endorse the provisional programme of work, as it favoured continued informal discussion of how best to revitalize the Committee's work and eventual consideration of other potentially constructive approaches, such as taking action on draft resolutions at the end of the session. Even as a larger delegation with sufficient staff to cover the Committee's proceedings, the effort was on occasion time-consuming and confusing.

70. **Mr. Alvarez** (Argentina) said that in view of the wide range of topics addressed by the Committee, his delegation was concerned about attempts to alter its working methods without sufficient consultation and in a manner that risked undermining its work. The changes made to the Committee's schedule and working methods during the seventy-fifth and seventy-sixth sessions of the General Assembly, including the joint general debate, had been exceptional in nature, a response to the extraordinary circumstances created by the COVID-19 pandemic, and, as such, did not establish precedents for future sessions. The Committee's thematic debates should be retained, as they were the most efficient manner for delegations to exchange substantive views on the range of topics on its agenda. Furthermore, the specificity of the Committee's consideration of the agenda items related to decolonization must be preserved, as must the amount of time allotted to that exercise. The Committee already considered the five agenda items on decolonization together.

71. Reforms aimed at restricting dialogue and preventing Member States from expressing their views on each item in depth were not the way forward and would not help the Committee to better address the various issues on its agenda. Efficiency would be achieved by resolving pending questions and allowing the international community and Member States to discuss issues in a thorough manner, not by reducing the number of meetings or the length of statements. There was a need for more debate that was broader in scope, more interactive and more inclusive. Argentina therefore endorsed the provisional programme of work contained in A/C.4/77/L.15, which was based on pre-pandemic working methods, and called on all delegations to do likewise. The Committee's working methods had been developed over time, on the basis of the rules of procedure of the General Assembly. They reflected the Committee's experience and were suited to its particular characteristics. Any improvement to working methods should be the product of a consensus among Member States after careful deliberations, with the aim of strengthening, not weakening, the Committee's work.

72. **Mr. Rios Sánchez** (Mexico), welcoming the unprecedented engagement from delegations on the question of revitalizing the work of the General Assembly, said that the Committee should have a discussion and exchange of views and evaluate different aspects of its work, including the programme of work. Resuming the pre-pandemic modus operandi could lead to rigidity and stagnation. More dialogue and negotiation were needed. Of the draft resolutions adopted at the present session, very few had been the subject of negotiations. While general debates were a necessary avenue for delegations to express national positions, mechanisms for genuine dialogue among delegations should be found. In interactive dialogues between Secretariat officials and delegations, there was minimal participation from the latter. Delegations should focus on the interactive part of dialogue, something that would enable them to go beyond reiterating positions, without denying them the prerogative to do so.

73. While the consideration of the decolonization items should be retained in its current form, owing to their specificity, other aspects of the Committee's work could be reviewed. Delegations should resume the informal discussion of working methods that had begun at the seventy-sixth session of the General Assembly. His delegation would join consensus on the provisional programme of work. It suggested merging the Committee's organizational session with its first meeting of the main part of the seventy-eighth session of the General Assembly, in order to allow delegations to prepare after the high-level segment. In addition, in order to make the Committee's work more efficient, it might be useful to adopt all draft resolutions at the end of the session.

74. **Mr. Romero Puentes** (Cuba) said that the nature and variety of topics dealt with by the Committee set it apart from the other Main Committees. Its working methods suited it, as they were based on the rules of procedure of the General Assembly and the cumulative experience and balance struck over years. His delegation firmly opposed efforts to overhaul those working methods in an endeavour to diminish the Committee's importance. Improvements could be made to minor aspects of the Committee's work in order to strengthen it, by consensus among all delegations. It was surprising that changes were being insisted upon only

for the Fourth Committee, while the budgetary considerations that had been cited affected all the Main Committees.

75. Consideration of the working methods of the General Assembly and its Main Committees was a process guided by Member States that required substantive debate and exchange of views. The overarching process concerned all the Main Committees, not just the Fourth Committee. Moreover, the process could not be superficial; existing relationships between different items must be taken into consideration, as well as the value which those items added to the Committee's agenda. Working methods that had already yielded tangible results in the area of decolonization should not be restructured artificially with the pretext of avoiding duplication of effort. Attempts to integrate approaches should not alter or call into question the mandate of certain bodies integral to the Organization's work.

76. Throughout the process, States must retain the sovereign right to introduce new topics and resolutions under General Assembly and Main Committee agenda items, as appropriate. The lessons learned during the COVID-19 pandemic involved adaptations that had played an essential role in the Committee's work during a severe health crisis. Those exceptional circumstances did not establish precedents. Following the return to normalcy, the Committee's traditional procedures, which it had departed from only at the seventy-fifth and seventy-sixth sessions of the General Assembly, must be retained and preserved for future use. General debates were indispensable to the Committee's work. Parity among the six official languages must be ensured.

77. **Ms. Beretta Tassano** (Uruguay) said that lessons had indeed been learned from the pandemic, and there was certainly room for improvement in the Organization's working methods. However, their revitalization must not come at the expense of the topics addressed by the Committee, particularly those related to decolonization, which were highly specific and sensitive in nature. Her delegation was open to a broad informal discussion of working methods, but such a discussion should in no way undermine the visibility and thorough discussion of the topics addressed by the Committee.

78. **Mr. Koudri** (Algeria) said that the Committee's programme of work for the seventy-eighth session of the General Assembly had been drawn up on the basis of the rules of procedure of the General Assembly, best practices and experience, all of which had demonstrated the effectiveness of the Committee's working methods. While the discussion on the revitalization of the work of the General Assembly in general was a useful one, any consideration of changes to working methods must be consistent with the rules of procedure, established practice and experience. In particular, the established working methods should be retained for the consideration of questions related to decolonization, which was the core issue before the Committee. Member States must be given more space and time to consider each of the Non-Self-Governing Territories equally, separately and thoroughly and to convey their national positions.

79. During the pandemic, the General Assembly and its Main Committees had been obliged to adapt to the situation. It had been clear at the time that such changes did not set a precedent. His delegation welcomed the return to the status quo ante. A joint general debate might work for the other Main Committees but would not suit the Special Political and Decolonization Committee, which, as its name indicated, was and must remain special.

80. **Ms. Pichardo Urbina** (Nicaragua) said that sufficient time and space must be devoted to consideration of each of the items on the Committee's agenda. Her delegation had joined others in agreeing to be flexible with regard to pandemic-era working methods, bearing in mind the exceptional circumstances. However, the current conditions allowed the Committee to conduct its activities in a normal manner. Nicaragua therefore did not support diluting or limiting the consideration of such important questions.

81. **Ms. Baños Müller** (El Salvador) said that the revitalization of the work of the General Assembly merited the continued attention, commitment and constructive engagement of all Member States. Sufficient time must therefore be devoted to discussing the working methods of the Main Committees, one of the primary aspects of the revitalization process. The Committee should consider convening a substantive debate among Member States during the current session, enabling delegations to exchange views and make innovative, action-oriented proposals, with a view to continuing to improve the Committee's working methods. The recent sessions had demonstrated that the General Assembly and its Main Committees were capable of adapting to complex circumstances in a timely manner with the requisite political will and a firm commitment to the work of the Organization.

82. **Mr. Croker** (United Kingdom) said, without prejudice to the draft programme of work before the Committee, that the revitalization of the work of the General Assembly should be discussed substantively within each Main Committee. Member States could

improve the work of the Organization and its impact on the ground only by being humble and thinking about ways to do things better, an attempt that had yet to be made. Delegations should therefore refrain from bringing preconceived ideas into the discussion and consider potential avenues for improvement.

83. **Mr. Elhomosany** (Egypt) said that his delegation endorsed the points made by the delegations of Algeria, Argentina and Cuba concerning the importance of retaining the Committee's current working methods, which took into account the needs of smaller delegations. The procedures adopted over the previous two sessions had been strictly temporary and as such, did not need to be adopted as standard.

84. **The Chair** said that the diverging views expressed on the agenda item under consideration reflected the lack of consensus among delegations. Further consultations were therefore needed before the Committee could make a decision on the way forward. In line with the mandate set out in General Assembly resolution 58/316, whereby each Main Committee was to adopt a provisional programme of work at the end of the session for the next session to help them better to plan, prepare and organize and review the related documentation requirements, he suggested that the Committee should adopt the programme of work for the Committee at the seventy-eighth session, which would be finalized by the Bureau of the Committee for that session.

85. *Draft decision A/C.4/77/L.15 was adopted.*

Completion of the Committee's work

86. **The Chair**, after presenting an overview of the activities of the Special Political and Decolonization Committee (Fourth Committee), said that the Committee had completed its work for the main part of the seventy-seventh session of the General Assembly.

The meeting rose at 1.10 p.m.

United Nations A/RES/77/247

General Assembly

Distr.: General
9 January 2023

Seventy-seventh session
Agenda item 47
Israeli practices and settlement activities affecting the rights of the Palestinian people and other Arabs of the occupied territories

Resolution adopted by the General Assembly on 30 December 2022

[*on the report of the Special Political and Decolonization Committee (Fourth Committee) (A/77/400, para. 14)*]

77/247. Israeli practices affecting the human rights of the Palestinian people in the Occupied Palestinian Territory, including East Jerusalem

The General Assembly,

Recalling the Universal Declaration of Human Rights,[1]

Recalling also the International Covenant on Civil and Political Rights,[2] the International Covenant on Economic, Social and Cultural Rights[3] and the Convention on the Rights of the Child,[4] and affirming that these human rights instruments must be respected in the Occupied Palestinian Territory, including East Jerusalem,

Reaffirming its relevant resolutions, including resolution 75/98 of 10 December 2020, as well as those adopted at its tenth emergency special session,

Recalling the relevant resolutions of the Human Rights Council,

Recalling also the relevant resolutions of the Security Council, and stressing the need for their implementation,

Having considered the report of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of

[1] Resolution 217 A (III).
[2] See resolution 2200 A (XXI), annex.
[3] Ibid.
[4] United Nations, *Treaty Series*, vol. 1577, No. 27531.

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the Occupied Territories[5] and the report of the Secretary-General on the work of the Special Committee,[6]

Taking note of the report of the Special Rapporteur of the Human Rights Council on the situation of human rights in the Palestinian territories occupied since 1967,[7] as well as of other relevant recent reports of the Human Rights Council,

Taking note also of the report of the independent international commission of inquiry established pursuant to Human Rights Council resolution S-30/1,[8]

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,

Taking note of the recent report by the Economic and Social Commission for Western Asia on the economic and social repercussions of the Israeli occupation on the living conditions of the Palestinian people in the Occupied Palestinian Territory, including East Jerusalem, and the Arab population in the occupied Syrian Golan,[9]

Deeply regretting that 55 years have passed since the onset 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,

Aware of the responsibility of the international community to promote human rights and ensure respect for international law, and recalling in this regard its resolution 2625 (XXV) of 24 October 1970,

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,[10] and recalling also relevant General Assembly resolutions,

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,

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

Noting the accession by Palestine to several human rights treaties and the core humanitarian law conventions, as well as other international treaties,

Reaffirming the principle of the inadmissibility of the acquisition of territory by force,

Reaffirming also the applicability of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949,[11] to the Occupied Palestinian Territory, including East Jerusalem, and other Arab territories occupied by Israel since 1967,

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[5] A/77/501.
[6] A/76/333.
[7] A/HRC/49/87.
[8] A/77/328.
[9] A/77/90-E/2022/66.
[10] See A/ES-10/273 and A/ES-10/273/Corr.1.
[11] United Nations, *Treaty Series*, vol. 75, No. 973.

Reaffirming further the obligation of the States parties to the Fourth Geneva Convention[12] under articles 146, 147 and 148 with regard to penal sanctions, grave breaches and responsibilities of the High Contracting Parties,

Recalling the statement of 15 July 1999 and the declarations adopted on 5 December 2001 and on 17 December 2014[13] 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, aimed at ensuring respect for the Convention in the Occupied Palestinian Territory, including East Jerusalem,

Reaffirming that all States have the right and the duty to take actions in conformity with international 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,[14]

Stressing also the need 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,

Gravely concerned by the tensions and violence in the recent period throughout the Occupied Palestinian Territory, including East Jerusalem and including with regard to the holy places of Jerusalem, including the Haram al-Sharif, and deploring the loss of innocent civilian life,

Reaffirming that the international community, through the United Nations, has a legitimate interest in the question of the City of Jerusalem and in the protection of the unique spiritual, religious and cultural dimensions of the city, as foreseen in relevant United Nations resolutions on this matter,

Reaffirming also the obligation to respect the historic status quo, the special significance of the holy sites, and the importance of the City of Jerusalem for the three monotheistic religions,

Recognizing that security measures alone cannot remedy the escalating tensions, instability and violence, and calling for full respect for international law, including humanitarian and human rights law, including for the protection of civilian life, as well as for the promotion of human security, the de-escalation of the situation, the exercise of restraint, including from provocative actions and rhetoric, and the establishment of a stable environment conducive to the pursuit of peace,

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, women and non-violent, peaceful demonstrators, as well as journalists, medical personnel and humanitarian personnel; the arbitrary imprisonment and detention of Palestinians, some of whom have been imprisoned for decades; the use of collective punishment; the closure of areas; the confiscation of land; the establishment and expansion of settlements; the construction

[12] Ibid.

[13] A/69/711-S/2015/1, annex.

[14] S/2003/529, annex.

of a wall in the Occupied Palestinian Territory in departure from the Armistice Line of 1949; the destruction of property and infrastructure; the forced displacement of civilians, including attempts at forced transfers of Bedouin communities; 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, and demanding the cessation of all such unlawful actions,

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

Deploring the continuing and negative consequences of the conflicts in and around the Gaza Strip and the high number of casualties among Palestinian civilians in the recent period, including among children, and any violations of international law, and calling for full respect for international humanitarian and human rights law and for the principles of legality, distinction, precaution and proportionality,

Gravely concerned about the disastrous humanitarian situation and the critical socioeconomic and security situation in the Gaza Strip, including that resulting from the prolonged closures and severe economic and movement restrictions that in effect amount to a blockade and deepen poverty and despair among the Palestinian civilian population, and about the short- and long-term detrimental impacts of this situation and the widespread destruction and continued impeding of the reconstruction process by Israel, the occupying Power, on the human rights situation,

Recalling with grave concern the United Nations country team report of August 2012, entitled “Gaza in 2020: a liveable place?”,

Recalling the statement by the President of the Security Council of 28 July 2014,[15]

Stressing the need for the full implementation by all parties of Security Council resolution 1860 (2009) of 8 January 2009 and General Assembly resolution ES-10/18 of 16 January 2009,

Stressing also 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, and regretting the lack of progress made in this regard,

Gravely concerned by reports regarding serious human rights violations and grave breaches of international humanitarian law committed during the successive military operations in the Gaza Strip,[16] and reiterating the necessity for serious follow-up by all parties of the recommendations addressed to them towards ensuring accountability and justice,

Stressing the need for 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 and harassment,

[15] S/PRST/2014/13; see *Resolutions and Decisions of the Security Council, 1 August 2013–31 July 2014* (S/INF/69).

[16] See A/63/855-S/2009/250; S/2015/286, annex; A/HRC/12/48; and A/HRC/29/52.

