Palestine Becomes a Non-Member Observer State at the United Nations – November 29, 2012

On **November 29, 2012**, the United Nations General Assembly adopted Resolution **67/19**, granting Palestine the status of a **“non-member observer State in the United Nations”**, marking one of the most important diplomatic milestones in modern Palestinian history.

The resolution was adopted by **138 votes in favor**, with **9 countries voting against** and **41 abstentions**. It elevated Palestine above its previous observer status, without making it a full member of the United Nations.

The resolution reaffirmed the **right of the Palestinian people to self-determination and independence in their State of Palestine on the Palestinian territory occupied since 1967**. It also reaffirmed the vision of an independent, sovereign, contiguous, and viable Palestinian state based on the pre-1967 borders.

From the Palestine Liberation Organization to the State of Palestine

Palestinian representation at the United Nations did not begin in 2012.

In **1974**, the United Nations General Assembly granted the Palestine Liberation Organization observer status after the PLO had become the principal political framework representing the Palestinian people at the Arab and international levels.

On **November 15, 1988**, the Palestinian National Council, meeting in Algiers,

adopted the Palestinian Declaration of Independence and proclaimed the State of Palestine.

One month later, on **December 15, 1988**, the General Assembly adopted Resolution **43/177**, which acknowledged the proclamation of the State of Palestine and decided that the designation **“Palestine”** should be used instead of “Palestine Liberation Organization” within the United Nations system, without prejudice to the PLO’s observer status or its representative role.

Palestine nevertheless remained, in procedural terms within the United Nations, an observer rather than a full member state.

The Path Toward Broader International Recognition

Following the 1988 Declaration of Independence, an increasing number of countries recognized the State of Palestine. Resolution 67/19 itself noted that **132 United Nations Member States** had recognized the State of Palestine by 2012.

During the following decades, particularly after the Oslo Accords of 1993 and the establishment of the Palestinian National Authority, the Palestinian leadership continued seeking the establishment of an independent state in the West Bank, the Gaza Strip, and East Jerusalem within a political framework based on ending the occupation that began in 1967.

However, the failure of permanent-status negotiations, the continuation of Israeli settlement activity, and the absence of an agreement ending the occupation gradually pushed the Palestinian leadership toward greater reliance on international institutions and the United Nations to strengthen recognition of Palestinian statehood and national rights.

The 2011 Application for Full UN Membership

On **September 23, 2011**, Palestinian President **Mahmoud Abbas** formally submitted an application to the United Nations Secretary-General seeking **full membership for the State of Palestine in the United Nations**.

The application was referred to the Security Council because, under the United Nations Charter, a state seeking full membership must first receive a recommendation from the Security Council before the General Assembly can vote on its admission.

The Security Council referred the Palestinian application to its Committee on the Admission of New Members, but the committee was unable to reach an agreed recommendation that would allow the application to proceed toward full membership.

The Palestinian application submitted in 2011 therefore remained before the Security Council without being approved at that stage.

Palestine Joins UNESCO in 2011

At the same time, Palestine achieved an important advance within the specialized agencies of the United Nations system.

On **October 31, 2011**, the General Conference of the United Nations Educational, Scientific and Cultural Organization **(UNESCO)** voted to admit Palestine as a member state.

Palestine thereby became UNESCO’s 195th member state, an important step that preceded the 2012 General Assembly resolution and strengthened the presence of the State of Palestine within the international system.

From Full Membership to Non-Member Observer State Status

After the attempt to obtain full membership stalled in the Security Council, the Palestinian leadership turned to the United Nations General Assembly, where no individual country holds veto power.

The objective was to obtain the status of a **“non-member observer State”**, a designation that does not provide full UN membership but formally recognizes Palestine within the United Nations as a state with observer status.

The Palestinian leadership presented the initiative as a means of strengthening the status of the State of Palestine and the rights of the Palestinian people within international institutions.

Israel and the United States opposed the initiative, arguing that questions concerning Palestinian statehood and borders should be resolved through direct negotiations between the Palestinians and Israel.

Why November 29?

The date of the vote carried major historical symbolism.

On **November 29, 1947**, the United Nations General Assembly had adopted Resolution **181** concerning the partition of Palestine.

Since 1977, November 29 has also been commemorated annually by the United Nations as the **International Day of Solidarity with the Palestinian People**.

The vote on Palestine’s status therefore took place on November 29, 2012—exactly sixty-five years after the partition resolution and on the International Day of Solidarity with the Palestinian People.

