

have an adverse effect on the exports of developing countries and on the expansion of international trade in general;

(d) Methods and machinery to implement measures relating to the expansion of international trade, including:

- (i) A reappraisal of the effectiveness of the existing international bodies dealing with international trade in meeting trade problems of developing countries, including a consideration of the development of trade relations among countries with uneven levels of economic development and/or different systems of economic organization and trade;
- (ii) The advisability of eliminating overlapping and duplication by co-ordination or consolidation of the activities of such bodies, of creating conditions for expanded membership and of effecting such other organizational improvements and initiatives as may be needed, so as to maximize the beneficial results of trade for the promotion of economic development.

*1190th plenary meeting,
8 December 1962.*

1803 (XVII). Permanent sovereignty over natural resources

The General Assembly,

Recalling its resolutions 523 (VI) of 12 January 1952 and 626 (VII) of 21 December 1952,

Bearing in mind its resolution 1314 (XIII) of 12 December 1958, by which it established the Commission on Permanent Sovereignty over Natural Resources and instructed it to conduct a full survey of the status of permanent sovereignty over natural wealth and resources as a basic constituent of the right to self-determination, with recommendations, where necessary, for its strengthening, and decided further that, in the conduct of the full survey of the status of the permanent sovereignty of peoples and nations over their natural wealth and resources, due regard should be paid to the rights and duties of States under international law and to the importance of encouraging international co-operation in the economic development of developing countries,

Bearing in mind its resolution 1515 (XV) of 15 December 1960, in which it recommended that the sovereign right of every State to dispose of its wealth and its natural resources should be respected,

Considering that any measure in this respect must be based on the recognition of the inalienable right of all States freely to dispose of their natural wealth and resources in accordance with their national interests, and on respect for the economic independence of States,

Considering that nothing in paragraph 4 below in any way prejudices the position of any Member State on any aspect of the question of the rights and obligations of successor States and Governments in respect of property acquired before the accession to complete sovereignty of countries formerly under colonial rule,

Noting that the subject of succession of States and Governments is being examined as a matter of priority by the International Law Commission,

Considering that it is desirable to promote international co-operation for the economic development of developing countries, and that economic and financial agreements between the developed and the developing

countries must be based on the principles of equality and of the right of peoples and nations to self-determination,

Considering that the provision of economic and technical assistance, loans and increased foreign investment must not be subject to conditions which conflict with the interests of the recipient State,

Considering the benefits to be derived from exchanges of technical and scientific information likely to promote the development and use of such resources and wealth, and the important part which the United Nations and other international organizations are called upon to play in that connexion,

Attaching particular importance to the question of promoting the economic development of developing countries and securing their economic independence,

Noting that the creation and strengthening of the inalienable sovereignty of States over their natural wealth and resources reinforces their economic independence,

Desiring that there should be further consideration by the United Nations of the subject of permanent sovereignty over natural resources in the spirit of international co-operation in the field of economic development, particularly that of the developing countries,

I

Declares that:

1. The right of peoples and nations to permanent sovereignty over their natural wealth and resources must be exercised in the interest of their national development and of the well-being of the people of the State concerned.

2. The exploration, development and disposition of such resources, as well as the import of the foreign capital required for these purposes, should be in conformity with the rules and conditions which the peoples and nations freely consider to be necessary or desirable with regard to the authorization, restriction or prohibition of such activities.

3. In cases where authorization is granted, the capital imported and the earnings on that capital shall be governed by the terms thereof, by the national legislation in force, and by international law. The profits derived must be shared in the proportions freely agreed upon, in each case, between the investors and the recipient State, due care being taken to ensure that there is no impairment, for any reason, of that State's sovereignty over its natural wealth and resources.

4. Nationalization, expropriation or requisitioning shall be based on grounds or reasons of public utility, security or the national interest which are recognized as overriding purely individual or private interests, both domestic and foreign. In such cases the owner shall be paid appropriate compensation, in accordance with the rules in force in the State taking such measures in the exercise of its sovereignty and in accordance with international law. In any case where the question of compensation gives rise to a controversy, the national jurisdiction of the State taking such measures shall be exhausted. However, upon agreement by sovereign States and other parties concerned, settlement of the dispute should be made through arbitration or international adjudication.

5. The free and beneficial exercise of the sovereignty of peoples and nations over their natural resources must be furthered by the mutual respect of States based on their sovereign equality.

6. International co-operation for the economic development of developing countries, whether in the form of public or private capital investments, exchange of goods and services, technical assistance, or exchange of scientific information, shall be such as to further their independent national development and shall be based upon respect for their sovereignty over their natural wealth and resources.

7. Violation of the rights of peoples and nations to sovereignty over their natural wealth and resources is contrary

to the spirit and principles of the Charter of the United Nations and hinders the development of international co-operation and the maintenance of peace.

8. Foreign investment agreements freely entered into by or between sovereign States shall be observed in good faith; States and international organizations shall strictly and conscientiously respect the sovereignty of peoples and nations over their natural wealth and resources in accordance with the Charter and the principles set forth in the present resolution.

II

Welcomes the decision of the International Law Commission to speed up its work on the codification of the topic of responsibility of States for the consideration of the General Assembly;¹

III

Requests the Secretary-General to continue the study of the various aspects of permanent sovereignty over natural resources, taking into account the desire of Member States to ensure the protection of their sovereign rights while encouraging international co-operation in the field of economic development, and to report to the Economic and Social Council and to the General Assembly, if possible at its eighteenth session.

*1194th plenary meeting,
14 December 1962.*

1820 (XVII). The Cairo Declaration of Developing Countries

The General Assembly,

Having considered the Cairo Declaration of Developing Countries² emanating from the Conference on the Problems of Economic Development attended by a large number of developing countries,

Welcoming the general approach of the Declaration, namely, that the problems of social and economic development should be solved in a spirit of international co-operation and within the framework of the United Nations,

Taking cognizance of the principles of the Declaration relating to the needs of the developing countries, the implication of the process of their economic and social growth, and the effective measures to be undertaken on the national and international levels, for the attainment of rapid and balanced economic and social development,

1. *Notes with appreciation* the Cairo Declaration of Developing Countries submitted to the General Assembly and included in the agenda of its seventeenth session;

2. *Recommends* that Member States, the Economic and Social Council, other United Nations bodies and the specialized agencies should take into consideration the principles of the Declaration when dealing with subjects in the field of economic and social development.

*1197th plenary meeting,
18 December 1962.*

1821 (XVII). Activities of the United Nations in the field of industrial development

The General Assembly,

Recalling its resolution 1712 (XVI) of 19 December 1961, as well as Economic and Social Council resolutions

¹ *Official Records of the General Assembly, Seventeenth Session, Supplement No. 9 (A/5209), paras. 67-69.*

² *Ibid., Seventeenth Session, Annexes, agenda items 12, 34, 35, 36, 37, 39 and 84, document A/5162.*

872 (XXXIII) and 873 (XXXIII) of 10 April 1962 and 893 (XXXIV) of 26 July 1962,

Noting with satisfaction the programme of work and the recommendations contained in the report of the Committee for Industrial Development on the work of its second session,³ the appointment by the Secretary-General of a United Nations Commissioner for Industrial Development, and the steps which have been taken to strengthen the activities of the United Nations in the field of industrial development,

I

Noting that the Economic and Social Council, in its resolution 873 (XXXIII), requested the Secretary-General to appoint an Advisory Committee of ten experts to examine the question of the further organizational changes that might be necessary in order to intensify, concentrate and expedite the United Nations effort for the industrial development of the developing countries, including the advisability of establishing a specialized agency for industrial development or of strengthening or modifying the existing organizational structure in that field,

Taking into consideration that the efforts of the United Nations—including the specialized agencies and the regional economic commissions—related to industrial development should be closely linked with activities in the field of natural resources, as well as in all other related fields, since the process of industrialization is dependent upon adequate progress in these fields,

1. *Recommends* that the Advisory Committee established under Economic and Social Council resolution 873 (XXXIII) should take into account, in its work and recommendations:

(a) Whether it is advisable to deal with problems of industrial development, natural resources, energy, and possibly other related fields, within the framework of one organizational structure;

(b) Whether it is possible to bring about a closer co-ordination of all activities related to industrialization at the national, regional and international levels;

2. *Requests* the Economic and Social Council to submit to the General Assembly, at its eighteenth session, the report of the Secretary-General on the work of the Advisory Committee, after consideration of that report by the Committee for Industrial Development, together with the comments of the Committee and the Council;

II

Aware of the fact that the process of industrialization in the economically less developed countries is closely dependent on the expansion of the foreign trade of those countries and that, as the industrialization of the developing countries proceeds, the trade structure of the world will undergo considerable changes,

Recommends to the Economic and Social Council and to the Committee for Industrial Development that the Committee, in its study of the relationship between accelerated industrialization and international trade, should take into account the urgent need of the developing countries for a steadily increasing income from exports, their need for imports of capital goods on favourable terms, as well as the long-term influence of the industrialization of the developing countries upon the structure, direction and volume of world trade and,

³ *Official Records of the Economic and Social Council, Thirty-third Session, Supplement No. 2 (E/3600/Rev.1).*

2. *Urges* the organizations concerned within the United Nations system and the bilateral and multi-lateral sources of development financing to expedite action on Economic and Social Council resolutions 1753 (LIV) and 1754 (LIV), and to introduce the necessary ways and means for increasing their capacity to participate more effectively in the implementation of the measures for assisting the least developed countries as spelt out in resolution 62 (III) of the United Nations Conference on Trade and Development;

3. *Requests* all developed countries to respond favourably to the trend for reactivating and reorienting the United Nations Capital Development Fund by contributing to it and enforcing its operational activities through the annual pledging conferences;

4. *Decides* to consider further at its twenty-ninth session the question of the creation of a special development fund for the least developed countries in order to complement the services accorded them by existing financial institutions and, for this purpose, requests the Secretary-General to prepare for submission to the General Assembly, through the Economic and Social Council at its fifty-sixth session, a summary of the studies already made, together with any additional information, on the need for creating a special fund for the least developed countries and the institutional arrangements for that purpose;

5. *Further decides* that a comprehensive evaluation of the implementation of the special measures in favour of the least developed countries, together with a decision on the principles and possible mode of operation of a special development fund for the least developed countries, should be undertaken by the General Assembly, at its twenty-ninth session, and that, on the basis of the reports and studies requested by the Economic and Social Council from the organizations concerned within the United Nations system, a review of the special measures in favour of the least developed countries should be conducted with the purpose of enhancing the capacity of the organizations in the United Nations system to carry out all the provisions of resolution 62 (III) of the United Nations Conference on Trade and Development and of adapting policy guidelines, operational rules, terms and conditions, and institutional frameworks suitable to the conditions and problems of the least developed countries.

2203rd plenary meeting
17 December 1973

3175 (XXVIII). Permanent sovereignty over national resources in the occupied Arab territories

The General Assembly,

Bearing in mind the relevant principles of international law and the provisions of the international conventions and regulations, especially the Fourth Geneva Convention,⁷² concerning the obligations and responsibilities of the occupying Power,

Recalling its previous resolutions on permanent sovereignty over natural resources, including resolution 1803 (XVII) of 18 December 1962 in which it declared the right of peoples and nations to permanent sovereignty over their natural wealth and resources,

Recalling the pertinent provisions of the International Development Strategy for the Second United Nations Development Decade,⁷³

Recalling also its resolution 3005 (XXVII) of 15 December 1972, in which it affirmed the principle of the sovereignty of the population of the occupied territories over their national wealth and resources and called upon all States, international organizations and specialized agencies not to recognize or co-operate with, or assist in any manner in, any measures undertaken by the occupying Power to exploit the resources of the occupied territories or to effect any changes in the demographic composition or geographic character or institutional structure of those territories,

1. *Affirms* the right of the Arab States and peoples whose territories are under foreign occupation to permanent sovereignty over all their natural resources;

2. *Reaffirms* that all measures undertaken by Israel to exploit the human and natural resources of the occupied Arab territories are illegal and calls upon Israel to halt such measures forthwith;

3. *Affirms* the right of the Arab States and peoples whose territories are under Israeli occupation to the restitution of and full compensation for the exploitation and looting of, and damages to, the natural resources, as well as the exploitation and manipulation of the human resources, of the occupied territories;

4. *Declares* that the above principles apply to all States, territories and peoples under foreign occupation, colonial rule or *apartheid*.

2203rd plenary meeting
17 December 1973

3176 (XXVIII). First biennial over-all review and appraisal of progress in the implementation of the International Development Strategy for the Second United Nations Development Decade

The General Assembly,

Having undertaken, in accordance with paragraph 83 of its resolution 2626 (XXV) of 24 October 1970, an examination of the economic and social developments since the launching of the Second United Nations Development Decade,

Adopts the following text of the first biennial over-all review and appraisal of progress in the implementation of the International Development Strategy for the Second United Nations Development Decade:

Review and appraisal of progress in the implementation of the International Development Strategy

CONTENTS	Paragraphs
I. INTRODUCTION	1-11
II. GENERAL EVALUATION	12-36
A. Attainment of goals and objectives	12-17
B. Efforts of developing countries	18-23
C. Performance by developed countries	24-32
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III. FURTHER ACTION	37-69
A. Measures by developing countries	38-49
B. Measures by developed countries	50-66
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⁷² Convention relative to the Protection of Civilian Persons in Time of War (United Nations, *Treaty Series*, vol. 75, No. 973).

⁷³ Resolution 2626 (XXV).

(a) The primary operative objective of the Foundation will be to assist in strengthening national environmental programmes relating to human settlements, particularly in the developing countries, through the provision of seed capital and the extension of the necessary technical and financial assistance to permit an effective mobilization of domestic resources for human habitat and environmental design and improvement of human settlements, including:

- (i) Stimulating innovative approaches to pre-investment, pre-project and financing strategies of human settlements activities, while drawing on the accumulated practical experience of both the public and private sectors for mobilization of financial resources for human habitat and human settlements projects;
- (ii) Organizing technical assistance services in human settlements and human habitat management, including training facilities and human habitat projects;
- (iii) Promoting the adaptation and transfer of appropriate scientific and technical knowledge on human settlements projects;

(b) Under the authority and guidance of the Governing Council of the United Nations Environment Programme, the Executive Director of the Programme shall be responsible for administering the Foundation and providing the technical and financial services related to that institution;

(c) The Executive Director is instructed to prepare a plan and programme of operations for the Foundation, for approval by the Governing Council at its third session, which reflect the primary operative objectives of subparagraph (a) above;

(d) The Foundation will be initiated on 1 January 1975, by a single allocation of \$4 million over four years from the Fund of the United Nations Environment Programme, for purposes of seed capital and technical assistance, as envisaged in General Assembly resolution 2999 (XXVII) of 15 December 1972 and for the operative objectives outlined in subparagraph (a) above;

(e) The Executive Director will undertake the establishment of programmes, guidelines and directives, in connexion with investments for the environmental design and improvement of the human habitat and settlements, in both urban and rural areas;

(f) The Executive Director will undertake to seek the cooperation and support of financial institutions in developed and developing countries, in fulfilment of the objectives of the Foundation;

(g) In addition to operational projects undertaken by the Foundation, the United Nations Environment Programme shall have, under its programme priority area on human settlements, human health, habitat and well-being, continuing financial involvement in research, technical assistance, training and demonstration projects;

2. *Invites* the active participation and collaboration of the agencies and bodies within the United Nations system, as well as of regional financial and technical institutions, in the activities of the Foundation, particularly with regard to seed capital and the financing of operational human settlements projects, bearing in mind General Assembly resolutions 2998 (XXVII) of 15 December 1972 and 3130 (XXVIII) of 13 December 1973;

3. *Authorizes* the Executive Director of the United Nations Environment Programme to launch an international fund-raising appeal for a maximum funding of the Foundation;

4. *Notes* that due regard must be had for the operations and activities of the Centre for Housing, Building and Planning of the Department of Economic and Social Affairs in order to avoid duplication of effort within the United Nations system.

3335 (XXIX). Role of the public sector in promoting the economic development of developing countries

The General Assembly,

Recalling its resolution 3201 (S-VI) of 1 May 1974, containing the Declaration on the Establishment of a

New International Economic Order, and its resolution 2626 (XXV) of 24 October 1970, containing the International Development Strategy for the Second United Nations Development Decade,

Recognizing the right of every State to exercise full and permanent sovereignty over its natural resources and economic activities,

Considering that the public sector has made an important contribution in promoting the economic development of many countries,

1. *Requests* the Secretary-General to prepare, in consultation with the States concerned, a report on the role of the public sector in promoting the economic development of developing countries and to submit it to the Economic and Social Council at its fifty-ninth session;

2. *Recommends* that the Economic and Social Council should consider this question further at its fifty-ninth session together with the report of the Secretary-General.

2323rd plenary meeting
17 December 1974

3336 (XXIX). Permanent sovereignty over national resources in the occupied Arab territories

The General Assembly,

Bearing in mind the relevant principles of international law and the provisions of the international conventions and regulations, especially the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1969,⁶⁶ concerning the obligations and responsibilities of the occupying Power,

Recalling its previous resolutions on permanent sovereignty over natural resources, particularly their provisions supporting resolutely the efforts of developing countries and the peoples of the territories under colonial and racial domination and foreign occupation in their struggle to regain effective control over their natural resources,

Recalling the pertinent provisions of the International Development Strategy for the Second United Nations Development Decade⁶⁷ and its resolution 3176 (XXVIII) of 17 December 1973 on the first biennial over-all review and appraisal of progress in the implementation of the Strategy,

Recalling also its resolution 3005 (XXVII) of 15 December 1972, in which it affirmed the principle of the sovereignty of the population of the occupied territories over its national wealth and resources and called upon all States, international organizations and specialized agencies not to recognize or co-operate with, or assist in any manner in, any measures undertaken by the occupying Power to exploit the resources of the occupied territories or to effect any changes in the demographic composition or geographic character or institutional structure of those territories,

Bearing in mind the pertinent provisions of its resolution 3201 (S-VI) of 1 May 1974, containing the Declaration on the Establishment of a New International Economic Order, and its resolution 3202 (S-VI) of 1 May 1974, containing the Programme of Action on the Establishment of a New International Economic Order,

⁶⁶ United Nations, *Treaty Series*, vol. 75, No. 973, p. 287.

⁶⁷ Resolution 2626 (XXV).

Recalling further its resolution 3175 (XXVIII) of 17 December 1973, entitled "Permanent sovereignty over national resources in the occupied Arab territories", and deploring that Israel has not complied with its provisions, in particular those contained in paragraph 2,

1. *Reaffirms* the right of the Arab States and peoples whose territories are under Israeli occupation to full and effective permanent sovereignty over all their resources and wealth;

2. *Also reaffirms* that all measures undertaken by Israel to exploit the human, natural and all other resources and wealth of the occupied Arab territories are illegal, and calls upon Israel immediately to rescind all such measures;

3. *Further reaffirms* the right of the Arab States, territories and peoples subjected to Israeli aggression and occupation to the restitution of and full compensation for the exploitation, depletion and loss of, and damages to, the natural and all other resources and wealth of those States, territories and peoples;

4. *Declares* that the above principles apply to all States, territories and peoples under foreign occupation, colonial rule, alien domination and *apartheid*, or subjected to foreign aggression;

5. *Requests* the Secretary-General, with the assistance of relevant specialized agencies and United Nations organs, including the United Nations Conference on Trade and Development, to prepare a report on the adverse economic effects on the Arab States and peoples, resulting from repeated Israeli aggression and continued occupation of their territories, to be submitted to the General Assembly at its thirtieth session.

2323rd plenary meeting
17 December 1974

3337 (XXIX). International co-operation to combat desertification

The General Assembly,

Recalling its resolution 3168 (XXVIII) of 17 December 1973 and Economic and Social Council resolution 1826 (LV) of 10 August 1973, in which was noted the need for new action to intensify international co-operation enabling all countries, in particular the developing countries, to benefit from the achievements of modern science and technology for the acceleration of their economic and social progress,

Recalling further its resolution 3202 (S-VI) of 1 May 1974, in section I, paragraph 2 (c), of which it recommended that the international community urgently take concrete measures to stem the spread of deserts and to assist the developing countries affected by the phenomenon to ensure the economic development of the areas affected,

Noting the relevant decisions of the Governing Council of the United Nations Development Programme which, *inter alia*, emphasized the need to undertake in-depth studies on the extent of the drought in Africa and draw up corresponding action programmes,

Noting further Economic and Social Council resolution 1878 (LVII) of 16 July 1974, in which the Council requested all the organizations of the United Nations system concerned to pursue their activities and efforts towards a broad, system-wide attack on the drought problem,

Emphasizing the need to ensure that all available knowledge in this area is fully utilized, in particular the experience available in the Office of Technical Co-operation at United Nations Headquarters, the United Nations Development Programme, the United Nations Environment Programme, the Food and Agriculture Organization of the United Nations, the United Nations Educational, Scientific and Cultural Organization, the World Meteorological Organization, the World Health Organization, the United Nations Industrial Development Organization, the United Nations Conference on Trade and Development and the Committee on Science and Technology of the Economic and Social Council,

Fully aware of certain activities in this area contemplated by the Economic and Social Council in resolution 1898 (LVII) of 1 August 1974, and certain other activities initiated within the United Nations Environment Programme in accordance with section I.2 of Governing Council decision 8 A (II) of 22 March 1974,⁶⁸ but nevertheless aware also of the need for additional research to clarify a number of fundamental problems for the solution of which the requisite scientific knowledge is not yet available,

Recognizing the urgent need to prepare a world integrated programme of development research and application of science and technology to solve the special problems of desertification in all its ramifications and reclamation of land lost to desertification,

Convinced that work in this field should be carried out at the national, regional and global levels through studies and meetings at the appropriate technical levels,

Convinced further that an intergovernmental conference on desertification would provide the international community an opportunity to launch a broad plan of action with a view to resolving the problem of desertification,

1. *Decides*, as a matter of priority, to initiate concerted international action to combat desertification;

2. *Decides further* to convene in 1977 a United Nations Conference on Desertification to give impetus to the international action to combat desertification;

3. *Requests* the Secretary-General to authorize the Executive Director of the United Nations Environment Programme to establish immediately, under the authority of the Secretary-General, a small conference secretariat, drawing upon the resources of the United Nations system, especially the United Nations Environment Programme, the United Nations Development Programme, the Food and Agriculture Organization of the United Nations, the United Nations Educational, Scientific and Cultural Organization and the World Meteorological Organization;

4. *Requests* the Secretary-General, in co-operation with the competent bodies of the United Nations concerned, particularly the United Nations Environment Programme, to convene an *ad hoc* interagency task force to assist the secretariat of the Conference in:

(a) The preparation of a world map of areas affected and areas likely to be affected by the process of desertification;

(b) The assessment of all available data and information on desertification and its consequences on

⁶⁸ See *Official Records of the General Assembly, Twenty-ninth Session, Supplement No. 25 (A/9625), annex I.*

2. *Reaffirms* the right of any State to adopt legislation and to investigate and take appropriate legal action, in accordance with its national laws and regulations, against transnational and other corporations, their intermediaries and others involved, for such corrupt practices;

3. *Calls upon* both home and host Governments to take, within their respective national jurisdictions, all necessary measures which they deem appropriate, including legislative measures, to prevent such corrupt practices, and to take consequent measures against the violators;

4. *Calls upon* Governments to collect information on such corrupt practices, as well as on measures taken against such practices, and to exchange information bilaterally and, as appropriate, multilaterally, particularly through the United Nations Centre on Transnational Corporations;

5. *Calls upon* home Governments to co-operate with Governments of the host countries to prevent such corrupt practices, including bribery, and to prosecute, within their national jurisdictions, those who engage in such acts;

6. *Requests* the Economic and Social Council to direct the Commission on Transnational Corporations to include in its programme of work the question of corrupt practices of transnational corporations and to make recommendations on ways and means whereby such corrupt practices can be effectively prevented;

7. *Requests* the Secretary-General to report to the General Assembly at its thirty-first session, through the Economic and Social Council, on the implementation of the present resolution.

2441st plenary meeting
15 December 1975

3515 (XXX). Conference on International Economic Co-operation

The General Assembly,

Recalling its resolutions 2626 (XXV) of 24 October 1970 containing the International Development Strategy for the Second United Nations Development Decade, 3201 (S-VI) and 3202 (S-VI) of 1 May 1974 containing the Declaration and the Programme of Action on the Establishment of a New International Economic Order, 3281 (XXIX) of 12 December 1974 containing the Charter of Economic Rights and Duties of States and 3362 (S-VII) of 16 September 1975 on development and international economic co-operation,

Noting that a Conference on International Economic Co-operation is to be held in Paris with participants from developing countries and developed market economy countries,

Conscious of the fact that the proposed Conference on International Economic Co-operation will consider subjects which are of universal importance and affect the interests of the entire international community,

Considering that the proposed programme of work of the Conference on International Economic Co-operation, as well as the results attained, will, directly or indirectly, have a bearing on the ongoing work on international economic co-operation and development within the United Nations system,

Bearing in mind the need to establish a relationship between the United Nations system and the Conference on International Economic Co-operation,

1. *Requests* the Governments participating in the Conference on International Economic Co-operation to ensure that their deliberations and decisions take full account of the principles and policy decisions adopted within the United Nations, in particular General Assembly resolutions 2626 (XXV) containing the International Development Strategy for the Second United Nations Development Decade, 3201 (S-VI) and 3202 (S-VI) containing the Declaration and the Programme of Action on the Establishment of a New International Economic Order, 3281 (XXIX) containing the Charter of Economic Rights and Duties of States and 3362 (S-VII) on development and international economic co-operation;

2. *Invites* the Conference on International Economic Co-operation to report on its conclusions to the General Assembly at its thirty-first session;

3. *Requests* the Secretary-General to submit to the General Assembly, through the Economic and Social Council, a report on his participation in the Conference on International Economic Co-operation;

4. *Requests* the Secretary-General of the United Nations, the Secretary-General of the United Nations Conference on Trade and Development, the Executive Director of the United Nations Industrial Development Organization, the Director-General of the Food and Agriculture Organization of the United Nations and all other executive heads of competent organs and organizations of the United Nations system actively to assist the participants in the Conference on International Economic Co-operation.