Expressing deep concern about the Israeli policy of closures and the imposition of severe restrictions, including through hundreds of obstacles to movement, checkpoints and a permit regime, all of which obstruct the freedom of movement of persons and goods, including medical and humanitarian goods, and the follow-up and access to donor-funded projects of development cooperation and humanitarian assistance, 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 impacting their socioeconomic and humanitarian situation, which remains dire in the Gaza Strip, and the efforts aimed at rehabilitating and developing the Palestinian economy, and calling for the full lifting of restrictions,

Expressing grave concern that thousands of Palestinians, including many children and women, as well as elected representatives, continue to be held in Israeli prisons or detention centres under harsh conditions, including unhygienic conditions, solitary confinement, the extensive use of administrative detention of excessive duration without charge and denial of due process, lack of proper medical care and widespread medical neglect, including for prisoners who are ill, with the risk of fatal consequences, and denial of family visits, that impair their well-being, and expressing grave concern also about the ill-treatment and harassment and all reports of torture of any Palestinian prisoners,

Expressing deep concern about the hunger strikes by Palestinian prisoners in protest of the harsh conditions of their imprisonment and detention by the occupying Power, while taking note of agreements reached on conditions of detention in Israeli prisons and calling for their full and immediate implementation,

Recalling the United Nations Standard Minimum Rules for the Treatment of Prisoners (the Nelson Mandela Rules) [17] and the United Nations Rules for the Treatment of Women Prisoners and Non-custodial Measures for Women Offenders (the Bangkok Rules),[18] 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 line with international humanitarian law and human rights law, in order to ensure dignified closure in accordance with their religious beliefs and traditions,

Stressing the need for the prevention of all acts of violence, harassment, provocation and incitement by extremist Israeli settlers and groups of armed settlers, especially against Palestinian civilians, including children, and their properties, including homes, agricultural lands and historic and religious sites, including in Occupied East Jerusalem, and deploring the violation of the human rights of Palestinians in this regard, including acts of violence leading to death and injury among civilians,

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, in this regard recalling the importance of the mandate and the positive contribution of the Temporary International Presence in Hebron, and regretting the unilateral decision by the Government of Israel not to renew its mandate,

[17] Resolution 70/175, annex.
[18] Resolution 65/229, annex.

Stressing the need for an immediate and complete cessation of all acts of violence, including military attacks, destruction and acts of terror,

Stressing also that the protection of civilians is a critical component in ensuring peace and security, as well as the need for measures to be taken to guarantee the safety and protection of the Palestinian civilian population throughout the Occupied Palestinian Territory, consistent with the provisions and obligations of international humanitarian law,

Stressing further the need to respect the right of peaceful assembly,

Taking note of the report of the Secretary-General on the protection of the Palestinian civilian population[19] and the observations made therein on ways and means for ensuring the safety, protection and well-being of the Palestinian civilian population under Israeli occupation,

Noting the continued efforts and tangible progress made in the Palestinian security sector, and noting also the continued cooperation that benefits both Palestinians and Israelis, in particular by promoting security and building confidence,

Urging the parties to observe calm and restraint and to refrain from provocative actions, incitement and inflammatory rhetoric, especially in areas of religious and cultural sensitivity, including in East Jerusalem, and to take every possible step to defuse tensions and promote conditions conducive to the credibility and success of the peace negotiations,

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

1. *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, and 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;

2. *Demands* that Israel, the occupying Power, cease all measures contrary to international law, as well as discriminatory legislation, policies and actions in the Occupied Palestinian Territory that violate the human rights of the Palestinian people, including the killing and injury of civilians, the arbitrary detention and imprisonment of civilians, the forced displacement of civilians, including attempts at forced transfers of Bedouin communities, the transfer of its own population into the Occupied Palestinian Territory, including East Jerusalem, the destruction and confiscation of civilian property, including home demolitions, including if carried out as collective punishment in violation of international humanitarian law, and any obstruction of humanitarian assistance, 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;

3. *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;

[19] A/ES-10/794.

4. *Takes note* of the report of the Secretary-General on the protection of the Palestinian civilian population, notably the observations made therein, including the possible expansion of existing protection mechanisms to prevent and deter violations, and calls for continued efforts within the United Nations human rights framework regarding the legal protection and safety of the Palestinian civilian population;

5. *Calls for* full cooperation by Israel with the relevant special rapporteurs and other relevant mechanisms and inquiries of the Human Rights Council, including the facilitation of entry to the Occupied Palestinian Territory, including East Jerusalem, for monitoring and reporting on the human rights situation therein according to their respective mandates;

6. *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, inter alia, gravely and detrimentally impact the human rights of the Palestinian people, including their right to self-determination, and the prospects for achieving without delay an end to the Israeli occupation that began in 1967 and a just, lasting and comprehensive peace settlement between the Palestinian and Israeli sides, and calls for the full respect and implementation of all relevant General Assembly and Security Council resolutions in this regard, including Security Council resolution 2334 (2016) of 23 December 2016;

7. *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 strike, also calls for efforts between the two sides for the further release of prisoners and detainees, and further 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);

8. *Condemns* all acts of violence, including all acts of terror, provocation, incitement and destruction, especially any use of force by the Israeli occupying forces against Palestinian civilians in violation of international law, particularly in the Gaza Strip, including against journalists, medical personnel and humanitarian personnel, which have caused extensive loss of life and vast numbers of injuries, including among children and women;

9. *Also condemns* all acts of violence by militants and armed groups, including the firing of rockets, against Israeli civilian areas, resulting in loss of life and injury;

10. *Reiterates its demand* for the full implementation of Security Council resolution 1860 (2009);

11. *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 in General Assembly 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 reparations for all damage caused by the construction of the wall, which has gravely impacted the human rights and the socioeconomic living conditions of the Palestinian people;

12. *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;

13. *Calls upon* Israel, the occupying Power, to cease its imposition of prolonged closures and economic and movement restrictions, including those amounting to a blockade on the Gaza Strip, and in this regard to fully implement the Agreement on Movement and Access and the Agreed Principles for the Rafah Crossing, both of 15 November 2005, in order to allow for the sustained and regular movement of persons and goods and for the acceleration of long overdue and massive reconstruction needs and economic recovery in the Gaza Strip, while noting the tripartite agreement facilitated by the United Nations in this regard;

14. *Stresses* the urgent need to address the continuing health crisis in the Gaza Strip, including by ensuring the provision of adequate infrastructure, medical supplies and equipment, alongside expertise, to deal with the increasing caseload of injuries requiring complex treatment in the context of the protests in the Gaza Strip;

15. *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;

16. *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 passage of more than 55 years of the Israeli occupation and the continued denial and violation of the human rights of the Palestinian people;

17. *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, and urges in this regard the implementation of the agreement signed in Cairo on 12 October 2017,[20] which would be an important step towards achieving Palestinian unity and lead to the effective functioning of the Palestinian Government, including in the Gaza Strip, under the leadership of President Mahmoud Abbas, consistent with the Palestine Liberation Organization commitments and the Quartet principles;

18. *Decides*, in accordance with Article 96 of the Charter of the United Nations, to request the International Court of Justice, pursuant to Article 65 of the Statute of the Court, to render an advisory opinion on the following questions, considering the rules and principles of international law, including the Charter of the United Nations, international humanitarian law, international human rights law, relevant resolutions of the Security Council, the General Assembly and the Human Rights Council, and the advisory opinion of the Court of 9 July 2004:

(a) What are the legal consequences arising from the ongoing violation by Israel of the right of the Palestinian people to self-determination, from its prolonged occupation, settlement and annexation of the Palestinian territory occupied since 1967, including measures aimed at altering the demographic composition, character and status of the Holy City of Jerusalem, and from its adoption of related discriminatory legislation and measures?

(b) How do the policies and practices of Israel referred to in paragraph 18 (a) above affect the legal status of the occupation, and what are the legal consequences that arise for all States and the United Nations from this status?

[20] S/2017/899, annex.

19. *Requests* the Secretary-General to report to the General Assembly at its seventy-eighth session on the implementation of the present resolution, including with regard to the applicability of the Fourth Geneva Convention to the Occupied Palestinian Territory, including East Jerusalem, and the other occupied Arab territories.

56th (resumed) plenary meeting
30 December 2022

United Nations A/77/PV.56 (Resumption 1)

General Assembly

Seventy-seventh session

Official Records

56th plenary meeting
Friday, 30 December 2022, 6 p.m.
New York

President: Mr. Kőrösi ..... (Hungary)

The meeting was suspended at 12.35 p.m. on Tuesday, 20 December 2022 and resumed on Friday, 30 December at 6 p.m.

The President: The General Assembly will first consider proposals on which action was postponed to allow time for the review of their programme budget implications by the Fifth Committee.

Members are reminded that when there are multiple proposals under an agenda item, statements in explanation of vote before the voting on any or all such proposals should be made in one intervention, followed by action on all of them one by one. Thereafter, there will also be an opportunity for statements in explanation of vote after the voting on any or all the proposals in one intervention.

Agenda item 16 (*continued*)

Macroeconomic policy questions

Report of the Second Committee (A/77/441)

Draft amendment A/77/L.39

Report of the Fifth Committee (A/77/666)

The President: The General Assembly will now take action on the draft amendment contained in document A/77/L.39. The report of the Fifth Committee on the programme budget implications of the draft resolution recommended by the Second Committee in document A/77/666. The text of the report, for the time being, is contained in document A/C.5/77/L.19, section F.

In accordance with rule 90 of the rules of procedure, the Assembly will first take a decision on the draft amendment proposed by the United States of America.

I now give the floor to the representative of the Secretariat.

Ms. De Miranda (Department for General Assembly and Conference Management):

I should like to announce that, since the submission of the draft amendment, and in addition to the delegations listed in the document, no additional countries have become sponsors of A/77/L.39.

The President: A recorded vote has been requested.

A recorded vote was taken.

In favour:

Albania, Andorra, Australia, Austria, Belgium, Bosnia and Herzegovina, Bulgaria, Canada, Croatia, Cyprus, Czechia, Denmark, Ecuador, Estonia, Finland, France, Georgia, Germany, Greece, Hungary, Iceland, Ireland, Italy, Japan, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Monaco, Netherlands, New Zealand, North Macedonia, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, Saint Kitts and Nevis, Saint Vincent and the Grenadines, San Marino, Serbia, Slovakia, Slovenia, Spain, Sweden, Switzerland, Ukraine, United Kingdom of Great Britain and Northern Ireland, United States of America

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Against:

Algeria, Angola, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belize, Bolivia (Plurinational State of), Botswana, Brunei Darussalam, Burkina Faso, China, Cuba, Democratic People's Republic of Korea, Djibouti, Egypt, Eritrea, Ghana, Grenada, Guatemala, Guinea, Guyana, India, Indonesia, Iran (Islamic Republic of), Iraq, Jamaica, Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Lebanon, Libya, Madagascar, Malaysia, Maldives, Mali, Mauritania, Mongolia, Mozambique, Myanmar, Namibia, Nauru, Nepal, Nicaragua, Nigeria, Oman, Pakistan, Papua New Guinea, Paraguay, Philippines, Qatar, Russian Federation, Saint Lucia, Saudi Arabia, Senegal, Singapore, Somalia, South Africa, Sri Lanka, Syrian Arab Republic, Thailand, Timor-Leste, Togo, Trinidad and Tobago, Tunisia, Uganda, United Arab Emirates, United Republic of Tanzania, Viet Nam, Zambia, Zimbabwe

Abstaining:

Argentina, Bhutan, Brazil, Burundi, Chile, Costa Rica, Côte d'Ivoire, Dominican Republic, Haiti, Lesotho, Malawi, Mexico, Norway, Panama, Peru, Samoa, Sierra Leone, Sudan, Türkiye, Uruguay, Yemen

Draft amendment A/77/L.39 was rejected by 73 votes to 50, with 21 abstentions.

The President: The Committee adopted the draft resolution entitled "Promotion of inclusive and effective international tax cooperation at the United Nations" as a whole without a vote. May I take it that the Assembly wishes to do likewise?

The draft resolution was adopted (resolution 77/244).

The President: May I take it that it is the issue of the General Assembly to conclude its consideration of agent item 16?

It was so decided.

Agenda item 18 (*continued*)

Sustainable development

(b) Follow-up to and implementation of the SIDS Accelerated Modalities of Action (SAMOA) Pathway and the Mauritius Strategy for the Further Implementation of the Programme of Action for the Sustainable Development of Small Island Developing States

Report of the Second Committee (A/77/443/Add.2)

Report of the Fifth Committee (A/77/668)

The President: The Assembly will take action on draft resolution II, entitled "Follow-up to and implementation of the SIDS Accelerated Modalities of Action (SAMOA) Pathway and the Mauritius Strategy for the Further Implementation of the Programme of Action for the Sustainable Development of Small Island Developing States", recommended by the Second Committee in its report contained in document A/77/443/Add.2. The report of the Fifth Committee on the programme budget implications of the draft resolution is contained in document A/77/668. The text of the report, for the time being, is contained in document A/C.5/77/L.19, section H.

The Committee adopted the draft resolution without a vote. May I take that the Assembly wishes to do likewise?

The draft resolution was adopted (resolution 77/245).

The President: May I take it that it is the wish of the General Assembly to conclude its consideration of sub-item (b) of agenda item 18?

It was so decided.

Agenda item 21 (*continued*)

Groups of countries in special situations

(b) Follow-up to the second United Nations Conference on Landlocked Developing Countries

Report of the Second Committee (A/77/446/Add.2)

Report of the Fifth Committee (A/77/667)

The President: The Assembly will take action on the draft resolution recommended by the Second Committee in its report contained in document A/77/446/Add.2. The report of the Fifth Committee on the programme budget implications of the draft resolution is contained in document A/77/667. The text of the report, for the time being, is contained in document A/C.5/77/L.19, section G.

The Assembly will now take a decision on the draft resolution entitled "Follow-up to the second United Nations Conference on Landlocked Developing Countries". The Committee adopted the draft resolution without a vote. May I take it that the Assembly wishes to do likewise?

The draft resolution was adopted (resolution 77/246).

The President: May I take it that it is the wish of the General Assembly to conclude its consideration of sub-item (b) of agenda item 21?

It was so decided.

Agenda item 47 (*continued*)

Israeli practices and settlement activities affecting the rights of the Palestinian people and other Arabs of the occupied territories

Report of the Special Political and Decolonization Committee (A/77/400)

The President: The General Assembly has before it draft resolution I, recommended by the Committee in its report. The report of the Fifth Committee on the programme budget implications of the draft resolution is contained in A/77/664. The text of the report, for the time being, is contained in document A/C.5/77/L.19, section D.

I shall now give the floor to those representatives who wish to speak in explanation of vote before the voting.

Mr. Lopes da Graça (Portugal): Portugal's long-standing position on the occupied Palestinian territory, is well known. We remain strongly attached to the principles laid out in the Charter of the United Nations. International disputes can be settled only through peaceful means and on the basis of respect for international law, including international human rights law and international humanitarian law. Dialogue and cooperation among nations are crucial in that respect.

Portugal is convinced that the two-State solution is the only viable solution to the Israeli-Palestinian question. Any solution must be based on the coexistence, side by side, of Israel and Palestine, in peace and security. Portugal remains firmly committed to contributing to the Middle East peace process in an open and constructive manner. We believe it is urgent to set a political horizon to pave the way for the resumption of direct negotiations. We call on all parties to de-escalate the situation on the ground and to exercise maximum restraint, including with regard to political rhetoric.

Regarding the question of the holy sites, we recognize their special significance in both historical and religious terms. We reaffirm in that context the importance of interreligious and intercultural dialogue, conducted in the spirit of openness and cooperation.

Portugal voted in favour of this resolution in previous sessions of the General Assembly. Last month, in the Fourth Committee, we decided to continue to vote in favour of this year's draft resolution because we believe that, as a whole, the resolution is right to stress the need to protect and respect the human rights of persons living in the occupied Palestinian territories, in accordance with international law and the relevant United Nations resolutions.

This year's draft resolution includes a new operative paragraph seeking an advisory opinion of the International Court of Justice. There are reasonable procedural doubts about this option. It is arguable whether the terms of those requests were thoroughly discussed among the United Nations membership, and we believe that there should have been more in-depth consultations. Furthermore, there are questions about the technical formulation of the request, including whether the context of this draft resolution is the most appropriate place to include such a request. It is unclear how it can directly benefit the peace process.

