

s 22(1)(a)(ii)

From: s 22(1)(a)(ii)
Sent: Monday, 11 December 2023 6:50 PM
To: s 47F(1); s 47F(1) s 47F(1); s 47F(1)
Cc: Roderick Brazier; Gemma Huggins; Kate Wallace; s22(1)(a)(ii)
 Bronte Moules; DM Israel-Gaza-Taskforce; Marc Innes-Brown; Craig
 Maclachlan; Marie-Charlotte Mckenna; s 22(1)(a)(ii); James Larsen; s22(1)(a)(ii)
Subject: Preliminary advice on UNGA resolution on Gaza - for ESS session expected on 12
 December
Attachments: (10 Dec 23) GA-Draft 10th ESS Resolution on Humanitarian Ceasefire-Gaza.docx;
 231207 Letter UNRWA CG to UNGA President.pdf

** Joint advice from MAD and MPD

s 47F(1)

As foreshadowed on Friday, a UAE UNSC resolution calling for an immediate humanitarian ceasefire in Gaza was put to a UNSC vote on 8 December. This was following the UNSG's invocation of Article 99 which enables the SG to convene a meeting of the UNSC. The use of Article 99 is extremely rare and was last invoked approximately 50 years ago.

The UAE resolution was co-sponsored by 100 member states, including NZ. It was supported by 13 UNSC members, the US voted against (vetoed) and UK abstained. Detailed reporting can be found via s 47E(d)

This now means UNGA will (again) consider the issue of the Israel-Hamas conflict on Tuesday 12 December at 3pm (NYC time). The meeting will be held under a resumed 10th Emergency Special Session (ESS10). The exact resolution to be discussed is yet to be settled but we anticipate it will be along the lines of the draft attached. The current co-sponsors are: Algeria, Bahrain, Comoros, Djibouti, Egypt, Iraq, Jordan, Kuwait, Lebanon, Libya, Mauritania, Morocco, Oman, Qatar, Saudi Arabia, Somalia, Sudan, Syria, Tunisia, UAE, Yemen, Observer State of Palestine.

The draft text of the resolution is largely something we could support. It includes language demanding the immediate and unconditional release of 'all hostages' (whereas the previous resolution only called for the immediate and unconditional release of 'civilians who are being illegally held captive'); refers to protecting Palestinian and Israeli civilians; and calls on all parties to comply with IHL.

It also demands an 'immediate humanitarian ceasefire' (as also called for in the attached 7 December letter from the head of UNRWA). s 42(1)

Further background on what is meant by the term can be found [here](#).

While supporting such text would be a step forward for us, there appears little practical difference between a humanitarian ceasefire (as we understand it) and the extended humanitarian pause we saw recently. We think we could ultimately live with this text (we would, however, want to be clear in an EOJ about how we interpret the term, as the Swiss did re the UNSC resolution – see below).

What remains problematic is that the resolution does not reference the 7 October attacks nor condemn (or even mention) Hamas, which perpetuates a trend of erasing Hamas from the record in UN decisions on the crisis. If we were to vote yes in spite of this, we would need an EOJ that was firm about our concern that Hamas's actions

weren't recognised and condemned in the resolution. s33(a)(iii)

We will continue to

urgently seek views in NY and some capitals overnight and revert tomorrow.

s 33(a)(iii), s 33(b)

Given the finely balanced nature of this decision, it would not be appropriate that Australia co-sponsor the resolution.

UNNY have asked Canberra whether Australia should deliver either an Australian or a CANZ statement and want advice by OOB Tuesday morning (NYC time) – i.e. Tuesday evening 1am (our time). s 33(a)(iii), s 33(b)

We have pulled together this table below which highlights countries who had abstained in the UNGA vote on 27/10, but chose to co-sponsor the UAE UNSC resolution last week.

	UNGA Resolution ES-10/21: <i>calling for <u>humanitarian truces</u> leading to a cessation of hostilities</i>	Co-sponsors of the UAE/Arab Group UNSC Resolution - 8 December
Australia	Abstained	No
Canada	Abstained	No
New Zealand	Yes	Yes
UK	Abstained	No
Japan	Abstained	No (Didn't co-sponsor but did vote 'yes' to the resolution in the UNSC on 8/12)

ROK	Yes	No
Singapore	Yes	Yes
Netherlands	Abstained	No
Denmark	Abstained	No
Finland	Abstained	Yes
Greece	Abstained	No
Iceland	Abstained	Yes
Switzerland	Yes	No (Didn't co-sponsor but did vote 'yes' to the resolution in the UNSC on 8/12)
Brazil	Yes	Yes
Belgium	Yes	Yes
Indonesia	Yes	Yes
Norway	Yes	Yes

s 22(1)(a)(ii)

s 22(1)(a)(ii)

Director | UN Governance and Reform Section

Multilateral Order Branch | Multilateral Policy and Human Rights Division

Department of Foreign Affairs and Trade

p s 22(1)(a)(ii) | s 22(1)(a)(ii)

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We acknowledge the Traditional Custodians of Country throughout Australia, and their continuing connection to land, waters and community. We pay our respects to all First Nations peoples, their cultures and to their Elders, past, present and emerging.

10 December 2023

Draft Resolution

10th Emergency Special Session of the General Assembly

Protection of Civilians and Upholding Legal and Humanitarian Obligations

The General Assembly,

PP1. *Guided* by the purposes and principles of the Charter of the United Nations,

PP2. *Recalling* its resolutions regarding the question of Palestine,

PP3. *Recalling also* all relevant Security Council resolutions,

PP4. *Taking note of* the letter, dated 6 December 2023, of the Secretary-General, under Article 99 of the Charter of the United Nations, addressed to the President of the Security Council (S/2023/962),

PP5. *Taking note also of* the letter, dated 7 December 2023, of the Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East addressed to the President of the General Assembly,

PP6. *Expressing grave concern* over the catastrophic humanitarian situation in the Gaza Strip and the suffering of the Palestinian civilian population, and *emphasizing* that the Palestinian and Israeli civilian populations must be protected in accordance with international humanitarian law,

OP1. *Demands* an immediate humanitarian ceasefire;

OP2. *Reiterates* its demand that all parties comply with their obligations under international law, including international humanitarian law, notably with regard to the protection of civilians;

OP3. *Demands* the immediate and unconditional release of all hostages, as well as ensuring humanitarian access;

OP4. *Decides* to adjourn the tenth emergency special session temporarily and to authorize the President of the General Assembly at its most recent session to resume its meeting upon request from Member States.



the commissioner-general
المفوض العام

7 December 2023

Dear Mr President,

I write pursuant to my responsibilities as Commissioner-General of the General Assembly-mandated United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA), at the darkest hour in the Agency's 75-year history.

I submit this letter fully cognizant that the United Nations (UN) Secretary-General has written to the President of the Security Council on December 6, invoking article 99 of the UN charter.