2441st plenary meeting
15 December 1975

3516 (XXX). Permanent sovereignty over national resources in the occupied Arab territories

The General Assembly,

Recalling its resolution 3336 (XXIX) of 17 December 1974, entitled "Permanent sovereignty over national resources in the occupied Arab territories", in paragraph 5 of which it requested the Secretary-General, with the assistance of relevant specialized agencies and United Nations organs, including the United Nations Conference on Trade and Development, to prepare a report on the adverse economic effects on the Arab States and peoples resulting from repeated Israeli aggression and continued occupation of their territories,

Recalling the statement, made at the twenty-ninth session of the General Assembly⁸⁶ on behalf of the co-sponsors in introducing the revised draft resolution,⁸⁷ underlining the need to seek the assistance of relevant United Nations organizations in preparing the report requested of the Secretary-General, as these organizations had the machinery needed to carry out studies and research which would be useful in preparing the report,

Recalling further the statements on administrative and financial implications submitted by the Secretary-General⁸⁸ in which he proposed that the report would be prepared on the basis of inquiries from and visits to the States concerned and consultations with the relevant specialized agencies and United Nations organs,

⁸⁶ See *Official Records of the General Assembly, Twenty-ninth Session, Second Committee, 1635th meeting.*

⁸⁷ A/C.2/L.1372/Rev.1.

⁸⁸ A/C.2/L.1385, A/C.5/1649.

including the United Nations Conference on Trade and Development,

Recalling also that, in his two statements, the Secretary-General indicated that a large part of the work involved would be carried out in co-operation with the Economic Commission for Western Asia, and that the Commission would require four economists, appointed for six months each, and General Service secretarial support as well as travel funds for the preparation of the report,

Noting that, in view of the staffing proposals for the Economic Commission for Western Asia, the Advisory Committee on Administrative and Budgetary Questions recommended⁸⁹ an additional provision in the amount of \$37,000 to cover the cost of two economists only for a period of six months each and that the General Assembly approved this additional appropriation to supplement the staff and resources of the Commission in the work involved in the preparation of the report,

Noting also that the report of the Secretary-General⁹⁰ was not prepared in conformity with paragraph 5 of General Assembly resolution 3336 (XXIX), the related statements made on behalf of the co-sponsors and by the Secretary-General, and the administrative and financial implications and provisions approved by the Assembly, but contained only annexes setting forth information available to Governments and to some of the relevant specialized agencies and United Nations organs which were not involved in the preparation of substantive studies related to the report,

1. *Notes* that the report of the Secretary-General is inadequate as it did not incorporate the necessary substantive and comprehensive studies required in conformity with paragraph 5 of General Assembly resolution 3336 (XXIX) and related documents, including the record of the meeting of the Second Committee,⁸⁶ the statements on administrative and financial implications⁸⁸ and the recommendation of the Advisory Committee on Administrative and Budgetary Questions;⁸⁹

2. *Requests* the heads of the relevant specialized agencies and United Nations organs, particularly the United Nations Conference on Trade and Development and the Economic Commission for Western Asia, to co-operate actively and adequately with the Secretary-General in the preparation of a final comprehensive report;

3. *Requests* the Secretary-General to submit to the General Assembly at its thirty-first session his final comprehensive report, which should fulfil the above-mentioned requirements.

2441st plenary meeting
15 December 1975

3517 (XXX). Mid-term review and appraisal of progress in the implementation of the International Development Strategy for the Second United Nations Development Decade

The General Assembly,

Having undertaken, in accordance with paragraph 83 of the International Development Strategy for the Second United Nations Development Decade contained in

resolution 2626 (XXV) of 24 October 1970, a mid-term review and appraisal of progress achieved in the implementation of the Strategy,

Bearing in mind its resolutions 3201 (S-VI) and 3202 (S-VI) of 1 May 1974, containing the Declaration and the Programme of Action on the Establishment of a New International Economic Order, and 3281 (XXIX) of 12 December 1974, containing the Charter of Economic Rights and Duties of States, which lay down the foundations of the new international economic order,

Recalling its resolution 3176 (XXVIII) of 17 December 1973 on the first biennial over-all review and appraisal of progress in the implementation of the International Development Strategy for the Second United Nations Development Decade,

Further bearing in mind its resolution 3362 (S-VII) of 16 September 1975 on development and international economic co-operation, which in the context of the foregoing calls for the implementation of its provisions by Governments and which would serve as the basis and framework for the work of the competent bodies and organizations of the United Nations system,

1. *Reaffirms* its adherence to a strategic framework for international development co-operation as embodied in the International Development Strategy for the Second United Nations Development Decade, based on mutually consistent and reinforced goals and objectives and commitments to the adoption and implementation of measures to realize those goals and objectives;

2. *Adopts* the text of the mid-term over-all review and appraisal of progress in the implementation of the International Development Strategy for the Second United Nations Development Decade, as set forth in sections I to III of the present resolution;

3. *Urges* Member States to implement the measures, undertaken within the framework of the International Development Strategy, set forth in section IV of the present resolution;

4. *Urges* Member States to implement the policy measures unanimously agreed upon by the General Assembly at its seventh special session in resolution 3362 (S-VII) concerning international trade, transfer of resources for development, international monetary reform, science and technology, industrialization, food and agriculture and co-operation among developing countries and, to that end, requests all Governments to take the required measures and come to the international meetings sufficiently prepared so as to make it possible for the competent bodies of the United Nations concerned, particularly the United Nations Conference on Trade and Development at its fourth session, the United Nations Industrial Development Organization, the World Food Council and the World Bank Group, to reach urgent and satisfactory agreements on those matters referred to them for implementation;

5. *Urges* developed and developing countries to continue seeking new areas of agreement and widening the existing ones, within the framework of the appropriate international organizations, through addressing themselves, *inter alia*, to the following issues:

(a) Extension of preferential treatment in favour of developing countries in trade;

(b) Differential and more favourable treatment in favour of developing countries, in appropriate cases in areas other than trade;

⁸⁹ Official Records of the General Assembly, Twenty-ninth Session, Annexes, agenda item 73, document A/9978/Add.1, para. 4.

⁹⁰ A/10290 and Add.2.

should advise, on request, the Secretary-General of the Conference and the Preparatory Committee on matters pertaining to the Conference and should assist and collaborate, at the request of the Secretary-General of the Conference, in the preparations for the Conference at the regional level;

13. *Requests* the Secretary-General of the Conference to seek the co-operation of intergovernmental organizations and non-governmental organizations in consultative status with the Economic and Social Council which may be in a position to contribute constructively to the preparation of the Conference;

14. *Invites* Governments to participate fully in the preparations for the Conference, taking into account the provisions of Economic and Social Council resolutions 2028 (LXI) and 2035 (LXI);

15. *Requests* the Secretary-General of the United Nations to submit a report to the General Assembly at its thirty-second session, through the Economic and Social Council, on the implementation of the present resolution.

*106th plenary meeting
21 December 1976*

31/185. United Nations Water Conference¹²⁴

The General Assembly,

Recalling its resolution 3513 (XXX) of 15 December 1975 and its decision 31/422 A of 21 December 1976 relating to the arrangements for the United Nations Water Conference,

Recalling also Economic and Social Council resolutions 1982 (LX) of 19 April 1976 and 1983 (LX) of 23 April 1976,

Takes note with appreciation of the statement made by the Secretary-General of the United Nations Water Conference¹²⁵ and of the report regarding the preparatory work for the Conference.¹²⁶

*106th plenary meeting
21 December 1976*

31/186. Permanent sovereignty over national resources in the occupied Arab territories

The General Assembly,

Recalling its resolution 3336 (XXIX) of 17 December 1974 entitled "Permanent sovereignty over national resources in the occupied Arab territories",

Recalling further its resolution 3516 (XXX) of 15 December 1975 on the same subject, in which it was noted that the report of the Secretary-General on the adverse economic effects on the Arab States and peoples resulting from repeated Israeli aggression and continued occupation of their territories¹²⁷ was inadequate in that it did not incorporate the necessary substantive and comprehensive studies required in conformity with paragraph 5 of resolution 3336 (XXIX), the related statements made at the twenty-ninth session of the General Assembly on behalf of the co-sponsors of the

¹²⁴ See also sect. X.B.3 below, decision 31/422 A.

¹²⁵ *Official Records of the General Assembly, Thirty-first Session, Second Committee*, 61st meeting, paras. 1-8.

¹²⁶ A/31/356.

¹²⁷ A/10290 and Add.2.

resolution¹²⁸ and submitted by the Secretary-General on the administrative and financial implications,¹²⁹ as well as the recommendation of the Advisory Committee on Administrative and Budgetary Questions,¹³⁰

Noting that in its resolution 3516 (XXX) the Secretary-General was requested to submit to the General Assembly at its thirty-first session his final comprehensive report, which should fulfil the above-mentioned requirements, taking into account the related statements on the administrative and financial implications submitted by the Secretary-General¹³¹ and approved by the Assembly at its thirtieth session,

Taking into account the note by the Secretary-General of 1 November 1976,¹³²

Bearing in mind the pertinent provisions of its resolutions 3201 (S-VI) and 3202 (S-VI) of 1 May 1974, containing the Declaration and the Programme of Action on the Establishment of a New International Economic Order, and 3281 (XXIX) of 12 December 1974, containing the Charter of Economic Rights and Duties of States,

1. *Reaffirms* the right of the Arab States and peoples whose territories are under Israeli occupation to regain full and effective control over their natural and all other resources and economic activities, as well as the rights of those States, territories and peoples to the restitution and full compensation for the exploitation, loss and depletion of, and damage to, their natural and all other resources and economic activities;

2. *Takes note* of the regret expressed in the note by the Secretary-General that the submission of the report as requested by the General Assembly in resolutions 3336 (XXIX) and 3516 (XXX) and of the related statements will be postponed until the thirty-second session of the Assembly;

3. *Requests* the Secretary-General to take immediately all the measures necessary to secure the submission to the General Assembly at its thirty-second session of his final substantive comprehensive report, which should fulfil all of the above-mentioned requirements;

4. *Requests* the heads of the relevant specialized agencies and United Nations organs, particularly the United Nations Conference on Trade and Development and the Economic Commission for Western Asia, to co-operate actively and adequately with the Secretary-General in the preparation of his final substantive comprehensive report.

*106th plenary meeting
21 December 1976*

31/187. Assistance to Sao Tome and Principe

The General Assembly,

Deeply concerned at the serious economic and social situation in Sao Tome and Principe as a result of the total lack of infrastructures for development inherited from the colonial period,

¹²⁸ See *Official Records of the General Assembly, Twenty-ninth Session, Second Committee*, 1635th meeting.

¹²⁹ A/C.2/L.1385, A/C.5/1649.

¹³⁰ *Official Records of the General Assembly, Twenty-ninth Session, Annexes*, agenda item 73, document A/9978/Add.1, para. 4.

¹³¹ A/C.2/L.1494, A/C.5/1759.

¹³² A/31/284.

32/160. Transport and Communications Decade in Africa

The General Assembly,

Recalling its resolutions 2626 (XXV) of 24 October 1970 containing the International Development Strategy for the Second United Nations Development Decade, 3202 (S-VI) of 1 May 1974 containing the Programme of Action on the Establishment of a New International Economic Order and 3362 (S-VII) of 16 September 1975 on development and international economic co-operation, and in particular the need to narrow the gap between the industrialized and the developing countries,

Recalling also Economic and Social Council resolution 2097 (LXIII) of 29 July 1977 on the Transport and Communications Decade in Africa,

Recognizing the urgent need to improve substantially the transport and communications infrastructure in Africa in particular,

Noting with satisfaction the initiative of the Organization of African Unity and the Economic Commission for Africa in the establishment of an integrated African road network and the rationalization of Africa's railway systems and other transport systems in order to facilitate the promotion of multinational economic co-operation in Africa, intra-African trade and the political, social and economic integration of Africa,

Commending resolution 291 (XIII) entitled "Transport and Communications Decade in Africa" adopted on 26 February 1977 by the Economic Commission for Africa at its thirteenth session and fourth meeting of the Conference of Ministers,⁷⁵

Noting section III D of the annex to the report of the Conference on International Economic Co-operation⁷⁶ on infrastructure, in particular paragraph 8 thereof dealing with Africa,

Convinced that effective support is required from the international community in order to promote the principle of collective self-reliance for the purpose of solving African problems in these sectors,

Convinced further of the need to adopt an integrated approach in the formulation of a global strategy for the development of transport and communications in Africa, taking into account all the problems facing the continent in this field,

Noting with appreciation the progress made in the development of a pan-African telecommunication network, which is jointly sponsored by the Organization of African Unity, the International Telecommunication Union and the Economic Commission for Africa,

Welcoming the continuing interest of the specialized agencies in the application of communications technologies and services, in particular that of the International Telecommunication Union, which, as the lead agency, has the responsibility for the regulation, co-ordination and harmonization of activities in this field,

1. Endorses the recommendation made in paragraph 1 of resolution 291 (XIII) of the Economic Commission for Africa⁷⁵ and proclaims a Transport and Com-

munications Decade in Africa during the years 1978-1988, with a view to:

(a) Giving active support to the preparation and implementation of a global strategy for the development of transport and communications in Africa, for the purpose of solving the problems of the continent in this field;

(b) Mobilizing the technical and financial resources required for this purpose;

2. Decides that, in accordance with its resolution 31/93 of 14 December 1976, the mobilization of the necessary financial and technical resources required to make the Decade a success constitutes a pressing need of an unforeseeable nature;

3. Requests the Secretary-General, in co-operation with the executive heads of the agencies concerned, to provide all possible assistance to the African States in the preparation of a detailed plan of action for the Decade and to co-ordinate the mobilization of the necessary technical and financial resources required to make the Decade a success;

4. Calls upon all Member States, in particular the developed countries and others in a position to do so, to participate effectively in the implementation of programmes for achieving the objectives of the Decade;

5. Requests the Secretary-General, in consultation with the International Telecommunication Union and other specialized agencies concerned, to propose for consideration, as appropriate, one year during the Decade as a World Communications Year, in view of the importance of transport and communications to other regions of the world, and to submit a report to the Economic and Social Council at its sixty-fifth session containing a detailed programme of measures and activities to be carried out during such a Year;

6. Further requests the Secretary-General to submit to the General Assembly at its thirty-third session, through the Economic and Social Council at its sixty-fifth session, a detailed progress report on the implementation of the present resolution and to submit thereafter annual progress reports.

*107th plenary meeting
19 December 1977*

32/161. Permanent sovereignty over national resources in the occupied Arab territories

The General Assembly,

Bearing in mind the relevant principles of international law and the provisions of the international conventions and regulations, in particular the Hague Convention IV of 1907⁷⁷ and the fourth Geneva Convention of 12 August 1949,⁷⁸ concerning the obligations and responsibilities of the occupying Power,

Recalling its previous resolutions on permanent sovereignty over natural resources, particularly their provisions supporting resolutely the efforts of the developing countries and the peoples of the territories under

⁷⁵ See *Official Records of the Economic and Social Council, Sixty-third Session, Supplement No. 7 (E/5941)*, part III.

⁷⁶ See A/31/478/Add.1 and Add.1/Corr.1.

⁷⁷ Carnegie Endowment for International Peace, *The Hague Conventions and Declarations 1899-1907* (New York, Oxford University Press, 1915), p. 100.

⁷⁸ United Nations, *Treaty Series*, vol. 75, No. 973, p. 287.

colonial and racial domination and foreign occupation in their struggle to regain effective control over their natural and all other resources, wealth and economic activities,

Bearing in mind the pertinent provisions of its resolutions 3201 (S-VI) and 3202 (S-VI) of 1 May 1974 containing the Declaration and the Programme of Action on the Establishment of a New International Economic Order and 3281 (XXIX) of 12 December 1974 containing the Charter of Economic Rights and Duties of States,

Recalling further its resolutions 3175 (XXVIII) of 17 December 1973, 3336 (XXIX) of 17 December 1974, 3516 (XXX) of 15 December 1975 and 31/186 of 21 December 1976 on permanent sovereignty over national resources in the occupied Arab territories,

1. *Takes note* of the report of the Secretary-General⁷⁹ on the adverse economic effects on the Arab States and peoples resulting from repeated Israeli aggression and continued occupation of their territories;

2. *Notes* that, owing to the time constraint, incomplete coverage and technical and other limitations, the report did not cover all pertinent losses, such as:

(a) The adverse economic effects extending beyond the year 1975;

(b) Losses in the Arab territories still under Israeli occupation;

(c) Human and military losses;

(d) The loss of and damage to items of the national, religious and cultural heritage;

(e) Losses in the traditional sectors, including the retail trading, small industries and farming sectors;

(f) The full impact on the development process of the Arab States, territories and peoples subjected to Israeli aggression and occupation;

3. *Emphasizes* the right of the Arab States and peoples whose territories are under Israeli occupation to full and effective permanent sovereignty and control over their natural and all other resources, wealth and economic activities;

4. *Reaffirms* that all measures undertaken by Israel to exploit the human, natural and all other resources, wealth and economic activities in the occupied Arab territories are illegal and calls upon Israel immediately to desist forthwith from all such measures;

5. *Further reaffirms* the right of the Arab States and peoples subjected to Israeli aggression and occupation to the restitution of, and full compensation for the exploitation, depletion and loss of and damages to, their natural, human and all other resources, wealth and economic activities, and calls upon Israel to meet their just claims;

6. *Calls upon* all States to support and assist the Arab States and peoples in the exercise of their above-mentioned rights;

7. *Calls upon* all States, international organizations, specialized agencies, investment corporations and all other institutions not to recognize, or co-operate with or assist in any manner in, any measures undertaken by Israel to exploit the resources of the occupied ter-

ritories or to effect any changes in the demographic composition or geographic character or institutional structure of those territories.

*107th plenary meeting
19 December 1977*

32/162. Institutional arrangements for international co-operation in the field of human settlements

The General Assembly,

Recalling relevant resolutions, in particular its resolutions 2718 (XXV) of 15 December 1970, 3001 (XXVII) of 15 December 1972 and 3327 (XXIX) of 16 December 1974,

Convinced of the need for urgent action to improve the quality of life of all people in human settlements,

Recognizing that such action is primarily the responsibility of Governments,

Conscious that human settlements problems represent a primary field of action in international co-operation, which should be strengthened in order that adequate solutions may be found, based on equity, justice and solidarity, especially among developing countries,

Recognizing that the international community should provide, both at the global and regional levels, encouragement and support to Governments determined to take effective action to ameliorate conditions, especially for the least advantaged, in rural and urban human settlements,

Recognizing that human settlements and the steps to be taken to improve them should be considered an essential component of socio-economic development,

Recalling the decisions of the United Nations Conference on the Human Environment and the recommendations of the World Population Conference, the World Food Conference, the Second General Conference of the United Nations Industrial Development Organization, the World Conference of the International Women's Year, as well as the Declaration and the Programme of Action on the Establishment of a New International Economic Order adopted by the General Assembly at its sixth special session and the Charter of Economic Rights and Duties of States adopted by the Assembly at its twenty-ninth session, that establish the basis of the new international economic order,

Aware of the sectoral responsibilities of the organizations of the United Nations system,

Conscious of the need to achieve greater coherence and effectiveness in human settlements activities within the United Nations system,

Recognizing that new priorities should be identified and activities developed to reflect comprehensive and integrated approaches to the solution of human settlements problems,

Convinced that it is necessary to consolidate and strengthen promptly the capacity of the United Nations system in the field of human settlements,

Recognizing that urgent steps should be taken to ensure a better mobilization of financial resources at all levels, with a view to improving human settlements,

⁷⁹ A/32/204.

the Conference at the highest possible level in order to achieve the most effective results, particularly in the promotion and strengthening of tourism in developing countries to enable them to derive a fair and equitable share of the benefits of international tourism;

3. *Reiterates its invitation*, through the Secretary-General of the United Nations, to States Members of the United Nations which are not yet members of the World Tourism Organization to consider becoming members of that organization;

4. *Requests* the Secretary-General of the United Nations, in collaboration with the Secretary-General of the World Tourism Organization, to submit the report and recommendations of the World Tourism Conference to the General Assembly at its thirty-sixth session.

*104th plenary meeting
14 December 1979*

34/135. Assistance for the reconstruction and development of Lebanon

The General Assembly,

Reaffirming its resolution 33/146 of 20 December 1978 on assistance for the reconstruction and development of Lebanon,

Having considered the report of the Secretary-General of 26 September 1979,¹¹²

1. *Notes with satisfaction* the appointment by the Secretary-General of a co-ordinator to assist the Government of Lebanon in the assessment, formulation and phasing of aid and to ensure its implementation within the framework of the needs of Lebanon;

2. *Requests* the Secretary-General to pursue his efforts to implement fully General Assembly resolution 33/146;

3. *Further requests* the Secretary-General to report to the Economic and Social Council at its first regular session of 1980 and to the General Assembly at its thirty-fifth session on the progress achieved in the implementation of the present resolution.

*104th plenary meeting
14 December 1979*

34/136. Permanent sovereignty over national resources in the occupied Arab territories

The General Assembly,

Bearing in mind the relevant principles of international law and the provisions of the international conventions and regulations, in particular Convention IV of The Hague of 1907¹¹³ and the fourth Geneva Convention of 12 August 1949,¹¹⁴ concerning the obligations and responsibilities of the occupying Power,

Recalling its previous resolutions on permanent sovereignty over natural resources, particularly the provisions supporting resolutely the efforts of the developing countries and the peoples of territories under colonial and racial domination and foreign occupation in their struggle to regain effective control over their natural and all other resources, wealth and economic activities,

¹¹² A/34/504.

¹¹³ Carnegie Endowment for International Peace, *The Hague Conventions and Declarations of 1899 and 1907* (New York, Oxford University Press, 1915), p. 100.

¹¹⁴ United Nations, *Treaty Series*, vol. 75, No. 973, p. 287.

Bearing in mind the pertinent provisions of its resolutions 3201 (S-VI) and 3202 (S-VI) of 1 May 1974, containing the Declaration and the Programme of Action on the Establishment of a New International Economic Order, and 3281 (XXIX) of 12 December 1974, containing the Charter of Economic Rights and Duties of States,

Recalling further its resolutions 3175 (XXVIII) of 17 December 1973, 3336 (XXIX) of 17 December 1974, 3516 (XXX) of 15 December 1975, 31/186 of 21 December 1976 and 32/161 of 19 December 1977 on permanent sovereignty over national resources in the occupied Arab territories,

1. *Emphasizes* the right of the Arab States and peoples whose territories are under Israeli occupation to full and effective permanent sovereignty and control over their natural and all other resources, wealth and economic activities;

2. *Reaffirms* that all measures undertaken by Israel to exploit the human, natural and all other resources, wealth and economic activities in the occupied Arab territories are illegal and calls upon Israel immediately to desist forthwith from all such measures;

3. *Further reaffirms* the right of the Arab States and peoples subjected to Israeli aggression and occupation to the restitution of, and full compensation for the exploitation, depletion and loss of and damages to, their natural, human and all other resources, wealth and economic activities, and calls upon Israel to meet their just claims;

4. *Calls upon* all States to support and assist the Arab States and peoples in the exercise of their above-mentioned rights;

5. *Calls upon* all States, international organizations, specialized agencies, investment corporations and all other institutions not to recognize, or co-operate with or assist in any manner in, any measures undertaken by Israel to exploit the resources of the occupied territories or to effect any changes in the demographic composition, geographic character or institutional structure of those territories;

6. *Requests* the Secretary-General to prepare and submit to the General Assembly at its thirty-fifth session a report which takes into consideration the provisions of paragraph 2 of resolution 32/161.

*104th plenary meeting
14 December 1979*

34/137. Role of the public sector in promoting the economic development of developing countries

The General Assembly,

Recalling its resolutions 2626 (XXV) of 24 October 1970, containing the International Development Strategy for the Second United Nations Development Decade, 3201 (S-VI) and 3202 (S-VI) of 1 May 1974, containing the Declaration and the Programme of Action on the Establishment of a New International Economic Order, 3281 (XXIX) of 12 December 1974, containing the Charter of Economic Rights and Duties of States, and 3362 (S-VII) of 16 September 1975 on development and international economic co-operation,

Recalling also its resolutions 3335 (XXIX) of 17 December 1974, 3488 (XXX) of 12 December 1975, 32/179 of 19 December 1977 and 33/144 of 20 December 1978 and Economic and Social Council resolu-

specific studies contained in the programme for the first phase that must be followed by concrete action not later than during the second phase;

15. *Requests* the Secretary-General to provide the Economic Commission for Africa with the financial means and resources necessary to enable it effectively to fulfil its role as the lead agency for the Transport and Communications Decade in Africa and to submit to the Economic and Social Council, at its second regular session of 1981, a progress report on the implementation of the programme for the Decade;

16. *Requests* the Executive Secretary of the Economic Commission for Africa to continue to submit progress reports on the implementation of the programme for the Transport and Communications Decade in Africa and to participate actively in the proposed World Communications Year, with a view to providing special impetus to development in Africa.