Mahmoud Abbas Addresses the General Assembly

Before the vote, President Mahmoud Abbas addressed the General Assembly and called on Member States to support the draft resolution granting Palestine non-member observer State status.

Abbas presented the initiative as an attempt to consolidate the international standing of the State of Palestine and to preserve the possibility of a two-state solution following years of stalled negotiations, continuing occupation, and settlement expansion.

He symbolically described the vote as providing a **“birth certificate”** for the reality of the State of Palestine within the international system.

The Vote on Resolution 67/19

The draft resolution was brought before the General Assembly during the sixty-seventh session.

The result was:

- **138 countries voted in favor.**
- **9 countries voted against.**
- **41 countries abstained.**

The nine countries that voted against the resolution were:

- United States.
- Israel.
- Canada.
- Czech Republic.
- Panama.
- Marshall Islands.

- Federated States of Micronesia.
- Nauru.
- Palau.

The General Assembly therefore adopted Resolution **67/19** by a large majority.

What Did Resolution 67/19 Say?

The resolution contained several important political and legal provisions.

It reaffirmed:

- **The right of the Palestinian people to self-determination and independence.**
- **The right to their State of Palestine on the Palestinian territory occupied since 1967.**
- The principle of the inadmissibility of the acquisition of territory by force.
- The need to end the occupation that began in 1967.
- The vision of an independent, sovereign, contiguous, and viable Palestinian state based on the pre-1967 borders.

The General Assembly then decided directly to **“accord to Palestine non-member observer State status in the United Nations.”**

Preserving the Role of the Palestine Liberation Organization

One important element of the resolution was that it did not replace the Palestine Liberation Organization with the State of Palestine or abolish the PLO’s representative role.

The resolution explicitly stated that granting Palestine non-member observer State status was **without prejudice to the acquired rights, privileges, and role of**

the Palestine Liberation Organization in the United Nations as the representative of the Palestinian people.

This provision was particularly important because the PLO represents Palestinians in the occupied territories and across the diaspora, whereas the institutions of the Palestinian Authority are administratively centered primarily in the West Bank and Gaza Strip.

What Does “Non-Member Observer State” Mean?

Palestine did not become a full member of the United Nations under Resolution 67/19.

Full membership requires a recommendation from the Security Council followed by approval from the General Assembly, a process that had not been completed in the Palestinian case.

The resolution nevertheless meant that the United Nations formally treated Palestine as a **non-member State maintaining a permanent observer mission**.

Following the resolution, Palestine was listed among the non-member states with a standing invitation to participate as observers in the sessions and work of the General Assembly.

What Rights Did Palestine Gain?

As a non-member observer State, the State of Palestine can participate in meetings of the General Assembly and in the work of a number of United Nations bodies and international conferences under the rules applicable to observer states.

It can make statements, submit observations and proposals, and participate in debates. Under certain circumstances, it can also request the inclusion of items on the provisional agendas of the General Assembly and Security Council.

However, Palestine **does not have the right to vote in the General Assembly** and cannot vote in ordinary elections for United Nations organs or nominate candidates in most such elections because it is not a full UN member.

What Did the Resolution Not Do?

It is important to distinguish between non-member observer State status and full United Nations membership or actual sovereignty on the ground.

Resolution 67/19:

- Did not make Palestine a full member of the United Nations.
- Did not grant Palestine voting rights in the General Assembly.
- Did not end the Israeli occupation of the Palestinian territories.
- Did not by itself determine final borders or resolve the issues of Jerusalem, refugees, settlements, security, and water.
- Did not establish full and effective Palestinian sovereignty on the ground.

Legal experts involved in later United Nations discussions also noted that the resolution did not “create” the State of Palestine from nothing. Rather, it granted Palestine non-member observer State status within the United Nations at a time when more than 130 states already recognized it as a state.

“State of Palestine” in United Nations Documents

Following the adoption of the resolution, the effects of the new status quickly became visible within the United Nations system.

On **December 12, 2012**, Palestine informed the United Nations Secretary-General that it wished to use the designation **“State of Palestine”** in all United Nations documents and on nameplates at meetings.

The United Nations Secretariat subsequently began officially using the designation **State of Palestine**, while Mahmoud Abbas was referred to in relevant documentation as President of the State of Palestine.

The Israeli Position

Israel opposed the draft resolution and voted against it.