I must inform you that UNRWA's ability to implement its General Assembly mandate in Gaza is today severely limited with immediate and dire consequences for the UN humanitarian response and the lives of civilians in Gaza. The long-term implications for Palestine Refugees and prospects for a fair and lasting political solution are grave.

On 7 October, Hamas and other militants launched abhorrent attacks in Israel killing more than 1,200 people, among them children and women, and taking over 240 hostages.

By the end of that day, as details of Hamas' action became public, several thousand civilians in Gaza moved pre-emptively to UNRWA premises, fearing unprecedented conflict and seeking safety under the UN flag protected by the Convention on the Privileges and Immunities of the United Nations and by international humanitarian law.

Today, as a result of Israel's military operation, nearly 1.2 million civilians are sheltering in UNRWA premises. The Agency has become the primary platform for humanitarian assistance to over 2.2 million people in Gaza – a platform on the verge of collapse.

His Excellency
Mr Dennis Francis
President of the General Assembly
New York

UNRWA is, as of today, still operational in Gaza, though just barely. Our staff are still operating health centers, managing shelters, and supporting traumatized people, some arriving carrying their dead children. We are still distributing food, even though the corridors and courtyards of our premises are too crowded to walk through. Our staff take their children to work so they know they are safe or can die together. More than 130 UNRWA staff are confirmed killed in bombardments, most with their families; the number might rise by the time you read this. At least 70% of UNRWA staff are displaced, and lack food, water and adequate shelter. We are hanging on by our fingertips. If UNRWA collapses, humanitarian assistance in Gaza will also collapse.

The humanitarian situation is now untenable. Conditions in Gaza were already appalling when I stayed overnight two weeks ago. I witnessed constant explosive munitions from sky, land and sea, and the massive destruction of civilian infrastructure.

This week, the Israeli military forces have instructed people to move further South, forcing Gaza's population into an ever-shrinking space. Shelters are shockingly overcrowded, with high risk of epidemic illness. In these overfull and unsanitary spaces, more than 700 people use a single toilet, women give birth (an average of 25 per day), and people nurse open wounds. Tens of thousands sleep in courtyards and streets. People burn plastic to stay warm. Nearly 90 UNRWA premises, including schools, have been hit or impacted by munitions, killing over 270 internally displaced people, many this week. In Gaza as a whole, over 16,000 people, two thirds of whom are women and children, are reported killed during bombardments. Large swathes of Gaza are destroyed and uninhabitable.

The premise of UNRWA's mandate – to provide services to Palestine Refugees until there is a political solution – is at great risk: without safe shelter and aid, civilians in Gaza risk death or will be forced to Egypt and beyond. Forced displacement out of Gaza may end prospects for the political solution that is intrinsic to UNRWA's mandate, with grave risks for regional peace and security. A forced displacement beyond Palestinian land, reminiscent of the 1948 Nakba, must be prevented.

In my 35 years working in complex emergencies, I have never written such a letter – predicting the killing of my staff and the collapse of the mandate I am expected to fulfill.

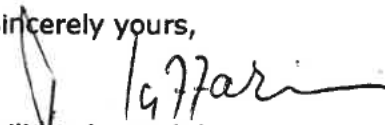
To prevent such an irreversible disaster, I urge you, as President of the General Assembly, and through you, Members States to take immediate action to (i) implement an immediate humanitarian ceasefire; (ii) enforce international law, including the protection of civilians and UN staff, as well as UN premises, hospitals and public buildings that provide safe shelter from attacks, disease, deprivation and indignity; and (iii) protect prospects for a political solution that is vital to peace, security and rights for Palestinians, Israelis and the region.

Calling for an end to the decimation of Gaza and its people is not a denial of the atrocities of 7 October. It is the opposite. It is recognition of the equal rights of all people – recognition that is essential to the future of Palestinians and Israelis alike. Our response to the situation in Gaza today will mark the history of the General Assembly and of the UN.

I implore the General Assembly to take immediate action.

Please accept, Excellency, the assurances of my highest consideration.

Sincerely yours,



Philippe Lazzarini

s 22(1)(a)(ii)

From: James Larsen
Sent: Wednesday, 13 December 2023 7:17 AM
To: s 47F(1) ; s 47F(1) ; Craig Maclachlan; s 47F(1) ; Gemma Huggins;
 s 22(1)(a)(ii) Marie-Charlotte McKenna
Cc: s 47F(1) s 47F(1) ; Roderick Brazier; Kate Wallace; Bronte Moules; Marc Innes-Brown; s22(1)(a)(ii)
Subject: Re: EOVs for UNGA resolution on Gaza - for ESS session 12 December

Thanks^{s 47F(1)} - acknowledged and will action

James Larsen
 Ambassador and Permanent Representative to the United Nations New York

From: "s 47F(1)" <[s 47F\(1\)@dfat.gov.au](mailto:s 47F(1)@dfat.gov.au)>
Date: Tuesday, December 12, 2023 at 3:09:28 PM
To: "s 47F(1)" <[s 47F\(1\)@dfat.gov.au](mailto:s 47F(1)@dfat.gov.au)>, "Craig Maclachlan" <Craig.Maclachlan@dfat.gov.au>, "s 47F(1)" <[s 47F\(1\)@dfat.gov.au](mailto:s 47F(1)@dfat.gov.au)>, "Gemma Huggins" <Gemma.Huggins@dfat.gov.au>, "s 22(1)(a)(ii)" <[s 22\(1\)\(a\)\(ii\)@dfat.gov.au](mailto:s 22(1)(a)(ii)@dfat.gov.au)>, "Marie-Charlotte McKenna" <Marie-Charlotte.McKenna@dfat.gov.au>
Cc: "s 47F(1)" <[s 47F\(1\)@dfat.gov.au](mailto:s 47F(1)@dfat.gov.au)>, "s 47F(1)" <[s 47F\(1\)@dfat.gov.au](mailto:s 47F(1)@dfat.gov.au)>, "Roderick Brazier" <Rod.Brazier@dfat.gov.au>, "Kate Wallace" <Kate.Wallace@dfat.gov.au>, "Bronte Moules" <Bronte.Moules@dfat.gov.au>, "Marc Innes-Brown" <marc.innes@dfat.gov.au>, s 22(1)(a)(ii) <[s 22\(1\)\(a\)\(ii\)@dfat.gov.au](mailto:s 22(1)(a)(ii)@dfat.gov.au)>, s 22(1)(a)(ii) <[s 22\(1\)\(a\)\(ii\)@dfat.gov.au](mailto:s 22(1)(a)(ii)@dfat.gov.au)>, "James Larsen" <James.Larsen@dfat.gov.au>, s 22(1)(a)(ii) <[s 22\(1\)\(a\)\(ii\)@dfat.gov.au](mailto:s 22(1)(a)(ii)@dfat.gov.au)>, s 22(1)(a)(ii) <[s 22\(1\)\(a\)\(ii\)@dfat.gov.au](mailto:s 22(1)(a)(ii)@dfat.gov.au)>, s 22(1)(a)(ii) <[s 22\(1\)\(a\)\(ii\)@dfat.gov.au](mailto:s 22(1)(a)(ii)@dfat.gov.au)>
Subject: Re: EOVs for UNGA resolution on Gaza - for ESS session 12 December

Hi All

Confirming no further changes to the below overnight.