*84th plenary meeting
5 December 1980*

35/109. World Communications Year

The General Assembly,

Recalling its resolution 32/160 of 19 December 1977 on the Transport and Communications Decade in Africa, in which it requested the Secretary-General, in consultation with the International Telecommunication Union and other specialized agencies concerned, to propose for consideration, as appropriate, one year during the Decade as a World Communications Year, in view of the importance of transport and communications to other regions of the world,

Noting Economic and Social Council resolution 1980/69 of 25 July 1980, in which the Council recommended 1983 as an appropriate year for the celebration of World Communications Year, provided that the arrangements necessary for its financing had been made, based on the principle of voluntary contributions,

1. *Endorses* the arrangements made by the Economic and Social Council concerning the programmes, organization, co-ordination and mobilization of resources to meet the requirements for a World Communications Year, as outlined in Council resolution 1980/69;

2. *Requests* the Economic and Social Council to make appropriate proposals to the General Assembly at its thirty-sixth session, following its evaluation of the report on the state of preparations for the World Communications Year, in particular on the financial resources that will be available and on programmes that may be of interest to the international community, particularly the developing countries.

*84th plenary meeting
5 December 1980*

35/110. Permanent sovereignty over national resources in the occupied Arab territories

The General Assembly,

Reaffirming its resolution 34/136 of 14 December 1979,

Bearing in mind the relevant principles of international law and the provisions of the international con-

ventions and regulations, in particular Convention IV of The Hague of 1907,²³⁸ and the fourth Geneva Convention of 12 August 1949,²³⁹ concerning the obligations and responsibilities of the occupying Power,

Recalling its previous resolutions on permanent sovereignty over natural resources, particularly their provisions supporting resolutely the efforts of the developing countries and the peoples of territories under colonial and racial domination and foreign occupation in their struggle to regain effective control over their natural and all other resources, wealth and economic activities,

Bearing in mind the pertinent provisions of its resolutions 3201 (S-VI) and 3202 (S-VI) of 1 May 1974, containing the Declaration and the Programme of Action on the Establishment of a New International Economic Order, and 3281 (XXIX) of 12 December 1974, containing the Charter of Economic Rights and Duties of States,

Recalling further its resolutions 3175 (XXVIII) of 17 December 1973, 3336 (XXIX) of 17 December 1974, 3516 (XXX) of 15 December 1975, 31/186 of 21 December 1976 and 32/161 of 19 December 1977 on permanent sovereignty over national resources in the occupied Arab territories,

Referring to the note by the Secretary-General²⁴⁰ concerning the report on permanent sovereignty over national resources in the occupied Arab territories requested by the General Assembly in its resolution 34/136,

1. *Emphasizes* the right of the Arab States and peoples whose territories are under Israeli occupation to full and effective permanent sovereignty and control over their natural and all other resources, wealth and economic activities;

2. *Reaffirms* that all measures undertaken by Israel to exploit the human, natural and all other resources, wealth and economic activities in the occupied Arab territories are illegal and calls upon Israel to desist immediately from such measures;

3. *Further reaffirms* the right of the Arab States and peoples subjected to Israeli aggression and occupation to the restitution of, and full compensation for, the exploitation, depletion and loss of and damages to their natural, human and all other resources, wealth and economic activities, and calls upon Israel to meet their just claims;

4. *Calls upon* all States to support and assist the Arab States and peoples in the exercise of their above-mentioned rights;

5. *Calls upon* all States, international organizations, specialized agencies, investment corporations and all other institutions not to recognize, or co-operate with or assist in any manner in, any measures undertaken by Israel to exploit the resources of the occupied territories or to effect any changes in the demographic composition, geographic character or institutional structure of those territories;

6. *Regrets* the failure to prepare a report for submission to the General Assembly at its thirty-fifth session in accordance with Assembly resolution 34/136;

²³⁸ Carnegie Endowment for International Peace, *The Hague Conventions and Declarations of 1899 and 1907* (New York, Oxford University Press, 1915), p. 100.

²³⁹ United Nations *Treaty Series*, vol. 75, No. 973, p. 287.

²⁴⁰ A/35/514.

7. *Requests* the Secretary-General to prepare and submit to the General Assembly at its thirty-sixth session a report which takes into consideration the provisions of paragraph 2 of Assembly resolution 32/161.

*84th plenary meeting
5 December 1980*

35/111. Assistance to the Palestinian people

The General Assembly,

Recalling its resolutions 33/147 of 20 December 1978 and 34/133 of 14 December 1979.

Recalling also its resolutions 3236 (XXIX) and 3237 (XXIX) of 22 November 1974.

Recalling further Economic and Social Council resolutions 1978 (LIX) of 31 July 1975, 2026 (LXI) of 4 August 1976 and 2100 (LXIII) of 3 August 1977.

Taking note with satisfaction of the report of the Secretary-General on assistance to the Palestinian people.²⁴¹

Also taking note of the report of the Governing Council of the United Nations Development Programme on its twenty-seventh session.²⁴²

1. *Notes with satisfaction* the action taken by the Administrator and the Governing Council of the United Nations Development Programme in response to General Assembly resolution 34/133;

2. *Urges* the relevant agencies, organizations, organs and programmes of the United Nations system to take the necessary steps for the full implementation of Economic and Social Council resolutions 2026 (LXI) and 2100 (LXIII);

3. *Requests* that assistance to the Palestinian people in the West Bank and Gaza should be rendered through United Nations agencies and organs in co-operation and consultation with the local Palestinian economic, social, educational and municipal organizations in these occupied territories;

4. *Requests* that assistance to the Palestinian people in the Arab host countries should be rendered through United Nations agencies, in consultation with the parties concerned and in accordance with the relevant resolutions of the Economic and Social Council;

5. *Requests* the Secretary-General to report to the General Assembly at its thirty-sixth session, through the Economic and Social Council, on the progress made in the implementation of the present resolution.

*84th plenary meeting
5 December 1980*

35/202. Technical co-operation among developing countries

The General Assembly,

Recalling its resolutions 3201 (S-VI) and 3202 (S-VI) of 1 May 1974, containing the Declaration and the Programme of Action on the Establishment of a New International Economic Order, 3281 (XXIX) of 12 December 1974, containing the Charter of Economic Rights and Duties of States, and 3362 (S-VII) of 16 Sep-

²⁴¹ A/35/227 and Add.1.

²⁴² *Official Records of the Economic and Social Council, 1980, Supplement No. 12 (E/1980/42/Rev.1).*

tember 1975 on development and international economic co-operation.

Recalling its resolution 33/134 of 19 December 1978, in which it endorsed the Buenos Aires Plan of Action for Promoting and Implementing Technical Co-operation among Developing Countries,²⁴³

Recalling also its resolution 34/117 of 14 December 1979, in which it approved the substantive and organizational arrangements for the first high-level meeting on the review of technical co-operation among developing countries,

Having examined the report of the High-level Meeting on the Review of Technical Co-operation among Developing Countries,²⁴⁴

Noting decision 80/46 of 30 June 1980 of the Governing Council of the United Nations Development Programme²⁴⁵ on technical co-operation among developing countries,

1. *Takes note* of the report of the High-level Meeting on the Review of Technical Co-operation among Developing Countries;

2. *Decides* that, henceforth, the High-level Meeting shall be called the High-level Committee on the Review of Technical Co-operation among Developing Countries, with the same functions and frame of reference as those outlined in recommendation 37 and other relevant recommendations of the Buenos Aires Plan of Action for Promoting and Implementing Technical Co-operation among Developing Countries;

3. *Requests* the Administrator of the United Nations Development Programme to convene the session of the Committee from 1 to 8 June 1981 under the same organizational and procedural arrangements as were made for the session of the High-level Meeting;

4. *Urges* all States to take immediate steps to implement the decisions adopted by the High-level Meeting;

5. *Invites* all participants in the United Nations Development Programme to undertake the necessary preparations for the session of the Committee in 1981 and to be represented at a high level;

6. *Requests* the executive heads of the organs, organizations and bodies of the United Nations development system, including the regional commissions, in close co-operation with the Administrator of the United Nations Development Programme, to contribute to the preparation of the session of the High-level Committee in 1981 and to participate actively therein.

*97th plenary meeting
16 December 1980*

35/203. Implementation of section VIII of the annex to General Assembly resolution 32/197 on the restructuring of the economic and social sectors of the United Nations system²⁴⁶

The General Assembly,

Recalling its resolutions 3201 (S-VI) and 3202 (S-VI) of 1 May 1974, containing the Declaration and the

²⁴³ *Report of the United Nations Conference on Technical Co-operation among Developing Countries, Buenos Aires, 30 August-12 September 1978* (United Nations publication, Sales No. E.78.11.A.11 and corrigendum), chap. I.

²⁴⁴ *Official Records of the General Assembly, Thirty-fifth Session, Supplement No. 39 (A/35/39 and Corr.1).*

²⁴⁵ See *Official Records of the Economic and Social Council, 1980, Supplement No. 12 (E/1980/42/Rev.1)*, chap. XI.

²⁴⁶ See also sect. X.B.3, decisions 35/439 and 35/441.

10. *Urges* developed countries to seek to continue to adopt retroactive adjustment of terms, or equivalent measures, in accordance with Trade and Development Board resolutions 165 (S-IX) of 11 March 1978⁵⁹ and 222 (XXI) of 27 September 1980⁶⁰ on the debt and development problems of developing countries, and strongly urges donor countries which have not already done so to implement fully and immediately section A of Board resolution 165 (S-IX);

11. *Requests* the Secretary-General of the United Nations Conference on Trade and Development to continue, in accordance with Trade and Development Board resolution 165 (S-IX), to keep under close review the application of the detailed features set out in Board resolution 222 (XXI) for further action relating to the debt problems of the developing countries, and urges the implementation of Board resolution 222 (XXI), bearing in mind, as set out in paragraph 15 of that resolution, the agreement to review, at the twenty-sixth session of the Trade and Development Board, the arrangements agreed to in section B of that resolution;

12. *Welcomes* Trade and Development Board resolution 243 (XXIII) of 9 October 1981,⁵⁶ on trade relations among countries having different economic and social systems and all trade flows resulting therefrom, and invites the Trade and Development Board to continue its efforts with a view to arriving at comprehensive decisions in this area at its twenty-fifth session;

13. *Endorses* Trade and Development Board resolution 242 (XXIII) of 9 October 1981,⁵⁶ by which the Board requested the Secretary-General of the United Nations Conference on Trade and Development, in consultation with the appropriate bodies, to prepare an action-oriented study on the co-operative exchange of skills, and to submit the study, through the Trade and Development Board, to the High-level Committee on the Review of Technical Co-operation among Developing Countries at its third session;

14. *Welcomes* Trade and Development Board resolutions 230 (XXII) of 20 March 1981⁵⁷ and 241 (XXIII) of 9 October 1981,⁵⁶ by which the Board decided to convene meetings of governmental experts to identify and examine in-depth problems and issues concerning the transfer, application and development of technology in the food processing, capital goods, industrial machinery and energy sectors, and urges all Governments and competent international organizations to participate actively in those meetings in co-operation with the United Nations Industrial Development Organization and other appropriate United Nations bodies;

15. *Recalls* resolution 127 (V) of the United Nations Conference on Trade and Development⁵⁴ and, in that context, requests the secretariat of the United Nations Conference on Trade and Development to intensify and complete its work in the priority areas indicated in resolution 1 (I) of 9 May 1977 of the Committee on Economic Co-operation among Developing Countries,⁶¹ and especially in the areas of trade information systems regarding the foreign trade of developing countries, state trading organizations of developing countries, multinational production and marketing enterprises, a global system of trade preferences among developing countries and monetary and financial co-operation among developing countries, which will underpin the process of economic co-operation among those countries;

16. *Calls upon* all countries that have not yet done so to consider becoming contracting parties to the United Nations Convention on a Code of Conduct for Liner Conferences, adopted on 6 April 1974,⁶² and to the United Nations Convention on International Multimodal Transport of Goods, adopted on 24 May 1980;⁶³

17. *Notes* the adoption by the Trade and Development Board of the report of the Committee on Shipping on its third special session,⁶⁴ which contained a resolution calling for the convening of an intergovernmental preparatory group on conditions of registration of vessels;

18. *Takes note* of the programme of work of the Committee on Commodities, endorsed by the Trade and Development Board at its twenty-second session, in pursuance of resolutions 93 (IV) of 30 May 1976⁶⁵ and 124 (V) of 3 June 1979⁵⁴ of the United Nations Conference on Trade and Development, on the Integrated Programme for Commodities;

19. *Also takes note* of the agreement reached on a series of measures designed to rationalize the permanent machinery of the United Nations Conference on Trade and Development, contained in Trade and Development Board resolution 231 (XXII) of 20 March 1981⁵⁷ and urges its full implementation.

*100th plenary meeting
16 December 1981*

36/173. Permanent sovereignty over national resources in the occupied Palestinian and other Arab territories

The General Assembly,

Recalling its resolution 34/136 of 14 December 1979,

Bearing in mind the relevant principles of international law and the provisions of the international conventions and regulations, in particular Convention IV of The Hague of 1907,⁶⁶ and the fourth Geneva Convention of 12 August 1949,⁶⁷ concerning the obligations and responsibilities of the occupying Power,

Recalling its previous resolutions on permanent sovereignty over natural resources, particularly their provisions supporting resolutely the efforts of the developing countries and the peoples of territories under colonial and racial domination and foreign occupation in their struggle to regain effective control over their natural and all other resources, wealth and economic activities,

Bearing in mind the pertinent provisions of its resolutions 3201 (S-VI) and 3202 (S-VI) of 1 May 1974, containing the Declaration and the Programme of Action on the Establishment of a New International Economic Order, and 3281 (XXIX) of 12 December 1974, containing the Charter of Economic Rights and Duties of States,

Recalling further its resolutions 3175 (XXVIII) of 17 December 1973, 3336 (XXIX) of 17 December 1974, 3516

⁵⁹ *United Nations Conference of Plenipotentiaries on a Code of Conduct for Liner Conferences*, vol. II, *Final Act* (United Nations publication, Sales No. E.75.II.D.12), part one, annex I.

⁶⁰ *United Nations Conference on a Convention on International Multimodal Transport*, vol. I, *Final Act* (United Nations publication, Sales No. E.81.II.D.7 (Vol. I)), annex.

⁶¹ *Official Records of the Trade and Development Board, Twenty-third Session, Supplement No. 3* (TD/B/855).

⁶² See *Proceedings of the United Nations Conference on Trade and Development, Fourth Session*, vol. I, *Report and Annexes* (United Nations publication, Sales No. E.76.II.D.10 and corrigendum), part one, sect. A.

⁶³ Carnegie Endowment for International Peace, *The Hague Conventions and Declarations of 1899 and 1907* (New York, Oxford University Press), 1915, p. 100.

⁶⁴ United Nations, *Treaty Series*, vol. 75, No. 973, p. 287.

⁵⁹ See *Official Records of the General Assembly, Thirty-third Session, Supplement No. 15* (A/33/15 and Corr.1), vol. I, part two, annex I.

⁶⁰ *Ibid.*, *Thirty-fifth Session, Supplement No. 15* (A/35/15), vol. II, annex I.

⁶¹ *Official Records of the Trade and Development Board, Seventeenth Session, Supplement No. 2* (TD/B/652), annex I.

(XXX) of 15 December 1975, 31/186 of 21 December 1976, 32/161 of 19 December 1977 and 35/110 of 5 December 1980 on permanent sovereignty over national resources in the occupied Arab territories,

Taking note of the report of the Secretary-General on permanent sovereignty over national resources in the occupied Arab territories,⁶⁸ requested by the General Assembly in its resolution 35/110, and noting with satisfaction the mission undertaken in preparation of that report,

1. *Condemns* Israel for its refusal to allow the United Nations consultants on national resources access to the occupied Palestinian and other Arab territories,

2. *Emphasizes* the right of the Arab States and peoples whose territories are under Israeli occupation to full and effective permanent sovereignty and control over their natural and all other resources, wealth and economic activities;

3. *Reaffirms* that all measures undertaken by Israel to exploit the human, natural and all other resources, wealth and economic activities in the occupied Palestinian and other Arab territories are illegal and calls upon Israel to desist immediately from such measures;

4. *Further reaffirms* the right of the Arab States and peoples subjected to Israeli aggression and occupation to the restitution of, and full compensation for the exploitation, depletion and loss of and damages to, their natural, human and all other resources, wealth and economic activities, and calls upon Israel to meet their just claims;

5. *Calls upon* all States to support the Arab States and peoples in the exercise of those rights;

6. *Calls upon* all States, international organizations, specialized agencies, business corporations and all other institutions not to recognize, or co-operate with or assist in any manner in, any measures undertaken by Israel to exploit the national resources of the occupied Palestinian and other Arab territories or to effect any changes in the demographic composition, the character and form of use of their natural resources or the institutional structure of those territories;

7. *Requests* the Secretary-General to prepare and submit to the General Assembly at its thirty-seventh session a comprehensive report on permanent sovereignty over national resources in the occupied Palestinian and other Arab territories, including Jerusalem, and to make proposals for follow-up and implementation;

8. *Requests* the Secretary-General to prepare and submit to the General Assembly at its thirty-eighth session a report on the implications, under international law, of the United Nations resolutions on permanent sovereignty over natural resources, on the occupied Palestinian and other Arab territories and on the obligations of Israel concerning its conduct in these territories.

*103rd plenary meeting
17 December 1981*

36/174. Co-operation between the United Nations and the Agency for Cultural and Technical Co-operation

The General Assembly,

Recalling its resolution 33/18 of 10 November 1978, by which it accorded observer status to the Agency for Cultural and Technical Co-operation,

Recalling also Economic and Social Council decision 190 (LXI) of 5 August 1976, by which the Council had designated the Agency for Cultural and Technical Co-operation

to participate on an *ad hoc* basis in the deliberations of the Council on questions within the scope of its activities,

Noting with satisfaction the desire expressed by the Agency for Cultural and Technical Co-operation to establish close co-operation with the United Nations in all fields of common interest, in particular training, desertification control, science and technology for development, new and renewable sources of energy and technical co-operation among developing countries,

Recognizing the importance of those sectors,

1. *Welcomes* the participation of the Agency for Cultural and Technical Co-operation in the work of the United Nations in fields of common interest;

2. *Recognizes* the necessity of strengthening co-operation between the United Nations and the Agency for Cultural and Technical Co-operation;

3. *Requests* the Secretary-General of the United Nations, in collaboration with the Secretary-General of the Agency for Cultural and Technical Co-operation, to examine proposals by the Agency aimed at reinforcing co-operation with the United Nations and to submit a report thereon through the Economic and Social Council to the General Assembly at its thirty-seventh session.

*103rd plenary meeting
17 December 1981*

36/175. Specific action related to the particular needs and problems of land-locked developing countries

The General Assembly,

Reiterating the specific actions related to the particular needs of the land-locked developing countries stated in resolutions 63 (III) of 19 May 1972,⁶⁹ 98 (IV) of 31 May 1976⁷⁰ and 123 (V) of 3 June 1979⁷¹ of the United Nations Conference on Trade and Development,

Recalling the provisions of its resolutions 31/157 of 21 December 1976, 32/191 of 19 December 1977, 33/150 of 20 December 1978, 34/198 of 19 December 1979 and 35/58 of 5 December 1980 and other resolutions of the United Nations relating to the particular needs and problems of land-locked developing countries,

Bearing in mind various other resolutions adopted by the General Assembly, its related organs and the specialized agencies, emphasizing special and urgent measures in favour of land-locked developing countries,

Recalling the relevant provisions of the International Development Strategy for the Third United Nations Development Decade,⁷²

Recognizing that the lack of territorial access to the sea, aggravated by remoteness and isolation from world markets, and the prohibitive transit, transport and trans-shipment costs impose serious constraints on the socio-economic development of land-locked developing countries,

Noting with concern that the measures taken so far in favour of land-locked developing countries and the assistance given fall far short of their needs,

⁶⁹ See *Proceedings of the United Nations Conference on Trade and Development, Third Session*, vol. I, *Report and Annexes* (United Nations publication, Sales No. E.73.II.D.4), annex I.A.

⁷⁰ *Ibid.*, *Fourth Session*, vol. I, *Report and Annexes* (United Nations publication, Sales No. E.76.II.D.10 and corrigendum), part one, sect. A.

⁷¹ *Ibid.*, *Fifth Session*, vol. I, *Report and Annexes* (United Nations publication, Sales No. E.79.II.D.14), part one, sect. A.

⁷² Resolution 35/56, annex.

⁶⁸ A/36/648.

Resolution No.	Title	Item	Date of adoption	Page
37/250	Immediate implementation of the Nairobi Programme of Action for the Development and Utilization of New and Renewable Sources of Energy (A/37/680/Add.11) ..	71 (n)	21 December 1982	165
37/251	Development of the energy resources of developing countries (A/37/680/Add.13) ..	71	21 December 1982	168
37/252	Immediate measures in favour of the developing countries (A/37/680/Add.13)	71	21 December 1982	169

37/132. Co-operation between the United Nations and the Agency for Cultural and Technical Co-operation

The General Assembly,

Recalling its resolution 33/18 of 10 November 1978, by which it accorded observer status to the Agency for Cultural and Technical Co-operation,

Recalling also its resolution 36/174 of 17 December 1981, in which it recognized the necessity of strengthening co-operation between the United Nations and the Agency for Cultural and Technical Co-operation,

1. Takes note of the report of the Secretary-General on co-operation between the United Nations and the Agency for Cultural and Technical Co-operation;²

2. Requests the Secretary-General, in collaboration with the Secretary-General of the Agency for Cultural and Technical Co-operation, to specify in detail the areas of co-operation envisaged in his report and to consider the modalities of this co-operation, taking duly into account the proposals of the Secretary-General of the Agency;

3. Also requests the Secretary-General to report on this subject to the General Assembly at its thirty-eighth session through the Economic and Social Council.

*109th plenary meeting
17 December 1982*

37/133. Identification of the least developed among the developing countries

The General Assembly,

Recalling its resolutions 2768 (XXVI) of 18 November 1971, 3487 (XXX) of 12 December 1975 and 32/92 and 32/99 of 13 December 1977 and Economic and Social Council resolution 1981/34 of 8 May 1981, on the basis of which the current list of the least developed countries was established,

Recalling also its resolutions 36/204, 36/209 and 36/216 of 17 December 1981 and Economic and Social Council decision 1982/106 of 4 February 1982 and resolution 1982/41 of 27 July 1982,

Decides to include Djibouti, Equatorial Guinea, Sao Tome and Principe, Sierra Leone and Togo in the list of the least developed countries, in accordance with the recommendation made by the Committee for Development Planning at its eighteenth session.³

*109th plenary meeting
17 December 1982*

37/134. Assistance to the Palestinian people

The General Assembly,

Recalling its resolution ES-7/5 of 26 June 1982,

Recalling also Security Council resolution 512 (1982) of 19 June 1982,

Recalling further Economic and Social Council resolution 1982/48 of 27 July 1982,

Expressing its deep alarm at the Israeli invasion of Lebanon, which claimed the lives of a very large number of civilian Palestinians,

Horrified by the Sabra and Shatila massacre,

Noting with deep concern the dire need of the Palestinian victims of the Israeli invasion for urgent humanitarian assistance,

Noting the need to provide economic and social assistance to the Palestinian people,

1. Condemns Israel for its invasion of Lebanon, which inflicted severe damage on civilian Palestinians, including heavy loss of human life, intolerable suffering and massive material destruction;

2. Endorses Economic and Social Council resolution 1982/48;

3. Calls upon Governments and relevant United Nations bodies to provide humanitarian assistance to the Palestinian victims of the Israeli invasion of Lebanon;

4. Requests the relevant programmes, agencies, organs and organizations of the United Nations system to intensify their efforts, in co-operation with the Palestine Liberation Organization, to provide economic and social assistance to the Palestinian people;

5. Also requests that United Nations assistance to the Palestinians in the Arab host countries should be rendered in co-operation with the Palestine Liberation Organization and with the consent of the Arab host Government concerned;

6. Requests the Secretary-General to report to the General Assembly at its thirty-eighth session, through the Economic and Social Council, on the progress made in the implementation of the present resolution.

*109th plenary meeting
17 December 1982*

37/135. Permanent sovereignty over national resources in the occupied Palestinian and other Arab territories

The General Assembly,

Recalling its resolutions 3175 (XXVIII) of 17 December 1973, 3336 (XXIX) of 17 December 1974, 3516 (XXX) of 15 December 1975, 31/186 of 21 December 1976, 32/161 of 19 December 1977, 34/136 of 14 December 1979, 35/110 of 5 December 1980 and 36/173 of 17 December 1981 on permanent sovereignty over national resources in the occupied Palestinian and other Arab territories,

Recalling also its previous resolutions on permanent sovereignty over natural resources, particularly their provisions supporting resolutely the efforts of the developing countries and the peoples of territories under colonial and racial domination and foreign occupation in their struggle to regain

² A/37/290.