We are also wary, as a matter of principle, of the possible risk of overjudicializing international relations. Nonetheless, Portugal recognizes the crucial role of the International Court of Justice as the principal judicial organ of the United Nations, which underpins the international rules-based order that we seek to preserve, and it is an organ that plays an integral role in the development of international law. In addition, as a matter of principle, Portugal supports efforts to ensure accountability for all violations of international human rights law and international humanitarian law wherever they occur. For the above reasons, Portugal will vote in favour of this resolution.

Mr. Staples (United Kingdom): The United Kingdom is committed to working with both Israel and the Palestinian Authority to advance a peaceful two-State solution, with Jerusalem as a shared capital. We are deeply concerned about instability in the West

Bank and call on all sides to work together to urgently de-escalate the situation.

The United Kingdom will vote against the draft resolution entitled "Israeli practices affecting the human rights of the Palestinian people in the Occupied Palestinian Territory, including East Jerusalem", because we do not feel that a referral to the International Court of Justice is helpful in bringing the parties back to dialogue.

It is also the position of the United Kingdom that it is inappropriate without the consent of both parties to ask the Court to give an advisory opinion on what is essentially a bilateral dispute. The proposal of requesting an advisory opinion from the International Court of Justice on the occupied Palestinian territories was a recommendation of a report of the Human Rights Council commission of inquiry on the situation in Israel, the West Bank and Gaza, established in May 2021. We reiterate our regret at the establishment of that commission, which furthered the Human Rights Council's disproportionate focus on Israel and failed to include a time limit on the mandate.

The draft resolution submitted also refers to the Haram Al-Sharif/Temple Mount site in Jerusalem in purely Islamic terms. The United Kingdom has made clear for many years that we disagree with that approach. The United Kingdom recognizes that Jerusalem and the holy site at Haram Al-Sharif/Temple Mount hold particular significance for many groups around the globe, including the three Abrahamic faiths — Christianity, Islam and Judaism. We would like to see that significance adequately reflected in future draft resolutions. The United Kingdom is committed to preserving the religious status quo and truly values Jordan's important role as custodian of the holy sites in Jerusalem.

The President: The Assembly will now take a decision on draft resolution I, entitled "Israeli practices affecting the human rights of the Palestinian people in the Occupied Palestinian Territory, including East Jerusalem".

A recorded vote has been requested.

A recorded vote was taken.

In favour:

Algeria, Angola, Argentina, Armenia, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belgium, Belize, Bolivia (Plurinational State of), Botswana, Brunei Darussalam, Cambodia, Chile, China, Colombia, Cuba, Democratic People's Republic of Korea, Djibouti, Egypt, El Salvador, Gabon, Grenada, Guinea, Guinea-Bissau, Guyana, Indonesia, Iran (Islamic Republic of), Iraq, Ireland, Jamaica, Jordan, Kazakhstan, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Lebanon, Lesotho, Libya, Luxembourg, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Mongolia, Morocco, Mozambique, Namibia, Nicaragua, Nigeria, Oman, Pakistan, Paraguay, Peru, Poland, Portugal, Qatar, Russian Federation, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Saudi Arabia, Senegal, Sierra Leone, Singapore, Slovenia, Somalia, South Africa, Sri Lanka, Sudan, Syrian Arab Republic, Tajikistan, Trinidad and Tobago, Tunisia, Türkiye, Turkmenistan, Uganda, United Arab Emirates, Viet Nam, Yemen, Zambia, Zimbabwe

Against:

Albania, Australia, Austria, Canada, Costa Rica, Croatia, Czechia, Democratic Republic of the Congo, Estonia, Germany, Guatemala, Hungary, Israel, Italy, Kenya, Liberia, Lithuania, Marshall Islands, Micronesia (Federated States of), Nauru, Palau, Papua New Guinea, Romania, Togo, United Kingdom of Great Britain and Northern Ireland, United States of America

Abstaining:

Andorra, Belarus, Bosnia and Herzegovina, Brazil, Bulgaria, Burundi, Cameroon, Côte d'Ivoire, Cyprus, Denmark, Dominican Republic, Ecuador, Eritrea, Ethiopia, Fiji, Finland, France, Georgia, Ghana, Greece, Haiti, Honduras, Iceland, India, Japan, Kiribati, Latvia, Liechtenstein, Malawi, Monaco, Montenegro, Myanmar, Netherlands, New Zealand, Norway, Panama, Philippines, Republic of Korea, Republic of Moldova, Rwanda, Samoa, San Marino, Serbia, Slovakia, Solomon Islands, South Sudan, Spain, Sweden, Switzerland, Thailand, United Republic of Tanzania, Uruguay, Vanuatu

Draft resolution I was adopted by 87 votes to 26, with 53 abstentions (resolution 77/247).

The President: I shall now give the floor to those representatives who wish to speak in explanation of vote after adoption.

Mr. Vorshilov (Mongolia): I take the floor to explain the position of my delegation in relation to the resolution entitled "Israeli practices affecting the human rights of the Palestinian people in the Occupied Palestinian Territory, including East Jerusalem".

Mongolia voted in favour of the resolution, in line with its long-standing, consistent and principled position, which supports the negotiated two-State solution as the only just and lasting solution that envisions the coexistence of the civilian and independent State of Palestine and the State of Israel.

However, my delegation wishes to place on record its reservations on operative paragraph 18, which requests the International Court of Justice to render an advisory opinion on the questions set out in the in that paragraph. Indeed, it is our firm belief that both Israelis and Palestinians can achieve a durable just and comprehensive solution in line with international resolutions.

Mr. Bogaerts (Belgium): It is my honour to deliver this statement on behalf of the Kingdom of Belgium, and I will keep it brief.

Belgium recalls that its position in favour of this resolution does not imply a change of its stance on the terminology concerning the Temple Mount/Haram Al-Sharif. While we welcome the language in the resolution that reaffirms the special significance of the holy sites and the importance of the city of Jerusalem for the three monotheistic religions, Belgium stresses the need for language on the holy sites of Jerusalem to reflect the importance and historical significance of the holy sites for the three monotheistic religions and to respect religious and cultural sensitivities. The future choice of language may affect Belgium's support for this resolution according to the established voting pattern.

Mr. Feruță (Romania): My delegation voted against resolution 77/247, as we are not convinced that the request for an advisory opinion from the International Court of Justice serves the overall aim of advancing a just, lasting and negotiated settlement of the conflict between the Israelis and Palestinians. I want to add that there should have been greater preparation in advance in order to ensure that all the implications were thoroughly assessed. We nonetheless fully acknowledge that the paragraphs dealing directly with and seeking an advisory opinion from the Court reflect Romania's position on the relevance of international law, including international humanitarian law in this case, and our long-standing opposition to the prolonged occupation of the Palestinian territory and settlements within it.

However, in Romania's view, any action by the General Assembly should indicate a predictable path towards a negotiated settlement. In this case, that implies that the request for an advisory opinion by the International Court of Justice should include questions of clarification meant to assist the parties generally. Romania has always maintained a principled and balanced position regarding the Middle East peace process through its opposition to unilateral action. Our aim is to seek the best ways and means capable of realizing a two-State solution. That remains the only viable option for achieving a just and lasting peace in the Middle East, based on the relevant United Nations resolutions and the Madrid and Oslo terms of reference.

Furthermore, Romania is in favour of all actions that advance confidence-building measures and a positive agenda aimed at fostering a resumption of direct, substantive and productive talks designed to achieve an inclusive political process. In our view, a request for an advisory opinion by the International Court of Justice, as it is outlined and proposed in the resolution, would not only not serve that purpose but would set it back. However, Romania does believe that there is a need for revitalized international action and collective efforts to launch credible negotiations on all final status issues and for intensified efforts by the parties towards achieving a just and lasting peace in the Middle East.

Mr. De Bono Sant Cassia (Malta): Malta's position on the Israeli-Palestinian conflict is well known and long-standing. We subscribe to the principle that all parties should have recourse to judicial organs, including in their advisory capacities, while at the same time we want to emphasize that the specific proposal contained in resolution 77/247 would have benefited from further discussion and consultations with the wider United Nations membership. Malta calls on the parties to continue working to build mutual trust, exercise the greatest possible restraint in undertaking any unilateral action that could further undermine the peace process and take concrete steps towards relaunching a political horizon aimed at realizing a two-State solution as soon as possible. Malta remains ready to provide its support to that end.

The President: I now give the floor to the Permanent Observer of the Observer State of Palestine.

Mr. Mansour (Palestine): We thank all the delegations that voted in favour of resolution 77/247. The General Assembly has now requested an advisory opinion on the violation of the right of the Palestinian people to self-determination, the annexation and prolonged occupation of our land, the building of settlements and the discriminatory legislation and measures instituted against our people, all of it undeterred by threats or pressure. This vote and request come one day after the formation of a new Israeli Government that has pledged to intensify its colonial and racist policies towards the Palestinian people. We trust that, regardless of how members have voted today, if they believe in international law and peace they will uphold the opinion of the International Court of Justice when it is delivered. And they will stand up to the Israeli Government right now because freedom, justice and peace should prevail. I want to wish everyone in this Hall a happy new year.

The President: The General Assembly has thus concluded this stage of its consideration of agenda item 47.

Agenda item 72 (*continued*)

Oceans and the law of the sea

(a) Oceans and the law of the sea

Report of the Fifth Committee (A/77/669)

Draft resolution (A/77/L.36)

The President: The Assembly will now take action on the draft resolution contained in document A/77/L.36.

The report of the Fifth Committee on the programme budget implications of the draft resolution is contained in document A/77/669. The text of the report, for the time being, is contained in document A/C.5/77/L.19, section I.

The Assembly will now take a decision on draft resolution A/77/L.36, entitled "Oceans and the law of the sea".

I now give the floor to the representative of the Secretariat.

Ms. De Miranda (Department for General Assembly and Conference Management): I should like to announce that since the submission of the draft resolution, and in addition to the delegations listed in the document, the following countries have also become sponsors of draft resolution A/77/L.36: Angola, Antigua and Barbuda, Bahrain, Belize, Botswana, Brazil, Chile, Cuba, the Dominican Republic, Djibouti, Equatorial Guinea, Georgia, Guyana, Kenya, Lebanon, Malawi, Malaysia, Maldives, Mali, Marshall Islands, Mauritius, Mexico, Montenegro, Morocco, Namibia, Nepal, Oman, Palau, Panama, Saint Kitts and Nevis, Saint Vincent and the Grenadines, Seychelles, Sri Lanka, Tonga, Trinidad and Tobago, Tunisia, Tuvalu and Ukraine.

The President: A recorded vote has been requested.

A recorded vote was taken.

In favour:

Albania, Algeria, Andorra, Angola, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belgium, Bosnia and Herzegovina, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burundi, Cambodia, Cameroon, Canada, Central African Republic, Chad, Chile, China, Costa Rica, Côte d'Ivoire, Croatia, Cuba, Cyprus, Czechia, Democratic People's Republic of Korea, Denmark, Djibouti, Dominican Republic, Ecuador, Egypt, Equatorial Guinea, Eritrea, Estonia, Fiji, Finland, France, Gabon, Georgia, Germany, Ghana, Greece, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, Hungary, Iceland, India, Indonesia, Ireland, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kiribati, Lao People's Democratic Republic, Latvia, Lebanon, Lesotho, Libya, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Marshall Islands, Mauritania, Mauritius, Mexico, Micronesia (Federated States of), Monaco, Mongolia, Montenegro, Morocco, Mozambique, Myanmar, Namibia, Nauru, Nepal, Netherlands, New Zealand, Nicaragua, Nigeria, North Macedonia, Norway, Oman, Pakistan, Palau, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Rwanda, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Samoa, San Marino, Saudi Arabia, Senegal, Serbia, Sierra Leone, Singapore, Slovakia, Slovenia, Solomon Islands, Somalia, South Africa, Spain, Sri Lanka, Sudan, Sweden, Switzerland, Tajikistan, Thailand,

Timor-Leste, Togo, Trinidad and Tobago, Tunisia, Turkmenistan, Tuvalu, Uganda, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United States of America, Uruguay, Uzbekistan, Vanuatu, Yemen, Zambia, Zimbabwe

Against:
Türkiye

Abstaining:
Colombia, El Salvador, Syrian Arab Republic

The draft resolution was adopted by 159 to 1 with 3 abstentions (resolution 77/248).

The President: I shall now give the floor to those representatives who wish to speak in explanation of vote after the voting.

Mr. Segura Aragón (El Salvador) (*spoke in Spanish*): First of all, my delegation would like to express its sincere appreciation to the delegation of Singapore for its extraordinary and valuable coordination work on resolution 77/248 on oceans and the law of the sea. As my delegation expressed during the last meeting of the informal consultations, this subject deserves special attention in the light of the importance of revitalizing the work of the General Assembly and all the intergovernmental processes carried out within its competence.

However, my delegation decided today to abstain from the voting on the text of the resolution because of two substantive aspects in which the Salvadoran State maintains legal and policy opposition to it. First, with regard to the sixth preambular paragraph of the resolution, my delegation regrets that, owing to the lack of inclusivity in the delegations, it was not possible for resolution 77/248 to reflect the applicability of other relevant international legal principles and instruments which have been used to develop activities in the area of oceans and seas and which are of equal strategic importance as a basis for national activities and cooperation. The need to refer to the applicability of other relevant legal instruments stems from the necessary multidimensionality that the resolution before us must have. In that regard, it should be recalled that international law, particularly the international law of the sea, has adaptability as an attribute, by which the legal framework must adapt to demands from the international environment, corresponding to the progressive and transformative nature of the international legal order, in order to fulfil purposes of common interest and ensure widespread cooperation, especially when it comes to one of the most vital of all elements, namely, the oceans.

The Republic of El Salvador recognizes the importance of the role played by the oceans in different aspects of the life cycle of the beings that inhabit this planet, as well as the role they play in the preservation of ecosystems and natural resources, it being increasingly necessary to redouble efforts to ensure the conservation and sustainable management of all coastal and marine resources for the common welfare of humankind, including food security for millions of people. It is because of this that we have repeatedly insisted on the importance of the language throughout the omnibus resolution on oceans and law of the sea not referring exclusively to the United Nations Convention on the Law of the Sea as the only framework applicable to ocean activities, since there are other principles and instruments of international law, including principles of international environmental law, which allow us to refer, in a multidimensional and progressive manner, to the different aspects that converge in the sustainable conservation of the oceans. El Salvador will continue to constructively promote rapprochement with interested delegations in order to seek consensus on this aspect.

The second aspect that triggered my delegation's abstention in the voting on resolution 77/248 was the chapter on maritime safety and security and flag State implementation. As the delegations present are aware, the delegations of Türkiye, Bangladesh and El Salvador jointly submitted proposed language emphasizing with great concern the loss of lives of migrants on land and at sea, introducing in this context the request for States to fulfil their responsibilities and take measures to protect the right to life of migrants regardless of their migration status and to, inter alia, uphold the prohibition of collective expulsions and refoulement, guarantee due process and improve reception and assistance capacities.

The sea has long offered passage to a wide range of people moving for a variety of reasons, including poverty, conflict, persecution, and the search for safety and opportunity and family reunification. The complex migration routes, the dangers faced by people on the move and the exploitation of migrants throughout the migration cycle are among the most urgent humanitarian challenges of our time, and States have had to integrate other important dimensions, such as the environment

and climate, into the migration policy debate. That is why my delegation, together with the other proponents, considers it of utmost importance to have the resolution contain language that reinforces the protection of the right to life of all migrants in all circumstances, particularly on land and at sea. For my delegation, it is vital that States strengthen their reception and assistance capacities with due process, and that the humanitarian assistance provided, including interventions by other relevant actors, should never be impeded on the basis of alleged illegality, since migration is a right, and since migration through irregular channels represents an administrative offence, and not a crime.

My delegation is extremely grateful for the valuable support expressed by the delegations in this Hall, as well as for the constructive spirit and flexibility demonstrated by other delegations for the proposal. We regret and view with concern that despite all these efforts and the high spirit of compromise shown, certain delegations did not accept any part of the proposed alternative language, some even stating that it should not be reflected in the resolution at all, which therefore prevented us from reaching consensus on this very important issue.