You can consider this final.

Cheers

s 47F(1)

From: "s 47F(1)" <[s 47F\(1\)@dfat.gov.au](mailto:s 47F(1)@dfat.gov.au)>
Date: Tuesday, 12 December 2023 at 10:32:35 pm
To: "Craig Maclachlan" <Craig.Maclachlan@dfat.gov.au>, s 47F(1) <[s 47F\(1\)@dfat.gov.au](mailto:s 47F(1)@dfat.gov.au)>, "Gemma Huggins" <Gemma.Huggins@dfat.gov.au>, s 22(1)(a)(ii) <[s 22\(1\)\(a\)\(ii\)@dfat.gov.au](mailto:s 22(1)(a)(ii)@dfat.gov.au)>, "Marie-Charlotte McKenna" <Marie-Charlotte.McKenna@dfat.gov.au>
Cc: "s 47F(1)" <[s 47F\(1\)@dfat.gov.au](mailto:s 47F(1)@dfat.gov.au)>, s 47F(1) <[s 47F\(1\)@dfat.gov.au](mailto:s 47F(1)@dfat.gov.au)>

"Roderick Brazier" <Rod.Brazier@dfat.gov.au>, "Kate Wallace" <Kate.Wallace@dfat.gov.au>, "Bronte Moules" <Bronte.Moules@dfat.gov.au>, "Marc Innes-Brown" <marc.innes@dfat.gov.au>, s 22(1)(a)(ii) @dfat.gov.au>, s 22(1)(a)(ii) @dfat.gov.au>, s 22(1)(a)(ii) @dfat.gov.au>, "James Larsen" <James.Larsen@dfat.gov.au>, s 22(1)(a)(ii) @dfat.gov.au>, s 22(1)(a)(ii) @dfat.gov.au>, s 22(1)(a)(ii) @dfat.gov.au>, s 22(1)(a)(ii) @dfat.gov.au>

Subject: RE: EOVs for UNGA resolution on Gaza - for ESS session 12 December

Thanks Craig, Gemma and Rod on separate email. s 22(1)(a)(ii)

This version s 22(1)(a)(ii) and we will revert with final asap.

UN GENERAL ASSEMBLY TENTH EMERGENCY SPECIAL SESSION: PROTECTION OF CIVILIANS and UPHOLDING LEGAL AND HUMANITARIAN OBLIGATIONS - EXPLANATION OF VOTE 12 December 2023

Statement by H.E. Mr James Larsen, Ambassador and Permanent Representative of Australia to the United Nations

Australia appreciates the Arab Group bringing forward this Resolution.

Australia is gravely concerned about the dire humanitarian situation in Gaza.

Human suffering is widespread and unacceptable.

Civilians who fled northern Gaza are now being pushed further south, and as the conflict spreads south, there are increasingly few safe places to go.

The world has witnessed a harrowing number of civilian deaths, including children. This must not continue.

Australia again calls for safe, unimpeded and sustained humanitarian access in Gaza, and safe passage for civilians.

We acknowledge the gravity of the Secretary-General invoking Article 99.

Australia welcomed the humanitarian pause agreed by the parties in November and brokered by the United States, Egypt and Qatar.

This resolution, calling for an immediate humanitarian ceasefire, is the world urging these pauses be resumed, so urgent humanitarian aid can flow.

Australia is part of that call and we support this resolution.

We see such pauses as critical steps on a path to a sustainable and permanent ceasefire.

But such a ceasefire cannot be one-sided.

Australia also supported the amendments proposed by Austria and the United States - because we believe this resolution should have gone further, by unequivocally condemning Hamas as the perpetrators of the 7 October attack on innocent Israeli civilians.

That terrorist attack precipitated this crisis. This critical fact should be clearly recorded in this place.

Australia unequivocally condemns the ongoing acts of terror by Hamas; its use of human shields and its use of civilian infrastructure to launch attacks on Israel.

Australia reiterates our demand for Hamas to release all remaining hostages, immediately and unconditionally.

In defending itself, Israel must respect international law, including international humanitarian law. Civilians and civilian infrastructure, including hospitals, must be protected.

Hamas must be defeated and dismantled. But this cannot be without account for the protection and welfare of Palestinian civilians.

President,

Australia supports Palestinians' right to self-determination.

There must not be forced displacement of Palestinians from Gaza, physical re-occupation of Gaza, any reduction in territory, or any use of siege or blockade.

And Gaza must never again be used as a platform for terrorism.

We reaffirm that settlements are illegal under international law and a serious obstacle to lasting peace.

And we recommit ourselves to working with any sincere partner toward that just and enduring peace in the form of a two-state solution, where Israelis and Palestinians can live securely within internationally recognised borders.

[399 Words]

Duplicate material - removed under s 22(1)(a)(ii)

s 22(1)(a)(ii)

From: s 22(1)(a)(ii)
Sent: Tuesday, 12 December 2023 1:41 PM
To: s 47F(1) s 47F(1)
Cc: s 47F(1) ; s 47F(1) ; Roderick Brazier; Craig Maclachlan; Kate Wallace; Bronte Moules; Gemma Huggins; Marc Innes-Brown; s22(1)(a)(ii) James Larsen;
Subject: s22(1)(a)(ii) Marie-Charlotte Mckenna; s 22(1)(a)(ii) Voting advice on UNGA resolution on Gaza - for ESS session expected on 12 December
Attachments: 231207 Letter UNRWA CG to UNGA President.pdf; ESS Amendment OP3 L.27.docx; (10 Dec 23) GA-Draft 10th ESS Resolution on Humanitarian Ceasefire-Gaza.docx; 231208 Switzerland- -New-York-Statement-after-Vote (1).pdf; US Amendment to Add OP to L.27.docx; 12 December ESS10 - vote analysis_MPD UNNY.xlsx

s 47F(1)

s 33(a)(iii), s 33(b)

The draft also demands an 'immediate humanitarian ceasefire'. s 42(1)

s 42(1)

s 33(a)(iii), s 33(b)

Overall, we assess the number of Yes votes will go up (from 120 on the last resolution). s 33(a)(iii), s 33(b)

Given the improvements in the text and shifting positions of some like-mindeds, we think it would be open to us to vote Yes this time. This would need to be accompanied by an EOV that was very firm in articulating the deficiencies in the text. It should also articulate the distinction between a 'humanitarian ceasefire' and outright cessation of hostilities, and note that this should not prejudice Israel's right to defend itself. s 33(a)(iii)

Overall, we assess the number of Yes votes will go up (from 120). s33(a)(iii), s33(b)

Amendments

Overnight Austria tabled an amendment to bring in language specifically referring to Hamas. This is likely to fail but give it aligns with our view Hamas's actions should be referenced, **we recommend voting for (but not co-sponsoring) the amendment.**

We recommend delivering an EOV (two options are attached). Current plans are to issue a separate CANZ statement before the UNGA session.