³ Official Records of the Economic and Social Council, 1982, Supplement No. 5 (E/1982/15 and Corr.1 and 2), para. 103.

effective control over their natural and all other resources, wealth and economic activities,

Bearing in mind the relevant principles of international law and the provisions of the international conventions and regulations, in particular Convention IV of the Hague of 1907,⁴ and the fourth Geneva Convention of 12 August 1949,⁵ concerning the obligations and responsibilities of the occupying Power,

Bearing in mind also the pertinent provisions of its resolutions 3201 (S-VI) and 3202 (S-VI) of 1 May 1974, containing the Declaration and the Programme of Action on the Establishment of a New International Economic Order, and 3281 (XXIX) of 12 December 1974, containing the Charter of Economic Rights and Duties of States,

Regretting that the report of the Secretary-General on permanent sovereignty over national resources in the occupied Palestinian and other Arab territories, requested in General Assembly resolution 36/173, was not submitted,

1. *Condemns* Israel for its exploitation of the national resources of the occupied Palestinian and other Arab territories;

2. *Emphasizes* the right of the Palestinian and other Arab peoples whose territories are under Israeli occupation to full and effective permanent sovereignty and control over their natural and all other resources, wealth and economic activities;

3. *Reaffirms* that all measures undertaken by Israel to exploit the human, natural and all other resources, wealth and economic activities in the occupied Palestinian and other Arab territories are illegal and calls upon Israel to desist immediately from such measures;

4. *Further reaffirms* the right of the Palestinian and other Arab peoples subjected to Israeli aggression and occupation to the restitution of and full compensation for the exploitation, depletion and loss of and damages to their natural, human and all other resources, wealth and economic activities, and calls upon Israel to meet their just claims;

5. *Calls upon* all States to support the Palestinian and other Arab peoples in the exercise of their above-mentioned rights;

6. *Calls upon* all States, international organizations, specialized agencies, business corporations and all other institutions not to recognize, or co-operate with or assist in any manner in, any measures undertaken by Israel to exploit the national resources of the occupied Palestinian and other Arab territories or to effect any changes in the demographic composition, the character and form of use of their natural resources or the institutional structure of those territories;

7. *Requests* the Secretary-General to prepare and submit to the General Assembly at its thirty-eighth session, through the Economic and Social Council, the two reports requested in Assembly resolution 36/173.

*109th plenary meeting
17 December 1982*

37/136. Population activities in the regional commissions

The General Assembly,

1. *Takes note* of decision 80/44 of 27 June 1980 of the Governing Council of the United Nations Development Pro-

gramme on agency support costs⁶ and of section I, paragraph 3, of decision 82/20 of 18 June 1982,⁷ in which the Council endorsed the guidelines for the approval of new and continuing intercountry projects that, *inter alia*, called for the discontinuation by the United Nations Fund for Population Activities of infrastructural support to its project-executing agencies, including the regional commissions;⁸

2. *Requests* the Secretary-General, in consultation with the executive secretaries of the regional commissions, to consider the inclusion in the draft programme budget for the biennium 1984-1985 of proposals on modalities for the continuation of activities in the field of population at the regional level.

*109th plenary meeting
17 December 1982*

37/137. Protection against products harmful to health and the environment

The General Assembly,

Aware of the damage to health and the environment that the continued production and export of products that have been banned and/or permanently withdrawn on grounds of human health and safety from domestic markets is causing in the importing countries,

Aware that some products, although they present a certain usefulness in specific cases and/or under certain conditions, have been severely restricted in their consumption and/or sale owing to their toxic effects on health and the environment,

Aware of the harm to health being caused in importing countries by the export of pharmaceutical products ultimately intended also for consumption and/or sale in the home market of the exporting country, but which have not yet been approved there,

Considering that many developing countries lack the necessary information and expertise to keep up with developments in this field,

Considering the need for countries that have been exporting the above-mentioned products to make available the necessary information and assistance to enable the importing countries to protect themselves adequately,

Cognizant of the fact that almost all of these products are at present manufactured and exported from a limited number of countries,

Taking into account that the primary responsibility for consumer protection rests with each State,

Recalling its resolution 36/166 of 16 December 1981 and the report on transnational corporations in the pharmaceutical industry of developing countries,⁹ and acting in pursuance of Economic and Social Council resolution 1981/62 of 23 July 1981,

Bearing in mind in this context the work of the Food and Agriculture Organization of the United Nations, the World Health Organization, the International Labour Organisation, the United Nations Environment Programme, the General Agreement on Tariffs and Trade, the United Nations Centre on Transnational Corporations and other relevant intergovernmental organizations,

⁴ Carnegie Endowment for International Peace, *The Hague Conventions and Declarations of 1899 and 1907* (New York, Oxford University Press), 1915, p. 100.

⁵ United Nations, *Treaty Series*, vol. 75, No. 973, p. 287.

⁶ See *Official Records of the Economic and Social Council, 1980, Supplement No. 12* (E/1980/42/Rev.1), chap. XI.

⁷ *Ibid.*, 1982, *Supplement No. 6* (E/1982/16/Rev.1), annex I.

⁸ See DP/1982/29 and Add.1.

⁹ E/C.10/85.

Resolution No.	Title	Item	Date of adoption	Page
38/221	Special economic assistance to Guinea-Bissau (A/38/705)	81 (b)	20 December 1983	171
38/222	Assistance to Bolivia, Ecuador and Peru to alleviate the effects of natural disasters (A/38/705)	81 (b)	20 December 1983	172
38/223	Assistance to Nicaragua (A/38/705)	81 (b)	20 December 1983	173
38/224	Assistance for the reconstruction, rehabilitation and development of Equatorial Guinea (A/38/705)	81 (b)	20 December 1983	174
38/225	Implementation of the medium-term and long-term recovery and rehabilitation programme in the Sudano-Sahelian region (A/38/705)	81 (c)	20 December 1983	174

38/143. Particular problems facing Zaire with regard to transport, transit and access to foreign markets

The General Assembly,

Referring to its resolution 32/160 of 19 December 1977, in which it recalled Economic and Social Council resolution 2097 (LXIII) of 29 July 1977 and proclaimed the period 1978-1988 the Transport and Communications Decade in Africa,

Referring also to its resolutions 34/193 of 19 December 1979, 35/59 of 5 December 1980, 36/139 of 16 December 1981 and 37/205 of 20 December 1982 on particular problems facing Zaire with regard to transport, transit and access to foreign markets, and approving the organization in 1983 of a round-table meeting with donor countries for Zaire's projects in these three fields,

Recalling resolution 110 (V) of 3 June 1979² of the United Nations Conference on Trade and Development,

Recalling also Economic and Social Council decision 249 (LXIII) of 25 July 1977 and resolution 1981/68 of 24 July 1981, as well as resolution 293 (XIII) of 26 February 1977 adopted by the Conference of Ministers of the Economic Commission for Africa,³

Having considered the report of the Secretary-General on the outcome of the round-table meeting on the financing of the transport projects of Zaire, held at Kinshasa on 28 and 29 June 1983,⁴

1. Takes note of the report of the Secretary-General on the round-table meeting of donors;
2. Expresses its appreciation of the contribution made by some donor countries and financing agencies which enabled the round-table meeting to achieve satisfactory results;
3. Appeals to donor countries and financing agencies to take prompt action to give effect to the interest which they expressed in financing particular projects;
4. Requests the Executive Secretary of the Economic Commission for Africa to assist Zaire in order to ensure follow-up of the results of the round-table meeting;
5. Approves the organization in 1985 of a second round-table meeting to review the progress made in financing and implementing the transport projects designed to open up the land-locked regions of Zaire;
6. Requests the Secretary-General to provide, within existing resources, the Economic Commission for Africa

² See *Proceedings of the United Nations Conference on Trade and Development, Fifth Session*, vol. I, *Report and Annexes* (United Nations publication, Sales No. E.79.II.D.14), part one, sect. A.

³ See *Official Records of the Economic and Social Council, Sixty-third Session, Supplement No. 7*, vol. I (E/5941), part III.

⁴ A/38/264/Add.1-E/1983/90/Add.1.

with the resources required to organize the second round-table meeting.

*102nd plenary meeting
19 December 1983*

38/144. Permanent sovereignty over national resources in the occupied Palestinian and other Arab territories

The General Assembly,

Recalling its resolution 37/135 of 17 December 1982,

Recalling also its previous resolutions on permanent sovereignty over natural resources,

Bearing in mind the relevant principles of international law and the provisions of the international conventions and regulations, in particular Convention IV of The Hague of 1907,⁵ and the Geneva Convention Relative to the Protection of Civilian Persons in Time of War, of 12 August 1949,⁶ concerning the obligations and responsibilities of the occupying Power,

Bearing in mind also the pertinent provisions of its resolutions 3201 (S-VI) and 3202 (S-VI) of 1 May 1974, containing the Declaration and the Programme of Action on the Establishment of a New International Economic Order, and 3281 (XXIX) of 12 December 1974, containing the Charter of Economic Rights and Duties of States,

1. Takes note of the report of the Secretary-General on permanent sovereignty over national resources in the occupied Palestinian and other Arab territories;⁷

2. Commends the report of the Secretary-General on the implications, under international law, of the United Nations resolutions on permanent sovereignty over natural resources, on the occupied Palestinian and other Arab territories and on the obligations of Israel concerning its conduct in these territories;⁸

3. Condemns Israel for its exploitation of the national resources of the occupied Palestinian and other Arab territories;

4. Reaffirms that Convention IV of The Hague of 1907 and the Geneva Convention Relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, are applicable to the occupied Palestinian and other Arab territories;

5. Emphasizes the right of the Palestinian and other Arab peoples whose territories are under Israeli occupation to full and effective permanent sovereignty and control over their natural and all other resources, wealth and economic activities;

⁵ Carnegie Endowment for International Peace, *The Hague Conventions and Declarations of 1899 and 1907* (New York, Oxford University Press, 1915), p. 100.

⁶ United Nations, *Treaty Series*, vol. 75, No. 973, p. 287.

⁷ A/38/282-E/1983/84.

⁸ A/38/265-E/1983/85.

6. *Also reaffirms* that all measures undertaken by Israel to exploit the human, natural and all other resources, wealth and economic activities in the occupied Palestinian and other Arab territories are illegal, and calls upon Israel to desist immediately from such measures;

7. *Further reaffirms* the right of the Palestinian and other Arab peoples subjected to Israeli aggression and occupation to the restitution of, and full compensation for the exploitation, depletion and loss of and damage to, their natural, human and all other resources, wealth and economic activities, and calls upon Israel to meet their just claims;

8. *Calls upon* all States to support the Palestinian and other Arab peoples in the exercise of their above-mentioned rights;

9. *Calls upon* all States, international organizations, specialized agencies, business corporations and all other institutions not to recognize, or co-operate with or assist in any manner in, any measures undertaken by Israel to exploit the national resources of the occupied Palestinian and other Arab territories or to effect any changes in the demographic composition, the character and form of use of their natural resources or the institutional structure of those territories;

10. *Requests* the Secretary-General to elaborate on his report⁸ in order to cover also, in detail, the resources exploited by the Israeli settlements and the Israeli-imposed regulations and policies hampering the economic development of the occupied Palestinian and other Arab territories, including a comparison between the practices of Israel and its obligations under international law;

11. *Also requests* the Secretary-General to submit the detailed report to the General Assembly at its thirty-ninth session, through the Economic and Social Council.

*102nd plenary meeting
19 December 1983*

38/145. Assistance to the Palestinian people

The General Assembly,

Recalling its resolution 37/134 of 17 December 1982,

Recalling also Economic and Social Council resolution 1983/43 of 25 July 1983,

Recalling further the Programme of Action for the Achievement of Palestinian Rights, adopted by the International Conference on the Question of Palestine,⁹

Noting the need to provide economic and social assistance to the Palestinian people,

1. *Endorses* Economic and Social Council resolution 1983/43;

2. *Endorses also* decision 83/11 of 24 June 1983 of the Governing Council of the United Nations Development Programme,¹⁰ in which the Council called upon Governments and intergovernmental organizations to provide additional special contributions to the Programme amounting to at least 8 million dollars during the third programming cycle, so as to ensure the implementation of the United Nations Development Programme assistance programme for the Palestinian people;

3. *Requests* the Secretary-General:

(a) To convene in 1984 a meeting of the relevant programmes, organizations, agencies and organs of the

United Nations system to develop a co-ordinated programme of economic and social assistance to the Palestinian people and to ensure its implementation;

(b) To provide for the participation in the meeting of the Palestine Liberation Organization, the Arab host countries and relevant intergovernmental and non-governmental organizations;

(c) To utilize existing inter-agency mechanisms to prepare proposals for assistance projects to be considered at the meeting;

4. *Requests* that the meeting should look into the most effective inter-agency machinery to co-ordinate and intensify United Nations assistance to the Palestinian people;

5. *Requests* the relevant programmes, organizations, agencies and organs of the United Nations system to intensify their efforts, in co-operation with the Palestine Liberation Organization, to provide economic and social assistance to the Palestinian people;

6. *Also requests* that United Nations assistance to the Palestinians in the Arab host countries should be rendered in co-operation with the Palestine Liberation Organization and with the consent of the Arab host Government concerned;

7. *Requests* the Secretary-General to report to the General Assembly at its thirty-ninth session, through the Economic and Social Council, on the progress made in the implementation of the present resolution.

*102nd plenary meeting
19 December 1983*

38/146. World Tourism Organization

The General Assembly,

Recalling its resolutions 32/156 and 32/157 of 19 December 1977, 33/122 of 19 December 1978 and 34/134 of 14 December 1979, concerning the World Tourism Organization,

Recalling also its resolution 36/41 of 19 November 1981, which pertains, *inter alia*, to the Manila Declaration on World Tourism,¹¹

Recalling further its resolution 35/56 of 5 December 1980, by which it proclaimed the Third United Nations Development Decade and adopted the International Development Strategy for the Third United Nations Development Decade,

Taking note of paragraph 5 of its resolution 36/41 and of subparagraph (c) of Economic and Social Council decision 109 (LIX) of 23 July 1975, in which the General Assembly and the Council decided that the World Tourism Organization might participate, on a continuing basis, in the work of the Assembly and the Council in areas of concern to that organization,

Noting that the World Tourism Meeting was convened from 21 to 27 August 1982 at Acapulco, Mexico, and that it adopted the Acapulco Document on World Tourism¹² as a follow-up to the Manila Declaration,

Recognizing the new dimension and role of tourism as a positive instrument towards the improvement of the quality of life for all peoples, as well as a significant force for peace and international understanding,

1. *Welcomes* the report of the Secretary-General of the World Tourism Organization¹³ on the progress made in

⁹ Report of the International Conference on the Question of Palestine, Geneva, 29 August–7 September 1983 (United Nations publication, Sales No. E.83.I.21), chap. I, sect. B.

¹⁰ See Official Records of the Economic and Social Council, 1983, Supplement No. 9 (E/1983/20), annex I.

¹¹ A/36/236, annex, appendix I.

¹² A/38/182–E/1983/66, annex, appendix.

¹³ *Ibid.*, annex.



General Assembly

Distr.
GENERAL

A/RES/51/190
21 February 1997

Fifty-first session
Agenda item 12

RESOLUTION ADOPTED BY THE GENERAL ASSEMBLY

[on the report of the Second Committee (A/51/601)]

51/190. Permanent sovereignty of the Palestinian people in the occupied Palestinian territory, including Jerusalem, and of the Arab population in the occupied Syrian Golan over their natural resources

The General Assembly,

Recalling Economic and Social Council resolution 1996/40 of 26 July 1996,

Reaffirming the principle of the permanent sovereignty of people under foreign occupation over their natural resources,

Guided by the principles of the Charter of the United Nations, affirming the inadmissibility of the acquisition of territory by force, and recalling Security Council resolutions, including resolutions 242 (1967) of 22 November 1967, 465 (1980) of 1 March 1980 and 497 (1981) of 17 December 1981,

Reaffirming the applicability of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949,¹ to the occupied Palestinian territory, including Jerusalem, and other Arab territories occupied by Israel since 1967,

Expressing concern at the exploitation by Israel, the occupying Power, of the natural resources of the occupied Palestinian territory, including Jerusalem, and other Arab territories occupied by Israel since 1967,

¹ United Nations, Treaty Series, vol. 75, No. 973.

Aware of the additional, detrimental economic and social impact of the Israeli settlements on Palestinian and other Arab natural resources, especially the confiscation of land and the forced diversion of water resources,

Welcoming the ongoing Middle East peace process which was started at Madrid on 30 October 1991 and which is based on Security Council resolutions 242 (1967), 338 (1973) of 22 October 1973 and 425 (1978) of 19 March 1978 and the principle of land for peace, in particular the two implementation agreements embodied in the Agreement on the Gaza Strip and the Jericho Area of 4 May 1994² and the Interim Agreement on the West Bank and the Gaza Strip of 28 September 1995,

1. Takes note of the report of the Secretary-General;³
2. Reaffirms the inalienable right of the Palestinian people and the population of the occupied Syrian Golan over their natural resources, including land and water;
3. Calls upon Israel, the occupying Power, not to exploit, to cause loss and depletion of or to endanger the natural resources in the occupied Palestinian territory, including Jerusalem, and in the occupied Syrian Golan;
4. Recognizes the right of the Palestinian people to claim restitution as a result of any exploitation, loss or depletion of, or danger to, their natural resources, and expresses the hope that this issue will be dealt with in the framework of the final status negotiation between the Palestinian and Israeli sides;
5. Requests the Secretary-General to report to it, at its fifty-second session, on the implementation of the present resolution, and decides to include in the agenda of its fifty-second session an item entitled "Permanent sovereignty of the Palestinian people in the occupied Palestinian territory, including Jerusalem, and of the Arab population in the occupied Syrian Golan over their natural resources".

86th plenary meeting
16 December 1996

² A/49/180-S/1994/727, annex; see Official Records of the Security Council, Forty-ninth Year, Supplement for April, May and June 1994, document S/1994/727.

³ A/51/135-E/1996/51.



General Assembly

Distr.
GENERAL

A/RES/52/207
9 March 1998

Fifty-second session
Agenda item 101

RESOLUTION ADOPTED BY THE GENERAL ASSEMBLY

[on the report of the Second Committee (A/52/632)]

52/207. Permanent sovereignty of the Palestinian people in the occupied Palestinian territory, including Jerusalem, and of the Arab population in the occupied Syrian Golan over their natural resources

The General Assembly,

Recalling its resolution 51/190 of 16 December 1996 and Economic and Social Council resolution 1997/67 of 25 July 1997,

Reaffirming the principle of the permanent sovereignty of peoples under foreign occupation over their natural resources,

Guided by the principles of the Charter of the United Nations, affirming the inadmissibility of the acquisition of territory by force, and recalling relevant Security Council resolutions, including resolutions 242 (1967) of 22 November 1967, 465 (1980) of 1 March 1980 and 497 (1981) of 17 December 1981,

Reaffirming the applicability of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949,¹ to the occupied Palestinian territory, including Jerusalem, and other Arab territories occupied by Israel since 1967,

Expressing its concern at the exploitation by Israel, the occupying Power, of the natural resources of the occupied Palestinian territory, including Jerusalem, and other Arab territories occupied by Israel since 1967,

Aware of the additional, detrimental economic and social impact of the Israeli settlements on Palestinian and other Arab natural resources, especially the confiscation of land and the forced diversion of water resources,

¹ United Nations, *Treaty Series*, vol. 75, No. 973.

Expressing its concern at the difficulties facing the Middle East peace process which started at Madrid on 30 October 1991 and which is based on Security Council resolutions 242 (1967), 338 (1973) of 22 October 1973 and 425 (1978) of 19 March 1978 and the principle of land for peace, as well as concern over the lack of implementation of the Declaration of Principles on Interim Self-Government Arrangements, signed in Washington, D.C., on 13 September 1993,² and the Interim Agreement on the West Bank and the Gaza Strip, of 28 September 1995,³

1. *Takes note* of the report transmitted by the Secretary-General;⁴
2. *Reaffirms* the inalienable rights of the Palestinian people and the population of the occupied Syrian Golan over their natural resources, including land and water;
3. *Calls upon* Israel, the occupying Power, not to exploit, to cause loss or depletion of or to endanger the natural resources in the occupied Palestinian territory, including Jerusalem, and in the occupied Syrian Golan;
4. *Recognizes* the right of the Palestinian people to claim restitution as a result of any exploitation, loss or depletion of, or danger to, their natural resources, and expresses the hope that this issue will be dealt with in the framework of the final status negotiation between the Palestinian and Israeli sides;
5. *Requests* the Secretary-General to report to it at its fifty-third session on the implementation of the present resolution, and decides to include in the agenda of its fifty-third session the item entitled "Permanent sovereignty of the Palestinian people in the occupied Palestinian territory, including Jerusalem, and of the Arab population in the occupied Syrian Golan over their natural resources".

*77th plenary meeting
18 December 1997*

² A/48/486-S/26560, annex; see *Official Records of the Security Council, Forty-eighth Year, Supplement for October, November and December 1993*, document S/26560.

³ A/51/889-S/1997/357, annex; see *Official Records of the Security Council, Fifty-second Year, Supplement for April, May and June 1997*, document S/1997/357.

⁴ A/52/172-E/1997/71 and Corr. 1, annex.



General Assembly

Distr.
GENERAL

A/RES/53/196
22 February 1999

Fifty-third session
Agenda item 97

RESOLUTION ADOPTED BY THE GENERAL ASSEMBLY

[*on the report of the Second Committee (A/53/612)*]

53/196. Permanent sovereignty of the Palestinian people in the occupied Palestinian territory, including Jerusalem, and of the Arab population in the occupied Syrian Golan over their natural resources

The General Assembly,

Recalling its resolution 52/207 of 18 December 1997 and Economic and Social Council resolution 1998/32 of 29 July 1998,

Reaffirming the principle of the permanent sovereignty of peoples under foreign occupation over their natural resources,

Guided by the principles of the Charter of the United Nations, affirming the inadmissibility of the acquisition of territory by force, and recalling relevant Security Council resolutions, including resolutions 242 (1967) of 22 November 1967, 465 (1980) of 1 March 1980 and 497 (1981) of 17 December 1981,

Reaffirming the applicability of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949,¹ to the occupied Palestinian territory, including Jerusalem, and other Arab territories occupied by Israel since 1967,

¹ United Nations, *Treaty Series*, vol. 75, No. 973.

Expressing its concern at the exploitation by Israel, the occupying Power, of the natural resources of the occupied Palestinian territory, including Jerusalem, and other Arab territories occupied by Israel since 1967,

Aware of the additional, detrimental economic and social impact of the Israeli settlements on Palestinian and other Arab natural resources, especially the confiscation of land and the forced diversion of water resources,

Expressing its concern at the difficulties facing the Middle East peace process which started at Madrid on 30 October 1991 and which is based on Security Council resolutions 242 (1967), 338 (1973) of 22 October 1973 and 425 (1978) of 19 March 1978 and the principle of land for peace,

1. *Takes note* of the report transmitted by the Secretary-General;²
2. *Reaffirms* the inalienable rights of the Palestinian people and the population of the occupied Syrian Golan over their natural resources, including land and water;
3. *Calls upon* Israel, the occupying Power, not to exploit, to cause loss or depletion of or to endanger the natural resources in the occupied Palestinian territory, including Jerusalem, and in the occupied Syrian Golan;
4. *Recognizes* the right of the Palestinian people to claim restitution as a result of any exploitation, loss or depletion of, or danger to, their natural resources, and expresses the hope that this issue will be dealt with in the framework of the final status negotiation between the Palestinian and Israeli sides;
5. *Requests* the Secretary-General to report to it at its fifty-fourth session on the implementation of the present resolution, and decides to include in the agenda of its fifty-fourth session the item entitled "Permanent sovereignty of the Palestinian people in the occupied Palestinian territory, including Jerusalem, and of the Arab population in the occupied Syrian Golan over their natural resources".

*91st plenary meeting
15th December 1998*

² A/53/163-E/1998/79, annex.



General Assembly

Distr.
GENERAL

A/RES/54/230
22 February 2000

Fifty-fourth session
Agenda item 103

RESOLUTION ADOPTED BY THE GENERAL ASSEMBLY

[on the report of the Second Committee (A/54/591)]

54/230. Permanent sovereignty of the Palestinian people in the Occupied Palestinian Territory, including Jerusalem, and of the Arab population in the occupied Syrian Golan over their natural resources

The General Assembly,

Recalling its resolution 53/196 of 15 December 1998 and taking note of Economic and Social Council resolution 1999/53 of 29 July 1999,

Reaffirming the principle of the permanent sovereignty of peoples under foreign occupation over their natural resources,

Guided by the principles of the Charter of the United Nations, affirming the inadmissibility of the acquisition of territory by force, and recalling the relevant Security Council resolutions, including resolutions 242 (1967) of 22 November 1967, 465 (1980) of 1 March 1980 and 497 (1981) of 17 December 1981,

Reaffirming the applicability of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949,¹ to the Occupied Palestinian Territory, including Jerusalem, and other Arab territories occupied by Israel since 1967,

Expressing its concern at the exploitation by Israel, the occupying Power, of the natural resources of the Occupied Palestinian Territory, including Jerusalem, and other Arab territories occupied by Israel since 1967,

¹ United Nations, *Treaty Series*, vol. 75, No. 973.

Aware of the additional, detrimental economic and social impact of the Israeli settlements on Palestinian and other Arab natural resources, especially the confiscation of land and the forced diversion of water resources,

Expressing the hope that the Middle East peace process, which started at Madrid on 30 October 1991, on the basis of Security Council resolutions 242 (1967) of 22 November 1967, 338 (1973) of 22 October 1973 and 425 (1978) of 19 March 1978 and the principle of land for peace, will reach a final settlement within the agreed time-frame, and that final settlement will be reached on all tracks,

1. *Takes note* of the report transmitted by the Secretary-General;²
2. *Reaffirms* the inalienable rights of the Palestinian people and the population of the occupied Syrian Golan over their natural resources, including land and water;
3. *Calls upon* Israel, the occupying Power, not to exploit, to cause loss or depletion of or to endanger the natural resources in the Occupied Palestinian Territory, including Jerusalem, and in the occupied Syrian Golan;
4. *Recognizes* the right of the Palestinian people to claim restitution as a result of any exploitation, loss or depletion of, or danger to, their natural resources, and expresses the hope that this issue will be dealt with in the framework of the final status negotiations between the Palestinian and Israeli sides;
5. *Requests* the Secretary-General to report to it at its fifty-fifth session on the implementation of the present resolution, and decides to include in the agenda of its fifty-fifth session the item entitled "Permanent sovereignty of the Palestinian people in the Occupied Palestinian Territory, including Jerusalem, and of the Arab population in the occupied Syrian Golan over their natural resources".

*87th plenary meeting
22 December 1999*

² A/54/152-E/1999/92, annex.



