



Inter-Parliamentary Union
For democracy. For everyone.

148th IPU Assembly

Geneva, 23–27 March 2024

Assembly
Item 2

A/148/2-P.1-rev
24 March 2024

Consideration of requests for the inclusion of an emergency item in the Assembly agenda

Request for the inclusion of an emergency item in the agenda of the 148th Assembly of the Inter-Parliamentary Union submitted by the delegation of South Africa, with the support of the Arab Group and the African Group

On 22 March 2024, the IPU President received from the delegation of South Africa with the support of the Arab Group and the African Group a request and accompanying documents for the inclusion in the agenda of the 148th Assembly of an emergency item entitled:

“Raising awareness of the International Court of Justice provisional measures for Israel in relation to Palestinians in Gaza, and of the need for urgent action on the humanitarian crisis in Gaza”.

Delegates to the 148th Assembly will find attached the text of the communication submitting the request ([Annex I](#)), as well as an explanatory memorandum ([Annex II](#)) and a draft resolution ([Annex III](#)) in support thereof.

The 148th Assembly will be required to take a decision on the request of the delegation of South Africa, with the support of the Arab Group and the African Group on Sunday, 24 March 2024.

Under the terms of Assembly Rule 11.1, any Member of the IPU may request the inclusion of an emergency item in the Assembly agenda. Such a request must be accompanied by a brief explanatory memorandum and a draft resolution, which clearly define the scope of the subject covered by the request. The IPU Secretariat shall communicate the request and any such documents immediately to all Members.

Furthermore, Assembly Rule 11.2 stipulates that:

- (a) A request for the inclusion of an emergency item must relate to a recent major situation of international concern on which urgent action by the international community is required and on which it is appropriate for the IPU to express its opinion and mobilize a parliamentary response. Such a request must receive a two-thirds majority of the votes cast in order to be accepted.
- (b) The Assembly may place only one emergency item on its agenda. Should several requests obtain the requisite majority, the one having received the largest number of positive votes shall be accepted.
- (c) The authors of two or more requests for the inclusion of an emergency item may combine their proposals to present a joint one, provided that each of the original proposals relates to the same subject.
- (d) The subject of a proposal that has been withdrawn by its authors or rejected by the Assembly cannot be included in the draft resolution submitted on the emergency item, unless it is clearly referred to in the request and title of the subject adopted by the Assembly.

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#IPU148

**COMMUNICATION ADDRESSED TO THE IPU PRESIDENT BY
THE DELEGATION OF SOUTH AFRICA, WITH THE SUPPORT
OF THE ARAB GROUP AND THE AFRICAN GROUP**

22 March 2024

Dear Madam President,

I hereby submit on behalf of the South African delegation the draft emergency item for the 148th Assembly to be held in Geneva from the 23-27 March 2024.

The item is submitted in the name of Hon. Sylvia Lucas, the Deputy Chairperson of National Council of Provinces, the Second House of Parliament of the Republic of South Africa.

Hoping that the submission is in order.

Thank you.

Yours sincerely,

Dumisani JOB SITHOLE
Division Manager: International Relations and
Protocol Division of Parliament

RAISING AWARENESS OF THE INTERNATIONAL COURT OF JUSTICE PROVISIONAL MEASURES FOR ISRAEL IN RELATION TO PALESTINIANS IN GAZA, AND OF THE NEED FOR URGENT ACTION ON THE HUMANITARIAN CRISIS IN GAZA

Explanatory memorandum submitted by the delegation of South Africa, with the support of the Arab Group and the African Group

We advocate for the protection of civilians in both Palestine and Israel and the uninterrupted delivery of humanitarian assistance in the Gaza Strip.

On 6 March 2024, the International Court of Justice (ICJ) noted that the Israeli military operation in Gaza, Palestine, subsequent to the Hamas attack on Israel on 7 October 2023, had led to numerous casualties, the extensive destruction of homes, the displacement of most of the population and severe damage to civilian infrastructure.

The United Nations agencies' reported figures from the Gaza Strip reveal that approximately 31,184 Palestinians have been killed, over 72,000 individuals have been injured, and more than 60% of housing units have been destroyed or damaged. Approximately 1.7 million people have been internally displaced, and devastating losses have been suffered by UN staff, health workers, and civil defence personnel. The people in Gaza have been deprived of basic necessities, medical care and essential supplies. We take note of statements made by prominent UN officials and agencies, including the United Nations Under-Secretary-General for Humanitarian Affairs and Emergency Relief Coordinator and the World Health Organization, regarding the situation in north Gaza that they have deemed "uninhabitable".

Furthermore, we emphasize the legally binding provisional measures indicated by the ICJ against Israel, including refraining from acts under the Genocide Convention, preventing and punishing incitement to genocide, and ensuring the provision of humanitarian assistance to civilians in Gaza. The Court's provisional measures, notably regarding the entry of humanitarian aid and a requirement for Israel to report back, offer a critical framework for addressing the complex Israel-Palestine conflict and ensuring compliance with international legal obligations.

Given the urgent situation in Gaza, we urge consideration of an emergency resolution by the IPU to take a clear stance in these distressing circumstances.

The draft resolution proposed is built upon relevant international laws, UN and IPU documents, and offers impartial assessments and comprehensive recommendations for parliaments and the IPU.

The draft resolution underscores the imperative need for immediate action to address the dire humanitarian crisis in Gaza, highlights the necessity for global awareness, and emphasizes adherence to the legal measures stipulated by the ICJ. By proposing this resolution, we reaffirm our dedication to international law, peace, the humanitarian response and the protection of civilian rights in the region.