The US has also tabled an amendment (attached). The US' amendment is in relation to the Hamas attacks. UNNY recommend voting in favour, s 33(a)(iii)

Finally, the situation is fast moving and amendments could be moved from the floor or in advance of the proceedings. UNNY will continue to provide updates.

Summary of recommendations

	Co-sponsor	Vote in favour delivering an EOV	Abstain delivering an EOV

Arab Group ESS Resolution	Recommend maintaining position of not co-sponsoring	Supporting rationale: <ul style="list-style-type: none"> - strong and unanimous messaging across relevant UN agencies and many member states on the critical need for a humanitarian ceasefire - unprecedented crisis on the ground 	Supporting rationale: <ul style="list-style-type: none"> - resolution does not condemn Hamas, even though there was already language agreed in resolution 2712 to that end. - in the likely event the amendments proposed by Austria and the US are not successful, efforts to specifically identify Hamas will have failed. - it was not the GA resolution that led to humanitarian pauses last time, but careful mediation on the ground by Egypt, Qatar and the US.
Austrian amendment	Recommend not co-sponsoring	Recommend vote in favour	
US amendment	Recommend not co-sponsoring	Recommend vote in favour	

s 42(1)

s 33(a)(iii), s 33(b)

s 33(a)(iii), s 33(b)

s 22(1)(a)(ii)

Director | UN Governance and Reform Section
Multilateral Order Branch | Multilateral Policy and Human Rights Division
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[We acknowledge](#) the Traditional Custodians of Country throughout Australia, and their continuing connection to land, waters and community. We pay our respects to all First Nations peoples, their cultures and to their Elders, past, present and emerging.



the commissioner-general
المفوض العام

7 December 2023

Dear Mr President,

I write pursuant to my responsibilities as Commissioner-General of the General Assembly-mandated United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA), at the darkest hour in the Agency's 75-year history.

I submit this letter fully cognizant that the United Nations (UN) Secretary-General has written to the President of the Security Council on December 6, invoking article 99 of the UN charter.

I must inform you that UNRWA's ability to implement its General Assembly mandate in Gaza is today severely limited with immediate and dire consequences for the UN humanitarian response and the lives of civilians in Gaza. The long-term implications for Palestine Refugees and prospects for a fair and lasting political solution are grave.

On 7 October, Hamas and other militants launched abhorrent attacks in Israel killing more than 1,200 people, among them children and women, and taking over 240 hostages.

By the end of that day, as details of Hamas' action became public, several thousand civilians in Gaza moved pre-emptively to UNRWA premises, fearing unprecedented conflict and seeking safety under the UN flag protected by the Convention on the Privileges and Immunities of the United Nations and by international humanitarian law.

Today, as a result of Israel's military operation, nearly 1.2 million civilians are sheltering in UNRWA premises. The Agency has become the primary platform for humanitarian assistance to over 2.2 million people in Gaza – a platform on the verge of collapse.

His Excellency
Mr Dennis Francis
President of the General Assembly
New York

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The humanitarian situation is now untenable. Conditions in Gaza were already appalling when I stayed overnight two weeks ago. I witnessed constant explosive munitions from sky, land and sea, and the massive destruction of civilian infrastructure.

This week, the Israeli military forces have instructed people to move further South, forcing Gaza's population into an ever-shrinking space. Shelters are shockingly overcrowded, with high risk of epidemic illness. In these overfull and unsanitary spaces, more than 700 people use a single toilet, women give birth (an average of 25 per day), and people nurse open wounds. Tens of thousands sleep in courtyards and streets. People burn plastic to stay warm. Nearly 90 UNRWA premises, including schools, have been hit or impacted by munitions, killing over 270 internally displaced people, many this week. In Gaza as a whole, over 16,000 people, two thirds of whom are women and children, are reported killed during bombardments. Large swathes of Gaza are destroyed and uninhabitable.

The premise of UNRWA's mandate – to provide services to Palestine Refugees until there is a political solution – is at great risk: without safe shelter and aid, civilians in Gaza risk death or will be forced to Egypt and beyond. Forced displacement out of Gaza may end prospects for the political solution that is intrinsic to UNRWA's mandate, with grave risks for regional peace and security. A forced displacement beyond Palestinian land, reminiscent of the 1948 Nakba, must be prevented.

In my 35 years working in complex emergencies, I have never written such a letter – predicting the killing of my staff and the collapse of the mandate I am expected to fulfill.

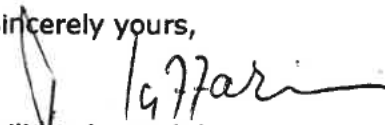
To prevent such an irreversible disaster, I urge you, as President of the General Assembly, and through you, Members States to take immediate action to (i) implement an immediate humanitarian ceasefire; (ii) enforce international law, including the protection of civilians and UN staff, as well as UN premises, hospitals and public buildings that provide safe shelter from attacks, disease, deprivation and indignity; and (iii) protect prospects for a political solution that is vital to peace, security and rights for Palestinians, Israelis and the region.

Calling for an end to the decimation of Gaza and its people is not a denial of the atrocities of 7 October. It is the opposite. It is recognition of the equal rights of all people – recognition that is essential to the future of Palestinians and Israelis alike. Our response to the situation in Gaza today will mark the history of the General Assembly and of the UN.

I implore the General Assembly to take immediate action.

Please accept, Excellency, the assurances of my highest consideration.

Sincerely yours,



Philippe Lazzarini

Amend Operative Paragraph 3 to read as follows:

OP3. *Demands* the immediate and unconditional release of all hostages **[ADD: held by Hamas and other groups]**, as well as ensuring **[ADD: immediate]** humanitarian access;

After Preambular Paragraph 6 and before Operative Paragraph 1, insert the following Operative Paragraph:

Unequivocally rejects and condemns the heinous terrorist attacks by Hamas that took place in Israel starting 7 October 2023 and the taking of hostages;

10 December 2023

Draft Resolution

10th Emergency Special Session of the General Assembly

Protection of Civilians and Upholding Legal and Humanitarian Obligations

The General Assembly,

PP1. *Guided* by the purposes and principles of the Charter of the United Nations,

PP2. *Recalling* its resolutions regarding the question of Palestine,

PP3. *Recalling also* all relevant Security Council resolutions,

PP4. *Taking note of* the letter, dated 6 December 2023, of the Secretary-General, under Article 99 of the Charter of the United Nations, addressed to the President of the Security Council (S/2023/962),

PP5. *Taking note also of* the letter, dated 7 December 2023, of the Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East addressed to the President of the General Assembly,

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OP3. *Demands* the immediate and unconditional release of all hostages, as well as ensuring humanitarian access;

OP4. *Decides* to adjourn the tenth emergency special session temporarily and to authorize the President of the General Assembly at its most recent session to resume its meeting upon request from Member States.