General Assembly

Distr.: General
15 February 2001

Fifty-fifth session
Agenda item 98

Resolution adopted by the General Assembly

[on the report of the Second Committee (A/55/585)]

55/209. Permanent sovereignty of the Palestinian people in the Occupied Palestinian Territory, including Jerusalem, and of the Arab population in the occupied Syrian Golan over their natural resources

The General Assembly,

Recalling its resolution 54/230 of 22 December 1999, and taking note of Economic and Social Council resolution 2000/31 of 28 July 2000,

Reaffirming the principle of the permanent sovereignty of peoples under foreign occupation over their natural resources,

Guided by the principles of the Charter of the United Nations, affirming the inadmissibility of the acquisition of territory by force, and recalling the relevant Security Council resolutions, including resolutions 242 (1967) of 22 November 1967, 465 (1980) of 1 March 1980 and 497 (1981) of 17 December 1981,

Reaffirming the applicability of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949,¹ to the Occupied Palestinian Territory, including Jerusalem, and other Arab territories occupied by Israel since 1967,

Expressing its concern at the exploitation by Israel, the occupying Power, of the natural resources of the Occupied Palestinian Territory, including Jerusalem, and other Arab territories occupied by Israel since 1967,

Aware of the additional detrimental economic and social impact of the Israeli settlements on Palestinian and other Arab natural resources, especially the confiscation of land and the forced diversion of water resources,

Reaffirming the need for an immediate resumption of negotiations within the Middle East peace process, on the basis of Security Council resolutions 242 (1967) of 22 November 1967 and 338 (1973) of 22 October 1973, and the principle of land for peace, and for the achievement of a final settlement on all tracks,

¹ United Nations, *Treaty Series*, vol. 75, No. 973.

1. *Takes note* of the report transmitted by the Secretary-General;²
2. *Reaffirms* the inalienable rights of the Palestinian people and the population of the occupied Syrian Golan over their natural resources, including land and water;
3. *Calls upon* Israel, the occupying Power, not to exploit, to cause loss or depletion of or to endanger the natural resources in the Occupied Palestinian Territory, including Jerusalem, and in the occupied Syrian Golan;
4. *Recognizes* the right of the Palestinian people to claim restitution as a result of any exploitation, loss or depletion of, or danger to, their natural resources, and expresses the hope that this issue will be dealt with in the framework of the final status negotiations between the Palestinian and Israeli sides;
5. *Requests* the Secretary-General to report to it at its fifty-sixth session on the implementation of the present resolution, and decides to include in the agenda of its fifty-sixth session the item entitled “Permanent sovereignty of the Palestinian people in the Occupied Palestinian Territory, including Jerusalem, and of the Arab population in the occupied Syrian Golan over their natural resources”.

*87th plenary meeting
20 December 2000*

² A/55/84-E/2000/16, annex.



General Assembly

Distr.: General
21 February 2002

Fifty-sixth session
Agenda item 101

Resolution adopted by the General Assembly

[on the report of the Second Committee (A/56/564)]

56/204. Permanent sovereignty of the Palestinian people in the Occupied Palestinian Territory, including Jerusalem, and of the Arab population in the occupied Syrian Golan over their natural resources

The General Assembly,

Recalling its resolution 55/209 of 20 December 2000, and taking note of Economic and Social Council resolution 2001/19 of 25 July 2001,

Reaffirming the principle of the permanent sovereignty of peoples under foreign occupation over their natural resources,

Guided by the principles of the Charter of the United Nations affirming the inadmissibility of the acquisition of territory by force, and recalling relevant Security Council resolutions, including resolutions 242 (1967) of 22 November 1967, 465 (1980) of 1 March 1980 and 497 (1981) of 17 December 1981,

Reaffirming the applicability of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949,¹ to the Occupied Palestinian Territory, including Jerusalem, and other Arab territories occupied by Israel since 1967,

Expressing its concern at the exploitation by Israel, the occupying Power, of the natural resources of the Occupied Palestinian Territory, including Jerusalem, and other Arab territories occupied by Israel since 1967,

Aware of the additional detrimental economic and social impact of the Israeli settlements on Palestinian and other Arab natural resources, especially the confiscation of land and the forced diversion of water resources,

Reaffirming the need for an immediate resumption of negotiations within the Middle East peace process, on the basis of Security Council resolutions 242 (1967) of 22 November 1967, 338 (1973) of 22 October 1973 and 425 (1978) of 19 March 1978 and the principle of land for peace, and for the achievement of a final settlement on all tracks,

¹ United Nations, *Treaty Series*, vol. 75, No. 973.

1. *Takes note* of the note by the Secretary-General on the economic and social repercussions of the Israeli occupation on the living conditions of the Palestinian people in the Occupied Palestinian Territory, including Jerusalem, and of the Arab population in the occupied Syrian Golan;²

2. *Reaffirms* the inalienable rights of the Palestinian people and the population of the occupied Syrian Golan over their natural resources, including land and water;

3. *Calls upon* Israel, the occupying Power, not to exploit, to cause loss or depletion of or to endanger the natural resources in the Occupied Palestinian Territory, including Jerusalem, and in the occupied Syrian Golan;

4. *Recognizes* the right of the Palestinian people to claim restitution as a result of any exploitation, loss or depletion of, or danger to, their natural resources, and expresses the hope that this issue will be dealt with in the framework of the final status negotiations between the Palestinian and Israeli sides;

5. *Requests* the Secretary-General to report to it at its fifty-seventh session on the implementation of the present resolution, and decides to include in the agenda of its fifty-seventh session the item entitled “Permanent sovereignty of the Palestinian people in the Occupied Palestinian Territory, including Jerusalem, and of the Arab population in the occupied Syrian Golan over their natural resources”.

*90th plenary meeting
21 December 2001*

² A/56/90-E/2001/17.



General Assembly

Distr.: General
5 March 2003

Fifty-seventh session
Agenda item 91

Resolution adopted by the General Assembly

[on the report of the Second Committee (A/57/536)]

57/269. Permanent sovereignty of the Palestinian people in the Occupied Palestinian Territory, including East Jerusalem, and of the Arab population in the occupied Syrian Golan over their natural resources

The General Assembly,

Recalling its resolution 56/204 of 21 December 2001, and taking note of Economic and Social Council resolution 2002/31 of 25 July 2002,

Reaffirming the principle of the permanent sovereignty of peoples under foreign occupation over their natural resources,

Guided by the principles of the Charter of the United Nations, affirming the inadmissibility of the acquisition of territory by force, and recalling relevant Security Council resolutions, including resolutions 242 (1967) of 22 November 1967, 465 (1980) of 1 March 1980 and 497 (1981) of 17 December 1981,

Reaffirming the applicability of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949,¹ to the Occupied Palestinian Territory, including East Jerusalem, and other Arab territories occupied by Israel since 1967,

Expressing its concern at the exploitation by Israel, the occupying Power, of the natural resources of the Occupied Palestinian Territory, including East Jerusalem, and other Arab territories occupied by Israel since 1967,

Also expressing its concern at the extensive destruction by Israel, the occupying Power, of agricultural land and orchards in the Occupied Palestinian Territory during the recent period,

Aware of the additional detrimental economic and social impact of the Israeli settlements on Palestinian and other Arab natural resources, especially the confiscation of land and the forced diversion of water resources,

Reaffirming the need for the immediate resumption of negotiations within the Middle East peace process, on the basis of Security Council resolutions 242 (1967),

¹ United Nations, *Treaty Series*, vol. 75, No. 973.

338 (1973) of 22 October 1973 and 425 (1978) of 19 March 1978 and the principle of land for peace, and for the achievement of a final settlement on all tracks,

Taking note of the note by the Secretary-General on the economic and social repercussions of the Israeli occupation on the living conditions of the Palestinian people in the Occupied Palestinian Territory, including Jerusalem, and of the Arab population in the occupied Syrian Golan,²

1. *Reaffirms* the inalienable rights of the Palestinian people and the population of the occupied Syrian Golan over their natural resources, including land and water;

2. *Calls upon* Israel, the occupying Power, not to exploit, cause loss or depletion of or endanger the natural resources in the Occupied Palestinian Territory, including East Jerusalem, and in the occupied Syrian Golan;

3. *Recognizes* the right of the Palestinian people to claim restitution as a result of any exploitation, loss or depletion of, or danger to, their natural resources, and expresses the hope that this issue will be dealt with in the framework of the final status negotiations between the Palestinian and Israeli sides;

4. *Requests* the Secretary-General to report to it at its fifty-eighth session on the implementation of the present resolution, and decides to include in the provisional agenda of its fifty-eighth session an item entitled "Permanent sovereignty of the Palestinian people in the Occupied Palestinian Territory, including East Jerusalem, and of the Arab population in the occupied Syrian Golan over their natural resources".

*78th plenary meeting
20 December 2002*

² A/57/63-E/2002/21.



General Assembly

Distr.: General
25 February 2004

Fifty-eighth session
Agenda item 103

Resolution adopted by the General Assembly on 23 December 2003

[on the report of the Second Committee (A/58/493)]

58/229. Permanent sovereignty of the Palestinian people in the Occupied Palestinian Territory, including East Jerusalem, and of the Arab population in the occupied Syrian Golan over their natural resources

The General Assembly,

Recalling its resolution 57/269 of 20 December 2002, and taking note of Economic and Social Council resolution 2003/59 of 24 July 2003,

Reaffirming the principle of the permanent sovereignty of peoples under foreign occupation over their natural resources,

Guided by the principles of the Charter of the United Nations, affirming the inadmissibility of the acquisition of territory by force, and recalling relevant Security Council resolutions, including resolutions 242 (1967) of 22 November 1967, 465 (1980) of 1 March 1980 and 497 (1981) of 17 December 1981,

Reaffirming the applicability of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949,¹ to the Occupied Palestinian Territory, including East Jerusalem, and other Arab territories occupied by Israel since 1967,

Expressing its concern at the exploitation by Israel, the occupying Power, of the natural resources of the Occupied Palestinian Territory, including East Jerusalem, and other Arab territories occupied by Israel since 1967,

Expressing its concern also at the extensive destruction by Israel, the occupying Power, of agricultural land and orchards in the Occupied Palestinian Territory during the recent period, including the uprooting of a vast number of olive trees,

Aware of the detrimental impact of the Israeli settlements on Palestinian and other Arab natural resources, especially the confiscation of land and the forced diversion of water resources, and of the dire economic and social consequences in this regard,

¹ United Nations, *Treaty Series*, vol. 75, No. 973.

Aware also of the detrimental impact on Palestinian natural resources of the wall being constructed by Israel inside the Occupied Palestinian Territory, including in and around East Jerusalem, and of its grave effect on the economic and social conditions of the Palestinian people,

Reaffirming the need for the immediate resumption of negotiations within the Middle East peace process, on the basis of Security Council resolutions 242 (1967), 338 (1973) of 22 October 1973, 425 (1978) of 19 March 1978 and 1397 (2002) of 12 March 2002, the principle of land for peace and the Quartet performance-based road map to a permanent two-State solution to the Israeli-Palestinian conflict,² as endorsed by the Security Council in its resolution 1515 (2003) of 19 November 2003, and for the achievement of a final settlement on all tracks,

Recalling the need to end all acts of violence, including acts of terror, provocation, incitement and destruction,

Taking note of the note by the Secretary-General transmitting the report prepared by the Economic and Social Commission for Western Asia on the economic and social repercussions of the Israeli occupation on the living conditions of the Palestinian people in the Occupied Palestinian Territory, including Jerusalem, and of the Arab population in the occupied Syrian Golan,³

1. *Reaffirms* the inalienable rights of the Palestinian people and the population of the occupied Syrian Golan over their natural resources, including land and water;

2. *Calls upon* Israel, the occupying Power, not to exploit, cause loss or depletion of or endanger the natural resources in the Occupied Palestinian Territory, including East Jerusalem, and in the occupied Syrian Golan;

3. *Recognizes* the right of the Palestinian people to claim restitution as a result of any exploitation, loss or depletion of, or danger to, their natural resources, and expresses the hope that this issue will be dealt with in the framework of the final status negotiations between the Palestinian and Israeli sides;

4. *Requests* the Secretary-General to report to it at its fifty-ninth session on the implementation of the present resolution, and decides to include in the provisional agenda of its fifty-ninth session the item entitled "Permanent sovereignty of the Palestinian people in the Occupied Palestinian Territory, including East Jerusalem, and of the Arab population in the occupied Syrian Golan over their natural resources".

*78th plenary meeting
23 December 2003*

² See S/2003/529, annex.

³ A/58/75-E/2003/21.



General Assembly

Distr.: General
7 March 2005

Fifty-ninth session
Agenda item 91

Resolution adopted by the General Assembly on 22 December 2004

[on the report of the Second Committee (A/59/489)]

59/251. Permanent sovereignty of the Palestinian people in the Occupied Palestinian Territory, including East Jerusalem, and of the Arab population in the occupied Syrian Golan over their natural resources

The General Assembly,

Recalling its resolution 58/229 of 23 December 2003, and taking note of Economic and Social Council resolution 2004/54 of 23 July 2004,

Recalling also its resolution 58/292 of 6 May 2004,

Reaffirming the principle of the permanent sovereignty of peoples under foreign occupation over their natural resources,

Guided by the principles of the Charter of the United Nations, affirming the inadmissibility of the acquisition of territory by force, and recalling relevant Security Council resolutions, including resolutions 242 (1967) of 22 November 1967, 465 (1980) of 1 March 1980 and 497 (1981) of 17 December 1981,

Recalling its resolution 2625 (XXV) of 24 October 1970,

Reaffirming the applicability of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949,¹ to the Occupied Palestinian Territory, including East Jerusalem, and other Arab territories occupied by Israel since 1967,

Recalling the advisory opinion rendered on 9 July 2004 by the International Court of Justice on the “Legal Consequences of the Construction of a Wall in the Occupied Palestinian Territory”,² and recalling also its resolution ES-10/15 of 20 July 2004,

Expressing its concern at the exploitation by Israel, the occupying Power, of the natural resources of the Occupied Palestinian Territory, including East Jerusalem, and other Arab territories occupied by Israel since 1967,

¹ United Nations, *Treaty Series*, vol. 75, No. 973.

² A/ES-10/273 and Corr.1.

Expressing its concern also at the extensive destruction by Israel, the occupying Power, of agricultural land and orchards in the Occupied Palestinian Territory during the recent period, including the uprooting of a vast number of olive trees,

Aware of the detrimental impact of the Israeli settlements on Palestinian and other Arab natural resources, especially as a result of the confiscation of land and the forced diversion of water resources, and of the dire economic and social consequences in this regard,

Aware also of the detrimental impact on Palestinian natural resources being caused by the unlawful construction of the wall by Israel, the occupying Power, in the Occupied Palestinian Territory, including in and around East Jerusalem, and of its grave effect on the economic and social conditions of the Palestinian people,

Reaffirming the need for the immediate resumption of negotiations within the Middle East peace process, on the basis of Security Council resolutions 242 (1967), 338 (1973) of 22 October 1973, 425 (1978) of 19 March 1978 and 1397 (2002) of 12 March 2002, the principle of land for peace and the Quartet performance-based road map to a permanent two-State solution to the Israeli-Palestinian conflict,³ as endorsed by the Security Council in its resolution 1515 (2003) of 19 November 2003, and for the achievement of a final settlement on all tracks,

Recalling the need to end all acts of violence, including acts of terror, provocation, incitement and destruction,

Taking note of the note by the Secretary-General transmitting the report prepared by the Economic and Social Commission for Western Asia on the economic and social repercussions of the Israeli occupation on the living conditions of the Palestinian people in the Occupied Palestinian Territory, including Jerusalem, and of the Arab population in the occupied Syrian Golan,⁴

1. *Reaffirms* the inalienable rights of the Palestinian people and the population of the occupied Syrian Golan over their natural resources, including land and water;

2. *Calls upon* Israel, the occupying Power, not to exploit, damage, cause loss or depletion of or endanger the natural resources in the Occupied Palestinian Territory, including East Jerusalem, and in the occupied Syrian Golan;

3. *Recognizes* the right of the Palestinian people to claim restitution as a result of any exploitation, damage, loss or depletion, or endangerment of their natural resources, and expresses the hope that this issue will be dealt with in the framework of the final status negotiations between the Palestinian and Israeli sides;

4. *Requests* the Secretary-General to report to it at its sixtieth session on the implementation of the present resolution, and decides to include in the provisional agenda of its sixtieth session the item entitled "Permanent sovereignty of the Palestinian people in the Occupied Palestinian Territory, including East Jerusalem, and of the Arab population in the occupied Syrian Golan over their natural resources".

*75th plenary meeting
22 December 2004*

³ See S/2003/529, annex.

⁴ A/59/89-E/2004/21.



General Assembly

Distr.: General
31 January 2006

Sixtieth session
Agenda item 38

Resolution adopted by the General Assembly on 22 December 2005

[on the report of the Second Committee (A/60/484)]

60/183. Permanent sovereignty of the Palestinian people in the Occupied Palestinian Territory, including East Jerusalem, and of the Arab population in the occupied Syrian Golan over their natural resources

The General Assembly,

Recalling its resolution 59/251 of 22 December 2004, and taking note of Economic and Social Council resolution 2005/51 of 27 July 2005,

Recalling also its resolution 58/292 of 6 May 2004,

Reaffirming the principle of the permanent sovereignty of peoples under foreign occupation over their natural resources,

Guided by the principles of the Charter of the United Nations, affirming the inadmissibility of the acquisition of territory by force, and recalling relevant Security Council resolutions, including resolutions 242 (1967) of 22 November 1967, 465 (1980) of 1 March 1980 and 497 (1981) of 17 December 1981,

Recalling its resolution 2625 (XXV) of 24 October 1970,

Reaffirming the applicability of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949,¹ to the Occupied Palestinian Territory, including East Jerusalem, and other Arab territories occupied by Israel since 1967,

Recalling, in this regard, the International Covenant on Civil and Political Rights² and the International Covenant on Economic, Social and Cultural Rights,² and affirming that these human rights instruments must be respected in the Occupied Palestinian Territory, including East Jerusalem, as well as in the occupied Syrian Golan,

Recalling also the advisory opinion rendered on 9 July 2004 by the International Court of Justice on the *Legal Consequences of the Construction of a*

¹ United Nations, *Treaty Series*, vol. 75, No. 973.

² See resolution 2200 A (XXI), annex.

Wall in the Occupied Palestinian Territory,³ and recalling further its resolution ES-10/15 of 20 July 2004,

Expressing its concern at the exploitation by Israel, the occupying Power, of the natural resources of the Occupied Palestinian Territory, including East Jerusalem, and other Arab territories occupied by Israel since 1967,

Expressing its concern also at the extensive destruction by Israel, the occupying Power, of agricultural land and orchards in the Occupied Palestinian Territory, including the uprooting of a vast number of fruit-bearing trees,

Aware of the detrimental impact of the Israeli settlements on Palestinian and other Arab natural resources, especially as a result of the confiscation of land and the forced diversion of water resources, and of the dire economic and social consequences in this regard,

Aware also of the detrimental impact on Palestinian natural resources being caused by the unlawful construction of the wall by Israel, the occupying Power, in the Occupied Palestinian Territory, including in and around East Jerusalem, and of its grave effect on the natural resources and economic and social conditions of the Palestinian people,

Reaffirming the need for the immediate resumption of negotiations within the Middle East peace process, on the basis of Security Council resolutions 242 (1967), 338 (1973) of 22 October 1973, 425 (1978) of 19 March 1978 and 1397 (2002) of 12 March 2002, the principle of land for peace and the Quartet performance-based road map to a permanent two-State solution to the Israeli-Palestinian conflict,⁴ as endorsed by the Security Council in its resolution 1515 (2003) of 19 November 2003, and for the achievement of a final settlement on all tracks,

Acknowledging the importance of the Israeli withdrawal from within the Gaza Strip and parts of the northern West Bank and of the dismantlement of settlements therein as a step towards the implementation of the road map,

Recalling the need to end all acts of violence, including acts of terror, provocation, incitement and destruction,

Taking note with appreciation of the note by the Secretary-General transmitting the report prepared by the Economic and Social Commission for Western Asia on the economic and social repercussions of the Israeli occupation on the living conditions of the Palestinian people in the Occupied Palestinian Territory, including Jerusalem, and of the Arab population in the occupied Syrian Golan,⁵

1. *Reaffirms* the inalienable rights of the Palestinian people and the population of the occupied Syrian Golan over their natural resources, including land and water;

2. *Calls upon* Israel, the occupying Power, not to exploit, damage, cause loss or depletion of, or endanger the natural resources in the Occupied Palestinian Territory, including East Jerusalem, and in the occupied Syrian Golan;

3. *Recognizes* the right of the Palestinian people to claim restitution as a result of any exploitation, damage, loss or depletion, or endangerment of their

³ A/ES-10/273 and Corr.1.

⁴ See S/2003/529, annex.

⁵ A/60/65-E/2005/13.

natural resources resulting from illegal measures taken by Israel, the occupying Power, in the Occupied Palestinian Territory, including East Jerusalem, and expresses the hope that this issue will be dealt with in the framework of the final status negotiations between the Palestinian and Israeli sides;

4. *Stresses* that the wall being constructed by Israel in the Occupied Palestinian Territory, including in and around East Jerusalem, is contrary to international law and is seriously depriving the Palestinian people of their natural resources, and calls in this regard for full compliance with the legal obligations mentioned in the 9 July 2004 advisory opinion of the International Court of Justice³ and in resolution ES-10/15;

5. *Welcomes* the Israeli withdrawal from within the Gaza Strip and parts of the northern West Bank and the dismantlement of the settlements therein as a step towards the implementation of the road map;

6. *Calls upon* Israel, the occupying Power, in this regard, to comply strictly with its obligations under international law, including international humanitarian law, with respect to the alteration of the character and status of the Occupied Palestinian Territory, including East Jerusalem;

7. *Also calls upon* Israel, the occupying Power, to cease the dumping of all kinds of waste materials in the Occupied Palestinian Territory, including East Jerusalem, and in the occupied Syrian Golan, which gravely threaten their natural resources, namely the water and land resources, and pose an environmental hazard and health threat to the civilian populations;

8. *Requests* the Secretary-General to report to it at its sixty-first session on the implementation of the present resolution, and decides to include in the provisional agenda of its sixty-first session the item entitled “Permanent sovereignty of the Palestinian people in the Occupied Palestinian Territory, including East Jerusalem, and of the Arab population in the occupied Syrian Golan over their natural resources”.

*68th plenary meeting
22 December 2005*



General Assembly

Distr.: General
25 January 2007

Sixty-first session
Agenda item 40

Resolution adopted by the General Assembly on 20 December 2006

[on the report of the Second Committee (A/61/418)]

61/184. Permanent sovereignty of the Palestinian people in the Occupied Palestinian Territory, including East Jerusalem, and of the Arab population in the occupied Syrian Golan over their natural resources

The General Assembly,

Recalling its resolution 60/183 of 22 December 2005, and taking note of Economic and Social Council resolution 2006/43 of 27 July 2006,

Recalling also its resolutions 59/251 of 22 December 2004 and 58/292 of 6 May 2004,

Reaffirming the principle of the permanent sovereignty of peoples under foreign occupation over their natural resources,

Guided by the principles of the Charter of the United Nations, affirming the inadmissibility of the acquisition of territory by force, and recalling relevant Security Council resolutions, including resolutions 242 (1967) of 22 November 1967, 465 (1980) of 1 March 1980 and 497 (1981) of 17 December 1981,

Recalling its resolution 2625 (XXV) of 24 October 1970,

Reaffirming the applicability of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949,¹ to the Occupied Palestinian Territory, including East Jerusalem, and other Arab territories occupied by Israel since 1967,

Recalling, in this regard, the International Covenant on Civil and Political Rights² and the International Covenant on Economic, Social and Cultural Rights,² and affirming that these human rights instruments must be respected in the Occupied Palestinian Territory, including East Jerusalem, as well as in the occupied Syrian Golan,

Recalling also the advisory opinion rendered on 9 July 2004 by the International Court of Justice on the *Legal Consequences of the Construction of a*

¹ United Nations, *Treaty Series*, vol. 75, No. 973.

² See resolution 2200 A (XXI), annex.

Wall in the Occupied Palestinian Territory,³ and recalling further its resolution ES-10/15 of 20 July 2004,

Expressing its concern at the exploitation by Israel, the occupying Power, of the natural resources of the Occupied Palestinian Territory, including East Jerusalem, and other Arab territories occupied by Israel since 1967,

Expressing its grave concern at the extensive destruction by Israel, the occupying Power, of agricultural land and orchards in the Occupied Palestinian Territory, including the uprooting of a vast number of fruit-bearing trees,

Expressing its concern at the widespread destruction caused by Israel, the occupying Power, to vital infrastructure, including water pipelines and sewage networks, in the Occupied Palestinian Territory, which, inter alia, pollutes the environment and negatively affects the natural resources of the Palestinian people,

Aware of the detrimental impact of the Israeli settlements on Palestinian and other Arab natural resources, especially as a result of the confiscation of land and the forced diversion of water resources, and of the dire economic and social consequences in this regard,

Aware also of the detrimental impact on Palestinian natural resources being caused by the unlawful construction of the wall by Israel, the occupying Power, in the Occupied Palestinian Territory, including in and around East Jerusalem, and of its grave effect on the natural resources and economic and social conditions of the Palestinian people,

Reaffirming the need for the immediate resumption of negotiations within the Middle East peace process, on the basis of Security Council resolutions 242 (1967), 338 (1973) of 22 October 1973, 425 (1978) of 19 March 1978 and 1397 (2002) of 12 March 2002, the principle of land for peace and the Quartet performance-based road map to a permanent two-State solution to the Israeli-Palestinian conflict,⁴ as endorsed by the Security Council in its resolution 1515 (2003) of 19 November 2003, and for the achievement of a final settlement on all tracks,

Noting the Israeli withdrawal from within the Gaza Strip and parts of the northern West Bank and the importance of the dismantlement of settlements therein as a step towards the implementation of the road map,

Recalling the need to end all acts of violence, including acts of terror, provocation, incitement and destruction,

Taking note with appreciation of the note by the Secretary-General transmitting the report prepared by the Economic and Social Commission for Western Asia on the economic and social repercussions of the Israeli occupation on the living conditions of the Palestinian people in the Occupied Palestinian Territory, including East Jerusalem, and of the Arab population in the occupied Syrian Golan,⁵

1. *Reaffirms* the inalienable rights of the Palestinian people and the population of the occupied Syrian Golan over their natural resources, including land and water;

³ A/ES-10/273 and Corr.1.

