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Report of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories

Cuba, Egypt, Jordan, Kuwait, Morocco, Namibia, Nicaragua, Oman, Qatar and State of Palestine: draft resolution

Work of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories

The General Assembly,

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

Guided also by international humanitarian law, in particular the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949,¹ as well as international standards of human rights, in particular the Universal Declaration of Human Rights² and the International Covenants on Human Rights,³

Recalling its relevant resolutions and the relevant resolutions of the Human Rights Council,

Recalling also the relevant resolutions of the Security Council, including resolution [2334 \(2016\)](#) of 23 December 2016,

Taking into account 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,⁴ and recalling in this regard its resolution [ES-10/15](#) of 20 July 2004,

Recalling the statement of 15 July 1999 and the declarations adopted on 5 December 2001 and on 17 December 2014⁵ by the Conference of High Contracting

¹ United Nations, *Treaty Series*, vol. 75, No. 973.

² Resolution [217 A \(III\)](#).

³ Resolution [2200 A \(XXI\)](#), annex.

⁴ See [A/ES-10/273](#) and [A/ES-10/273/Corr.1](#).

⁵ [A/69/711-S/2015/1](#), annex.



Parties to the Fourth Geneva Convention, and welcoming initiatives by States parties, both individually and collectively, according to article 1 of the Convention and aimed at ensuring respect for the Convention in the Occupied Palestinian Territory, including East Jerusalem,

Recalling also its resolution [58/292](#) of 6 May 2004,

Convinced that occupation itself represents a gross and grave violation of human rights, and deeply concerned by the ensuing persistent and systematic violations of international law committed by Israel, including international humanitarian and human rights law, including discriminatory policies against the Palestinian civilian population in the Occupied Palestinian Territory, including East Jerusalem,⁶

Gravely concerned by reports regarding serious human rights violations and grave breaches of international humanitarian law,

Taking note of 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,⁷

Recalling the report of the independent international commission of inquiry established pursuant to Human Rights Council resolution [S-28/1](#),⁸

Stressing the need for ensuring 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,

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 Territories⁹ and the relevant reports of the Secretary-General,¹⁰

Recalling the Declaration of Principles on Interim Self-Government Arrangements of 13 September 1993¹¹ and the subsequent implementation agreements between the Palestinian and Israeli sides,

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

Stressing the urgency of bringing a complete end to the Israeli occupation that began in 1967, and an end to the violation of the human rights of the Palestinian people, and of allowing for the realization of their inalienable human rights, including their right to self-determination and their independent State, leading to a peaceful, just, lasting and comprehensive solution for the question of Palestine,

1. *Commends* the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories for its impartiality and efforts in performing the tasks assigned to it by the General Assembly, in spite of the obstruction of its mandate;

2. *Reiterates its demand* that Israel, the occupying Power, cooperate, in accordance with its obligations as a State Member of the United Nations, with the Special Committee in implementing its mandate, and deplores the continued lack of cooperation in this regard;

⁶ See [A/63/855-S/2009/250](#) and [A/HRC/12/48](#).

⁷ [A/HRC/22/63](#).

⁸ [A/HRC/40/74](#).

⁹ [A/75/199](#).

¹⁰ [A/75/328](#), [A/75/376](#) and [A/75/336](#).

¹¹ [A/48/486-S/26560](#), annex.

3. *Deplores* those policies and practices of Israel that violate the human rights of the Palestinian people and other Arabs of the occupied territories, as reflected in the report of the Special Committee covering the reporting period;

4. *Expresses grave concern* about the critical situation in the Occupied Palestinian Territory, including East Jerusalem, as a result of unlawful Israeli practices and measures, and especially condemns and calls for the immediate cessation of all illegal Israeli settlement activities and the construction of the wall, the lifting of the blockade of the Gaza Strip, as well as the complete cessation of the excessive and indiscriminate use of force and military operations against the civilian population, settler violence, provocations and incitements regarding the holy places, the destruction and confiscation of properties, the forced displacement of civilians, the detention and imprisonment of thousands of civilians, and all measures of collective punishment against the Palestinian civilian population;

5. *Requests* the Special Committee, pending complete termination of the Israeli occupation, to continue to investigate Israeli policies and practices in the Occupied Palestinian Territory, including East Jerusalem, and other Arab territories occupied by Israel since 1967, especially Israeli violations of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, and to consult, as appropriate, with the International Committee of the Red Cross, according to its regulations, in order to ensure that the welfare and human rights of the peoples of the occupied territories, including prisoners and detainees, are safeguarded, as well as to submit regularly to the Secretary-General periodic reports on the current situation in the Occupied Palestinian Territory, including East Jerusalem;

6. *Also requests* the Special Committee to continue to investigate the treatment and status of the thousands of Palestinian and Arab prisoners and detainees, including children, women and elected representatives, in Israeli prisons and detention centres, and expresses grave concern about the harsh conditions of imprisonment and ill-treatment of prisoners and recent hunger strikes, stressing the need for respect for all applicable rules of international law, including the Fourth Geneva Convention, the United Nations Standard Minimum Rules for the Treatment of Prisoners (the Nelson Mandela Rules)¹² and the United Nations Rules for the Treatment of Women Prisoners and Non-custodial Measures for Women Offenders (the Bangkok Rules);¹³

7. *Requests* the Secretary-General:

(a) To provide the Special Committee with all necessary facilities, including those required for its visits to the occupied territories, so that it may investigate the Israeli policies and practices referred to in the present resolution;

(b) To utilize his good offices to facilitate and support the Special Committee in carrying out its mandate;

(c) To continue to task the Office of the United Nations High Commissioner for Human Rights with assisting the Special Committee in the performance of its tasks;

(d) To circulate to Member States the periodic reports mentioned in paragraph 5 above and ensure the widest availability of the reports of the Special Committee and of information regarding its activities and findings through the Department of Global Communications of the Secretariat.

¹² Resolution 70/175, annex.

¹³ Resolution 65/229, annex.