Finally, my delegation wishes to reiterate that it is firmly committed to continuing to promote dialogue on the two substantive aspects referred to in this explanation of vote, with a view to harmonizing positions in a constructive spirit of solidarity.

Mr. Çetin (Türkiye): Türkiye requested a vote and voted against resolution 77/248, entitled "Oceans and the law of the sea", under sub-item (a) of agenda item 72.

As we have expressed before, Türkiye agrees in principle with the general content of the resolution. We particularly appreciate that the resolution recognizes the importance of the conservation and sustainable use of the oceans, seas and their resources in efforts to achieve the goals set forth in the 2030 Agenda for Sustainable Development.

However, owing to the nature of the references made to the United Nations Convention on the Law of the Sea (UNCLOS) in the resolution, Türkiye was obliged once again to call for a vote on the resolution. Türkiye is not a party to the UNCLOS and has consistently expressed that it does not agree with the view that the Convention has a universal and unified character. We also maintain that the UNCLOS is not the only legal framework that regulates all activities on the oceans and seas. These concerns and objections have also been raised by a number of other States throughout the years.

Türkiye remains ready and willing to continue working with Member States towards the objective of ensuring that this resolution is adopted without a vote in future. We demonstrated this willingness once more during this year's informal consultations, and we thank delegations for engaging in the discussions that took place. Until we can find an appropriate solution that will duly address the concerns of several States with regard to this resolution, the UNCLOS language of concern cannot be referred to as agreed language and cannot set a precedent for other United Nations resolutions.

We would also like to take this opportunity to note that the reasons that have prevented Türkiye from becoming a party to the UNCLOS remain valid. Türkiye supports international efforts to establish a regime of the seas that is based on the principle of equity and is acceptable to all States. However, in our opinion, the Convention does not provide sufficient safeguards in relation to particular geographical situations and, as a consequence, does not take into consideration conflicting interests and sensitivities stemming from special circumstances. Furthermore, the Convention does not allow States to make reservations to its articles.

Therefore, although we agree with the Convention in its general intent and with most of its provisions, we are unable to become a party to it, owing to the prominent shortcomings outlined heretofore. In that regard, Türkiye also wishes to draw attention to the risks posed by erroneous interpretations of international law and the invocation of UNCLOS to justify maximalist claims, especially as regards the limitation of maritime jurisdiction areas. Even though Türkiye is not a party to the Convention, we support the resolution of maritime disputes on the basis of equity and in accordance with international law, as applicable. We hope that all relevant actors will adopt a similar approach in order to promote regional and international peace and stability.

The scope of the current resolution has expanded significantly over the years to include a wide range of developments and issues relating to the oceans and seas. Several of those issues are also tackled in a holistic and concise manner in the related annual reports of the Secretary-General, the latest of which addresses topics such as the human dimension of migration by sea, the ocean-climate nexus and the protection

and preservation of the marine environment (see A/77/331). Taking all of this into consideration, Türkiye presented a number of proposals this year relating to the important decisions adopted at the twenty-second meeting of the contracting parties to the Convention for the Protection of the Marine Environment and the Coastal Region of the Mediterranean, also known as the Barcelona Convention, which was held in Antalya, Türkiye, from 7 to 10 December 2021. We are pleased that the proposals, one of which was combined with the European Union's proposal on the same topic, were included in the resolution, illustrating the significant contributions made by regional seas conventions to the protection of the marine environment and the conservation and sustainable management of marine biodiversity and ecosystems.

Additionally, Bangladesh, El Salvador and Türkiye presented a joint proposal expressing concern about the increasing loss of migrants' lives at sea and on land and calling on States to fulfil their responsibility and take action to protect migrants' right to life while upholding the prohibition of collective expulsions and pushbacks, among other things. The increase in the deaths of migrants on perilous routes around the world has been highlighted as a major issue of concern by countless governmental and non-governmental organizations and bodies for a number of years. The International Organization for Migration, the United Nations High Commissioner for Refugees, the Special Rapporteur on the Human Rights of Migrants and mandate-holders under the aegis of regional organizations such as the Council of Europe have all issued various statements and reports on the topic.

The Secretary-General himself and his spokesperson have also expressed their concern about developments in various regions many times since the beginning of this year. The Secretary-General also rightly touched on the matter in his annual report on oceans and the law of the sea by referring to the Progress Declaration (resolution 76/266, annex) adopted during the first International Migration Review Forum, held earlier this year. As the Secretary-General states in his report, the Progress Declaration is aimed among other things at developing safe and predictable arrival procedures for all migrants, promoting the sharing of responsibilities in providing a place of safety, in accordance with international law, and developing search-and-rescue procedures with the primary objective of protecting the right to life.

It is regrettable that a cross-regional proposal on a humanitarian matter such as this could not be reflected in the text before us, despite multiple constructive efforts on the part of its presenters to accommodate the views and positions of other States. It was also disappointing and perhaps telling to see some States object even to quoting the fundamental elements and considerations that the Secretary-General highlighted in his report on this very agenda item. On the other hand, several other delegations, despite having nuanced views and positions on the topic, demonstrated a positive and constructive approach that we sincerely appreciate. In that regard, we would like to echo the delegations that pointed out during the discussions on its proposal the importance of avoiding double standards when it comes to the scope of an all-encompassing resolution and the extent to which it touches on various issues that are intrinsically and indisputably connected to the oceans and seas.

Finally, we would like to thank the coordinator of the informal consultations, Ms. Natalie Morris-Sharma, and the United Nations Division for Ocean Affairs and the Law of the Sea for all of their efforts and assistance in the process of updating the resolution.

Mr. Rodriguez de la Hoz (Colombia) (*spoke in Spanish*): At the outset, my delegation would like to express its heartfelt thanks to Ms. Natalie Morris-Sharma of Singapore for her efforts as coordinator of resolution 77/248, entitled "Oceans and the law of the sea", and for her leadership.

Colombia participated in the negotiations, as it does every year, in a constructive spirit and with serious interest in the continuing development of the law of the sea, a topic with which my country has extensive experience. However, my delegation would like to note that as on previous occasions, the resolution maintains wording that the Colombian Government does not subscribe to with regard to considering the 1982 United Nations Convention on the Law of the Sea (UNCLOS) as the sole legal framework that governs all activities on the oceans.

The International Court of Justice, the principal legal organ of the United Nations, has stated quite unambiguously that customary law does indeed apply to States such as Colombia that have not ratified UNCLOS. The Court, including in an ongoing proceeding to which my country is a party, has undertaken to examine as to whether or not certain articles of the

Convention are part of customary law. In that regard, the Court recognizes in its jurisprudence that it cannot be concluded that the entire Convention contains norms of a customary nature and that it must be established in each individual case whether a respective provision is in fact of a customary nature.

As a result, we find ourselves obliged to once again reiterate that the current resolution, along with any participation in the process resulting in its adoption, cannot be considered or interpreted in a way that implies the explicit or tacit acceptance by the Colombian State of the provisions contained in UNCLOS, apart from those that are of a customary nature and that my country has recognized as such.

For all of those reasons, Colombia expresses its reservation regarding any mention of the Convention within the resolution as the only legal framework within which all activities on the oceans and seas must be carried out. We reffirm that we do not consider ourselves bound by the content of those declarations.

The constructive spirit that guides our country when it comes to issues related to the oceans and the law of the sea is grounded in the firm belief that all nations have a commitment and a responsibility to protect our seas, their resources and their great biodiversity and ecosystems. Moreover, all countries share pressing concerns about issues such as rising sea levels, marine plastic pollution and the acidification of oceans, because a sustainable future for our planet and the continued existence of our species on it depend to a large extent on our oceans and seas. Colombia therefore remains ready and willing to continue working alongside other nations to address the challenges facing our oceans and ensure that they are clean, healthy, resilient, productive, predictable, accessible and safe.

Mr. Bayley Angeleri (Bolivarian Republic of Venezuela) (*spoke in Spanish*): We thank Ms. Natalie Morris-Sharma of Singapore and Mr. Vladimir Jares, Director of the Division for Ocean Affairs and the Law of the Sea of the Office of Legal Affairs.

The Bolivarian Republic of Venezuela is taking the floor to explain its vote on resolution 77/248, which the Assembly has just adopted, in order to once again underscore that Venezuela is not a State party to the United Nations Convention on the Law of the Sea (UNCLOS) and that the norms it contains are not applicable to the Venezuelan State under either conventional or customary international law, with the exception of provisions that have been expressly recognized or may be recognized in future through their incorporation into our national legislation. My delegation is of the opinion that UNCLOS is not universal in nature and has reiterated on multiple occasions that it does not consider UNCLOS to be the only legal framework within which all activities on the oceans and seas must be carried out, since there exist other international instruments that my country has ratified and that together with the Convention form the legal acquis of the so-called law of the sea.

Despite the inclusion of some positive aspects, we should point out that the resolution contains elements that compel Venezuela to express reservations with regard to the outcome document on "The future we want" of the United Nations Conference on Sustainable Development (resolution 66/288, annex), held in Rio de Janeiro, Brazil, as well as Goal 14 of the Sustainable Development Goals.

The President: The General Assembly has thus concluded this stage of its consideration of sub-item (a) of agenda item 72.

Agenda item 78 (*continued*)

Crimes against humanity

Report of the Sixth Committee (A/77/416)

Report of the Fifth Committee (A/77/665)

The President: The General Assembly will now take action on the draft resolution recommended by the Committee in its report. The report of the Fifth Committee on the programme budget implications of the draft resolution is contained in document A/77/665. The text of the report, for the time being, is contained in document A/C.5/77/L.19, section E.

The Assembly will now take a decision on the draft resolution, entitled "Crimes against humanity". The Committee adopted the draft resolution without a vote. May I take it that the Assembly wishes to do likewise?

The draft resolution was adopted (resolution 77/249).

The President: The General Assembly has thus concluded this stage of its consideration of agenda item 78.

Agenda item 97 (*continued*)

Prevention of an arms race in outer space

(c) Further practical measures for the prevention of an arms race in outer space

Report of the First Committee (A/77/383)

Report of the Fifth Committee (A/77/662)

The President: The General Assembly will now take action on draft resolution IV, recommended by the Committee in its report, under sub-item (c). The report of the Fifth Committee on the programme budget implications of draft resolution IV is contained in document A/77/662. The text of the report, for the time being, is contained in document A/C.5/77/L.19, section B.

The Assembly will now take a decision on draft resolution IV, entitled "Further practical measures for the prevention of an arms race in outer space".

Separate recorded votes have been requested on the fifth preambular paragraph and on operative paragraphs 8 to 12 of the draft resolution.

I shall first put to the vote the fifth preambular paragraph.

A recorded vote was taken.

In favour:

Algeria, Angola, Argentina, Armenia, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belize, Bhutan, Bolivia (Plurinational State of), Botswana, Brazil, Brunei Darussalam, Burkina Faso, Burundi, Cambodia, Cameroon, Central African Republic, Chad, China, Colombia, Costa Rica, Côte d'Ivoire, Cuba, Democratic People's Republic of Korea, Djibouti, Dominican Republic, Ecuador, Egypt, El Salvador, Eritrea, Ethiopia, Fiji, Ghana, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, Indonesia, Iran (Islamic Republic of), Iraq, Jamaica, Jordan, Kazakhstan, Kenya, Kiribati, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Lebanon, Lesotho, Madagascar, Malawi, Malaysia, Maldives, Mali, Mauritania, Mauritius, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Nicaragua, Nigeria, Oman, Pakistan, Panama, Paraguay, Peru, Philippines, Qatar, Russian Federation, Saint Kitts and Nevis, Saint Vincent and the Grenadines, Saudi Arabia, Senegal, Singapore, South Africa, South Sudan, Sri Lanka, Sudan, Syrian Arab Republic, Thailand, Timor-Leste, Trinidad and Tobago, Tunisia, Turkmenistan, Uganda, United Arab Emirates, United Republic of Tanzania, Uruguay, Uzbekistan, Viet Nam, Yemen, Zimbabwe

Against:

Albania, Andorra, Australia, Austria, Belgium, Bosnia and Herzegovina, Bulgaria, Canada, Croatia, Cyprus, Czechia, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Iceland, India, Ireland, Italy, Japan, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Monaco, Montenegro, Netherlands, New Zealand, North Macedonia, Norway, Papua New Guinea, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, San Marino, Slovakia, Slovenia, Spain, Sweden, Ukraine, United Kingdom of Great Britain and Northern Ireland, United States of America

Abstaining:

Chile, Gabon, Georgia, Switzerland, Togo

The fifth preambular paragraph was retained by 103 votes to 48, with 5 abstentions.

The President: I shall now put to the vote operative paragraph 8 of draft resolution IV.

A recorded vote was taken.

In favour:

Algeria, Angola, Argentina, Armenia, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belize, Bolivia (Plurinational State of), Brunei Darussalam, Burundi, Cambodia, Central African Republic, Chad, China, Costa Rica, Côte d'Ivoire, Cuba, Democratic People's Republic of Korea, Djibouti, Egypt, El Salvador, Eritrea, Ethiopia, Gabon, Ghana, Grenada, Guinea, Guinea-Bissau, Guyana, Haiti, India, Indonesia, Iran (Islamic Republic of), Iraq, Jordan, Kazakhstan, Kenya, Kiribati, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Lebanon, Lesotho, Libya, Madagascar, Malawi, Malaysia, Maldives, Mali, Mauritania, Mauritius, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Nicaragua, Nigeria, Oman, Pakistan, Panama, Paraguay, Peru, Qatar, Russian Federation, Saint Kitts and Nevis, Saudi Arabia, Senegal, Singapore, South Africa, South Sudan, Sri Lanka, Sudan, Syrian Arab Republic,

Tajikistan, Thailand, Timor-Leste, Trinidad and Tobago, Tunisia, Turkmenistan, Uganda, United Arab Emirates, Uruguay, Uzbekistan, Viet Nam, Yemen, Zambia, Zimbabwe

Against:

Albania, Andorra, Australia, Austria, Belgium, Bosnia and Herzegovina, Bulgaria, Canada, Croatia, Cyprus, Czechia, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Iceland, Ireland, Italy, Japan, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Monaco, Montenegro, Netherlands, New Zealand, North Macedonia, Norway, Papua New Guinea, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, San Marino, Slovakia, Slovenia, Spain, Sweden, Ukraine, United Kingdom of Great Britain and Northern Ireland, United States of America

Abstaining:

Bhutan, Brazil, Chile, Colombia, Dominican Republic, Ecuador, Georgia, Guatemala, Honduras, Jamaica, Mexico, Philippines, Sierra Leone, Switzerland, Togo

Operative paragraph 8 was retained by 92 votes to 47, with 15 abstentions.

The President: I shall now put to the vote operative paragraph 9 of draft resolution IV.

A recorded vote was taken.