⁴ See S/2003/529, annex.

⁵ A/61/67-E/2006/13.

2. *Calls upon* Israel, the occupying Power, not to exploit, damage, cause loss or depletion of, or endanger the natural resources in the Occupied Palestinian Territory, including East Jerusalem, and in the occupied Syrian Golan;

3. *Recognizes* the right of the Palestinian people to claim restitution as a result of any exploitation, damage, loss or depletion, or endangerment of their natural resources resulting from illegal measures taken by Israel, the occupying Power, in the Occupied Palestinian Territory, including East Jerusalem, and expresses the hope that this issue will be dealt with in the framework of the final status negotiations between the Palestinian and Israeli sides;

4. *Stresses* that the wall being constructed by Israel in the Occupied Palestinian Territory, including in and around East Jerusalem, is contrary to international law and is seriously depriving the Palestinian people of their natural resources, and calls in this regard for full compliance with the legal obligations mentioned in the 9 July 2004 advisory opinion of the International Court of Justice³ and in resolution ES-10/15;

5. *Notes* the Israeli withdrawal from within the Gaza Strip and parts of the northern West Bank and the dismantlement of the settlements therein as a step towards the implementation of the road map;

6. *Calls upon* Israel, the occupying Power, in this regard, to comply strictly with its obligations under international law, including international humanitarian law, with respect to the alteration of the character and status of the Occupied Palestinian Territory, including East Jerusalem;

7. *Also calls upon* Israel, the occupying Power, to cease the dumping of all kinds of waste materials in the Occupied Palestinian Territory, including East Jerusalem, and in the occupied Syrian Golan, which gravely threaten their natural resources, namely the water and land resources, and pose an environmental hazard and health threat to the civilian populations;

8. *Further calls upon* Israel to cease its destruction of vital infrastructure, including water pipelines and sewage networks, which, inter alia, has a negative impact on the natural resources of the Palestinian people;

9. *Requests* the Secretary-General to report to it at its sixty-second session on the implementation of the present resolution, and decides to include in the provisional agenda of its sixty-second session the item entitled “Permanent sovereignty of the Palestinian people in the Occupied Palestinian Territory, including East Jerusalem, and of the Arab population in the occupied Syrian Golan over their natural resources”.

*83rd plenary meeting
20 December 2006*



General Assembly

Distr.: General
31 January 2008

Sixty-second session
Agenda item 41

Resolution adopted by the General Assembly on 19 December 2007

[on the report of the Second Committee (A/62/415)]

62/181. Permanent sovereignty of the Palestinian people in the Occupied Palestinian Territory, including East Jerusalem, and of the Arab population in the occupied Syrian Golan over their natural resources

The General Assembly,

Recalling its resolution 61/184 of 20 December 2006, and taking note of Economic and Social Council resolution 2007/26 of 26 July 2007,

Recalling also its resolutions 59/251 of 22 December 2004 and 58/292 of 6 May 2004,

Reaffirming the principle of the permanent sovereignty of peoples under foreign occupation over their natural resources,

Guided by the principles of the Charter of the United Nations, affirming the inadmissibility of the acquisition of territory by force, and recalling relevant Security Council resolutions, including resolutions 242 (1967) of 22 November 1967, 465 (1980) of 1 March 1980 and 497 (1981) of 17 December 1981,

Recalling its resolution 2625 (XXV) of 24 October 1970,

Reaffirming the applicability of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949,¹ to the Occupied Palestinian Territory, including East Jerusalem, and other Arab territories occupied by Israel since 1967,

Recalling, in this regard, the International Covenant on Civil and Political Rights² and the International Covenant on Economic, Social and Cultural Rights,² and affirming that these human rights instruments must be respected in the Occupied Palestinian Territory, including East Jerusalem, as well as in the occupied Syrian Golan,

Recalling also the advisory opinion rendered on 9 July 2004 by the International Court of Justice on the *Legal Consequences of the Construction of a*

¹ United Nations, *Treaty Series*, vol. 75, No. 973.

² See resolution 2200 A (XXI), annex.

*Wall in the Occupied Palestinian Territory,*³ and recalling further its resolutions ES-10/15 of 20 July 2004 and ES-10/17 of 15 December 2006,

Expressing its concern at the exploitation by Israel, the occupying Power, of the natural resources of the Occupied Palestinian Territory, including East Jerusalem, and other Arab territories occupied by Israel since 1967,

Expressing its grave concern at the extensive destruction by Israel, the occupying Power, of agricultural land and orchards in the Occupied Palestinian Territory, including the uprooting of a vast number of fruit-bearing trees,

Expressing its concern at the widespread destruction caused by Israel, the occupying Power, to vital infrastructure, including water pipelines and sewage networks, in the Occupied Palestinian Territory, which, inter alia, pollutes the environment and negatively affects the natural resources of the Palestinian people,

Aware of the detrimental impact of the Israeli settlements on Palestinian and other Arab natural resources, especially as a result of the confiscation of land and the forced diversion of water resources, and of the dire socio-economic consequences in this regard,

Aware also of the detrimental impact on Palestinian natural resources being caused by the unlawful construction of the wall by Israel, the occupying Power, in the Occupied Palestinian Territory, including in and around East Jerusalem, and of its grave effect on the natural resources and economic and social conditions of the Palestinian people,

Reaffirming the need for the immediate resumption of negotiations within the Middle East peace process, on the basis of Security Council resolutions 242 (1967), 338 (1973) of 22 October 1973, 425 (1978) of 19 March 1978 and 1397 (2002) of 12 March 2002, the principle of land for peace, the Quartet performance-based road map to a permanent two-State solution to the Israeli-Palestinian conflict,⁴ as endorsed by the Security Council in its resolution 1515 (2003) of 19 November 2003, and the Arab Peace Initiative⁵ for the achievement of a final settlement on all tracks,

Noting the Israeli withdrawal from within the Gaza Strip and parts of the northern West Bank and the importance of the dismantlement of settlements therein as a step towards the implementation of the road map,

Stressing the need for respect and preservation of the territorial unity, contiguity and integrity of all of the Occupied Palestinian Territory, including East Jerusalem,

Recalling the need to end all acts of violence, including acts of terror, provocation, incitement and destruction,

Taking note with appreciation of the note by the Secretary-General transmitting the report prepared by the Economic and Social Commission for Western Asia on the economic and social repercussions of the Israeli occupation on

³ A/ES-10/273 and Corr.1.

⁴ See S/2003/529, annex.

⁵ A/56/1026-S/2002/932, annex II, resolution 14/221.

the living conditions of the Palestinian people in the Occupied Palestinian Territory, including East Jerusalem, and of the Arab population in the occupied Syrian Golan,⁶

1. *Reaffirms* the inalienable rights of the Palestinian people and the population of the occupied Syrian Golan over their natural resources, including land and water;

2. *Calls upon* Israel, the occupying Power, not to exploit, damage, cause loss or depletion of, or endanger the natural resources in the Occupied Palestinian Territory, including East Jerusalem, and in the occupied Syrian Golan;

3. *Recognizes* the right of the Palestinian people to claim restitution as a result of any exploitation, damage, loss or depletion, or endangerment of their natural resources resulting from illegal measures taken by Israel, the occupying Power, in the Occupied Palestinian Territory, including East Jerusalem, and expresses the hope that this issue will be dealt with in the framework of the final status negotiations between the Palestinian and Israeli sides;

4. *Stresses* that the wall being constructed by Israel in the Occupied Palestinian Territory, including in and around East Jerusalem, is contrary to international law and is seriously depriving the Palestinian people of their natural resources, and calls in this regard for full compliance with the legal obligations mentioned in the 9 July 2004 advisory opinion of the International Court of Justice³ and in resolution ES-10/15;

5. *Calls upon* Israel, the occupying Power, to comply strictly with its obligations under international law, including international humanitarian law, with respect to the alteration of the character and status of the Occupied Palestinian Territory, including East Jerusalem;

6. *Also calls upon* Israel, the occupying Power, to cease the dumping of all kinds of waste materials in the Occupied Palestinian Territory, including East Jerusalem, and in the occupied Syrian Golan, which gravely threaten their natural resources, namely the water and land resources, and pose an environmental hazard and health threat to the civilian populations;

7. *Further calls upon* Israel to cease its destruction of vital infrastructure, including water pipelines and sewage networks, which, inter alia, has a negative impact on the natural resources of the Palestinian people;

8. *Requests* the Secretary-General to report to it at its sixty-third session on the implementation of the present resolution, and decides to include in the provisional agenda of its sixty-third session the item entitled "Permanent sovereignty of the Palestinian people in the Occupied Palestinian Territory, including East Jerusalem, and of the Arab population in the occupied Syrian Golan over their natural resources".

*78th plenary meeting
19 December 2007*

⁶ A/62/75-E/2007/13.



General Assembly

Distr.: General
28 January 2009

Sixty-third session
Agenda item 38

Resolution adopted by the General Assembly on 19 December 2008

[on the report of the Second Committee (A/63/410)]

63/201. Permanent sovereignty of the Palestinian people in the Occupied Palestinian Territory, including East Jerusalem, and of the Arab population in the occupied Syrian Golan over their natural resources

The General Assembly,

Recalling its resolution 62/181 of 19 December 2007, and taking note of Economic and Social Council resolution 2008/31 of 25 July 2008,

Recalling also its resolutions 58/292 of 6 May 2004 and 59/251 of 22 December 2004,

Reaffirming the principle of the permanent sovereignty of peoples under foreign occupation over their natural resources,

Guided by the principles of the Charter of the United Nations, affirming the inadmissibility of the acquisition of territory by force, and recalling relevant Security Council resolutions, including resolutions 242 (1967) of 22 November 1967, 465 (1980) of 1 March 1980 and 497 (1981) of 17 December 1981,

Recalling its resolution 2625 (XXV) of 24 October 1970,

Reaffirming the applicability of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949,¹ to the Occupied Palestinian Territory, including East Jerusalem, and other Arab territories occupied by Israel since 1967,

Recalling, in this regard, the International Covenant on Civil and Political Rights² and the International Covenant on Economic, Social and Cultural Rights,² and affirming that these human rights instruments must be respected in the Occupied Palestinian Territory, including East Jerusalem, as well as in the occupied Syrian Golan,

Recalling also the advisory opinion rendered on 9 July 2004 by the International Court of Justice on the *Legal Consequences of the Construction of a*

¹ United Nations, *Treaty Series*, vol. 75, No. 973.

² See resolution 2200 A (XXI), annex.

Wall in the Occupied Palestinian Territory,³ and recalling further its resolutions ES-10/15 of 20 July 2004 and ES-10/17 of 15 December 2006,

Expressing its concern at the exploitation by Israel, the occupying Power, of the natural resources of the Occupied Palestinian Territory, including East Jerusalem, and other Arab territories occupied by Israel since 1967,

Expressing its grave concern at the extensive destruction by Israel, the occupying Power, of agricultural land and orchards in the Occupied Palestinian Territory, including the uprooting of a vast number of fruit-bearing trees,

Expressing its concern at the widespread destruction caused by Israel, the occupying Power, to vital infrastructure, including water pipelines and sewage networks, in the Occupied Palestinian Territory, which, inter alia, pollutes the environment and negatively affects the natural resources of the Palestinian people,

Aware of the detrimental impact of the Israeli settlements on Palestinian and other Arab natural resources, especially as a result of the confiscation of land and the forced diversion of water resources, and of the dire socio-economic consequences in this regard,

Aware also of the detrimental impact on Palestinian natural resources being caused by the unlawful construction of the wall by Israel, the occupying Power, in the Occupied Palestinian Territory, including in and around East Jerusalem, and of its grave effect as well on the economic and social conditions of the Palestinian people,

Reaffirming the need for the advancement of negotiations within the Middle East peace process, on the basis of Security Council resolutions 242 (1967), 338 (1973) of 22 October 1973, 425 (1978) of 19 March 1978 and 1397 (2002) of 12 March 2002, the principle of land for peace, the Arab Peace Initiative,⁴ and the Quartet performance-based road map to a permanent two-State solution to the Israeli-Palestinian conflict,⁵ as endorsed by the Security Council in its resolution 1515 (2003) of 19 November 2003, for the achievement of a final settlement on all tracks,

Noting the Israeli withdrawal from within the Gaza Strip and parts of the northern West Bank and the importance of the dismantlement of settlements therein as a step towards the implementation of the road map,

Stressing the need for respect and preservation of the territorial unity, contiguity and integrity of all of the Occupied Palestinian Territory, including East Jerusalem,

Recalling the need to end all acts of violence, including acts of terror, provocation, incitement and destruction,

Taking note with appreciation of the note by the Secretary-General transmitting the report prepared by the Economic and Social Commission for Western Asia on the economic and social repercussions of the Israeli occupation on

³ See A/ES-10/273 and Corr.1; see also *Legal Consequences of the Construction of a Wall in the Occupied Palestinian Territory, Advisory Opinion, I.C.J. Reports 2004*, p. 136.

⁴ A/56/1026-S/2002/932, annex II, resolution 14/221.

⁵ See S/2003/529, annex.

the living conditions of the Palestinian people in the Occupied Palestinian Territory, including East Jerusalem, and of the Arab population in the occupied Syrian Golan,⁶

1. *Reaffirms* the inalienable rights of the Palestinian people and the population of the occupied Syrian Golan over their natural resources, including land and water;

2. *Calls upon* Israel, the occupying Power, not to exploit, damage, cause loss or depletion of, or endanger the natural resources in the Occupied Palestinian Territory, including East Jerusalem, and in the occupied Syrian Golan;

3. *Recognizes* the right of the Palestinian people to claim restitution as a result of any exploitation, damage, loss or depletion, or endangerment of their natural resources resulting from illegal measures taken by Israel, the occupying Power, in the Occupied Palestinian Territory, including East Jerusalem, and expresses the hope that this issue will be dealt with in the framework of the final status negotiations between the Palestinian and Israeli sides;

4. *Stresses* that the wall being constructed by Israel in the Occupied Palestinian Territory, including in and around East Jerusalem, is contrary to international law and is seriously depriving the Palestinian people of their natural resources, and calls in this regard for full compliance with the legal obligations mentioned in the 9 July 2004 advisory opinion of the International Court of Justice³ and in resolution ES-10/15;

5. *Calls upon* Israel, the occupying Power, to comply strictly with its obligations under international law, including international humanitarian law, with respect to the alteration of the character and status of the Occupied Palestinian Territory, including East Jerusalem;

6. *Also calls upon* Israel, the occupying Power, to cease the dumping of all kinds of waste materials in the Occupied Palestinian Territory, including East Jerusalem, and in the occupied Syrian Golan, which gravely threaten their natural resources, namely water and land resources, and pose an environmental hazard and health threat to the civilian populations;

7. *Further calls upon* Israel to cease its destruction of vital infrastructure, including water pipelines and sewage networks, which, inter alia, has a negative impact on the natural resources of the Palestinian people;

8. *Requests* the Secretary-General to report to it at its sixty-fourth session on the implementation of the present resolution, and decides to include in the provisional agenda of its sixty-fourth session the item entitled “Permanent sovereignty of the Palestinian people in the Occupied Palestinian Territory, including East Jerusalem, and of the Arab population in the occupied Syrian Golan over their natural resources”.

*72nd plenary meeting
19 December 2008*

⁶ A/63/74-E/2008/13.



General Assembly

Distr.: General
29 January 2010

Sixty-fourth session
Agenda item 40

Resolution adopted by the General Assembly on 21 December 2009

[on the report of the Second Committee (A/64/416)]

64/185. Permanent sovereignty of the Palestinian people in the Occupied Palestinian Territory, including East Jerusalem, and of the Arab population in the occupied Syrian Golan over their natural resources

The General Assembly,

Recalling its resolution 63/201 of 19 December 2008, and taking note of Economic and Social Council resolution 2009/34 of 31 July 2009,

Recalling also its resolutions 58/292 of 6 May 2004 and 59/251 of 22 December 2004,

Reaffirming the principle of the permanent sovereignty of peoples under foreign occupation over their natural resources,

Guided by the principles of the Charter of the United Nations, affirming the inadmissibility of the acquisition of territory by force, and recalling relevant Security Council resolutions, including resolutions 242 (1967) of 22 November 1967, 465 (1980) of 1 March 1980 and 497 (1981) of 17 December 1981,

Recalling its resolution 2625 (XXV) of 24 October 1970,

Reaffirming the applicability of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949,¹ to the Occupied Palestinian Territory, including East Jerusalem, and other Arab territories occupied by Israel since 1967,

Recalling, in this regard, the International Covenant on Civil and Political Rights² and the International Covenant on Economic, Social and Cultural Rights,² and affirming that these human rights instruments must be respected in the Occupied Palestinian Territory, including East Jerusalem, as well as in the occupied Syrian Golan,

¹ United Nations, *Treaty Series*, vol. 75, No. 973.

² See resolution 2200 A (XXI), annex.



Recalling also the advisory opinion rendered on 9 July 2004 by the International Court of Justice on the *Legal Consequences of the Construction of a Wall in the Occupied Palestinian Territory*,³ and recalling further its resolutions ES-10/15 of 20 July 2004 and ES-10/17 of 15 December 2006,

Expressing its concern at the exploitation by Israel, the occupying Power, of the natural resources of the Occupied Palestinian Territory, including East Jerusalem, and other Arab territories occupied by Israel since 1967,

Expressing its grave concern at the extensive destruction by Israel, the occupying Power, of agricultural land and orchards in the Occupied Palestinian Territory, including the uprooting of a vast number of fruit-bearing trees and the destruction of farms and greenhouses,

Expressing its concern at the widespread destruction caused by Israel, the occupying Power, to vital infrastructure, including water pipelines and sewage networks, in the Occupied Palestinian Territory, in particular in the Gaza Strip in the recent period, which, inter alia, pollutes the environment and negatively affects the water supply and other natural resources of the Palestinian people,

Taking note in this regard of the recent report by the United Nations Environment Programme regarding the grave environmental situation in the Gaza Strip,⁴ and stressing the need for follow-up to the recommendations therein,

Aware of the detrimental impact of the Israeli settlements on Palestinian and other Arab natural resources, especially as a result of the confiscation of land and the forced diversion of water resources, and of the dire socio-economic consequences in this regard,

Aware also of the detrimental impact on Palestinian natural resources being caused by the unlawful construction of the wall by Israel, the occupying Power, in the Occupied Palestinian Territory, including in and around East Jerusalem, and of its grave effect as well on the economic and social conditions of the Palestinian people,

Reaffirming the need for the resumption and advancement of negotiations within the Middle East peace process, on the basis of Security Council resolutions 242 (1967), 338 (1973) of 22 October 1973, 425 (1978) of 19 March 1978 and 1397 (2002) of 12 March 2002, the principle of land for peace, the Arab Peace Initiative,⁵ and the Quartet performance-based road map to a permanent two-State solution to the Israeli-Palestinian conflict,⁶ as endorsed by the Security Council in its resolution 1515 (2003) of 19 November 2003 and supported by the Council in its resolution 1850 (2008) of 16 December 2008, for the achievement of a final settlement on all tracks,

Noting the Israeli withdrawal from within the Gaza Strip and parts of the northern West Bank and the importance of the dismantlement of settlements therein in the context of the road map,

³ See A/ES-10/273 and Corr.1; see also *Legal Consequences of the Construction of a Wall in the Occupied Palestinian Territory, Advisory Opinion, I.C.J. Reports 2004*, p. 136.

⁴ United Nations Environment Programme, *Environmental Assessment of the Gaza Strip following the Escalation of Hostilities in December 2008-January 2009* (Nairobi, 2009).

⁵ A/56/1026-S/2002/932, annex II, resolution 14/221.

⁶ See S/2003/529, annex.

Stressing the need for respect and preservation of the territorial unity, contiguity and integrity of all of the Occupied Palestinian Territory, including East Jerusalem,

Recalling the need to end all acts of violence, including acts of terror, provocation, incitement and destruction,

Taking note of the note by the Secretary-General transmitting the report prepared by the Economic and Social Commission for Western Asia on the economic and social repercussions of the Israeli occupation on the living conditions of the Palestinian people in the Occupied Palestinian Territory, including East Jerusalem, and of the Arab population in the occupied Syrian Golan,⁷

1. *Reaffirms* the inalienable rights of the Palestinian people and the population of the occupied Syrian Golan over their natural resources, including land and water;

2. *Demands* that Israel, the occupying Power, cease the exploitation, damage, cause of loss or depletion of, or endangerment of the natural resources in the Occupied Palestinian Territory, including East Jerusalem, and in the occupied Syrian Golan;

3. *Recognizes* the right of the Palestinian people to claim restitution as a result of any exploitation, damage, loss or depletion, or endangerment of their natural resources resulting from illegal measures taken by Israel, the occupying Power, in the Occupied Palestinian Territory, including East Jerusalem, and expresses the hope that this issue will be dealt with in the framework of the final status negotiations between the Palestinian and Israeli sides;

4. *Stresses* that the wall being constructed by Israel in the Occupied Palestinian Territory, including in and around East Jerusalem, is contrary to international law and is seriously depriving the Palestinian people of their natural resources, and calls in this regard for full compliance with the legal obligations mentioned in the 9 July 2004 advisory opinion of the International Court of Justice³ and in resolution ES-10/15;

5. *Calls upon* Israel, the occupying Power, to comply strictly with its obligations under international law, including international humanitarian law, with respect to the alteration of the character and status of the Occupied Palestinian Territory, including East Jerusalem;

6. *Also calls upon* Israel, the occupying Power, to cease all actions harming the environment, including the dumping of all kinds of waste materials in the Occupied Palestinian Territory, including East Jerusalem, and in the occupied Syrian Golan, which gravely threaten their natural resources, namely water and land resources, and which pose an environmental, sanitation and health threat to the civilian populations;

7. *Further calls upon* Israel to cease its destruction of vital infrastructure, including water pipelines and sewage networks, which, inter alia, has a negative impact on the natural resources of the Palestinian people;

8. *Requests* the Secretary-General to report to it at its sixty-fifth session on the implementation of the present resolution, and decides to include in the

⁷ A/64/77-E/2009/13.

provisional agenda of its sixty-fifth session the item entitled “Permanent sovereignty of the Palestinian people in the Occupied Palestinian Territory, including East Jerusalem, and of the Arab population in the occupied Syrian Golan over their natural resources”.

*66th plenary meeting
21 December 2009*



General Assembly

Distr.: General
22 March 2011

Sixty-fifth session
Agenda item 60

Resolution adopted by the General Assembly on 20 December 2010

[on the report of the Second Committee (A/65/443)]

65/179. Permanent sovereignty of the Palestinian people in the Occupied Palestinian Territory, including East Jerusalem, and of the Arab population in the occupied Syrian Golan over their natural resources

The General Assembly,

Recalling its resolution 64/185 of 21 December 2009, and taking note of Economic and Social Council resolution 2010/31 of 23 July 2010,

Recalling also its resolutions 58/292 of 6 May 2004 and 59/251 of 22 December 2004,

Reaffirming the principle of the permanent sovereignty of peoples under foreign occupation over their natural resources,

Guided by the principles of the Charter of the United Nations, affirming the inadmissibility of the acquisition of territory by force, and recalling relevant Security Council resolutions, including resolutions 242 (1967) of 22 November 1967, 465 (1980) of 1 March 1980 and 497 (1981) of 17 December 1981,

Recalling its resolution 2625 (XXV) of 24 October 1970,

Reaffirming the applicability of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949,¹ to the Occupied Palestinian Territory, including East Jerusalem, and other Arab territories occupied by Israel since 1967,

Recalling, in this regard, the International Covenant on Civil and Political Rights² and the International Covenant on Economic, Social and Cultural Rights,² and affirming that these human rights instruments must be respected in the Occupied Palestinian Territory, including East Jerusalem, as well as in the occupied Syrian Golan,

¹ United Nations, *Treaty Series*, vol. 75, No. 973.

² See resolution 2200 A (XXI), annex.