Schweizerische Eidgenossenschaft
Confédération suisse
Confederazione Svizzera
Confederaziun svizra

Swiss Confederation

Conseil de sécurité

La situation au Moyen-Orient, y compris la question palestinienne.

New York, le 8 décembre 2023
DECLARATION APRES LE VOTE

Monsieur le Président,

Nous avons toutes et tous eu l'occasion d'exprimer nos positions complètes ce matin. Permettez-moi donc de juste ajouter les points suivants.

La Suisse a voté oui à la résolution portée par les Emirats Arabes Unis, sachant que le cessez-le-feu humanitaire est compris comme une pause humanitaire limitée dans le temps, sans porter préjudice au droit d'Israël d'assurer sa défense et sa sécurité.

La Suisse regrette que cette résolution n'ait pas été adoptée.

Unofficial translation

Mr. President,

We have all had the opportunity to express our full positions this morning. Allow me, then, to just add the following points.

Switzerland voted in favor of the resolution tabled by the United Arab Emirates, in the knowledge that the humanitarian ceasefire is understood as a time-limited humanitarian pause without prejudice to Israel's right to ensure its defense and its security.

Switzerland regrets that this resolution has not been adopted.

<div><div>ESS 1</div><div>UNGA Resolution ES-10/21</div><div>calling for <u>humanitarian truces</u> leading to a cessation of hostilities</div><div>121 Y; 14 N; 44 A (incl. Australia) on 27 October</div></div> <div><div>8 December</div><div>UNSC resolution</div><div>co-Sponsor</div><div>Around 100 co-sponsors; 13 Council memembers voted yes; <u>US vetoed</u> and UK abstained</div></div>	
Y AFGHANISTAN	AFGHANISTAN
A ALBANIA	Did not co-sponsor but voted in favour
Y ALGERIA	
Y ANDORRA	ANDORRA
Y ANGOLA	ANGOLA
Y ANTIGUA AND BARBUDA	ANTIGUA AND BARBUDA
Y ARGENTINA	ARGENTINA
Y ARMENIA	
A AUSTRALIA	
N AUSTRIA	
Y AZERBAIJAN	AZERBAIJAN
Y BAHAMAS	BAHAMAS
Y BAHRAIN	BAHRAIN
Y BANGLADESH	BANGLADESH
Y BARBADOS	BARBADOS
Y BELARUS	BELARUS
Y BELGIUM	BELGIUM
Y BELIZE	BELIZE
BENIN	BENIN
Y BHUTAN	
Y BOLIVIA (PLURINATIONAL STATE OF)	BOLIVIA (PLURINATIONAL STATE OF)
Y BOSNIA AND HERZEGOVINA	BOSNIA AND HERZEGOVINA
Y BOTSWANA	BOTSWANA
Y BRAZIL	BRAZIL
Y BRUNEI DARUSSALAM	
A BULGARIA	
BURKINA FASO	
BURUNDI	
A CABO VERDE	
CAMBODIA	CAMBODIA
A CAMEROON	
A CANADA	
Y CENTRAL AFRICAN REPUBLIC	CENTRAL AFRICAN REPUBLIC
Y CHAD	CHAD
Y CHILE	CHILE
Y CHINA	CHINA
Y COLOMBIA	COLOMBIA

s 33(a)(iii), s 33(b), s 47E(d)

s 33(a)(iii), s 33(b), s 47E(d)

Y COMOROS	COMOROS
Y CONGO	CONGO
Y COSTA RICA	COSTA RICA
Y COTE D'IVOIRE	
N CROATIA	
Y CUBA	CUBA
A CYPRUS	
N CZECHIA	
Y DEMOCRATIC PEOPLE'S REPUBLIC OF KOREA	
Y DEMOCRATIC REPUBLIC OF THE CONGO	DEMOCRATIC REPUBLIC OF THE CONGO
A DENMARK	
Y DJIBOUTI	DJIBOUTI
Y DOMINICA	
Y DOMINICAN REPUBLIC	DOMINICAN REPUBLIC
Y ECUADOR	Did no co-sponsor but voted in favour
Y EGYPT	EGYPT
Y EL SALVADOR	EL SALVADOR
Y EQUATORIAL GUINEA	
Y ERITREA	ERITREA
A ESTONIA	
ESWATINI	
A ETHIOPIA	ETHIOPIA
N FIJI	FIJI
A FINLAND	FINLAND
Y FRANCE	Did no co-sponsor but voted in favour
Y GABON	
Y GAMBIA	GAMBIA
A GEORGIA	
A GERMANY	
Y GHANA	Did no co-sponsor but voted in favour
A GREECE	
Y GRENADA	GRENADA
N GUATEMALA	
Y GUINEA	
Y GUINEA-BISSAU	
Y GUYANA	GUYANA
A HAITI	
Y HONDURAS	
N HUNGARY	
A ICELAND	ICELAND
A INDIA	
Y INDONESIA	INDONESIA
Y IRAN (ISLAMIC REPUBLIC OF)	
A IRAQ	IRAQ

s 33(a)(iii), s 33(b), s 47E(d)

Y IRELAND	IRELAND
N ISRAEL	
A ITALY	
JAMAICA	JAMAICA
A JAPAN	Did no co-sponsor but voted in favour
Y JORDAN	JORDAN
Y KAZAKHSTAN	KAZAKHSTAN
Y KENYA	KENYA
A KIRIBATI	
Y KUWAIT	KUWAIT
Y KYRGYZSTAN	KYRGYZSTAN
Y LAO PEOPLE'S DEMOCRATIC REPUBLIC	LAO PEOPLE'S DEMOCRATIC REPUBLIC
A LATVIA	
Y LEBANON	LEBANON
Y LESOTHO	LESOTHO
LIBERIA	
Y LIBYA	LIBYA
Y LIECHTENSTEIN	
A LITHUANIA	
Y LUXEMBOURG	LUXEMBOURG
Y MADAGASCAR	
Y MALAWI	
Y MALAYSIA	MALAYSIA
Y MALDIVES	MALDIVES
Y MALI	
Y MALTA	Did no co-sponsor but voted in favour
N MARSHALL ISLANDS	
Y MAURITANIA	MAURITANIA
Y MAURITIUS	
Y MEXICO	MEXICO
N MICRONESIA (FEDERATED STATES OF)	
A MONACO	
Y MONGOLIA	
Y MONTENEGRO	
Y MOROCCO	MOROCCO
Y MOZAMBIQUE	Did no co-sponsor but voted in favour
Y MYANMAR	
Y NAMIBIA	NAMIBIA

s 33(a)(iii), s 33(b), s 47E(d)

