

**The UN General Assembly Passes a Resolution Condemning Israel for Using
“Excessive, Disproportionate and Indiscriminate Force” in Gaza
Prepared June 14, 2018 by Richard Horowitz**

Summary

On June 13, 2018, the General Assembly passed a resolution condemning Israel for using “excessive, disproportionate and indiscriminate” force in Gaza and calling on the Secretary-General to submit recommendations within 60 days for an “international protection mechanism” for the “protection and well-being of the Palestinian civilian population under Israeli occupation.”

The resolution was proposed by Algeria, Turkey and Palestine and passed 120-8 with 45 abstentions.

The [U.S. proposed amendment to this resolution](#) condemning Hamas was approved 62-58 with 42 abstentions but rejected as UN procedure requires a two-third vote to amend a proposed resolution.

Details

1. Significant language from the resolution ([draft resolution](#) - the UN will publish the resolution as passed in the coming days):

The General Assembly,

2. Deplores the use of any excessive, disproportionate and indiscriminate force by the Israeli forces against Palestinian civilians in the Occupied Palestinian Territory, including East Jerusalem, and particularly in the Gaza Strip;

3. Demands that Israel, the occupying Power, refrain from such actions and fully abide by its legal obligations and responsibilities under the fourth Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949;

4. Deplores any actions that could provoke violence and endanger civilian lives, and calls upon all actors to ensure that protests remain peaceful;

5. Also deplores the firing of rockets from the Gaza Strip against Israeli civilian areas;

15. Requests the Secretary-General to examine the present situation and to submit a written report, as soon as possible, but not later than 60 days from the adoption of the present resolution, containing, inter alia, his proposals on ways and means for ensuring the safety, protection and well-being of the Palestinian civilian population under Israeli occupation, including, inter alia, recommendations regarding an international protection mechanism;

2. From the Preamble:

Condemning all acts of violence against civilians, including acts of terror, as well as all acts of provocation, incitement and destruction,

Reaffirming the right to peaceful assembly and protest, and freedom of expression and of association,

3. References to law in the resolution (**emphasis mine**):

Reaffirming the obligation to respect and ensure respect for **international humanitarian law** in all circumstances in accordance with article 1 of the Geneva Conventions of 12 August 1949,

Alarmed at the exacerbation of the dire humanitarian crisis in the Gaza Strip, and stressing the need to achieve a sustainable solution to this crisis in line with **international law**,

Recalling that a lasting solution to the Israeli-Palestinian conflict can only be achieved by peaceful means in accordance with **international law** and the relevant United Nations resolutions and through credible and direct negotiations,

1. Calls for full respect by all parties for **international human rights law and international humanitarian law**, including in regard to the protection of the civilian population, and reiterates the need to take appropriate steps to ensure the safety and well-being of civilians and ensure their protection, as well as to ensure accountability for all violations;

3. Demands that Israel, the occupying Power, refrain from such actions and fully abide by its **legal obligations and responsibilities under the fourth Geneva Convention** relative to the Protection of Civilian Persons in Time of War, of 12 August 1949;

10. Also calls for immediate steps towards ending the closure and the restrictions imposed by Israel on movement and access into and out of the Gaza Strip, including through the sustained opening of the crossing points of the Gaza Strip for the flow of humanitarian aid, commercial goods and persons in accordance with **international law**, including as it pertains to legitimate security requirements;

On June 8, Algeria and Turkey, in their capacities as chair of the Arab Group and of the OIC, respectively, submitted this [letter](#) to the President of the General Assembly after “a permanent member of the Security Council” vetoed a draft resolution on the protection of Palestinian civilians ([US veto](#)), requesting “the urgent resumption of the tenth emergency special session of the General Assembly in accordance with the “Uniting for peace” procedure pursuant to General Assembly resolution 377 (V) of 1950.”

From [A/377](#):

1. Resolves that if the Security Council, because of lack of unanimity of the permanent members, fails to exercise its primary responsibility for the maintenance of international peace and security in any case where there appears to be a threat to the peace, breach of the peace, or act of aggression, the General Assembly shall consider the matter immediately with a view to making appropriate recommendations to Members for collective measures, including in the case of a breach of the peace or act of aggression the use of armed force when necessary, to maintain or restore international peace and security.