Recalling also the advisory opinion rendered on 9 July 2004 by the International Court of Justice on the *Legal Consequences of the Construction of a Wall in the Occupied Palestinian Territory*,³ and recalling further its resolutions ES-10/15 of 20 July 2004 and ES-10/17 of 15 December 2006,

Expressing its concern about the exploitation by Israel, the occupying Power, of the natural resources of the Occupied Palestinian Territory, including East Jerusalem, and other Arab territories occupied by Israel since 1967,

Expressing its grave concern about the extensive destruction by Israel, the occupying Power, of agricultural land and orchards in the Occupied Palestinian Territory, including the uprooting of a vast number of fruit-bearing trees and the destruction of farms and greenhouses,

Expressing its concern about the widespread destruction caused by Israel, the occupying Power, to vital infrastructure, including water pipelines and sewage networks, in the Occupied Palestinian Territory, in particular in the Gaza Strip in the recent period, which, inter alia, pollutes the environment and negatively affects the water supply and other natural resources of the Palestinian people,

Taking note, in this regard, of the 2009 report by the United Nations Environment Programme regarding the grave environmental situation in the Gaza Strip,⁴ and stressing the need for follow-up to the recommendations contained therein,

Aware of the detrimental impact of the Israeli settlements on Palestinian and other Arab natural resources, especially as a result of the confiscation of land and the forced diversion of water resources, and of the dire socio-economic consequences in this regard,

Aware also of the detrimental impact on Palestinian natural resources being caused by the unlawful construction of the wall by Israel, the occupying Power, in the Occupied Palestinian Territory, including in and around East Jerusalem, and of its grave effect as well on the economic and social conditions of the Palestinian people,

Reaffirming the need for the resumption and accelerated advancement of negotiations within the Middle East peace process, on the basis of Security Council resolutions 242 (1967), 338 (1973) of 22 October 1973, 425 (1978) of 19 March 1978 and 1397 (2002) of 12 March 2002, the principle of land for peace, the Arab Peace Initiative⁵ and the Quartet performance-based road map to a permanent two-State solution to the Israeli-Palestinian conflict,⁶ as endorsed by the Security Council in its resolution 1515 (2003) of 19 November 2003 and supported by the Council in its resolution 1850 (2008) of 16 December 2008, for the achievement of a final settlement on all tracks,

Noting the Israeli withdrawal from within the Gaza Strip and parts of the northern West Bank and the importance of the dismantlement of settlements therein in the context of the road map, and stressing in this regard the road map obligation

³ See A/ES-10/273 and Corr.1; see also *Legal Consequences of the Construction of a Wall in the Occupied Palestinian Territory, Advisory Opinion, I.C.J. Reports 2004*, p. 136.

⁴ *Environmental Assessment of the Gaza Strip following the Escalation of Hostilities in December 2008–January 2009* (United Nations publication, Sales No. E.09.III.D.30).

⁵ A/56/1026-S/2002/932, annex II, resolution 14/221.

⁶ S/2003/529, annex.

upon Israel to freeze settlement activity, including so-called “natural growth”, and to dismantle all settlement outposts erected since March 2001,

Stressing the need for respect and preservation of the territorial unity, contiguity and integrity of all of the Occupied Palestinian Territory, including East Jerusalem,

Recalling the need to end all acts of violence, including acts of terror, provocation, incitement and destruction,

Taking note of the note by the Secretary-General transmitting the report prepared by the Economic and Social Commission for Western Asia on the economic and social repercussions of the Israeli occupation on the living conditions of the Palestinian people in the Occupied Palestinian Territory, including East Jerusalem, and of the Arab population in the occupied Syrian Golan,⁷

1. *Reaffirms* the inalienable rights of the Palestinian people and of the population of the occupied Syrian Golan over their natural resources, including land and water;

2. *Demands* that Israel, the occupying Power, cease the exploitation, damage, cause of loss or depletion, and endangerment of the natural resources in the Occupied Palestinian Territory, including East Jerusalem, and in the occupied Syrian Golan;

3. *Recognizes* the right of the Palestinian people to claim restitution as a result of any exploitation, damage, loss or depletion, or endangerment of their natural resources resulting from illegal measures taken by Israel, the occupying Power, in the Occupied Palestinian Territory, including East Jerusalem, and expresses the hope that this issue will be dealt with within the framework of the final status negotiations between the Palestinian and Israeli sides;

4. *Stresses* that the wall and settlements being constructed by Israel in the Occupied Palestinian Territory, including in and around East Jerusalem, are contrary to international law and are seriously depriving the Palestinian people of their natural resources, and calls in this regard for full compliance with the legal obligations affirmed in the 9 July 2004 advisory opinion of the International Court of Justice³ and in relevant United Nations resolutions, including General Assembly resolution ES-10/15;

5. *Calls upon* Israel, the occupying Power, to comply strictly with its obligations under international law, including international humanitarian law, with respect to the alteration of the character and status of the Occupied Palestinian Territory, including East Jerusalem;

6. *Also calls upon* Israel, the occupying Power, to cease all actions harming the environment, including the dumping of all kinds of waste materials in the Occupied Palestinian Territory, including East Jerusalem, and in the occupied Syrian Golan, which gravely threaten their natural resources, namely water and land resources, and which pose an environmental, sanitation and health threat to the civilian populations;

⁷ A/65/72-E/2010/13.

7. *Further calls upon* Israel to cease its destruction of vital infrastructure, including water pipelines and sewage networks, which, inter alia, has a negative impact on the natural resources of the Palestinian people;

8. *Requests* the Secretary-General to report to the General Assembly at its sixty-sixth session on the implementation of the present resolution, including with regard to the cumulative impact of the exploitation, damage and depletion by Israel of natural resources in the Occupied Palestinian Territory, including East Jerusalem, and in the occupied Syrian Golan, and decides to include in the provisional agenda of its sixty-sixth session the item entitled “Permanent sovereignty of the Palestinian people in the Occupied Palestinian Territory, including East Jerusalem, and of the Arab population in the occupied Syrian Golan over their natural resources”.

*69th plenary meeting
20 December 2010*



General Assembly

Distr.: General
29 March 2012

Sixty-sixth session
Agenda item 61

Resolution adopted by the General Assembly on 22 December 2011

[on the report of the Second Committee (A/66/449)]

66/225. Permanent sovereignty of the Palestinian people in the Occupied Palestinian Territory, including East Jerusalem, and of the Arab population in the occupied Syrian Golan over their natural resources

The General Assembly,

Recalling its resolution 65/179 of 20 December 2010, and taking note of Economic and Social Council resolution 2011/41 of 28 July 2011,

Recalling also its resolutions 58/292 of 6 May 2004 and 59/251 of 22 December 2004,

Reaffirming the principle of the permanent sovereignty of peoples under foreign occupation over their natural resources,

Guided by the principles of the Charter of the United Nations, affirming the inadmissibility of the acquisition of territory by force, and recalling relevant Security Council resolutions, including resolutions 242 (1967) of 22 November 1967, 465 (1980) of 1 March 1980 and 497 (1981) of 17 December 1981,

Recalling its resolution 2625 (XXV) of 24 October 1970,

Reaffirming the applicability of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949,¹ to the Occupied Palestinian Territory, including East Jerusalem, and other Arab territories occupied by Israel since 1967,

Recalling, in this regard, the International Covenant on Civil and Political Rights² and the International Covenant on Economic, Social and Cultural Rights,² and affirming that these human rights instruments must be respected in the Occupied Palestinian Territory, including East Jerusalem, as well as in the occupied Syrian Golan,

¹ United Nations, *Treaty Series*, vol. 75, No. 973.

² See resolution 2200 A (XXI), annex.



Recalling also the advisory opinion rendered on 9 July 2004 by the International Court of Justice on the *Legal Consequences of the Construction of a Wall in the Occupied Palestinian Territory*,³ and recalling further its resolutions ES-10/15 of 20 July 2004 and ES-10/17 of 15 December 2006,

Expressing its concern about the exploitation by Israel, the occupying Power, of the natural resources of the Occupied Palestinian Territory, including East Jerusalem, and other Arab territories occupied by Israel since 1967,

Expressing its grave concern about the extensive destruction by Israel, the occupying Power, of agricultural land and orchards in the Occupied Palestinian Territory, including the uprooting of a vast number of fruit-bearing trees and the destruction of farms and greenhouses, and the grave environmental and economic impact in this regard,

Expressing its concern about the widespread destruction caused by Israel, the occupying Power, to vital infrastructure, including water pipelines and sewage networks, in the Occupied Palestinian Territory, in particular in the Gaza Strip in the recent period, which, inter alia, pollutes the environment and negatively affects the water supply and other natural resources of the Palestinian people,

Taking note, in this regard, of the 2009 report by the United Nations Environment Programme regarding the grave environmental situation in the Gaza Strip,⁴ and stressing the need for follow-up to the recommendations contained therein,

Aware of the detrimental impact of the Israeli settlements on Palestinian and other Arab natural resources, especially as a result of the confiscation of land and the forced diversion of water resources, and of the dire socioeconomic consequences in this regard,

Aware also of the detrimental impact on Palestinian natural resources being caused by the unlawful construction of the wall by Israel, the occupying Power, in the Occupied Palestinian Territory, including in and around East Jerusalem, and of its grave effect as well on the economic and social conditions of the Palestinian people,

Reaffirming the need for the resumption and accelerated advancement of negotiations within the Middle East peace process, on the basis of Security Council resolutions 242 (1967), 338 (1973) of 22 October 1973, 425 (1978) of 19 March 1978 and 1397 (2002) of 12 March 2002, the principle of land for peace, the Arab Peace Initiative⁵ and the Quartet performance-based road map to a permanent two-State solution to the Israeli-Palestinian conflict,⁶ as endorsed by the Security Council in its resolution 1515 (2003) of 19 November 2003 and supported by the Council in its resolution 1850 (2008) of 16 December 2008, for the achievement of a final settlement on all tracks,

Noting the Israeli withdrawal from within the Gaza Strip and parts of the northern West Bank and the importance of the dismantlement of settlements therein in the context of the road map, and calling in this regard for respect of the road map

³ See A/ES-10/273 and Corr.1; see also *Legal Consequences of the Construction of a Wall in the Occupied Palestinian Territory, Advisory Opinion, I.C.J. Reports 2004*, p. 136.

⁴ *Environmental Assessment of the Gaza Strip following the Escalation of Hostilities in December 2008-January 2009* (United Nations publication, Sales No. E.09.III.D.30).

⁵ A/56/1026-S/2002/932, annex II, resolution 14/221.

⁶ S/2003/529, annex.

obligation upon Israel to freeze settlement activity, including so-called “natural growth”, and to dismantle all settlement outposts erected since March 2001,

Stressing the need for respect and preservation of the territorial unity, contiguity and integrity of all of the Occupied Palestinian Territory, including East Jerusalem,

Recalling the need to end all acts of violence, including acts of terror, provocation, incitement and destruction,

Taking note of the note by the Secretary-General transmitting the report prepared by the Economic and Social Commission for Western Asia on the economic and social repercussions of the Israeli occupation on the living conditions of the Palestinian people in the Occupied Palestinian Territory, including East Jerusalem, and of the Arab population in the occupied Syrian Golan,⁷

1. *Reaffirms* the inalienable rights of the Palestinian people and of the population of the occupied Syrian Golan over their natural resources, including land, water and energy resources;

2. *Demands* that Israel, the occupying Power, cease the exploitation, damage, cause of loss or depletion, and endangerment of the natural resources in the Occupied Palestinian Territory, including East Jerusalem, and in the occupied Syrian Golan;

3. *Recognizes* the right of the Palestinian people to claim restitution as a result of any exploitation, damage, loss or depletion, or endangerment of their natural resources resulting from illegal measures taken by Israel, the occupying Power, in the Occupied Palestinian Territory, including East Jerusalem, and expresses the hope that this issue will be dealt with within the framework of the final status negotiations between the Palestinian and Israeli sides;

4. *Stresses* that the wall and settlements being constructed by Israel in the Occupied Palestinian Territory, including in and around East Jerusalem, are contrary to international law and are seriously depriving the Palestinian people of their natural resources, and calls in this regard for full compliance with the legal obligations affirmed in the 9 July 2004 advisory opinion of the International Court of Justice³ and in relevant United Nations resolutions, including General Assembly resolution ES-10/15;

5. *Calls upon* Israel, the occupying Power, to comply strictly with its obligations under international law, including international humanitarian law, with respect to the alteration of the character and status of the Occupied Palestinian Territory, including East Jerusalem;

6. *Also calls upon* Israel, the occupying Power, to cease all actions harming the environment, including the dumping of all kinds of waste materials in the Occupied Palestinian Territory, including East Jerusalem, and in the occupied Syrian Golan, which gravely threaten their natural resources, namely water and land resources, and which pose an environmental, sanitation and health threat to the civilian populations;

7. *Further calls upon* Israel to cease its destruction of vital infrastructure, including water pipelines and sewage networks, which, inter alia, has a negative impact on the natural resources of the Palestinian people;

⁷ A/66/78-E/2011/13.

8. *Requests* the Secretary-General to report to the General Assembly at its sixty-seventh session on the implementation of the present resolution, including with regard to the cumulative impact of the exploitation, damage and depletion by Israel of natural resources in the Occupied Palestinian Territory, including East Jerusalem, and in the occupied Syrian Golan, and decides to include in the provisional agenda of its sixty-seventh session the item entitled “Permanent sovereignty of the Palestinian people in the Occupied Palestinian Territory, including East Jerusalem, and of the Arab population in the occupied Syrian Golan over their natural resources”.

*91st plenary meeting
22 December 2011*



General Assembly

Distr.: General
9 April 2013

Sixty-seventh session
Agenda item 61

Resolution adopted by the General Assembly on 21 December 2012

[on the report of the Second Committee (A/67/444)]

67/229. Permanent sovereignty of the Palestinian people in the Occupied Palestinian Territory, including East Jerusalem, and of the Arab population in the occupied Syrian Golan over their natural resources

The General Assembly,

Recalling its resolution 66/225 of 22 December 2011, and taking note of Economic and Social Council resolution 2012/23 of 26 July 2012,

Recalling also its resolutions 58/292 of 6 May 2004 and 59/251 of 22 December 2004,

Reaffirming the principle of the permanent sovereignty of peoples under foreign occupation over their natural resources,

Guided by the principles of the Charter of the United Nations, affirming the inadmissibility of the acquisition of territory by force, and recalling relevant Security Council resolutions, including resolutions 242 (1967) of 22 November 1967, 465 (1980) of 1 March 1980 and 497 (1981) of 17 December 1981,

Recalling its resolution 2625 (XXV) of 24 October 1970,

Reaffirming the applicability of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949,¹ to the Occupied Palestinian Territory, including East Jerusalem, and other Arab territories occupied by Israel since 1967,

Recalling, in this regard, the International Covenant on Civil and Political Rights² and the International Covenant on Economic, Social and Cultural Rights,² and affirming that these human rights instruments must be respected in the Occupied Palestinian Territory, including East Jerusalem, as well as in the occupied Syrian Golan,

* Reissued for technical reasons on 15 July 2013.

¹ United Nations, *Treaty Series*, vol. 75, No. 973.

² See resolution 2200 A (XXI), annex.



Recalling also the advisory opinion rendered on 9 July 2004 by the International Court of Justice on the legal consequences of the construction of a wall in the Occupied Palestinian Territory³ and recalling further its resolutions ES-10/15 of 20 July 2004 and ES-10/17 of 15 December 2006,

Expressing its concern about the exploitation by Israel, the occupying Power, of the natural resources of the Occupied Palestinian Territory, including East Jerusalem, and other Arab territories occupied by Israel since 1967,

Expressing its grave concern about the extensive destruction by Israel, the occupying Power, of agricultural land and orchards in the Occupied Palestinian Territory, including the uprooting of a vast number of fruit-bearing trees and the destruction of farms and greenhouses, and the grave environmental and economic impact in this regard,

Expressing its concern about the widespread destruction caused by Israel, the occupying Power, to vital infrastructure, including water pipelines and sewage networks, in the Occupied Palestinian Territory, in particular in the Gaza Strip in the recent period, which, inter alia, pollutes the environment and negatively affects the water supply and other natural resources of the Palestinian people,

Taking note, in this regard, of the 2009 report by the United Nations Environment Programme regarding the grave environmental situation in the Gaza Strip, and stressing the need for follow-up to the recommendations contained therein,

Aware of the detrimental impact of the Israeli settlements on Palestinian and other Arab natural resources, especially as a result of the confiscation of land and the forced diversion of water resources, including the destruction of orchards and crops and the seizure of water wells by Israeli settlers, and of the dire socioeconomic consequences in this regard,

Aware also of the detrimental impact on Palestinian natural resources being caused by the unlawful construction of the wall by Israel, the occupying Power, in the Occupied Palestinian Territory, including in and around East Jerusalem, and of its grave effect as well on the economic and social conditions of the Palestinian people,

Reaffirming the need for the resumption and accelerated advancement of negotiations within the Middle East peace process, on the basis of Security Council resolutions 242 (1967), 338 (1973) of 22 October 1973, 425 (1978) of 19 March 1978 and 1397 (2002) of 12 March 2002, the principle of land for peace, the Arab Peace Initiative⁴ and the Quartet performance-based road map to a permanent two-State solution to the Israeli-Palestinian conflict,⁵ as endorsed by the Security Council in its resolution 1515 (2003) of 19 November 2003 and supported by the Council in its resolution 1850 (2008) of 16 December 2008, for the achievement of a final peace settlement on all tracks,

Stressing in this regard the need for respect for the obligation upon Israel under the road map to freeze settlement activity, including so-called “natural growth”, and to dismantle all settlement outposts erected since March 2001,

³ See A/ES-10/273 and Corr.1.

⁴ A/56/1026-S/2002/932, annex II, resolution 14/221.

⁵ S/2003/529, annex.

Stressing also the need for respect and preservation of the territorial unity, contiguity and integrity of all of the Occupied Palestinian Territory, including East Jerusalem,

Recalling the need to end all acts of violence, including acts of terror, provocation, incitement and destruction,

Taking note of the note by the Secretary-General transmitting the report prepared by the Economic and Social Commission for Western Asia on the economic and social repercussions of the Israeli occupation on the living conditions of the Palestinian people in the Occupied Palestinian Territory, including East Jerusalem, and of the Arab population in the occupied Syrian Golan,⁶

1. *Reaffirms* the inalienable rights of the Palestinian people and of the population of the occupied Syrian Golan over their natural resources, including land, water and energy resources;

2. *Demands* that Israel, the occupying Power, cease the exploitation, damage, cause of loss or depletion, and endangerment of the natural resources in the Occupied Palestinian Territory, including East Jerusalem, and in the occupied Syrian Golan;

3. *Recognizes* the right of the Palestinian people to claim restitution as a result of any exploitation, damage, loss or depletion, or endangerment of their natural resources resulting from illegal measures taken by Israel, the occupying Power, and Israeli settlers in the Occupied Palestinian Territory, including East Jerusalem, and expresses the hope that this issue will be dealt with within the framework of the final status negotiations between the Palestinian and Israeli sides;

4. *Stresses* that the wall and settlements being constructed by Israel in the Occupied Palestinian Territory, including in and around East Jerusalem, are contrary to international law and are seriously depriving the Palestinian people of their natural resources, and calls in this regard for full compliance with the legal obligations affirmed in the 9 July 2004 advisory opinion of the International Court of Justice³ and in relevant United Nations resolutions, including General Assembly resolution ES-10/15;

5. *Calls upon* Israel, the occupying Power, to comply strictly with its obligations under international law, including international humanitarian law, with respect to the alteration of the character and status of the Occupied Palestinian Territory, including East Jerusalem;

6. *Also calls upon* Israel, the occupying Power, to cease all actions harming the environment, including the dumping of all kinds of waste materials in the Occupied Palestinian Territory, including East Jerusalem, and in the occupied Syrian Golan, which gravely threaten their natural resources, namely water and land resources, and which pose an environmental, sanitation and health threat to the civilian populations;

7. *Further calls upon* Israel to cease its destruction of vital infrastructure, including water pipelines and sewage networks, which, inter alia, has a negative impact on the natural resources of the Palestinian people;

8. *Requests* the Secretary-General to report to the General Assembly at its sixty-eighth session on the implementation of the present resolution, including with regard to the cumulative impact of the exploitation, damage and depletion by Israel

⁶ A/67/91-E/2012/13.

of natural resources in the Occupied Palestinian Territory, including East Jerusalem, and in the occupied Syrian Golan, and decides to include in the provisional agenda of its sixty-eighth session the item entitled “Permanent sovereignty of the Palestinian people in the Occupied Palestinian Territory, including East Jerusalem, and of the Arab population in the occupied Syrian Golan over their natural resources”.

*61st plenary meeting
21 December 2012*



General Assembly

Distr.: General
7 February 2014

Sixty-eighth session
Agenda item 61

Resolution adopted by the General Assembly on 20 December 2013

[on the report of the Second Committee (A/68/446)]

68/235. Permanent sovereignty of the Palestinian people in the Occupied Palestinian Territory, including East Jerusalem, and of the Arab population in the occupied Syrian Golan over their natural resources

The General Assembly,

Recalling its resolution [67/229](#) of 21 December 2012, and taking note of Economic and Social Council resolution 2013/8 of 19 July 2013,

Recalling also its resolutions [58/292](#) of 6 May 2004 and [59/251](#) of 22 December 2004,

Reaffirming the principle of the permanent sovereignty of peoples under foreign occupation over their natural resources,

Guided by the principles of the Charter of the United Nations, affirming the inadmissibility of the acquisition of territory by force, and recalling relevant Security Council resolutions, including resolutions [242 \(1967\)](#) of 22 November 1967, [465 \(1980\)](#) of 1 March 1980 and [497 \(1981\)](#) of 17 December 1981,

Recalling its resolution 2625 (XXV) of 24 October 1970,

Reaffirming the applicability of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949,¹ to the Occupied Palestinian Territory, including East Jerusalem, and other Arab territories occupied by Israel since 1967,

Recalling, in this regard, the International Covenant on Civil and Political Rights² and the International Covenant on Economic, Social and Cultural Rights,² and affirming that these human rights instruments must be respected in the Occupied Palestinian Territory, including East Jerusalem, as well as in the occupied Syrian Golan,

¹ United Nations, *Treaty Series*, vol. 75, No. 973.

² See resolution 2200 A (XXI), annex.



Recalling also the advisory opinion rendered on 9 July 2004 by the International Court of Justice on the legal consequences of the construction of a wall in the Occupied Palestinian Territory,³ and recalling further its resolutions ES-10/15 of 20 July 2004 and ES-10/17 of 15 December 2006,

Taking note of its resolution 67/19 of 29 November 2012,

Expressing its concern about the exploitation by Israel, the occupying Power, of the natural resources of the Occupied Palestinian Territory, including East Jerusalem, and other Arab territories occupied by Israel since 1967,

Expressing its grave concern about the extensive destruction by Israel, the occupying Power, of agricultural land and orchards in the Occupied Palestinian Territory, including the uprooting of a vast number of fruit-bearing trees and the destruction of farms and greenhouses, and the grave environmental and economic impact in this regard,

Expressing its concern about the widespread destruction caused by Israel, the occupying Power, to vital infrastructure, including water pipelines and sewage networks, in the Occupied Palestinian Territory, in particular in the Gaza Strip, which, inter alia, pollutes the environment and negatively affects the water supply and other natural resources of the Palestinian people, and stressing the urgency of the reconstruction and development of water infrastructure, including the project for the desalination facility for the Gaza Strip,

Taking note, in this regard, of the 2009 report by the United Nations Environment Programme regarding the grave environmental situation in the Gaza Strip, and of the 2012 report, "Gaza in 2020: A liveable place?", by the United Nations country team in the Occupied Palestinian Territory, and stressing the need for follow-up to the recommendations contained therein,

Aware of the detrimental impact of the Israeli settlements on Palestinian and other Arab natural resources, especially as a result of the confiscation of land and the forced diversion of water resources, including the destruction of orchards and crops and the seizure of water wells by Israeli settlers, and of the dire socioeconomic consequences in this regard,

Taking note of the report of the independent international fact-finding mission to investigate the implications of the Israeli settlements on the civil, political, economic, social and cultural rights of the Palestinian people throughout the Occupied Palestinian Territory, including East Jerusalem,⁴

Aware of the detrimental impact on Palestinian natural resources being caused by the unlawful construction of the wall by Israel, the occupying Power, in the Occupied Palestinian Territory, including in and around East Jerusalem, and of its grave effect as well on the economic and social conditions of the Palestinian people,

Welcoming the resumption of negotiations within the Middle East peace process, on the basis of Security Council resolutions 242 (1967), 338 (1973) of 22 October 1973, 425 (1978) of 19 March 1978 and 1397 (2002) of 12 March 2002, the principle of land for peace, the Arab Peace Initiative⁵ and the Quartet performance-based road

³ See A/ES-10/273 and Corr.1.

⁴ A/HRC/22/63.

⁵ A/56/1026-S/2002/932, annex II, resolution 14/221.

map to a permanent two-State solution to the Israeli-Palestinian conflict,⁶ as endorsed by the Security Council in its resolution 1515 (2003) of 19 November 2003 and supported by the Council in its resolution 1850 (2008) of 16 December 2008, for the achievement of a final peace settlement on all tracks,

Stressing in this regard the need for respect for the obligation upon Israel under the road map to freeze settlement activity, including so-called “natural growth”, and to dismantle all settlement outposts erected since March 2001,

Stressing also the need for respect and preservation of the territorial unity, contiguity and integrity of all of the Occupied Palestinian Territory, including East Jerusalem,

Recalling the need to end all acts of violence, including acts of terror, provocation, incitement and destruction,

Taking note of the report prepared by the Economic and Social Commission for Western Asia on the economic and social repercussions of the Israeli occupation on the living conditions of the Palestinian people in the Occupied Palestinian Territory, including East Jerusalem, and of the Arab population in the occupied Syrian Golan, as transmitted by the Secretary-General,⁷

1. *Reaffirms* the inalienable rights of the Palestinian people and of the population of the occupied Syrian Golan over their natural resources, including land, water and energy resources;

2. *Demands* that Israel, the occupying Power, cease the exploitation, damage, cause of loss or depletion and endangerment of the natural resources in the Occupied Palestinian Territory, including East Jerusalem, and in the occupied Syrian Golan;

3. *Recognizes* the right of the Palestinian people to claim restitution as a result of any exploitation, damage, loss or depletion, or endangerment of their natural resources resulting from illegal measures taken by Israel, the occupying Power, and Israeli settlers in the Occupied Palestinian Territory, including East Jerusalem, and expresses the hope that this issue will be dealt with within the framework of the final status negotiations between the Palestinian and Israeli sides;

4. *Stresses* that the wall and settlements being constructed by Israel in the Occupied Palestinian Territory, including in and around East Jerusalem, are contrary to international law and are seriously depriving the Palestinian people of their natural resources, and calls in this regard for full compliance with the legal obligations affirmed in the 9 July 2004 advisory opinion of the International Court of Justice³ and in relevant United Nations resolutions, including General Assembly resolution ES-10/15;

5. *Calls upon* Israel, the occupying Power, to comply strictly with its obligations under international law, including international humanitarian law, with respect to the alteration of the character and status of the Occupied Palestinian Territory, including East Jerusalem;

6. *Also calls upon* Israel, the occupying Power, to bring a halt to all actions, including those perpetrated by Israeli settlers, harming the environment, including the dumping of all kinds of waste materials, in the Occupied Palestinian Territory,

⁶ S/2003/529, annex.