N NAURU	
Y NEPAL	
A NETHERLANDS	
Y NEW ZEALAND	NEW ZEALAND
Y NICARAGUA	NICARAGUA
Y NIGER	
Y NIGERIA	NIGERIA
A NORTH MACEDONIA	
Y NORWAY	NORWAY
Y OMAN	OMAN
Y PAKISTAN	PAKISTAN
A PALAU	
A PANAMA	
N PAPUA NEW GUINEA	
N PARAGUAY	
Y PERU	PERU Peru
A PHILIPPINES	PHILIPPINES
A POLAND	POLAND
Y PORTUGAL	PORTUGAL
Y QATAR	QATAR
A REPUBLIC OF KOREA	
A REPUBLIC OF MOLDOVA	
A ROMANIA	
Y RUSSIAN FEDERATION	Did no co-sponsor but voted in favour
RWANDA	
Y SAINT KITTS AND NEVIS	SAINT KITTS AND NEVIS
Y SAINT LUCIA	SAINT LUCIA
Y SAINT VINCENT AND THE GRENADINES	SAINT VINCENT AND THE GRENADINES
SAMOA	
A SAN MARINO	SAN MARINO
SAO TOME AND PRINCIPE	
Y SAUDI ARABIA	SAUDI ARABIA
Y SENEGAL	SENEGAL
A SERBIA	
SEYCHELLES	SEYCHELLES
Y SIERRA LEONE	SIERRA LEONE
Y SINGAPORE	SINGAPORE
A SLOVAKIA	
Y SLOVENIA	SLOVENIA
Y SOLOMON ISLANDS	
Y SOMALIA	SOMALIA
Y SOUTH AFRICA	SOUTH AFRICA
A SOUTH SUDAN	
Y SPAIN	SPAIN
Y SRI LANKA	SRI LANKA
Y SUDAN	SUDAN
Y SURINAME	SURINAME
A SWEDEN	
Y SWITZERLAND	Did no co-sponsor but voted in favour
Y SYRIAN ARAB REPUBLIC	

s 33(a)(iii), s 33(b), s 47E(d)

Y TAJIKISTAN	TAJIKISTAN
Y THAILAND	THAILAND
Y TIMOR-LESTE	TIMOR-LESTE
TOGO	
N TONGA	
Y TRINIDAD AND TOBAGO	TRINIDAD AND TOBAGO
A TUNISIA	
TURKMENISTAN	
A TUVALU	
Y TURKIYE	TÜRKİYE
Y UGANDA	UGANDA
A UKRAINE	
Y UNITED ARAB EMIRATES	UNITED ARAB EMIRATES
A UNITED KINGDOM	Abstained
Y UNITED REPUBLIC OF TANZANIA	
N UNITED STATES	Vetoed
A URUGUAY	
Y UZBEKISTAN	UZBEKISTAN
A VANUATU	
VENEZUELA (BOLIVARIAN REPUBLIC OF)	VENEZUELA (BOLIVARIAN REPUBLIC OF)
Y VIET NAM	VIET NAM
Y YEMEN	YEMEN
A ZAMBIA	

s 22(1)(a)(ii)

From: s 47F(1)
Sent: Tuesday, 12 December 2023 7:29 PM
To: s 22(1)(a)(ii) s 47F(1)
Cc: s 47F(1) s 47F(1); Roderick Brazier; Craig Maclachlan; Kate Wallace; Bronte Moules; Gemma Huggins; Marc Innes-Brown; s22(1)(a)(ii) s 47E(d) s22(1)(a)(ii) James Larsen; s22(1)(a)(ii) Marie-Charlotte Mckenna; s 22(1)(a)(ii)
Subject: RE: Voting advice on UNGA resolution on Gaza - for ESS session expected on 12 December

Hi s 22(1)(a)(ii)

Many thanks for your email and for DFAT's work pulling the advice together.

After reviewing this advice, and in consultation with her colleagues, the Foreign Minister has decided that:

- Australia will vote Yes on this resolution.
- Australia will support the US amendment but not co-sponsor it.
- Australia will support the Austrian amendment but not co-sponsor it.

We are supportive of HOM UNNY indicating to others our intention to vote Yes. s 33(a)(iii)

In terms of diplomatic engagement with Israel, we support the approach outlined in s 22(1)(a)(ii) earlier email.

The updated draft EOv has been sent through separately by s 47F(1) for your review.

Many thanks

s 47F(1)

From: s 22(1)(a)(ii) @dfat.gov.au>
Sent: Tuesday, 12 December 2023 1:41 PM
To: s 47F(1) @dfat.gov.au>; s 47F(1) @dfat.gov.au>
Cc: s 47F(1) @dfat.gov.au>; s 47F(1) @dfat.gov.au>; s 47F(1) @dfat.gov.au>; Roderick Brazier <Rod.Brazier@dfat.gov.au>; Craig Maclachlan <Craig.Maclachlan@dfat.gov.au>; Kate Wallace <Kate.Wallace@dfat.gov.au>; Bronte Moules <Bronte.Moules@dfat.gov.au>; Gemma Huggins <Gemma.Huggins@dfat.gov.au>; Marc Innes-Brown <marc.innes@dfat.gov.au>; s 22(1)(a)(ii) @dfat.gov.au>; s 47E(d) @dfat.gov.au>; s 22(1)(a)(ii) @dfat.gov.au>; s 22(1)(a)(ii) @dfat.gov.au>; James Larsen <James.Larsen@dfat.gov.au>; s 22(1)(a)(ii) @dfat.gov.au>; s 22(1)(a)(ii) @dfat.gov.au>; Marie-Charlotte Mckenna <Marie-Charlotte.McKenna@dfat.gov.au>; s 22(1)(a)(ii) @dfat.gov.au>
Subject: Voting advice on UNGA resolution on Gaza - for ESS session expected on 12 December

s 47F(1)

s 33(a)(iii), s 33(b)

The draft also demands an 'immediate humanitarian ceasefire'. s 42(1)

s 33(a)(iii), s 33(b)

Overall, we assess the number of Yes votes will go up (from 120 on the last resolution). s 33(a)(iii), s 33(b)

Given the improvements in the text and shifting positions of some like-minded, we think it would be open to us to vote Yes this time. This would need to be accompanied by an EOV that was very firm in articulating the deficiencies in the text. It should also articulate the distinction between a 'humanitarian ceasefire' and outright cessation of

hostilities, and note that this should not prejudice Israel's right to defend itself. **As 33(a)(iii)**

Overall, we assess the number of Yes votes will go up (from 120). **s 33(a)(iii), s 33(b)**

Regardless of whether we vote Yes or Abstain, we assess we will be in good company.