In favour:

Algeria, Angola, Argentina, Armenia, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belize, Bolivia (Plurinational State of), Botswana, Brunei Darussalam, Burundi, Cambodia, Central African Republic, Chad, China, Costa Rica, Côte d'Ivoire, Cuba, Democratic People's Republic of Korea, Djibouti, Egypt, El Salvador, Eritrea, Ethiopia, Ghana, Grenada, Guinea, Guinea-Bissau, Guyana, Haiti, India, Indonesia, Iran (Islamic Republic of), Iraq, Jordan, Kazakhstan, Kenya, Kiribati, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Lebanon, Lesotho, Libya, Madagascar, Malaysia, Maldives, Mali, Mauritania, Mauritius, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Nicaragua, Nigeria, Oman, Pakistan, Panama, Paraguay, Peru, Qatar, Russian Federation, Saudi Arabia, Senegal, Singapore, South Africa, South Sudan, Sri Lanka, Sudan, Syrian Arab Republic, Tajikistan, Thailand, Timor-Leste, Trinidad and Tobago, Tunisia, Turkmenistan, Uganda, United Arab Emirates, Uruguay, Uzbekistan, Viet Nam, Yemen, Zambia, Zimbabwe

Against:

Albania, Andorra, Australia, Austria, Belgium, Bosnia and Herzegovina, Bulgaria, Canada, Croatia, Cyprus, Czechia, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Iceland, Ireland, Italy, Japan, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Monaco, Montenegro, Netherlands, New Zealand, North Macedonia, Norway, Papua New Guinea, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, San Marino, Slovakia, Slovenia, Spain, Sweden, Ukraine, United Kingdom of Great Britain and Northern Ireland, United States of America

Abstaining:

Bhutan, Brazil, Chile, Colombia, Dominican Republic, Ecuador, Fiji, Georgia, Guatemala, Honduras, Jamaica, Malawi, Mexico, Philippines, Saint Kitts and Nevis, Sierra Leone, Switzerland, Togo

Operative paragraph 9 was retained by 90 votes to 47, with 18 abstentions.

The President: I now put to the vote operative paragraph 10 of draft resolution IV.

A recorded vote was taken.

In favour:

Algeria, Angola, Argentina, Armenia, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belize, Bolivia (Plurinational State of), Botswana, Brunei Darussalam, Burundi, Cambodia, Chad, China, Costa Rica, Côte d'Ivoire, Cuba, Democratic People's Republic of Korea, Djibouti, Egypt, El Salvador, Eritrea, Ethiopia, Ghana, Grenada, Guinea, Guinea-Bissau, Guyana, Haiti, India, Indonesia, Iran (Islamic Republic of), Iraq, Jordan, Kazakhstan, Kenya, Kiribati, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Lebanon, Lesotho, Libya, Madagascar, Malaysia, Maldives, Mali, Mauritania, Mauritius, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Nicaragua, Nigeria, Oman, Pakistan, Panama, Paraguay, Peru, Qatar, Russian Federation, Saudi Arabia, Senegal, Sierra Leone, Singapore, South

Africa, South Sudan, Sri Lanka, Sudan, Syrian Arab Republic, Tajikistan, Thailand, Timor-Leste, Trinidad and Tobago, Tunisia, Turkmenistan, Uganda, United Arab Emirates, Uruguay, Uzbekistan, Viet Nam, Yemen, Zambia, Zimbabwe

Against:

Albania, Andorra, Australia, Austria, Belgium, Bosnia and Herzegovina, Bulgaria, Canada, Croatia, Cyprus, Czechia, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Iceland, Ireland, Italy, Japan, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Monaco, Montenegro, Netherlands, New Zealand, North Macedonia, Norway, Papua New Guinea, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, San Marino, Slovakia, Slovenia, Spain, Sweden, Ukraine, United Kingdom of Great Britain and Northern Ireland, United States of America

Abstaining:

Bhutan, Brazil, Chile, Colombia, Dominican Republic, Ecuador, Fiji, Georgia, Guatemala, Honduras, Jamaica, Malawi, Mexico, Philippines, Switzerland, Togo

Operative paragraph 10 was retained by 90 votes to 47, with 16 abstentions.

The President: I shall now put to the vote operative paragraph 11 of draft resolution IV.

A recorded vote was taken.

In favour:

Algeria, Angola, Argentina, Armenia, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belize, Bolivia (Plurinational State of), Botswana, Brunei Darussalam, Burundi, Cambodia, Central African Republic, Chad, China, Costa Rica, Côte d'Ivoire, Cuba, Democratic People's Republic of Korea, Djibouti, Egypt, El Salvador, Eritrea, Ethiopia, Ghana, Grenada, Guinea, Guinea-Bissau, Guyana, Haiti, India, Indonesia, Iran (Islamic Republic of), Iraq, Jordan, Kazakhstan, Kenya, Kiribati, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Lebanon, Lesotho, Libya, Madagascar, Malaysia, Maldives, Mali, Mauritania, Mauritius, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Nicaragua, Nigeria, Oman, Pakistan, Panama, Paraguay, Peru, Qatar, Russian Federation, Saint Kitts and Nevis, Saudi Arabia, Senegal, Sierra Leone, Singapore, South Africa, South Sudan, Sri Lanka, Sudan, Syrian Arab Republic, Tajikistan, Thailand, Timor-Leste, Trinidad and Tobago, Tunisia, Turkmenistan, Uganda, United Arab Emirates, Uruguay, Uzbekistan, Viet Nam, Yemen, Zambia, Zimbabwe

Against:

Albania, Andorra, Australia, Austria, Belgium, Bosnia and Herzegovina, Bulgaria, Canada, Croatia, Cyprus, Czechia, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Iceland, Ireland, Italy, Japan, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Monaco, Montenegro, Netherlands, New Zealand, North Macedonia, Norway, Papua New Guinea, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, San Marino, Slovakia, Slovenia, Spain, Sweden, Ukraine, United Kingdom of Great Britain and Northern Ireland, United States of America

Abstaining:

Bhutan, Brazil, Chile, Colombia, Dominican Republic, Ecuador, Fiji, Georgia, Guatemala, Honduras, Jamaica, Malawi, Mexico, Philippines, Switzerland, Togo

Operative paragraph 11 was retained by 92 votes to 47, with 16 abstentions.

The President: I shall now put to the vote operative paragraph 12 of draft resolution IV.

A recorded vote was taken.

In favour:

Algeria, Angola, Argentina, Armenia, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belize, Bolivia (Plurinational State of), Botswana, Brunei Darussalam, Burundi, Cambodia, Central African Republic, Chad, China, Costa Rica, Côte d'Ivoire, Cuba, Democratic People's Republic of Korea, Djibouti, Egypt, El Salvador, Eritrea, Ethiopia, Ghana, Grenada, Guinea, Guinea-Bissau, Guyana, Haiti, India, Indonesia, Iran (Islamic Republic of), Iraq, Jordan, Kazakhstan, Kenya, Kiribati, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Lebanon, Lesotho, Libya, Madagascar, Malaysia, Maldives, Mali, Mauritania, Mauritius, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Nicaragua, Nigeria, Oman, Pakistan, Panama, Paraguay, Peru, Philippines, Qatar,

Russian Federation, Saint Kitts and Nevis, Saudi Arabia, Senegal, Sierra Leone, Singapore, South Africa, South Sudan, Sri Lanka, Sudan, Syrian Arab Republic, Tajikistan, Thailand, Timor-Leste, Trinidad and Tobago, Tunisia, Turkmenistan, Uganda, United Arab Emirates, Uruguay, Uzbekistan, Viet Nam, Yemen, Zambia, Zimbabwe

Against:

Albania, Andorra, Australia, Austria, Belgium, Bosnia and Herzegovina, Bulgaria, Canada, Croatia, Cyprus, Czechia, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Iceland, Ireland, Italy, Japan, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Monaco, Montenegro, Netherlands, New Zealand, North Macedonia, Norway, Papua New Guinea, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, San Marino, Slovakia, Slovenia, Spain, Sweden, Ukraine, United Kingdom of Great Britain and Northern Ireland, United States of America

Abstaining:

Bhutan, Brazil, Chile, Colombia, Dominican Republic, Ecuador, Fiji, Georgia, Guatemala, Honduras, Jamaica, Malawi, Mexico, Switzerland, Togo

Operative paragraph 12 was retained by 93 votes to 47, with 15 abstentions.

The President: I shall now put to the vote draft resolution IV as a whole. A recorded vote has been requested.

A recorded vote was taken.

In favour:

Algeria, Angola, Argentina, Armenia, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belize, Bhutan, Bolivia (Plurinational State of), Botswana, Brunei Darussalam, Burkina Faso, Burundi, Cambodia, Cameroon, Central African Republic, Chad, China, Colombia, Congo, Costa Rica, Côte d'Ivoire, Cuba, Democratic People's Republic of Korea, Djibouti, Dominican Republic, Ecuador, Egypt, El Salvador, Eritrea, Ethiopia, Fiji, Gabon, Ghana, Grenada, Guinea, Guinea-Bissau, Guyana, Haiti, India, Indonesia, Iran (Islamic Republic of), Iraq, Jamaica, Jordan, Kazakhstan, Kenya, Kiribati, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Lebanon, Lesotho, Libya, Madagascar, Malawi, Malaysia, Maldives, Mali, Mauritania, Mauritius, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nauru, Nepal, Nicaragua, Nigeria, Oman, Pakistan, Panama, Paraguay, Peru, Philippines, Qatar, Russian Federation, Rwanda, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Samoa, Saudi Arabia, Senegal, Serbia, Sierra Leone, Singapore, Solomon Islands, South Africa, South Sudan, Sri Lanka, Sudan, Syrian Arab Republic, Tajikistan, Thailand, Timor-Leste, Togo, Trinidad and Tobago, Tunisia, Turkmenistan, Uganda, United Arab Emirates, United Republic of Tanzania, Uruguay, Uzbekistan, Vanuatu, Viet Nam, Yemen, Zambia, Zimbabwe

Against:

Albania, Andorra, Australia, Austria, Belgium, Bosnia and Herzegovina, Bulgaria, Canada, Croatia, Cyprus, Czechia, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Iceland, Ireland, Italy, Japan, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Marshall Islands, Monaco, Montenegro, Netherlands, New Zealand, North Macedonia, Norway, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, San Marino, Slovakia, Slovenia, Spain, Sweden, Ukraine, United Kingdom of Great Britain and Northern Ireland, United States of America

Abstaining:

Brazil, Chile, Georgia, Guatemala, Honduras, Papua New Guinea, Switzerland

Draft resolution IV as a whole was adopted by 115 votes to 47, with 7 abstentions (resolution 77/250).

The President: May I take it that it is the wish of the General Assembly to conclude its consideration of agenda item 97 and its sub-item (c)?

It was so decided.

Agenda item 99 (*continued*)

General and complete disarmament

(bb) Problems arising from the accumulation of conventional ammunition stockpiles in surplus

(cc) Transparency and confidence-building measures in outer space activities

Report of the First Committee (A/77/385)

Reports of the Fifth Committee (A/77/663 and A/77/661)

The President: The General Assembly has resumed consideration of the report of the First Committee on sub-items (bb) and (cc) of agenda item 99, issued as document A/77/385, in order to take action on draft resolution XXXVII and draft decision III, as recommended by the Committee in its report. The report of the Fifth Committee on the programme budget implications of draft resolution XXXVII is contained in document A/77/663. The text of the draft resolution, for the time being, is contained in document A/C.5/77/L.19, section C. The report of the Fifth Committee on the programme budget implications of draft decision III is contained in document A/77/661. The text of the draft decision, for the time being, is contained in document A/C.5/77/L.19, section A. The Assembly will now take a decision on draft resolution XXXVII and draft decision III, one by one.

We turn first to draft resolution XXXVII, entitled "Transparency and confidence-building measures in outer space activities". The Committee adopted it without a vote. May I take it that the Assembly wishes to do likewise?

Draft resolution XXXVII was adopted (resolution 77/251).

The President: The Assembly will now take a decision on draft decision III, entitled "Problems arising from the accumulation of conventional ammunition stockpiles in surplus". A recorded vote has been requested.

A recorded vote was taken.

In favour:

Albania, Algeria, Andorra, Angola, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belgium, Bhutan, Bolivia (Plurinational State of), Bosnia and Herzegovina, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Burundi, Cambodia, Canada, Chad, Chile, China, Colombia, Costa Rica, Côte d'Ivoire, Croatia, Cyprus, Czechia, Denmark, Djibouti, Dominican Republic, Ecuador, Egypt, El Salvador, Eritrea, Estonia, Ethiopia, Fiji, Finland, France, Gabon, Georgia, Germany, Ghana, Greece, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, Hungary, Iceland, India, Indonesia, Iraq, Ireland, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kiribati, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Latvia, Lebanon, Lesotho, Libya, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Marshall Islands, Mauritania, Mauritius, Mexico, Micronesia (Federated States of), Monaco, Mongolia, Montenegro, Morocco, Mozambique, Myanmar, Namibia, Nepal, Netherlands, New Zealand, Nigeria, North Macedonia, Norway, Oman, Pakistan, Palau, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Rwanda, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Samoa, San Marino, Saudi Arabia, Senegal, Serbia, Sierra Leone, Singapore, Slovakia, Slovenia, Somalia, South Africa, South Sudan, Spain, Sri Lanka, Sudan, Sweden, Switzerland, Tajikistan, Thailand, Timor-Leste, Togo, Trinidad and Tobago, Tunisia, Türkiye, Turkmenistan, Tuvalu, Uganda, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, United States of America, Uruguay, Vanuatu, Viet Nam, Yemen, Zambia, Zimbabwe

Against:

None

Abstaining:

Cameroon, Cuba, Iran (Islamic Republic of), Nicaragua, Russian Federation, Syrian Arab Republic

Draft decision III was adopted by 162 votes to none, with 6 abstentions (decision 77/547).

The President: May I take it that it is the wish of the General Assembly to conclude its consideration of sub-items (bb) and (cc) of agenda item 99?

It was so decided.

The President: The General Assembly has thus concluded the stage of its consideration of agenda item 99.

Agenda item 130 (*continued*)

Investigation into the conditions and circumstances resulting in the tragic death of Dag Hammarskjöld and of the members of the party accompanying him

Draft resolution (A/77/L.31)

Report of the Fifth Committee (A/77/670)

The President: The Assembly will now take action on draft resolution A/77/L.31, entitled "Investigation into the conditions and circumstances resulting in the tragic death of Dag Hammarskjöld and of the members of the party accompanying him. The report of the Fifth Committee on the programme budget implications of the draft resolution is contained in document A/77/670. The text of the draft resolution, for the time being, is contained in document A/C.1/77/L.19, section J.

I give the floor to the representative of the Secretariat.

Ms. De Miranda (Department for General Assembly and Conference Management): I should like to announce that since the submission of the draft resolution, and in addition to the delegations listed in document A/77/L.31, the following countries have also become sponsors of the draft resolution: Afghanistan, Albania, Algeria, Andorra, Antigua and Barbuda, Australia, Bangladesh, Barbados, Benin, Bolivia (Plurinational State of), Bosnia and Herzegovina, Botswana, Brazil, Burundi, Cabo Verde, Chad, Colombia, Cuba, Czechia, the Democratic People's Republic of Korea, Djibouti, the Dominican Republic, Ecuador, El Salvador, Equatorial Guinea, Fiji, Gabon, the Gambia, Guinea, Honduras, Indonesia, Iraq, Kazakhstan, Kenya, Kyrgyzstan, the Lao People's Democratic Republic, Lebanon, Lesotho, Liberia, Libya, Malawi, Malaysia, Marshall Islands, Mauritania, Mauritius, Mexico, Mongolia, Montenegro, Mozambique, Namibia, Nauru, Nepal, Nicaragua, the Niger, Palau, Panama, Papua New Guinea, Paraguay, the Philippines, Rwanda, Saint Lucia, San Marino, Senegal, Sierra Leone, Singapore, Solomon Islands, Sri Lanka, the Sudan, Suriname, Switzerland, Tajikistan, Thailand, Togo, Uganda, Ukraine, the United Republic of Tanzania, Uruguay, Uzbekistan and Viet Nam.

The President: May I take it that the Assembly wishes to adopt draft resolution A/77/L.31?

Draft resolution A/77/L.31 was adopted (resolution 77/252).

The President: May I take it that it is the wish of the General Assembly to conclude its consideration of agenda item 130?

It was so decided.

Reports of the Fifth Committee

The President: The General Assembly will now consider the reports of the Fifth Committee on agenda items 135, 136, 138, 139, 141, 145, 146, 148, 149, and 150.

I now request the Rapporteur of the Fifth Committee, Mr. Marinko Avramović of Bosnia and Herzegovina, to introduce in one intervention the reports of the Committee before the Assembly.