The Israeli government argued that Palestinian statehood should result from direct negotiations and an agreement with Israel, and that a General Assembly resolution could not by itself determine the conditions of a final settlement or replace negotiations on outstanding issues.

Following the vote, Israel maintained that Resolution 67/19 did not constitute an agreed basis for final-status negotiations and opposed changes to the Palestinian international status outside the negotiated framework it supported.

The United States Position

The United States also voted against the resolution.

The American position supported a two-state solution in principle but opposed the Palestinian initiative at the General Assembly, arguing that it could not substitute for direct negotiations between the Palestinians and Israel.

During the General Assembly debate, the United States maintained that final-status questions—including statehood, borders, and security—should be resolved through negotiations between the parties.

The Palestinian Significance of the Resolution

For the Palestinian leadership, Resolution 67/19 represented a transition from a situation in which Palestine’s presence in the United Nations was primarily associated with the PLO and its earlier observer status to formal treatment of Palestine as a **non-member observer State**.

The vote was also viewed as a broad international reaffirmation of the Palestinian people’s right to self-determination and to a Palestinian state in the territories occupied since 1967.

The large majority in favor demonstrated the extent of international support for this principle within the General Assembly.

The Palestinian leadership linked the initiative to a broader strategy of moving part of the political struggle beyond bilateral negotiations and toward multilateral institutions and international law.

The Resolution and International Law

One of the most important later consequences of the resolution was the expansion of the State of Palestine’s ability to engage with the international system of treaties and conventions as a state.

On **April 2, 2014**, the State of Palestine submitted instruments of accession to a number of international treaties and conventions, including the International Covenant on Civil and Political Rights, the International Covenant on Economic, Social and Cultural Rights, the Convention against Torture, and the Convention on the Rights of the Child, among others.

As those treaties entered into force for Palestine, they provided it with additional international legal mechanisms while also imposing legal obligations on the State of Palestine concerning human rights and international law.

Palestine and the International Criminal Court

Palestine’s relationship with the International Criminal Court became one of the most significant legal consequences of its broader international strategy.

On **January 2, 2015**, the State of Palestine deposited its instrument of accession to the **Rome Statute of the International Criminal Court** with the United Nations Secretary-General.

Palestine subsequently became a State Party to the Rome Statute, introducing a new phase in the Palestinian use of international judicial institutions in matters involving international crimes and legal accountability.

Resolution 67/19 and the 1988 Declaration of Independence

The 2012 resolution did not replace the Palestinian Declaration of Independence adopted by the Palestinian National Council in 1988.

The 1988 Declaration represented the Palestinian political and legal proclamation of the State of Palestine and was followed by widespread international recognition.

Resolution 67/19 represented a different step: **the upgrading of Palestine's status within the United Nations itself to that of a non-member observer State**.

The years 1988 and 2012 can therefore be understood as complementary milestones: the first proclaimed the State of Palestine, while the second consolidated its status as a state within the institutional framework of the United Nations without achieving full membership.

Between Legal Statehood and Sovereignty on the Ground

The 2012 resolution highlighted a contradiction that remained central to the Palestine question: the widening international recognition of Palestinian statehood alongside the continuing reality of occupation on the ground.

While Palestine became a non-member observer State at the United Nations and was recognized by a broad majority of countries worldwide, the West Bank, including East Jerusalem, remained under Israeli occupation, while Israeli control and restrictions continued to affect key aspects of life in and around the Gaza

Strip.

The diplomatic change therefore did not amount to the establishment of full Palestinian sovereignty in practice. Rather, it strengthened Palestine’s legal and diplomatic position within the international system.

November 29, 2012 in Palestinian History

The adoption of Resolution 67/19 represented one of the most important Palestinian diplomatic milestones since the 1988 Declaration of Independence.

A total of 138 countries voted to grant Palestine non-member observer State status, while the General Assembly once again reaffirmed the right of the Palestinian people to self-determination, independence, and a state on the territory occupied since 1967.

At the same time, the resolution remained limited by the institutional structure of the United Nations: it did not grant Palestine full membership, end the occupation, or resolve the final-status issues.

Its importance lay in giving the State of Palestine a clearer legal and diplomatic position within the United Nations and opening broader avenues for participation in international treaties and institutions, linking the Palestine question more directly with international law and multilateral mechanisms.

For this reason, **November 29, 2012** remains a major milestone in Palestinian diplomacy: the day Palestine moved within the United Nations from its previous observer status to the status of a **non-member observer State**, while the Palestinian pursuit of full membership, sovereignty, and independence continued.