A summary of voting positions is **attached**, based on the previous ESS resolution and UNSC resolution co-sponsorship (with thanks to UNNY).

Amendments

Overnight Austria tabled an amendment to bring in language specifically referring to Hamas. This is likely to fail but give it aligns with our view Hamas's actions should be referenced, **we recommend voting for (but not co-sponsoring) the amendment.**

We recommend delivering an EOV (two options are attached). Current plans are to issue a separate CANZ statement before the UNGA session.

The US has also tabled an amendment (attached). The US' amendment is in relation to the Hamas attacks. UNNY **recommend voting in favour, but not co-sponsoring the amendment.**

Finally, the situation is fast moving and amendments could be moved from the floor or in advance of the proceedings. UNNY will continue to provide updates.

Summary of recommendations

	Co-sponsor	Vote in favour delivering an EOV	Abstain delivering an EOV
Arab Group ESS Resolution	Recommend maintaining position of not co-sponsoring	Supporting rationale: <ul style="list-style-type: none"> - strong and unanimous messaging across relevant UN agencies and many member states on the critical need for a humanitarian ceasefire - unprecedented crisis on the ground s 42(1)	Supporting rationale: <ul style="list-style-type: none"> - resolution does not condemn Hamas, even though there was already language agreed in resolution 2712 to that end. - in the likely event the amendments proposed by Austria and the US are not successful, efforts to specifically identify Hamas will have failed. - it was not the GA resolution that led to humanitarian pauses last time, but careful mediation on the ground by Egypt, Qatar and the US.
Austrian amendment	Recommend not co-sponsoring	Recommend vote in favour	
US amendment	Recommend not co-sponsoring	Recommend vote in favour	

s 33(a)(iii), s 33(b)

s 22(1)(a)(ii)

Director | UN Governance and Reform Section
Multilateral Order Branch | Multilateral Policy and Human Rights Division
Department of Foreign Affairs and Trade
P s 22(1)(a)(ii) | **M** s 22(1)(a)(ii)
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*[We acknowledge](#) the Traditional Custodians of Country throughout Australia, and their continuing connection to land, waters and community.
We pay our respects to all First Nations peoples, their cultures and to their Elders, past, present and emerging.*

s 22(1)(a)(ii)

From: s 22(1)(a)(ii)
Sent: Thursday, 11 January 2024 1:02 PM
To: s 22(1)(a)(ii)
Subject: Fwd: ESS10 UN General Assembly resolution passes - Aus EOV attached[SEC=OFFICIAL]

OFFICIAL

From: "Kate Wallace" <Kate.Wallace@dfat.gov.au>
Date: Thursday, 11 January 2024 at 12:57:34 pm
To: s 22(1)(a)(ii) <@dfat.gov.au>
Subject: Fwd: ESS10 UN General Assembly resolution passes - Aus EOV attached[SEC=OFFICIAL]

OFFICIAL

From: "Kate Wallace" <Kate.Wallace@dfat.gov.au>
Date: Wednesday, 13 December 2023 at 9:29:00 am
To: "s 47F(1)" <@dfat.gov.au>
Subject: FW: ESS10 UN General Assembly resolution passes - Aus EOV attached [SEC=OFFICIAL]

OFFICIAL

s 22(1)(a)(ii)
Hi

The UNGA resolution on the protection of civilians and upholding legal and humanitarian obligations in the Israel-Hamas conflict has passed in the 10th Emergency Special Session with 149 votes in favour, 9 against and 22 abstentions.

The formal resolution will be uploaded by the UN in the coming days following official translation, but the text is as per the original draft (attached). Both proposed amendments (by Austria and the US) failed to receive the required 2/3rd majority.

Australia voted in good company for the resolution and both amendments.

Cheers

Kate

s 22(1)(a)(ii)

From: s 22(1)(a)(ii)
Sent: Thursday, 11 January 2024 1:02 PM
To: s 22(1)(a)(ii)
Subject: Fwd: Voting advice on UNGA resolution on Gaza - for ESS session expected on 12 December
Attachments: (10 Dec 23) GA-Draft 10th ESS Resolution on Humanitarian Ceasefire-Gaza.docx

From: "Kate Wallace" <Kate.Wallace@dfat.gov.au>
Date: Thursday, 11 January 2024 at 12:59:19 pm
To: s 22(1)(a)(ii) <@dfat.gov.au>
Subject: Fwd: Voting advice on UNGA resolution on Gaza - for ESS session expected on 12 December

From: "Kate Wallace" <Kate.Wallace@dfat.gov.au>
Date: Tuesday, 12 December 2023 at 8:16:00 pm
To: "Beth Delaney" <Beth.Delaney@dfat.gov.au>, "Juliette Brassington" <Juliette.Brassington@dfat.gov.au>, "Dave Vosen" <Dave.Vosen@dfat.gov.au>, "Lucas de Toca" <Lucas.deToca@dfat.gov.au>, "Fleur Davies" <Fleur.Davies@dfat.gov.au>
Cc: s 22(1)(a)(ii) <@dfat.gov.au>
Subject: FW: Voting advice on UNGA resolution on Gaza - for ESS session expected on 12 December

Colleagues

Just looping you all in for visibility. There is a further UNGA Emergency Special Session 10 today following on from the US vetoing the UNSC resolution last week. The FM has agreed Australia will vote in favour of the resolution being put forward by the Arab group (attached). I note there are also amendments being moved by the US and Austria – both of which we will support but do not expect will be adopted.

Cheers

Kate

From: s 47F(1) <@dfat.gov.au>
Sent: Tuesday, 12 December 2023 7:29 PM
To: s 22(1)(a)(ii) <@dfat.gov.au>; s 47F(1) <@dfat.gov.au>
Cc: s 47F(1) <@dfat.gov.au>; s 47F(1) <@dfat.gov.au>;
Roderick Brazier <Rod.Brazier@dfat.gov.au>; Craig Maclachlan <Craig.Maclachlan@dfat.gov.au>; Kate Wallace <Kate.Wallace@dfat.gov.au>; Bronte Moules <Bronte.Moules@dfat.gov.au>; Gemma Huggins

<Gemma.Huggins@dfat.gov.au>; Marc Innes-Brown <marc.innes@dfat.gov.au>; s 22(1)(a)(ii)
 dfat.gov.au>; s 47E(d) @dfat.gov.au>; s 22(1)(a)(ii)
 @dfat.gov.au>; s 22(1)(a)(ii) @dfat.gov.au>; s 22(1)(a)(ii)
 @dfat.gov.au>; James Larsen <James.Larsen@dfat.gov.au>; s 22(1)(a)(ii)
 @dfat.gov.au>; s 22(1)(a)(ii) @dfat.gov.au>; Marie-Charlotte McKenna <Marie-Charlotte.McKenna@dfat.gov.au>; s 22(1)(a)(ii) @dfat.gov.au>
Subject: RE: Voting advice on UNGA resolution on Gaza - for ESS session expected on 12 December

Hi s 22(1)(a)(ii)

Many thanks for your email and for DFAT's work pulling the advice together.

