

# The Sabra Report

A blue rectangular stamp with the word "EXPRESS!" in white, slanted, capital letters.

## UN Committee Votes to Request ICJ Opinion on Israeli Occupation

Middle East Eye, November 12<sup>th</sup>, 2022

### Recap:

The United Nations (UN) Special Committee on Decolonization adopted a resolution requesting an advisory opinion from the International Court of Justice (ICJ) on Israel's presence in the West Bank & Jerusalem.

### The Context:

- ☆ The resolution, officially proposed by Nicaragua, asks the ICJ to "urgently" weigh in on Israel's "prolonged occupation, settlement and annexation of Palestinian territory", which it said violated the Palestinians' right to self-determination. It also questioned the status of Jerusalem, ignoring Jewish ties to its holiest site, the Temple Mount, instead referring to it as al-Haram al-Sharif.
- ☆ The Committee voted 98 in favor, 17 opposed and 52 abstentions. The resolution will now go to General Assembly for a final vote before year end. The countries against the resolution included Australia, Austria, Canada, Germany, and the United States. Egypt, Jordan, Russia, Saudi Arabia, the United Arab Emirates all voted in favor [1]. Ukraine was among the countries that supported the resolution while continuing to ask Israel for military aid. Israel has supported Ukraine in every vote since its war with Russia began in February [2].
- ☆ An ICJ ruling is non-binding but would help codify Palestinian insistence that all pre-1967 territory should be within the final boundaries of its future state. In 2004, the ICJ issued an advisory opinion deeming Israel's security barrier, built in response to terrorism originating from the West Bank, illegal [3]. The ICJ is a UN court, separate from the International Criminal Court, which is also in The Hague.
- ☆ Palestinian Foreign Minister Riyad al-Maliki called the resolution a "diplomatic and legal breakthrough" that will "open a new era for holding Israel accountable for its war crimes" [4]. Israel's UN Ambassador Gilad Erdan said the resolution "[decimates] any chances of reconciliation," while the United States expressed "serious concerns", saying the resolution would "magnify distrust" surrounding the conflict [5].

### Conversation Points:

- ☆ Why do Palestinians feel inclined to advance their agenda unilaterally?
- ☆ Will unilateral decisions harm a possibility for a future peace process?
- ☆ Is there a point for such a resolution if it doesn't change reality on the ground and could result in an escalation?
- ☆ Will Israel withhold support from Ukraine in response to its vote? Should it?

### Notes:

1. [Lapid, Gantz slam UN panel's call on ICJ to probe Israeli 'occupation, annexation'](#), Times of Israel, November 12<sup>th</sup>, 2022
2. [Lapid calls to exact price from Palestinians for UN 'occupation' vote](#), LAHAV HARKOV, Jerusalem Post, NOVEMBER 13<sup>th</sup>, 2022
3. Ibid.
4. [U.N. votes to ask ICJ opinion on Israel's occupation](#), Reuters, November 11<sup>th</sup>, 2022
5. [Lapid, Gantz slam UN panel's call on ICJ to probe Israeli 'occupation, annexation'](#), Times of Israel, November 12<sup>th</sup>, 2022

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