RAISING AWARENESS OF THE INTERNATIONAL COURT OF JUSTICE PROVISIONAL MEASURES FOR ISRAEL IN RELATION TO PALESTINIANS IN GAZA, AND OF THE NEED FOR URGENT ACTION ON THE HUMANITARIAN CRISIS IN GAZA

Draft resolution submitted by the delegation of SOUTH AFRICA, with the support of the ARAB GROUP and the AFRICAN GROUP

The 148th Assembly of the Inter-Parliamentary Union,

- (1) *Recalling* all relevant United Nations (UN) resolutions, particularly Security Council resolution 2712 (2023), which, inter alia, (a) demands that all parties comply with their obligations under international law, notably with regard to the protection of civilians, (b) calls for urgent and extended humanitarian pauses and corridors throughout the Gaza Strip to enable unhindered humanitarian access and urgent rescue and recovery efforts, and (c) calls for the immediate and unconditional release of all hostages,
- (2) *Recalling further* the following IPU resolutions, namely *The consequences of the US declaration on Jerusalem and the rights of the Palestinian people in Jerusalem in the light of the UN Charter and resolutions*, adopted at the 138th Assembly in March 2018 and *Raising awareness and calling for action on the serious humanitarian crises affecting the peoples of Afghanistan, the Syrian Arab Republic, Ukraine, Yemen and other countries, and on the particular vulnerability of women and girls*, adopted at the 146th Assembly in March 2023,
- (3) *Reiterating* Israel's obligation to adhere to the provisional measures indicated by the International Court of Justice (ICJ) concerning Palestinians in Gaza, including to prevent the commission of acts within the scope of Article II of the Genocide Convention, preventing and punishing direct and public incitement to genocide, and ensuring the provision of humanitarian assistance to civilians in Gaza,
- (4) *Reaffirming* the importance for third parties to act independently and immediately to prevent genocide by Israel and to ensure that they are not themselves in violation of the Genocide Convention, including by aiding or assisting in the commission of genocide, which imposes an obligation on all States to cease funding and facilitating Israel's military actions, which the ICJ has indicated to be plausibly genocidal,
- (5) *Acknowledging* that the ICJ confirmed its jurisdiction over the situation in Palestine, paving the way for justice for both Israeli and Palestinian victims of serious international crimes,
- (6) *Expressing deep concern* at the dire and rapidly deteriorating humanitarian situation in the Gaza Strip and its grave impact on the civilian population, and *underlining* the urgent need for full, rapid, safe and unhindered humanitarian access into and throughout the entire Gaza Strip,
- (7) *Noting* the disturbing reports from the leadership of the UN and humanitarian organizations reaffirming their strong concern for the disproportionate impact of the conflict on the lives and well-being of children, women and other civilians in vulnerable situations, and thus emphasizing the need for the humanitarian principles of humanity, impartiality, neutrality and independence to prevail,
- (8) *Stressing* the obligation of all UN Member States to respect and protect humanitarian relief and medical personnel, *commending* the indispensable and ongoing efforts of the UN, its specialized agencies and all other humanitarian and medical personnel active in the Gaza Strip to alleviate the impact of the conflict on civilians, and *expressing* condolences for all civilians, including humanitarian and medical personnel, killed during this conflict,
- (9) *Emphasizing* the need for all parties to the conflict to take appropriate steps in ensuring the safety and security of UN and associated personnel, the personnel of its specialized agencies, and all other personnel engaged in humanitarian relief activities, consistent with international humanitarian law, without prejudice to their freedom of movement and access, and without in any way hindering their relief efforts,

(10) *Acknowledging* the pivotal role that the IPU can play in supporting diplomatic efforts and fostering dialogue to resolve the conflict between Palestine and Israel, and *encouraging* the Organization to continue its efforts in promoting mutual understanding, trust and peaceful resolutions,

1. *Urges* all Member Parliaments of the IPU to actively raise awareness about the provisional measures indicated by the ICJ pertaining to Israel, in relation to Palestinians in Gaza, and to advocate for their implementation;
2. *Emphasizes* the importance of providing urgent humanitarian aid and support to the civilian population in Gaza and *calls for* immediate and unhindered humanitarian access and relief into and throughout the entire Gaza Strip;
3. *Encourages* parliaments to ensure that their respective governments are not in violation of the Genocide Convention, including by aiding or assisting in the commission of acts of genocide, and to take any necessary legislative and diplomatic measures to prevent and prohibit any actions that could contribute to such violations;
4. *Calls upon* the UN and the international community to establish an inclusive roadmap to facilitate dialogue and negotiations aimed at achieving a peaceful resolution to the conflict in the region, and to ensure the protection of civilians, particularly children and women;
5. *Encourages* parliaments to be actively involved in supporting efforts towards a multilateral initiative to achieve the existence of a two-State solution based on the 1967 borders, and to urge their respective governments to recognize the State of Palestine on the basis of the 1967 borders, with East Jerusalem as its capital, in accordance with UN resolutions;
6. *Further encourages* parliaments to collaborate with their governments to support the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA) in executing aid programmes for the relief of Palestinian refugees, in line with UN General Assembly Resolution 302 (IV) of December 1949;
7. *Calls on* the IPU to take proactive steps in facilitating dialogue, cooperation and reconciliation between parliamentarians from Israel and Palestine, with the aim of fostering mutual understanding, building trust and promoting peaceful resolutions to the ongoing conflict;
8. *Acknowledges* and *welcomes* the motion put forth by the Standing Committee on United Nations Affairs on reform of the United Nations Security Council, thereby initiating potential parliamentary action aimed at advancing discussions on reform to increase the Security Council's efficacy in addressing current challenges, including the ongoing conflict between Palestine and Israel, as this conflict has persistently remained on the UN agenda for the past 76 years without a resolution.