Mr. Avramović (Bosnia and Herzegovina), Rapporteur of the Fifth Committee: I have the honour to present the reports of the Fifth Committee.

During the main part of the seventy-seventh session, the Fifth Committee met from 3 October to 30 December 2022, holding 25 plenary meetings and numerous informal consultations held in person and remotely.

The Committee's report on several items were already considered by the General Assembly at its 15th, 21st, 23rd, 34th and 39th plenary meetings on 7, 27 and 31 October and on 15 and 21 November 2022. Those comprise agenda item 142, "Scale of assessments for the apportionment of the expenses of the United Nations", specifically on Article 19, agenda item 137, "Programme budget for 2022", and agenda item 118, "Appointments to fill vacancies in subsidiary organs and other appointments".

I shall now present the additional reports of the Fifth Committee containing recommendations on issues that require action during the main part of the seventy-seventh session of the General Assembly.

Regarding agenda item 135, "Financial reports and audited financial statements, and reports of the Board of Auditors", in paragraph 6 of its report contained in document A/77/658, the Committee recommends to the General Assembly the adoption of a draft resolution adopted by the Committee without a vote.

Regarding agenda item 139, "Program planning", the Committee considered two draft resolutions. The

Committee first took action on a draft resolution submitted by Belarus, China, Cuba, the Democratic People's Republic of Korea, Equatorial Guinea, Eritrea, the Islamic Republic of Iran, Kazakhstan, Nicaragua, the Russian Federation, the Syrian Arab Republic, the Bolivarian Republic of Venezuela and Zimbabwe (A/C.5/77/L.7), which was not adopted by a recorded vote.

The Committee then proceeded to act to take action on draft resolution A/C.5/77/L.13. The representative of Qatar introduced an oral amendment to draft resolution A/C.5/77/L.13. A recorded vote on the amendment was requested, in which the Committee voted to adopt the oral amendment. In its report contained in document A/77/655, the Committee subsequently adopted the draft resolution as a whole, as orally amended, without a vote.

Regarding agenda item 141, "Pattern of conferences", in paragraph 6 of its report contained in document A/77/659, the Committee recommends to the General Assembly the adoption of a draft resolution adopted by the Committee without a vote.

Regarding agenda item 145, "United Nations common system", in paragraph 10 of its report contained in document A/77/671, the Committee recommends to the General Assembly the adoption of the following two draft resolutions — draft resolution I, entitled "United Nations common system", and draft resolution II, entitled "Review of the jurisdictional set-up of the United Nations common system".

Regarding agenda item 136, "Review of the efficiency of the administrative and financial functioning of the United Nations" and agenda item 148, "Report on the activities of the Office of Internal Oversight Services", in paragraph 6 of its report contained in document A/77/657, the Committee recommends to the General Assembly the adoption of a draft resolution adopted by the Committee without a vote.

Regarding agenda item 149, "Administration of justice at the United Nations", in paragraph 6 of its report contained in document A/77/654, the Committee recommends to the General Assembly the adoption of a draft resolution adopted by the Committee without a vote.

Regarding agenda item 150, "Financing of the International Residual Mechanism for Criminal Tribunals", in paragraph 6 of its report contained in document A/77/660, the Committee recommends to the General Assembly the adoption of a draft resolution adopted by the Committee without a vote.

Regarding agenda item 138, "Proposed programme budget for 2023", the Committee considered the following proposals. The Committee recommended the adoption of 10 draft decisions on 10 statements with programme budget implications. The reports of the Fifth Committee on those statements are issued in documents A/77/661 through A/77/670. Under questions related to the proposed programme budget for 2023, the Committee considered the following draft resolutions, as submitted by various delegations.

The Committee first took action on draft resolution A/C.5/77/L.8, submitted and co-sponsored by Belarus, China, Cuba, the Democratic People's Republic of Korea, Equatorial Guinea, Eritrea, the Islamic Republic of Iran, Kazakhstan, Nicaragua, the Russian Federation, the Syrian Arab Republic, the Bolivarian Republic of Venezuela and Zimbabwe, which was rejected by a recorded vote.

The Committee next took action on draft resolution A/C.5/77/L.6, submitted by Ethiopia, which was rejected by a recorded vote.

The Committee then took action on draft resolution A/C.5/77/L.20, submitted and co-sponsored by Belarus, China, the Democratic People's Republic of Korea, Eritrea, the Islamic Republic of Iran, Nicaragua, the Russian Federation, the Syrian Arab Republic and the Bolivarian Republic of Venezuela, which was rejected by a recorded vote.

The Committee then proceeded to consider five draft resolutions, as contained in document A/77/672. The Committee first took action on draft resolution I, entitled "Questions relating to the proposed programme budget for 2023". The representative of Czechia, on behalf of the European Union member States, introduced an oral amendment to draft resolution I. A recorded vote on the amendment was requested, in which the Committee voted for the inclusion of the oral amendment. Thereafter, the Committee adopted draft resolution I, as orally amended, without a vote.

With regard to draft resolution II, entitled "Special subjects relating to the proposed programme budget for 2023", oral amendments were introduced as follows. On section V of the draft resolution, the representative

of Cuba introduced an oral amendment. A recorded vote on the amendment was requested, in which the Committee voted not to include the oral amendment. On section XIV, an oral amendment was introduced by the representative of Czechia, on behalf of the European Union member State, followed by a recorded vote on the amendment, in which the Committee voted to include the proposed amendment. The Committee then adopted section XIV, as orally amended, by a recorded vote. Thereafter, the Committee adopted draft resolution II as a whole, as orally amended, without a vote.

With regard to draft resolution III, entitled "Proposed programme budget for 2023", the Committee adopted the draft resolution, as technically updated, containing the following sections — (a) budget appropriations for the year 2023, (b) income estimates for the year 2023 and (c) financing of the appropriations for the year 2023 — without a vote.

The Committee adopted draft resolution IV, entitled "Unforeseen and extraordinary expenses for 2023", and draft resolution V, entitled "Working capital fund for 2023", without a vote.

Finally, under agenda item 136, "Review of the efficiency of the administrative and financial functioning of the United Nations", in paragraph 8 of its report contained in document A/77/673, the Committee recommends to the General Assembly the adoption of a draft decision entitled "Shifting the management paradigm in the United Nations: review of changes to the budgetary cycle", which was adopted by the Committee without a vote, and in paragraph 9 of the same report, the adoption of the draft decision entitled "Questions deferred for future consideration", as orally amended, which was also adopted by the Committee without a vote.

I thank delegations for their cooperation and assure them that changes made during the 25th resumed formal meeting of the Fifth Committee will be reflected in the draft resolutions, decisions and reports, which will be issued in all official languages.

Before I conclude, allow me, on a personal note, to thank the Chair of the Fifth Committee, Ambassador Philippe Kridelka, and his team — Ms. Lina Hadboun and Mr. Basiel Bogaerts — for the dedicated way in which they guided us through our difficult work, as well as my colleagues in the Bureau — Mr. Abdulla Ali Abdulrahman Mohamed Ahmed, Mr. Masotsha Mongezi Mnguni and Mr. Carlos Videche Guevara. Working with them is always a truly gratifying experience.

The President: I thank the Rapporteur of the Fifth Committee for his report.

Before proceeding further, I would like to emphasize that, since the Fifth Committee finished its work just a little while ago, its reports are available in English only. It is my understanding that they will be issued in all official languages as soon as possible. I thank the members of the General Assembly for their understanding.

The positions of delegations regarding the recommendations of the Fifth Committee have been made clear in the Committee and are reflected in the relevant official records.

If there is no proposal under rule 66 of the rules of procedure, I shall therefore take it that the General Assembly decides not to discuss the reports of the Fifth Committee before the Assembly today.

It was so decided.

The President: Statements will therefore be limited to explanations of vote or position. May I remind members that, in accordance with decision 34/401, a delegation should, as far as possible, explain its vote only once, that is, either in the Committee or in plenary meeting, unless that delegation's vote in plenary meeting is different from its vote in the Committee, and that explanations are limited to 10 minutes and should be made by delegations from their seats.

When there are multiple proposals under one agenda item, statements in explanation on any or all of them should be made in one intervention, followed by action on all of them, one by one. Thereafter, there will be an opportunity for statements in explanation after taking action on any or all of them in one intervention.

Before we begin to take action on the recommendations contained in the reports of the Fifth Committee, I should like to advise representatives that we will proceed to take decisions in the same manner as was done in the Fifth Committee, unless the Secretariat is notified otherwise in advance. That means that, where separate or recorded votes were taken, we will do the same. I therefore hope that we will proceed to adopt without a vote those recommendations that were adopted without a vote in the Fifth Committee. The

results of the votes will be uploaded on the e-DeleGATE portal, under plenary announcements.

I should also like to remind members that any corrections to the voting intention of delegations after the voting on a proposal has concluded should be addressed directly to the Secretariat after the meeting. I count on members' cooperation in avoiding any interruptions to proceedings in that regard.

Agenda item 135

Financial reports and audited financial statements, and reports of the Board of Auditors

Report of the Fifth Committee (A/77/658)

The President: The Assembly has before it a draft resolution recommended by the Fifth Committee in paragraph 6 of its report. The text of the draft resolution, for the time being, is contained in document A/C.5/77/L.16.

We will now take action on the draft resolution. The Fifth Committee adopted it without a vote. May I take it that the Assembly wishes to do likewise?

The draft resolution was adopted (resolution 77/253).

The President: The General Assembly has thus concluded this stage of its consideration of agenda item 135.

Agenda item 139

Programme planning

Report of the Fifth Committee (A/77/655)

The President: The Assembly has before it a draft resolution recommended by the Fifth Committee in paragraph 17 of its report. The text of the draft resolution, for the time being, is contained in document A/C.5/77/L.13, as orally amended in the Committee.

I now give the floor to the representative of the Russian Federation to introduce an oral amendment.

Mr. Chumakov (Russian Federation) (*spoke in Russian*): I would like to submit an oral amendment.

The oral amendment reads as follows:

(*spoke in English*)

To delete the paragraph that reads:

"Further approves the programme plan for programme 6, Legal affairs, of the proposed programme budget for 2023, as contained in the report of the Secretary-General A/77/6, Section 8".

(*spoke in Russian*)

I will explain. That paragraph relates to the financing and inclusion in the programme plan of programme 6, which includes the financing of the International, Impartial and Independent Mechanism for Syria.

The President: The representative of the Russian Federation has submitted an oral amendment to the draft resolution. In accordance with rule 90 of the rules of procedure, the Assembly will first take a decision on the oral amendment submitted by the representative of the Russian Federation.

A recorded vote has been requested.

A recorded vote was taken.

In favour:

Belarus, Bolivia (Plurinational State of), China, Cuba, Democratic People's Republic of Korea, Eritrea, Ethiopia, Iran (Islamic Republic of), Kazakhstan, Kyrgyzstan, Lao People's Democratic Republic, Mali, Nicaragua, Russian Federation, Sri Lanka, Syrian Arab Republic, Tajikistan, Zimbabwe

Against:

Albania, Andorra, Argentina, Australia, Austria, Barbados, Belgium, Botswana, Brazil, Bulgaria, Canada, Chile, Colombia, Costa Rica, Croatia, Cyprus, Czechia, Denmark, Dominican Republic, Ecuador, El Salvador, Estonia, Fiji, Finland, France, Georgia, Germany, Greece, Guatemala, Guyana, Honduras, Hungary, Iceland, Ireland, Italy, Jamaica, Japan, Kuwait, Latvia, Liberia, Liechtenstein, Lithuania, Luxembourg, Malawi, Malaysia, Maldives, Malta, Marshall Islands, Mexico, Micronesia (Federated States of), Monaco, Montenegro, Netherlands, New Zealand, North Macedonia, Norway, Palau, Panama, Papua New Guinea, Paraguay, Peru, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Samoa, San Marino, Sierra Leone, Slovakia, Slovenia, Spain, Sweden, Switzerland, Thailand, Timor-Leste, Trinidad and Tobago, Türkiye, Ukraine, United Kingdom of Great Britain and

Northern Ireland, United States of America, Uruguay, Yemen

Abstaining:

Algeria, Angola, Armenia, Bahrain, Bangladesh, Bhutan, Bosnia and Herzegovina, Brunei Darussalam, Burkina Faso, Burundi, Cambodia, Cameroon, Côte d'Ivoire, Djibouti, Egypt, Gabon, Ghana, Grenada, Guinea, Haiti, India, Indonesia, Iraq, Jordan, Kenya, Lesotho, Libya, Madagascar, Mauritius, Mongolia, Namibia, Nepal, Nigeria, Oman, Pakistan, Philippines, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Saudi Arabia, Senegal, Serbia, Singapore, South Africa, Sudan, Togo, Tunisia, Tuvalu, Uganda, United Arab Emirates, United Republic of Tanzania, Viet Nam, Zambia

The oral amendment was rejected by 84 votes to 18 votes, with 53 abstentions.

The President: We will now take a decision on the draft resolution, entitled "Programme planning", as orally amended in the Fifth Committee. The Committee adopted it without a vote. May I take it that the Assembly wishes to do likewise?

The draft resolution was adopted (resolution 77/254).

The President: I shall now give the floor to those representatives who wish to speak in explanation of vote after the voting.

Mr. Chumakov (Russian Federation) (*spoke in Russian*): We are very impressed by the rapid pace at which you are conducting today's meeting, Mr. President, and I too will therefore be pragmatic and brief.

Russia dissociates itself from the consensus on the provisions of resolution 77/254 related to the financing of the International, Impartial and Independent Mechanism to Assist in the Investigation and Prosecution of Those Responsible for the Most Serious Crimes under International Law Committed in the Syrian Arab Republic since March 2011.

Mr. Cheng Lie (China) (*spoke in Chinese*): China dissociates itself from the consensus on the section of resolution 77/254 related to the International, Impartial and Independent Mechanism to Assist in the Investigation and Prosecution of Those Responsible for the Most Serious Crimes under International Law Committed in the Syrian Arab Republic since March 2011, which we do not support.

Mr. Alshahin (Syrian Arab Republic) (*spoke in Arabic*): My delegation fully dissociates itself from the inclusion of the International, Impartial and Independent Mechanism to Assist in the Investigation and Prosecution of Those Responsible for the Most Serious Crimes under International Law Committed in the Syrian Arab Republic in programme planning for 2023. In that context, I would like to remind the delegations of the Member States that the Mechanism means nothing to Syria and that it concerns only those countries that sponsor the Mechanism and want to get rid of the burden of financing it by placing that burden on the rest of the Member States of the United Nations.

Mrs. Llano (Nicaragua) (*spoke in Spanish*): We would like to put it on record that Nicaragua dissociates itself from all references in resolution 77/254 to the illegal International, Impartial and Independent Mechanism to Assist in the Investigation and Prosecution of Those Responsible for the Most Serious Crimes under International Law Committed in the Syrian Arab Republic since March 2011, which works against our brother people of Syria.

Mr. Kim Nam Hyok (Democratic People's Republic of Korea): The Democratic People's Republic of Korea is opposed to the funding of the operations of the International, Impartial and Independent Mechanism to Assist in the Investigation and Prosecution of Those Responsible for the Most Serious Crimes under International Law Committed in the Syrian Arab Republic since March 2011. We dissociate ourselves from the paragraphs in resolution 77/254 related to that illegal Mechanism.

Mr. Tur de la Concepción (Cuba) (*spoke in Spanish*): The delegation of Cuba wishes to dissociate itself from all references in resolution 77/254 to the International, Impartial and Independent Mechanism to Assist in the Investigation and Prosecution of Those Responsible for the Most Serious Crimes under International Law Committed in the Syrian Arab Republic since March 2011.

Mr. Momeni (Islamic Republic of Iran): Iran joins other colleagues in dissociating itself from all paragraphs in resolution 77/254 related to the financing of the International, Impartial and Independent Mechanism to Assist in the Investigation and

Prosecution of Those Responsible for the Most Serious Crimes under International Law Committed in the Syrian Arab Republic since March 2011.