After reviewing this advice, and in consultation with her colleagues, the Foreign Minister has decided that:

- Australia will vote Yes on this resolution.
- Australia will support the US amendment but not co-sponsor it.
- Australia will support the Austrian amendment but not co-sponsor it.

We are supportive of HOM UNNY indicating to others our intention to vote Yes. s 33(a)(iii)

In terms of diplomatic engagement with Israel, we support the approach outlined in s 22(1)(a)(ii) earlier email.

The updated draft EOv has been sent through separately by Tom for your review.

Many thanks

s 22(1)(a)(ii)

From: s 22(1)(a)(ii) @dfat.gov.au>
Sent: Tuesday, 12 December 2023 1:41 PM
To: s 47F(1) dfat.gov.au>; s 47F(1) @dfat.gov.au>
Cc: s 47F(1) @dfat.gov.au>; s 47F(1) @dfat.gov.au>;
 Roderick Brazier <Rod.Brazier@dfat.gov.au>; Craig MacLachlan <Craig.Maclachlan@dfat.gov.au>; Kate Wallace
 <Kate.Wallace@dfat.gov.au>; Bronte Moules <Bronte.Moules@dfat.gov.au>; Gemma Huggins
 <Gemma.Huggins@dfat.gov.au>; Marc Innes-Brown <marc.innes@dfat.gov.au>; James Bryan
 <James.Bryan@dfat.gov.au>; s 47E(d) @dfat.gov.au>; s 22(1)(a)(ii)
 @dfat.gov.au>; s 22(1)(a)(ii) @dfat.gov.au>; s 22(1)(a)(ii)
 @dfat.gov.au>; James Larsen <James.Larsen@dfat.gov.au>; s 22(1)(a)(ii)
 @dfat.gov.au>; s 22(1)(a)(ii) @dfat.gov.au>; Marie-Charlotte McKenna <Marie-Charlotte.McKenna@dfat.gov.au>; s 22(1)(a)(ii) @dfat.gov.au>
Subject: Voting advice on UNGA resolution on Gaza - for ESS session expected on 12 December

s 22(1)(a)(ii)

s 33(a)(iii), s 33(b)

s 33(a)(iii), s 33(b)

The draft also demands an 'immediate humanitarian ceasefire'. s 42(1)

s 42(1)

s 33(a)(iii), s 33(b)

Overall, we assess the number of Yes votes will go up (from 120 on the last resolution). s 33(a)(iii), s 33(b)

Given the improvements in the text and shifting positions of some like-mindeds, we think it would be open to us to vote Yes this time. This would need to be accompanied by an EOV that was very firm in articulating the deficiencies in the text. It should also articulate the distinction between a 'humanitarian ceasefire' and outright cessation of hostilities, and note that this should not prejudice Israel's right to defend itself. s 33(a)(iii)

Overall, we assess the **number of Yes votes will go up** (from 120). s 33(a)(iii), s 33(b)

s 33(a)(iii), s 33(b)

s 33(a)(iii), s 33(b)

Amendments

Overnight Austria tabled an amendment to bring in language specifically referring to Hamas. This is likely to fail but give it aligns with our view Hamas's actions should be referenced, **we recommend voting for (but not co-sponsoring) the amendment.**

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The US has also tabled an amendment (attached). The US' amendment is in relation to the Hamas attacks. UNNY recommend voting in favour, but not co-sponsoring the amendment.

Finally, the situation is fast moving and amendments could be moved from the floor or in advance of the proceedings. UNNY will continue to provide updates.

Summary of recommendations

	Co-sponsor	Vote in favour delivering an EOV	Abstain delivering an EOV
Arab Group ESS Resolution	Recommend maintaining position of not co- sponsoring	Supporting rationale: <ul style="list-style-type: none"> strong and unanimous messaging across relevant UN agencies and many member states on the critical need for a humanitarian ceasefire unprecedented crisis on the ground <p>s 42(1)</p>	Supporting rationale: <ul style="list-style-type: none"> resolution does not condemn Hamas, even though there was already language agreed in resolution 2712 to that end. in the likely event the amendments proposed by Austria and the US are not successful, efforts to specifically identify Hamas will have failed. it was not the GA resolution that led to humanitarian pauses last time, but careful mediation on the ground by Egypt, Qatar and the US.
Austrian amendment	Recommend not co-sponsoring	Recommend vote in favour	

US amendment	Recommend not co-sponsoring	Recommend vote in favour	
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s 33(a)(iii), s 33(b)

s 33(a)(iii), s 33(b)

s 22(1)(a)(ii)

Director | UN Governance and Reform Section
Multilateral Order Branch | Multilateral Policy and Human Rights Division
Department of Foreign Affairs and Trade
P s 22(1)(a)(ii) | **M** s 22(1)(a)(ii)
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*[We acknowledge](#) the Traditional Custodians of Country throughout Australia, and their continuing connection to land, waters and community.
We pay our respects to all First Nations peoples, their cultures and to their Elders, past, present and emerging.*

10 December 2023

Draft Resolution

10th Emergency Special Session of the General Assembly

Protection of Civilians and Upholding Legal and Humanitarian Obligations

The General Assembly,

PP1. *Guided* by the purposes and principles of the Charter of the United Nations,

PP2. *Recalling* its resolutions regarding the question of Palestine,

PP3. *Recalling also* all relevant Security Council resolutions,

PP4. *Taking note of* the letter, dated 6 December 2023, of the Secretary-General, under Article 99 of the Charter of the United Nations, addressed to the President of the Security Council (S/2023/962),

PP5. *Taking note also of* the letter, dated 7 December 2023, of the Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East addressed to the President of the General Assembly,

PP6. *Expressing grave concern* over the catastrophic humanitarian situation in the Gaza Strip and the suffering of the Palestinian civilian population, and *emphasizing* that the Palestinian and Israeli civilian populations must be protected in accordance with international humanitarian law,

OP1. *Demands* an immediate humanitarian ceasefire;

OP2. *Reiterates* its demand that all parties comply with their obligations under international law, including international humanitarian law, notably with regard to the protection of civilians;

OP3. *Demands* the immediate and unconditional release of all hostages, as well as ensuring humanitarian access;

OP4. *Decides* to adjourn the tenth emergency special session temporarily and to authorize the President of the General Assembly at its most recent session to resume its meeting upon request from Member States.