

**MATERIALS COMPILED PURSUANT TO ARTICLE 65, PARAGRAPH 2 OF THE  
STATUTE OF THE INTERNATIONAL COURT OF JUSTICE**

**(Request for an advisory opinion by the International Court of Justice pursuant to  
General Assembly Resolution 77/247)**

**Introductory Note**

**22 June 2023 (Part 2)**

1. Further to the request for an advisory opinion in General Assembly resolution 77/247 entitled “Israeli practices affecting the human rights of the Palestinian people in the Occupied Palestinian Territory, including East Jerusalem”, the United Nations Secretariat submitted the first part of the Dossier on 31 May 2023. This second part of the Dossier focuses on the human rights-related documentation of the United Nations as follows.

## **II. Material of the United Nations Relating to the Questions before the Court**

### **D. Human Rights Documentation**

#### **1. General Assembly**

2. This section contains:
- a. Resolutions and a Note by the President of the General Assembly;
  - b. Reports of the Secretary-General;
  - c. Report of the Independent International Commission of Inquiry on the Occupied Palestinian Territory, including East Jerusalem, and Israel;
  - d. Reports of the Special Rapporteur on the situation of human rights in the Palestinian territories occupied since 1967 (2001-2022);<sup>1</sup>
  - e. A report of the United Nations High Commissioner for Human Rights.

#### **2. Human Rights Council**

3. This section contains:
- a. Resolutions on the human rights situation (2006-2023);
  - b. Reports on the human rights situation (2008-2023);<sup>2</sup>

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<sup>1</sup> There was no report in 2003.

<sup>2</sup> There was no report in 2012.

- c. Reports of commissions of inquiry, fact-finding missions, experts committee;
- d. Reports of special procedures mandate holders, including the Special Rapporteur on the situation of human rights in the Palestinian territories occupied since 1967 (2006-2022) and other Special Rapporteurs/Special Representatives;
- e. Resolutions entitled “*Israeli settlements in the Occupied Palestinian Territory, including East Jerusalem, and in the occupied Syrian Golan*” (2006-2023);<sup>3</sup>
- f. Reports on Israeli settlements (2013-2023);
- g. Resolutions entitled “*Right of the Palestinian people to self-determination*” (2008-2023);
- h. Reports of the United Nations High Commissioner for Human Rights (2007-2010).

4. For the reports of special procedures mandate holders, only reports specific to the Occupied Palestinian Territory have been included. Reports by special procedures mandate holders that are not specific to the Occupied Palestinian Territory, but that include passages dealing with the Occupied Palestinian Territory, are not included.

### **3. Commission on Human Rights**

5. This section contains:

- a. Resolutions on the human rights situation (1968-2005);
- b. Resolutions entitled “*The right of peoples to self-determination and its application to peoples under colonial or alien domination or foreign occupation*” (1978-1985);
- c. Resolutions entitled “*Situation in occupied Palestine*” (1986-2005) and a resolution entitled “*Situation in the Arab territories occupied by Israel*” (1986);
- d. Resolutions entitled “*Israeli settlements in the occupied Arab territories*” (1990-2004) and a resolution entitled “*Israeli settlements in the Occupied Palestinian Territory, including East Jerusalem, and the occupied Syrian Golan*” (2005);
- e. Resolutions entitled “*Middle East peace process*” (1994-1997);
- f. Reports submitted to the Commission of Human Rights (1994-2006).<sup>4</sup>

### **4. Human Rights Treaty Bodies**

6. This Section contains documents relating to the work of the following human rights treaty bodies: the Committee Against Torture, Committee on Economic, Social and Cultural Rights, Committee on the Elimination of Discrimination Against Women, Committee on the

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<sup>3</sup> There was no resolution in 2007.

<sup>4</sup> There was no report in 1995. In addition, reports of the Secretary-General have not been included here as they are limited to reporting on the dissemination of the resolutions of the Commission on Human Rights and do not contain any substantive responses from Israel.

Elimination of Racial Discrimination, Committee on the Rights of the Child, and the Human Rights Committee.<sup>5</sup>

7. For each of these treaty bodies, the national (periodic) reports of Israel and the State of Palestine are included, as well as the concluding observations and/or recommendations adopted by such bodies, and the States' follow-up comments or views in response to the concluding observations.<sup>6</sup> Correspondence from these bodies seeking additional information prior to or following the submission of States' reports, including "lists of issues", and the replies from Israel or the State of Palestine to this correspondence, are not included in the Dossier.

## 5. Universal Periodic Review

8. This section contains documents submitted or adopted in the context of the Universal Periodic Review ("UPR"):<sup>7</sup>

- a. National reports submitted by Israel;
- b. Reports of the Working Group on the UPR;
- c. Views on conclusions and/or recommendations, voluntary commitments and replies presented by the State under review;
- d. Relevant decisions of the Human Rights Council on the outcome of the UPR.

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<sup>5</sup> In light of the volume of the Dossier, the relevant treaties (with the related treaty actions effected by Israel or the State of Palestine and/or depositary notifications of the Secretary-General), as published in the *United Nations Treaty Series*, are not included. The certified true copies, as well as the relevant volumes of the *United Nations Treaty Series*, are readily available on the United Nations Treaty Collection website ( <https://treaties.un.org>).

<sup>6</sup> With respect to the observations and/or recommendations of a treaty body, the date of adoption of the reports has been used where available; otherwise, the date of publication of the document has been used. In the case of submission of reports or information, the date of receipt has been used where available; otherwise, the date of publication of the document has been used.

<sup>7</sup> The summaries of stakeholders' submissions to the UPR, prepared for the purpose of the UPR by the Office of the High Commissioner for Human Rights ("OHCHR") in accordance with relevant resolutions of the Human Rights Council, are not included in light of the size of the Dossier and the availability of the full texts of all submissions on OHCHR's website (Universal Periodic Review – Israel, <https://www.ohchr.org/en/hr-bodies/upr/il-index>).