Mr. Pilipenko (Belarus) (*spoke in Russian*): The Republic of Belarus voted in favour of the oral amendments to resolution 77/254 proposed by the Russian Federation. We regret that they were not adopted. In that regard, we must disassociate ourselves from the resolution's references to the financing of the International, Impartial and Independent Mechanism to Assist in the Investigation and Prosecution of Those Responsible for the Most Serious Crimes under International Law Committed in the Syrian Arab Republic since March 2011.

Ms. Muñoz Ponce (Plurinational State of Bolivia) (*spoke in Spanish*): Bolivia dissociates itself from all provisions in resolution 77/254 referring to the so-called International, Impartial and Independent Mechanism to Assist in the Investigation and Prosecution of Those Responsible for the Most Serious Crimes under International Law Committed in the Syrian Arab Republic since March 2011.

Mr. Hadgu (Eritrea): Eritrea wishes to dissociate itself from all references in resolution 77/254 to the International, Impartial and Independent Mechanism to Assist in the Investigation and Prosecution of Those Responsible for the Most Serious Crimes under International Law Committed in the Syrian Arab Republic since March 2011.

Mr. Bayley Angeleri (Bolivarian Republic of Venezuela) (*spoke in Spanish*): Venezuela dissociates itself from the references in resolution 77/254 to the financing of the International, Impartial and Independent Mechanism to Assist in the Investigation and Prosecution of Those Responsible for the Most Serious Crimes under International Law Committed in the Syrian Arab Republic since March 2011.

The President: The Assembly has thus concluded this stage of its consideration of agenda item 139.

Agenda item 141

Pattern of conferences

Report of the Fifth Committee (A/77/659)

The President: The Assembly has before it a draft resolution recommended by the Committee in its report. The text of the draft resolution, for the time being, is contained in document A/C.5/77/L.17.

We will now take a decision on the draft resolution, entitled "Pattern of conferences". The Fifth Committee adopted it without a vote. May I take it that the Assembly wishes to do likewise?

The draft resolution was adopted (resolution 77/255).

The President: The Assembly has thus concluded this stage of its consideration of agenda item 141.

Agenda item 145

United Nations common system

Report of the Fifth Committee (A/77/671)

The President: The Assembly has before it two draft resolutions recommended by the Committee in its report. The texts of the draft resolutions, for the time being, are contained in documents A/C.5/77/L.21 and A/C.5/77/L.22.

We will now take a decision on draft resolutions I and II, one by one. The Fifth Committee adopted draft resolution I, entitled "United Nations common system", without a vote. May I take it that the Assembly wishes to do likewise?

Draft resolution I was adopted (resolution 77/256).

The President: The Fifth Committee adopted draft resolution II, entitled "Review of the jurisdictional set-up of the United Nations common system", without a vote. May I take it that the Assembly wishes to do likewise?

Draft resolution II was adopted (resolution 77/257).

The President: The Assembly has thus concluded this stage of its consideration of agenda item 145.

Agenda item 146

United Nations pension system

Report of the Fifth Committee (A/77/656)

The President: The Assembly has before it a draft resolution recommended by the Committee in its report. The text of the draft resolution, for the time being, is contained in document A/C.5/77/L.14.

We will now take a decision on the draft resolution, entitled "United Nations pension system". The Fifth

Committee adopted it without a vote. May I take it that the Assembly wishes to do likewise?

The draft resolution was adopted (resolution 77/258).

The President: The Assembly has thus concluded this stage of its consideration of agenda item 146.

Agenda items 136 and 148

Review of the efficiency of the administrative and financial functioning of the United Nations

Report on the activities of the Office of Internal Oversight Services

Report of the Fifth Committee (A/77/657)

The President: The Assembly has before it a draft resolution recommended by the Fifth Committee in its report. The text of the draft resolution, for the time being, is contained in document A/C.5/77/L.15.

We will now take action on the draft resolution, entitled "Report on the activities of the Office of Internal Oversight Services". The Fifth Committee adopted it without a vote. May I take it that the Assembly wishes to do likewise?

The draft resolution was adopted (resolution 77/259).

The President: The Assembly has thus concluded this stage of its consideration of agenda items 136 and 148.

Agenda item 149

Administration of justice at the United Nations

Report of the Fifth Committee (A/77/654)

The President: The Assembly has before it a draft resolution recommended by the Fifth Committee in its report. The text of the draft resolution, for the time being, is contained in document A/C.5/77/L.11.

We will now take a decision on the draft resolution, entitled "Administration of justice at the United Nations". The Fifth Committee adopted it without a vote. May I take it that the Assembly wishes to do the same?

The draft resolution was adopted (resolution 77/260).

The President: The General Assembly has thus concluded this stage of its consideration of agenda item 149.

Agenda item 150

Financing of the International Residual Mechanism for Criminal Tribunals

Report of the Fifth Committee (A/77/660)

The President: The Assembly has before it a draft resolution recommended by the Fifth Committee in its report. The text of the draft resolution, for the time being, is contained in document A/C.5/77/L.18.

We will now take a decision on the draft resolution, entitled "Financing of the International Residual Mechanism for Criminal Tribunals". The Fifth Committee adopted it without a vote. May I take it that the Assembly wishes to do the same?

The draft resolution was adopted (resolution 77/261).

The President: The Assembly has thus concluded this stage of its consideration of agenda item 150.

Agenda item 138

Proposed programme budget for 2023

Report of the Fifth Committee (A/77/672)

The President: The Assembly has before it five draft resolutions recommended by the Fifth Committee in its report. The report of the Fifth Committee, for the time being, is contained in document A/C.5/77/L.26, as technically updated in the Committee.

I now give the floor to representatives who wish to speak in explanation of vote or position on draft resolutions I to V.

Ms. Minale (Ethiopia): Ethiopia would like to submit an oral amendment to part IV of draft resolution II, on revised estimates resulting from resolutions and decisions adopted by the Human Rights Council at its forty-ninth, fiftieth and fifty-first regular sessions, and at its thirty-fourth and thirty-fifth special sessions, in 2022, with regard to Human Rights Council resolution 51/27. Our amendments are to replace the preambular paragraph with "[t]akes note of paragraph 56 of the report of the Advisory Committee (A/77/7/Add.27)", and to add the following operative paragraph: "[d]ecides

not to approve any resources for the implementation of Human Rights Council resolution 51/27".

As we reiterated at a formal meeting of the Fifth Committee, the General Assembly has the responsibility and authority to judiciously allocate the scarce resources of the United Nations. Human rights mandates created and used to undermine the sovereignty of States are unlawful. Using human rights as a pretext to perpetuate subjugation and policies of oppression, interference and geopolitical hegemony is a flagrant violation of the principles of the Charter of the United Nations and international law. The International Commission of Human Rights Experts on Ethiopia was created at the initiative of proponents of advancing their geostrategic goal of ramping up pressure on my country. The Commission, which is currently on its third chairperson in the year that has passed since it was established, has demonstrated its political position. Accordingly, we ask Member States to stop this abuse of the multilateral human rights system. While conveying our deepest gratitude and appreciation to the Member States that voted in favour of Ethiopia's draft resolution (A/C.5/77/L.6) at the formal meeting of the Fifth Committee, we ask all Member States to vote in favour of Ethiopia's draft oral amendment in this plenary meeting.

Mr. Chumakov (Russian Federation) (*spoke in Russian*): We would like to submit an oral amendment to draft resolution I, entitled "Questions relating to the proposed programme budget for 2023". The oral amendment reads as follows:

> "Delete paragraphs 40 — '[t]akes note of paragraphs III. 64, 65, 66 and 67 of the report of the Advisory Committee' — and 41 — '[d]ecides that regular budget resources for the International, Impartial and Independent Mechanism to Assist in the Investigation and Prosecution of Persons Responsible for the Most Serious Crimes under International Law Committed in the Syrian Arab Republic since March 2011 under section 8, Legal affairs, for 2023 amount to $17,129,200 before recosting'".

Mr. Tur de la Concepción (Cuba) (*spoke in Spanish*): My delegation would like to refer to agenda item 138, in particular the draft resolution on special subjects relating to the proposed programme budget for 2023, which is contained in document A/77/672, specifically the section entitled "Estimates in respect of special political missions, good offices and other political initiatives authorized by the General Assembly and/or the Security Council". With regard to this specific section, my delegation would like to introduce the following oral amendments, which I will read out in English.

(*spoke in English*)

The proposed first preambular paragraph reads,

> "Recalling that the General Assembly has not decided on the concept of the responsibility to protect, its scope, implications and possible ways of implementation".

The proposed second preambular paragraph reads,

> "Noting that the estimates of thematic cluster I comprise narratives, functions, strategy and external factors, results, performance measures, deliverables and other information related to the Special Adviser to the Secretary-General on the Responsibility to Protect".

The proposed operative paragraph 1 reads,

> "Decides to eliminate the narratives, functions, strategy and external factors, results, performance measures, deliverables and other information related to the Special Adviser of the Secretary-General on the Responsibility to Protect, as contained in the strategic framework and related narratives of the Office of the Special Adviser of the Secretary-General on the Prevention of Genocide, contained in document A/77/6 (Sect. 3/Add.2)."

And, finally, the proposed operative paragraph 2 reads,

> "Requests the Secretary-General to issue a corrigendum to his report A/77/6 (Sect. 3/Add.2)."

(*spoke in Spanish*)

We would like to ask delegations to consider the amendments we have just proposed and vote in favour of them.

Mr. Alshahin (Syrian Arab Republic) (*spoke in Arabic*): My delegation supports the proposed amendment submitted by the representative of the Russian Federation and reaffirms the position of the Syrian Arab Republic, which rejects the so-called International, Impartial and Independent Mechanism to Assist in the Investigation and Prosecution of

Persons Responsible for the Most Serious Crimes under International Law Committed in the Syrian Arab Republic since March 2011 (IIIM). We reject the IIIM for several reasons, most notably because the General Assembly resolution that established it (resolution 71/248) contained many legal shortcomings, particularly that the competencies assigned by the resolution to the United Nations bodies were supported by concepts that were not consensual.

The Government of the Syrian Arab Republic had not requested any technical assistance whatsoever from the United Nations when the Mechanism was established. The Mechanism is illegitimate because it was created without consultation or coordination with the Government of the Syrian Arab Republic, the country concerned, and without obtaining its approval.

Despite the terrorist war against my country, Syria, we are proud that we have well-established legal and judicial institutions and bodies. We also have actual capabilities and will power to achieve justice, accountability, reparation and reconciliation. We do not need a Geneva-based entity to collect so-called evidence with complete disregard for any international legal and procedural criteria or any international and national criminal criteria.

We therefore urge Member States to vote in favour of the Russian Federation's amendment and to stop the United Nations from being dragged by those who created that illegal entity into financing it.

The President: We will now take a decision on draft resolutions I to V, one by one.

We first turn to draft resolution I, entitled "Questions relating to the proposed programme budget for 2023", the text of which, for the time being, is contained in the document A/C.5/77/L.23, as orally amended in the Committee.

The representative of the Russian Federation has submitted an oral amendment to the draft resolution. In accordance with rule 90 of the rules of procedure, the Assembly will first take a decision on the oral amendment submitted by the representative of the Russian Federation.

A recorded vote has been requested.

A recorded vote was taken.

In favour:

Belarus, Bolivia (Plurinational State of), China, Cuba, Democratic People's Republic of Korea, Eritrea, Ethiopia, Iran (Islamic Republic of), Kazakhstan, Kyrgyzstan, Lao People's Democratic Republic, Mali, Nicaragua, Russian Federation, Sri Lanka, Syrian Arab Republic, Tajikistan, Zimbabwe

Against:

Albania, Andorra, Argentina, Australia, Austria, Barbados, Belgium, Botswana, Brazil, Bulgaria, Canada, Chile, Colombia, Costa Rica, Croatia, Cyprus, Czechia, Denmark, Dominican Republic, Ecuador, El Salvador, Estonia, Fiji, Finland, France, Georgia, Germany, Greece, Guatemala, Guyana, Honduras, Hungary, Iceland, Ireland, Italy, Jamaica, Japan, Kuwait, Latvia, Liberia, Liechtenstein, Lithuania, Luxembourg, Malawi, Malaysia, Maldives, Malta, Marshall Islands, Mexico, Micronesia (Federated States of), Monaco, Montenegro, Netherlands, New Zealand, North Macedonia, Norway, Palau, Panama, Papua New Guinea, Peru, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Samoa, San Marino, Slovakia, Slovenia, Spain, Sweden, Switzerland, Thailand, Timor-Leste, Trinidad and Tobago, Türkiye, Ukraine, United Kingdom of Great Britain and Northern Ireland, United States of America, Uruguay, Yemen

Abstaining:

Algeria, Angola, Armenia, Bahrain, Bangladesh, Bhutan, Bosnia and Herzegovina, Brunei Darussalam, Burkina Faso, Burundi, Cameroon, Côte d'Ivoire, Djibouti, Egypt, Gabon, Ghana, Grenada, Guinea, Haiti, India, Indonesia, Iraq, Jordan, Kenya, Lesotho, Libya, Madagascar, Mauritius, Mongolia, Namibia, Nepal, Nigeria, Oman, Pakistan, Paraguay, Philippines, Rwanda, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Saudi Arabia, Senegal, Serbia, Sierra Leone, Singapore, Solomon Islands, South Africa, South Sudan, Sudan, Togo, Tunisia, Uganda, United Arab Emirates, United Republic of Tanzania, Viet Nam, Zambia

The oral amendment to the draft resolution was rejected by 18 votes to 82, with 56 abstentions.

The President: We shall now take a decision on draft resolution I, entitled "Questions relating to the

proposed programme budget for 2023". The Committee adopted draft resolution I without a vote. May I take it that the Assembly wishes to do the same?

Draft resolution I was adopted (resolution 77/262).

The President: Draft resolution II is entitled "Special subjects relating to the proposed programme budget for 2023", the text of which, for the time being, is contained in document A/C.5/77/L.24, as orally amended in the Committee.

The representative of Ethiopia has submitted an oral amendment to section XIV of the draft resolution. In accordance with rule 90 of the rules of procedure, the Assembly will first take a decision on the oral amendment submitted by the representative of Ethiopia.

A recorded vote has been requested.

A recorded vote was taken.

In favour:

Algeria, Angola, Belarus, Burkina Faso, Cameroon, Chad, China, Côte d'Ivoire, Cuba, Democratic People's Republic of Korea, Djibouti, Eritrea, Ethiopia, Gabon, Iran (Islamic Republic of), Kenya, Lesotho, Madagascar, Mali, Mauritius, Morocco, Nicaragua, Philippines, Russian Federation, Senegal, Somalia, South Sudan, Sri Lanka, Sudan, Syrian Arab Republic, Uganda, United Arab Emirates, Zimbabwe

Against:

Albania, Andorra, Argentina, Armenia, Australia, Austria, Belgium, Bosnia and Herzegovina, Botswana, Brazil, Bulgaria, Canada, Chile, Colombia, Costa Rica, Croatia, Cyprus, Czechia, Denmark, Dominican Republic, Ecuador, El Salvador, Estonia, Finland, France, Georgia, Germany, Greece, Guatemala, Guyana, Honduras, Hungary, Iceland, Ireland, Italy, Jamaica, Japan, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Marshall Islands, Mexico, Micronesia (Federated States of), Monaco, Montenegro, Netherlands, New Zealand, North Macedonia, Norway, Palau, Panama, Paraguay, Peru, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, San Marino, Slovakia, Slovenia, Spain, Sweden, Switzerland, Timor-Leste, Ukraine, United Kingdom of Great Britain and Northern Ireland, United States of America, Uruguay

Abstaining:

Bahrain, Bangladesh, Barbados, Bhutan, Bolivia (Plurinational State of), Brunei Darussalam, Burundi, Egypt, Fiji, Ghana, Grenada, Guinea, Haiti, India, Indonesia, Iraq, Jordan, Kazakhstan, Kuwait, Lebanon, Libya, Malawi, Malaysia, Maldives, Mauritania, Mongolia, Namibia, Nepal, Nigeria, Oman, Pakistan, Papua New Guinea, Qatar, Rwanda, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Samoa, Saudi Arabia, Sierra Leone, Singapore, Solomon Islands, South Africa, Thailand, Togo, Trinidad and Tobago, Tunisia, Tuvalu, United Republic of Tanzania, Yemen, Zambia

The oral amendment to the draft resolution was rejected by 33 votes to 71, with 51 abstentions.

The President: The representative of Cuba has submitted an oral amendment to section V of draft resolution II, entitled "Special subjects relating to the proposed programme budget for 2023". In accordance with rule 90 of the rules of procedure, the Assembly will first take a decision on the oral amendment submitted by the representative of Cuba.

A recorded vote has been requested.

A recorded vote was taken.

In favour:

Belarus, Bolivia (Plurinational State of), Cambodia, Cameroon, China, Congo, Cuba, Democratic People's Republic of Korea, Egypt, Equatorial Guinea, Eritrea, Ethiopia, Gabon, Iran (Islamic Republic of), Mali, Nicaragua, Russian Federation, Saint Kitts and Nevis, Saint Vincent and the Grenadines, Sudan, Syrian Arab Republic, Zimbabwe

Against:

Albania, Andorra, Argentina, Armenia, Australia, Austria, Belgium, Botswana, Brazil, Bulgaria, Canada, Chile, Colombia, Costa Rica, Croatia, Cyprus, Czechia, Denmark, Ecuador, El Salvador, Estonia, Finland, France, Georgia, Germany, Ghana, Greece, Guatemala, Honduras, Hungary, Iceland, Ireland, Italy, Japan, Kuwait, Latvia, Liberia, Liechtenstein, Lithuania, Luxembourg, Malawi, Malta, Marshall Islands, Mexico, Micronesia (Federated States of), Monaco, Mongolia, Montenegro, Myanmar, Netherlands,

New Zealand, North Macedonia, Norway, Palau, Panama, Papua New Guinea, Peru, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Rwanda, San Marino, Senegal, Slovakia, Slovenia, South Africa, Spain, Sweden, Switzerland, Timor-Leste, Türkiye, Ukraine, United Kingdom of Great Britain and Northern Ireland, United States of America, Uruguay

Abstaining:

Algeria, Angola, Bahrain, Bangladesh, Barbados, Bhutan, Bosnia and Herzegovina, Brunei Darussalam, Burkina Faso, Burundi, Côte d'Ivoire, Djibouti, Dominican Republic, Fiji, Guinea, Guyana, Haiti, India, Indonesia, Iraq, Jamaica, Jordan, Kazakhstan, Kenya, Lao People's Democratic Republic, Lebanon, Lesotho, Libya, Madagascar, Malaysia, Maldives, Mauritius, Morocco, Namibia, Nepal, Nigeria, Oman, Pakistan, Paraguay, Philippines, Saint Lucia, Samoa, Saudi Arabia, Serbia, Sierra Leone, Singapore, South Sudan, Sri Lanka, Thailand, Togo, Trinidad and Tobago, Tunisia, Uganda, United Arab Emirates, United Republic of Tanzania, Yemen, Zambia

The oral amendment to section V of draft resolution II was rejected by 78 votes to 22, with 57 abstentions.

The President: A separate recorded vote has been requested on section XIV.

A recorded vote was taken.

In favour:

Albania, Andorra, Argentina, Australia, Austria, Barbados, Belgium, Bolivia (Plurinational State of), Bosnia and Herzegovina, Botswana, Brazil, Brunei Darussalam, Bulgaria, Canada, Chile, Colombia, Costa Rica, Côte d'Ivoire, Croatia, Cuba, Cyprus, Czechia, Denmark, Dominican Republic, Egypt, El Salvador, Estonia, Finland, France, Georgia, Germany, Greece, Guatemala, Guinea, Guyana, Haiti, Honduras, Hungary, Iceland, Indonesia, Iraq, Ireland, Italy, Jamaica, Japan, Jordan, Kuwait, Latvia, Lebanon, Liberia, Libya, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malawi, Malaysia, Maldives, Malta, Marshall Islands, Mauritius, Mexico, Micronesia (Federated States of), Monaco, Montenegro, Morocco, Netherlands, New Zealand, North Macedonia, Norway, Panama, Papua New Guinea, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Samoa, San Marino, Senegal, Sierra Leone, Singapore, Slovakia, Slovenia, South Africa, Spain, Sudan, Sweden, Switzerland, Thailand, Timor-Leste, Tunisia, Türkiye, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United States of America, Uruguay, Yemen

Against:

Belarus, China, Democratic People's Republic of Korea, Eritrea, Ethiopia, Ghana, Iran (Islamic Republic of), Mali, Nicaragua, Russian Federation, Somalia, Sri Lanka, Syrian Arab Republic, Zimbabwe

Abstaining:

Algeria, Angola, Armenia, Bahrain, Bangladesh, Bhutan, Burkina Faso, Burundi, Cameroon, Djibouti, India, Kenya, Lesotho, Mongolia, Namibia, Nepal, Nigeria, Oman, Pakistan, Paraguay, Rwanda, Saint Lucia, Saint Vincent and the Grenadines, Saudi Arabia, South Sudan, Togo, Trinidad and Tobago, Uganda, United Republic of Tanzania, Zambia

Section XIV was retained by 102 votes to 14, with 30 abstentions.

The President: The Fifth Committee adopted draft resolution II, as a whole, without a vote. May I take it that the Assembly wishes to do likewise?

Draft resolution II was adopted (resolution 77/263).

The President: We turn now to draft resolution III, entitled "Programme budget for 2023", the text of which, for the time being, is contained in document A/C.5/77/L.25, as technically updated in the Committee.

The Fifth Committee adopted draft resolution III without a vote. May I take it that the Assembly wishes to do likewise?

Draft resolution III was adopted (resolution 77/264).

The President: Draft resolution IV is entitled "Unforeseen and extraordinary expenses for 2023", the text of which, for the time being, is contained in document A/C.5/77/L.9.

The Fifth Committee adopted draft resolution IV without a vote. May I take it that the Assembly wishes to do likewise?

Draft resolution IV was adopted (resolution 77/265).

The President: Draft resolution V is entitled "Working Capital Fund for 2023", the text of which, for the time being, is contained in document A/C.5/77/L.10.

The Fifth Committee adopted draft resolution V without a vote. May I take it that the Assembly wishes to do likewise?

Draft resolution V was adopted (resolution 77/266).

The President: I shall now give the floor to those representatives who wish to speak in explanation of vote or position after the vote.

Mr. Chumakov (Russian Federation) (*spoke in Russian*): I would like to dissociate my delegation from the consensus on the provisions of the regular budget pertaining to the financing of the International, Impartial and Independent Mechanism to Assist in the Investigation and Prosecution of Persons Responsible for the Most Serious Crimes under International Law Committed in the Syrian Arab Republic since March 2011, as well as in relation to the financing of resolutions of the Human Rights Council, which do not enjoy consensus.

Mr. Cheng Lie (China) (*spoke in Chinese*): China voted in favour of all of the oral amendments proposed by the Russian Federation, Ethiopia and Cuba.

China voted against the revised estimates for the International, Impartial and Independent Mechanism to Assist in the Investigation and Prosecution of Persons Responsible for the Most Serious Crimes under International Law Committed in the Syrian Arab Republic since March 2011. China also dissociates itself from the consensus on the resolutions of the Human Rights Council.

Mr. Gunaratna (Sri Lanka): I wish to put it on record that Sri Lanka has categorically rejected Human Rights Council resolution 51/1 and accordingly wishes to dissociate itself from all budgetary provisions relating to that resolution.

Ms. Minale (Ethiopia): Noting that there is no consensus on the adoption of the financing of the decisions of the Human Rights Council, Ethiopia dissociates itself from resolution 77/263, on the programme budget, with regard to the revised estimates for financing the implementation of Human Rights Council decisions.

Mr. Momeni (Islamic Republic of Iran): Iran also wishes to dissociate itself from the revised estimates regarding the resolutions of the Human Rights Council. Along with several other countries, we proposed an amendment to resolution 77/263 in that regard. Iran also specifically dissociates itself from the Independent International Fact-Finding Mission in my country.

Mr. Alshahin (Syrian Arab Republic) (*spoke in Arabic*): Regarding the lack of consensus on the proposed programme budget for 2023 in relation to the financing from the regular budget of the illegal International, Impartial and Independent Mechanism to Assist in the Investigation and Prosecution of Persons Responsible for the Most Serious Crimes under International Law Committed in the Syrian Arab Republic since March 2011, my country will comply with all of its financial obligations towards the Organization in 2023. On that basis, we reiterate our rejection of the relevant Human Rights Council decisions, including Human Rights Council resolution 49/27, entitled "Situation of human rights in the Syrian Arab Republic", and its financing. We express our reservation with regard to the allocation of resources to mechanisms relating to Syria, as included in the programme budget.

Ms. Muñoz Ponce (Plurinational State of Bolivia) (*spoke in Spanish*): The Bolivian delegation dissociates itself from all provisions referring to the allocation of resources from the regular budget to the International, Impartial and Independent Mechanism to Assist in the Investigation and Prosecution of Persons Responsible for the Most Serious Crimes under International Law Committed in the Syrian Arab Republic since March 2011. We would also like to reiterate our support for the oral amendment put forward by the delegation of Cuba on the Special Adviser on the Responsibility to Protect, which unfortunately was not adopted.

Mrs. Llano (Nicaragua) (*spoke in Spanish*): Nicaragua dissociates itself from the consensus on the financing of the International, Impartial and Independent Mechanism to Assist in the Investigation and Prosecution of Those Responsible for the Most Serious Crimes under International Law Committed in the Syrian Arab Republic since March 2011, and from everything related to financing for Human Rights Council resolutions that were not agreed by consensus, including resolution 49/3, against Nicaragua.

We also support Cuba's oral amendment on the financing of the Special Adviser on the Responsibility to Protect.

Mr. Tur de la Concepción (Cuba) (*spoke in Spanish*): We wish to dissociate ourselves from the provisions in resolution 77/262, on the proposed programme budget for 2023, pertaining to the International, Impartial and Independent Mechanism to Assist in the Investigation and Prosecution of Those Responsible for the Most Serious Crimes under International Law Committed in the Syrian Arab Republic since March 2011, because we think they are damaging to that country's sovereignty and territorial integrity.

Mr. Pilipenko (Belarus) (*spoke in Russian*): Belarus voted in favour of the oral amendments submitted by the Russian Federation, Ethiopia and Cuba, and we regret that they were not adopted. In that regard, we are obliged to dissociate ourselves from the provisions related to the country mechanisms of the Human Rights Council and to the elements of the programme budget that relate to the responsibility to protect.

Mr. Kim Nam Hyok (Democratic People's Republic of Korea): The Democratic People's Republic of Korea fully supported all the oral amendments proposed by Cuba, Ethiopia and the Russian Federation, and dissociates itself from the programme budget related to the International, Impartial and Independent Mechanism to Assist in the Investigation and Prosecution of Those Responsible for the Most Serious Crimes under International Law Committed in the Syrian Arab Republic since March 2011, as well as from those provisions related to Human Rights Council resolutions.

Mr. Bayley Angeleri (Bolivarian Republic of Venezuela) (*spoke in Spanish*): I would just like to inform the Assembly that Venezuela dissociates itself from the budgetary allocations with regard to the Human Rights Council, in particular Human Rights Council resolution 51/29, pertaining to Venezuela.

Mr. Hadgu (Eritrea): Eritrea dissociates itself from the allocation of resources arising from Human Rights Council resolutions and country-specific mandates, in particular resolution 50/2, and also from the allocation of resources to the International, Impartial and Independent Mechanism to Assist in the Investigation and Prosecution of Those Responsible for the Most Serious Crimes under International Law Committed in the Syrian Arab Republic since March 2011.

The President: The Assembly has thus concluded this stage of its consideration of agenda item 138.

Agenda item 136

Review of the efficiency of the administrative and financial functioning of the United Nations

Report of the Fifth Committee (A/77/673

The President: The Assembly has before it a draft resolution and a draft decision recommended by the Committee in its report. We will take a decision on the draft resolution and the draft decision, one by one.

We first turn to the draft resolution, entitled "Shifting the management paradigm in the United Nations: review of changes to the budgetary cycle", the text of which, for the time being, is contained in document A/C.5/77/L.12. The Committee adopted the draft resolution without a vote. May I take it that the Assembly wishes to do likewise?

The draft resolution was adopted (resolution 77/267).

The President: We will now take a decision on the draft decision, entitled "Questions deferred for future consideration", the text on which, for the time being, is contained in document A/C.5/77/L.27, as orally amended in the Committee. The Committee adopted the draft decision without a vote. May I take it that the Assembly wishes to do likewise?

The draft decision was adopted (decision 77/548).

The President: The General Assembly has thus concluded this stage of its consideration of agenda item 136.

The General Assembly has thus concluded its consideration of all the reports of the Fifth Committee before it.

I thank Ambassador Philippe Kridelka, Permanent Representative of Belgium and Chair of the Fifth Committee, for his leadership in ensuring that the Committee completed its work in an amicable manner. Many thanks also go to the Bureau members, the Secretariat and to all the members of the Fifth Committee, for their active participation, flexibility and collective decision ensuring that our Organization is adequately funded to respond to the many interlocking crises that the world is facing. I thank them for averting the looming prospect of a possible shutdown of the

United Nations. Our 8 billion stakeholders expect solutions from us. They might have found it difficult to understand any other direction of events when the world needs multilateral solutions more than ever. And I would like to congratulate all Member States on the following.

First, I congratulate them on their collective effort and determination to prioritize the needs of the United Nations and to ensure that its budgetary matters and operations are implemented in accordance with all the procedures and mandates required of the Organization.

Secondly, I congratulate them on their tenacity in successfully setting aside differences and their humility in working amicably despite the challenging issues at hand.

Thirdly, I would especially like to congratulate all on their resolve in joining hands to address the issue of funding to combat global food insecurity — an exemplary and tangible work that is much needed in the United Nations.

I would like to conclude with some inspiring words from Martin Luther King, Jr, who believed that our very survival depends on our ability to stay awake, to adjust to new ideas, to remain vigilant and to face the challenge of change. I encourage delegations to keep their openness, faith and strong willingness to cooperate in the resumed session ahead. Our ability to accept inputs and new ideas, and to work together to achieve our common goal, will determine our capacity to overcome our challenges. I thank everyone and wish all of you and your families all the best for the new year.

Programme of work

The President: With regard to the programme of work of the General Assembly, apart from the organizational matters and items that may have to be considered under the operation of the rules of procedure of the Assembly, and bearing in mind that the Assembly has already considered and taken action on a majority of items thus far, I should like to inform Members that the following items remain open for consideration or have not yet been considered by the Assembly at its seventy-seventh session: agenda items 9, 10, 12 to 14, 18, 18 (a), (c) and (j), 20, 21, 21 (a), 22, 27 to 33, 35, 37 to 43, 47, 55, 58 to 62, 62 (a) and (b), 66, 68, 69, 69 (a) to (d), 70, 72, 72 (a), 78, 87, 88, 90, 90 (a) and (b), 99, 109, 113 to 116, 116 (a) and (b), 117, 117 (d), 118, 118 (d), (e), (f) and (i), 119 to 127, 127 (a), (c) and (f) to (j), (l) to (p), (s), (x) and (z), 128, 131 and 167.

May I take it that the General Assembly wishes to take note of those items that remain open for consideration or have not yet been considered during the seventy-seventh session of the Assembly?

It was so decided.

The meeting rose at 8:25 p.m.