⁷ A/68/77-E/2013/13.

including East Jerusalem, and in the occupied Syrian Golan, which gravely threaten their natural resources, namely water and land resources, and which pose an environmental, sanitation and health threat to the civilian populations;

7. *Further calls upon* Israel to cease its destruction of vital infrastructure, including water pipelines and sewage networks, which, inter alia, has a negative impact on the natural resources of the Palestinian people, and stresses the need to advance reconstruction and development projects in this regard, including in the Gaza Strip;

8. *Requests* the Secretary-General to report to the General Assembly at its sixty-ninth session on the implementation of the present resolution, including with regard to the cumulative impact of the exploitation, damage and depletion by Israel of natural resources in the Occupied Palestinian Territory, including East Jerusalem, and in the occupied Syrian Golan, and decides to include in the provisional agenda of its sixty-ninth session the item entitled “Permanent sovereignty of the Palestinian people in the Occupied Palestinian Territory, including East Jerusalem, and of the Arab population in the occupied Syrian Golan over their natural resources”.

*71st plenary meeting
20 December 2013*



General Assembly

Distr.: General
2 February 2015

Sixty-ninth session
Agenda item 60

Resolution adopted by the General Assembly on 19 December 2014

[on the report of the Second Committee (A/69/475)]

69/241. Permanent sovereignty of the Palestinian people in the Occupied Palestinian Territory, including East Jerusalem, and of the Arab population in the occupied Syrian Golan over their natural resources

The General Assembly,

Recalling its resolution 68/235 of 20 December 2013, and taking note of Economic and Social Council resolution 2014/26 of 16 July 2014,

Recalling also its resolutions 58/292 of 6 May 2004 and 59/251 of 22 December 2004,

Reaffirming the principle of the permanent sovereignty of peoples under foreign occupation over their natural resources,

Guided by the principles of the Charter of the United Nations, affirming the inadmissibility of the acquisition of territory by force, and recalling relevant Security Council resolutions, including resolutions 242 (1967) of 22 November 1967, 465 (1980) of 1 March 1980 and 497 (1981) of 17 December 1981,

Recalling its resolution 2625 (XXV) of 24 October 1970,

Reaffirming the applicability of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949,¹ to the Occupied Palestinian Territory, including East Jerusalem, and other Arab territories occupied by Israel since 1967,

Recalling, in this regard, the International Covenant on Civil and Political Rights² and the International Covenant on Economic, Social and Cultural Rights,² and affirming that these human rights instruments must be respected in the Occupied Palestinian Territory, including East Jerusalem, as well as in the occupied Syrian Golan,

Recalling also the advisory opinion rendered on 9 July 2004 by the International Court of Justice on the legal consequences of the construction of a

¹ United Nations, *Treaty Series*, vol. 75, No. 973.

² See resolution 2200 A (XXI), annex.



wall in the Occupied Palestinian Territory,³ and recalling further its resolutions ES-10/15 of 20 July 2004 and ES-10/17 of 15 December 2006,

Recalling further its resolution 67/19 of 29 November 2012,

Taking note of the accession by Palestine, on 1 April 2014, to several human rights treaties and the core humanitarian law treaties,

Expressing its concern about the exploitation by Israel, the occupying Power, of the natural resources of the Occupied Palestinian Territory, including East Jerusalem, and other Arab territories occupied by Israel since 1967,

Expressing its grave concern about the extensive destruction by Israel, the occupying Power, of agricultural land and orchards in the Occupied Palestinian Territory, including the uprooting of a vast number of fruit-bearing trees and the destruction of farms and greenhouses, and the grave environmental and economic impact in this regard,

Expressing its grave concern also about the widespread destruction caused by Israel, the occupying Power, to vital infrastructure, including water pipelines, sewage networks and electricity networks, in the Occupied Palestinian Territory, in particular in the Gaza Strip during the military operations of July and August 2014, which, inter alia, pollutes the environment and negatively affects the functioning of water and sanitation systems and the water supply and other natural resources of the Palestinian people, and stressing the urgency of the reconstruction and development of water and other vital civilian infrastructure, including the project for the desalination facility for the Gaza Strip,

Expressing its grave concern further about the negative impact on the environment and on reconstruction and development efforts of the thousands of items of unexploded ordnance that remain in the Gaza Strip as a result of the conflict in July and August 2014,

Recalling, in this regard, the 2009 report by the United Nations Environment Programme regarding the grave environmental situation in the Gaza Strip, and the 2012 report, "Gaza in 2020: A liveable place?", by the United Nations country team in the Occupied Palestinian Territory, and stressing the need for follow-up to the recommendations contained therein,

Aware of the detrimental impact of the Israeli settlements on Palestinian and other Arab natural resources, especially as a result of the confiscation of land and the forced diversion of water resources, including the destruction of orchards and crops and the seizure of water wells by Israeli settlers, and of the dire socioeconomic consequences in this regard,

Recalling the report of the independent international fact-finding mission to investigate the implications of the Israeli settlements on the civil, political, economic, social and cultural rights of the Palestinian people throughout the Occupied Palestinian Territory, including East Jerusalem,⁴

Aware of the detrimental impact on Palestinian natural resources being caused by the unlawful construction of the wall by Israel, the occupying Power, in the

³ See A/ES-10/273 and Corr.1.

⁴ A/HRC/22/63.

Occupied Palestinian Territory, including in and around East Jerusalem, and of its grave effect as well on the economic and social conditions of the Palestinian people,

Stressing the urgency of achieving without delay an end to the Israeli occupation that began in 1967 and a just, lasting and comprehensive peace settlement on all tracks, on the basis of Security Council resolutions 242 (1967), 338 (1973) of 22 October 1973, 425 (1978) of 19 March 1978 and 1397 (2002) of 12 March 2002, the principle of land for peace, the Arab Peace Initiative⁵ and the Quartet performance-based road map to a permanent two-State solution to the Israeli-Palestinian conflict,⁶ as endorsed by the Security Council in its resolution 1515 (2003) of 19 November 2003 and supported by the Council in its resolution 1850 (2008) of 16 December 2008,

Stressing also, in this regard, the need for respect for the obligation upon Israel under the road map to freeze settlement activity, including so-called “natural growth”, and to dismantle all settlement outposts erected since March 2001,

Stressing further the need for respect and preservation of the territorial unity, contiguity and integrity of all of the Occupied Palestinian Territory, including East Jerusalem,

Recalling the need to end all acts of violence, including acts of terror, provocation, incitement and destruction,

Taking note of the report prepared by the Economic and Social Commission for Western Asia on the economic and social repercussions of the Israeli occupation on the living conditions of the Palestinian people in the Occupied Palestinian Territory, including East Jerusalem, and of the Arab population in the occupied Syrian Golan, as transmitted by the Secretary-General,⁷

1. *Reaffirms* the inalienable rights of the Palestinian people and of the population of the occupied Syrian Golan over their natural resources, including land, water and energy resources;
2. *Demands* that Israel, the occupying Power, cease the exploitation, damage, cause of loss or depletion and endangerment of the natural resources in the Occupied Palestinian Territory, including East Jerusalem, and in the occupied Syrian Golan;
3. *Recognizes* the right of the Palestinian people to claim restitution as a result of any exploitation, damage, loss or depletion or endangerment of their natural resources resulting from illegal measures taken by Israel, the occupying Power, and Israeli settlers in the Occupied Palestinian Territory, including East Jerusalem, and expresses the hope that this issue will be dealt with within the framework of the final status negotiations between the Palestinian and Israeli sides;
4. *Stresses* that the wall and settlements being constructed by Israel in the Occupied Palestinian Territory, including in and around East Jerusalem, are contrary to international law and are seriously depriving the Palestinian people of their natural resources, and calls in this regard for full compliance with the legal obligations affirmed in the 9 July 2004 advisory opinion of the International Court

⁵ A/56/1026-S/2002/932, annex II, resolution 14/221.

⁶ S/2003/529, annex.

⁷ A/69/81-E/2014/13.

of Justice³ and in relevant United Nations resolutions, including General Assembly resolution ES-10/15;

5. *Calls upon* Israel, the occupying Power, to comply strictly with its obligations under international law, including international humanitarian law, with respect to the alteration of the character and status of the Occupied Palestinian Territory, including East Jerusalem;

6. *Also calls upon* Israel, the occupying Power, to bring a halt to all actions, including those perpetrated by Israeli settlers, harming the environment, including the dumping of all kinds of waste materials, in the Occupied Palestinian Territory, including East Jerusalem, and in the occupied Syrian Golan, which gravely threaten their natural resources, namely water and land resources, and which pose an environmental, sanitation and health threat to the civilian populations;

7. *Calls upon* Israel to cease its destruction of vital infrastructure, including water pipelines, sewage networks and electricity networks, which, inter alia, has a negative impact on the natural resources of the Palestinian people, stresses the urgent need to advance reconstruction and development projects in this regard, including in the Gaza Strip, and calls for support for the necessary efforts in this regard, in line with the commitments made at, inter alia, the Cairo International Conference on Palestine: Reconstructing Gaza, held on 12 October 2014;

8. *Calls for* the immediate and safe removal of all unexploded ordnance in the Gaza Strip and for support for the efforts of the United Nations Mine Action Service in this regard;

9. *Requests* the Secretary-General to report to the General Assembly at its seventieth session on the implementation of the present resolution, including with regard to the cumulative impact of the exploitation, damage and depletion by Israel of natural resources in the Occupied Palestinian Territory, including East Jerusalem, and in the occupied Syrian Golan, and decides to include in the provisional agenda of its seventieth session the item entitled “Permanent sovereignty of the Palestinian people in the Occupied Palestinian Territory, including East Jerusalem, and of the Arab population in the occupied Syrian Golan over their natural resources”.

*75th plenary meeting
19 December 2014*



General Assembly

Distr.: General
23 February 2016

Seventieth session
Agenda item 64

Resolution adopted by the General Assembly on 22 December 2015

[on the report of the Second Committee (A/70/480)]

70/225. Permanent sovereignty of the Palestinian people in the Occupied Palestinian Territory, including East Jerusalem, and of the Arab population in the occupied Syrian Golan over their natural resources

The General Assembly,

Recalling its resolution 69/241 of 19 December 2014, and taking note of Economic and Social Council resolution 2015/17 of 20 July 2015,

Recalling also its resolutions 58/292 of 6 May 2004 and 59/251 of 22 December 2004,

Reaffirming the principle of the permanent sovereignty of peoples under foreign occupation over their natural resources,

Guided by the principles of the Charter of the United Nations, affirming the inadmissibility of the acquisition of territory by force, and recalling relevant Security Council resolutions, including resolutions 242 (1967) of 22 November 1967, 465 (1980) of 1 March 1980 and 497 (1981) of 17 December 1981,

Recalling its resolution 2625 (XXV) of 24 October 1970,

Reaffirming the applicability of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949,¹ to the Occupied Palestinian Territory, including East Jerusalem, and other Arab territories occupied by Israel since 1967,

Recalling, in this regard, the International Covenant on Civil and Political Rights² and the International Covenant on Economic, Social and Cultural Rights,² and affirming that these human rights instruments must be respected in the Occupied Palestinian Territory, including East Jerusalem, as well as in the occupied Syrian Golan,

Recalling also the advisory opinion rendered on 9 July 2004 by the International Court of Justice on the legal consequences of the construction of a wall

¹ United Nations, *Treaty Series*, vol. 75, No. 973.

² See resolution 2200 A (XXI), annex.



in the Occupied Palestinian Territory,³ and recalling further its resolutions ES-10/15 of 20 July 2004 and ES-10/17 of 15 December 2006,

Recalling further its resolution 67/19 of 29 November 2012,

Taking note of the accession by Palestine to several human rights treaties and the core humanitarian law treaties, as well as to other international treaties,

Expressing its concern about the exploitation by Israel, the occupying Power, of the natural resources of the Occupied Palestinian Territory, including East Jerusalem, and other Arab territories occupied by Israel since 1967,

Expressing its grave concern about the extensive destruction by Israel, the occupying Power, of agricultural land and orchards in the Occupied Palestinian Territory, including the uprooting of a vast number of fruit-bearing trees and the destruction of farms and greenhouses, and the grave environmental and economic impact in this regard,

Expressing its grave concern also about the widespread destruction caused by Israel, the occupying Power, to vital infrastructure, including water pipelines, sewage networks and electricity networks, in the Occupied Palestinian Territory, in particular in the Gaza Strip during the military operations of July and August 2014, which, inter alia, has polluted the environment and which negatively affects the functioning of water and sanitation systems and the water supply and other natural resources of the Palestinian people, and stressing the urgency of the reconstruction and development of water and other vital civilian infrastructure, including the project for the desalination facility for the Gaza Strip,

Expressing its grave concern further about the negative impact on the environment and on reconstruction and development efforts of the thousands of items of unexploded ordnance that remain in the Gaza Strip as a result of the conflict in July and August 2014,

Recalling the 2009 report by the United Nations Environment Programme regarding the grave environmental situation in the Gaza Strip, and the 2012 report, "Gaza in 2020: A liveable place?", by the United Nations country team in the Occupied Palestinian Territory, and stressing the need for follow-up to the recommendations contained therein,

Deploring the detrimental impact of the Israeli settlements on Palestinian and other Arab natural resources, especially as a result of the confiscation of land and the forced diversion of water resources, including the destruction of orchards and crops and the seizure of water wells by Israeli settlers, and of the dire socioeconomic consequences in this regard,

Recalling the report of the independent international fact-finding mission to investigate the implications of the Israeli settlements on the civil, political, economic, social and cultural rights of the Palestinian people throughout the Occupied Palestinian Territory, including East Jerusalem,⁴

Aware of the detrimental impact on Palestinian natural resources being caused by the unlawful construction of the wall by Israel, the occupying Power, in the

³ See A/ES-10/273 and Corr.1.

⁴ A/HRC/22/63.

Occupied Palestinian Territory, including in and around East Jerusalem, and of its grave effect as well on the economic and social conditions of the Palestinian people,

Stressing the urgency of achieving without delay an end to the Israeli occupation that began in 1967 and a just, lasting and comprehensive peace settlement on all tracks, on the basis of Security Council resolutions 242 (1967), 338 (1973) of 22 October 1973, 425 (1978) of 19 March 1978 and 1397 (2002) of 12 March 2002, the principle of land for peace, the Arab Peace Initiative⁵ and the Quartet performance-based road map to a permanent two-State solution to the Israeli-Palestinian conflict,⁶ as endorsed by the Security Council in its resolution 1515 (2003) of 19 November 2003 and supported by the Council in its resolution 1850 (2008) of 16 December 2008,

Stressing also, in this regard, the need for respect for the obligation upon Israel under the road map to freeze settlement activity, including so-called “natural growth”, and to dismantle all settlement outposts erected since March 2001,

Stressing further the need for respect and preservation of the territorial unity, contiguity and integrity of all of the Occupied Palestinian Territory, including East Jerusalem,

Recalling the need to end all acts of violence, including acts of terror, provocation, incitement and destruction,

Taking note of the report prepared by the Economic and Social Commission for Western Asia on the economic and social repercussions of the Israeli occupation on the living conditions of the Palestinian people in the Occupied Palestinian Territory, including East Jerusalem, and of the Arab population in the occupied Syrian Golan, as transmitted by the Secretary-General,⁷

1. *Reaffirms* the inalienable rights of the Palestinian people and of the population of the occupied Syrian Golan over their natural resources, including land, water and energy resources;
2. *Demands* that Israel, the occupying Power, cease the exploitation, damage, cause of loss or depletion and endangerment of the natural resources in the Occupied Palestinian Territory, including East Jerusalem, and in the occupied Syrian Golan;
3. *Recognizes* the right of the Palestinian people to claim restitution as a result of any exploitation, damage, loss or depletion or endangerment of their natural resources resulting from illegal measures taken by Israel, the occupying Power, and Israeli settlers in the Occupied Palestinian Territory, including East Jerusalem, and expresses the hope that this issue will be dealt with within the framework of the final status negotiations between the Palestinian and Israeli sides;
4. *Stresses* that the wall and settlements being constructed by Israel in the Occupied Palestinian Territory, including in and around East Jerusalem, are contrary to international law and are seriously depriving the Palestinian people of their natural resources, and calls in this regard for full compliance with the legal obligations affirmed in the 9 July 2004 advisory opinion of the International Court

⁵ A/56/1026-S/2002/932, annex II, resolution 14/221.

⁶ S/2003/529, annex.

⁷ A/70/82-E/2015/13.

of Justice³ and in relevant United Nations resolutions, including General Assembly resolution ES-10/15;

5. *Calls upon* Israel, the occupying Power, to comply strictly with its obligations under international law, including international humanitarian law, and to cease immediately and completely all policies and measures aimed at the alteration of the character and status of the Occupied Palestinian Territory, including East Jerusalem;

6. *Also calls upon* Israel, the occupying Power, to bring a halt to all actions, including those perpetrated by Israeli settlers, harming the environment, including the dumping of all kinds of waste materials, in the Occupied Palestinian Territory, including East Jerusalem, and in the occupied Syrian Golan, which gravely threaten their natural resources, namely water and land resources, and which pose an environmental, sanitation and health threat to the civilian populations;

7. *Further calls upon* Israel to cease its destruction of vital infrastructure, including water pipelines, sewage networks and electricity networks, which, inter alia, has a negative impact on the natural resources of the Palestinian people, stresses the urgent need to advance reconstruction and development projects in this regard, including in the Gaza Strip, and calls for support for the necessary efforts in this regard, in line with the commitments made at, inter alia, the Cairo International Conference on Palestine: Reconstructing Gaza, held on 12 October 2014;

8. *Calls upon* Israel, the occupying Power, to remove all obstacles to the implementation of critical environmental projects, including sewage treatment plants in the Gaza Strip and the reconstruction and development of water infrastructure, including the project for the desalination facility for the Gaza Strip;

9. *Calls for* the immediate and safe removal of all unexploded ordnance in the Gaza Strip and for support for the efforts of the United Nations Mine Action Service in this regard, and welcomes the efforts exerted by the Mine Action Service to date;

10. *Encourages* all States and international organizations to continue to actively pursue policies to ensure respect for their obligations under international law with regard to all illegal Israeli practices and measures in the Occupied Palestinian Territory, including East Jerusalem, particularly Israeli settlement activities and the exploitation of natural resources;

11. *Requests* the Secretary-General to report to the General Assembly at its seventy-first session on the implementation of the present resolution, including with regard to the cumulative impact of the exploitation, damage and depletion by Israel of natural resources in the Occupied Palestinian Territory, including East Jerusalem, and in the occupied Syrian Golan, and decides to include in the provisional agenda of its seventy-first session the item entitled “Permanent sovereignty of the Palestinian people in the Occupied Palestinian Territory, including East Jerusalem, and of the Arab population in the occupied Syrian Golan over their natural resources”.

*81st plenary meeting
22 December 2015*



General Assembly

Distr.: General
7 February 2017

Seventy-first session
Agenda item 59

Resolution adopted by the General Assembly on 21 December 2016

[on the report of the Second Committee (A/71/470)]

71/247. Permanent sovereignty of the Palestinian people in the Occupied Palestinian Territory, including East Jerusalem, and of the Arab population in the occupied Syrian Golan over their natural resources

The General Assembly,

Recalling its resolution [70/225](#) of 22 December 2015, and taking note of Economic and Social Council resolution 2016/14 of 25 July 2016,

Recalling also its resolutions [58/292](#) of 6 May 2004 and [59/251](#) of 22 December 2004,

Reaffirming the principle of the permanent sovereignty of peoples under foreign occupation over their natural resources,

Guided by the principles of the Charter of the United Nations, affirming the inadmissibility of the acquisition of territory by force, and recalling relevant Security Council resolutions, including resolutions [242 \(1967\)](#) of 22 November 1967, [465 \(1980\)](#) of 1 March 1980 and [497 \(1981\)](#) of 17 December 1981,

Recalling its resolution 2625 (XXV) of 24 October 1970,

Bearing in mind its resolution [70/1](#) of 25 September 2015, entitled “Transforming our world: the 2030 Agenda for Sustainable Development”,

Reaffirming the applicability of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949,¹ to the Occupied Palestinian Territory, including East Jerusalem, and other Arab territories occupied by Israel since 1967,

Recalling, in this regard, the International Covenant on Civil and Political Rights² and the International Covenant on Economic, Social and Cultural Rights,² and affirming that these human rights instruments must be respected in the Occupied Palestinian Territory, including East Jerusalem, as well as in the occupied Syrian Golan,

¹ United Nations, *Treaty Series*, vol. 75, No. 973.

² See resolution 2200 A (XXI), annex.



Recalling also the advisory opinion rendered on 9 July 2004 by the International Court of Justice on the legal consequences of the construction of a wall in the Occupied Palestinian Territory,³ and recalling further its resolutions ES-10/15 of 20 July 2004 and ES-10/17 of 15 December 2006,

Recalling further its resolution 67/19 of 29 November 2012,

Taking note of the accession by Palestine to several human rights treaties and the core humanitarian law treaties, as well as to other international treaties,

Expressing its concern about the exploitation by Israel, the occupying Power, of the natural resources of the Occupied Palestinian Territory, including East Jerusalem, and other Arab territories occupied by Israel since 1967,

Expressing its grave concern about the extensive destruction by Israel, the occupying Power, of agricultural land and orchards in the Occupied Palestinian Territory, including the uprooting of a vast number of fruit-bearing trees and the destruction of farms and greenhouses, and the grave environmental and economic impact in this regard,

Expressing its grave concern also about the widespread destruction caused by Israel, the occupying Power, to vital infrastructure, including water pipelines, sewage networks and electricity networks, in the Occupied Palestinian Territory, in particular in the Gaza Strip during the military operations of July and August 2014, which, inter alia, has polluted the environment and which negatively affects the functioning of water and sanitation systems and the water supply and other natural resources of the Palestinian people, and stressing the urgency of the reconstruction and development of water and other vital civilian infrastructure, including the project for the desalination facility for the Gaza Strip,

Expressing its grave concern further about the negative impact on the environment and on reconstruction and development efforts of unexploded ordnance that remains in the Gaza Strip as a result of the conflict in July and August 2014, and commending the efforts of the Mine Action Service of the United Nations for the safe removal of such ordnance,

Expressing its grave concern about the chronic energy shortage in the Gaza Strip and its detrimental impact on the operation of water and sanitation facilities, which threaten to further erode groundwater resources, of which only 5 per cent remains potable,

Recalling the 2009 report by the United Nations Environment Programme regarding the grave environmental situation in the Gaza Strip, and the 2012 and 2016 reports by the United Nations country team, entitled “Gaza in 2020: a liveable place?” and “Gaza: two years after”, respectively, and stressing the need for follow up to the recommendations contained therein,

Deploring the detrimental impact of the Israeli settlements on Palestinian and other Arab natural resources, especially as a result of the confiscation of land and the forced diversion of water resources, including the destruction of orchards and crops and the seizure of water wells by Israeli settlers, and of the dire socioeconomic consequences in this regard,

³ See [A/ES-10/273](#) and Corr.1.

Recalling the report of the independent international fact-finding mission to investigate the implications of the Israeli settlements on the civil, political, economic, social and cultural rights of the Palestinian people throughout the Occupied Palestinian Territory, including East Jerusalem,⁴

Aware of the detrimental impact on Palestinian natural resources being caused by the unlawful construction of the wall by Israel, the occupying Power, in the Occupied Palestinian Territory, including in and around East Jerusalem, and of its grave effect as well on the economic and social conditions of the Palestinian people,

Stressing the urgency of achieving without delay an end to the Israeli occupation that began in 1967 and a just, lasting and comprehensive peace settlement on all tracks, on the basis of Security Council resolutions [242 \(1967\)](#), [338 \(1973\)](#) of 22 October 1973, [425 \(1978\)](#) of 19 March 1978 and [1397 \(2002\)](#) of 12 March 2002, the principle of land for peace, the Arab Peace Initiative⁵ and the Quartet performance-based road map to a permanent two-State solution to the Israeli-Palestinian conflict,⁶ as endorsed by the Security Council in its resolution [1515 \(2003\)](#) of 19 November 2003 and supported by the Council in its resolution [1850 \(2008\)](#) of 16 December 2008,

Stressing also, in this regard, the need for respect for the obligation upon Israel under the road map to freeze settlement activity, including so-called “natural growth”, and to dismantle all settlement outposts erected since March 2001,

Stressing further the need for respect and preservation of the territorial unity, contiguity and integrity of all of the Occupied Palestinian Territory, including East Jerusalem,

Recalling the need to end all acts of violence, including acts of terror, provocation, incitement and destruction,

Taking note of the report prepared by the Economic and Social Commission for Western Asia on the economic and social repercussions of the Israeli occupation on the living conditions of the Palestinian people in the Occupied Palestinian Territory, including East Jerusalem, and of the Arab population in the occupied Syrian Golan, as transmitted by the Secretary-General,⁷

1. *Reaffirms* the inalienable rights of the Palestinian people and of the population of the occupied Syrian Golan over their natural resources, including land, water and energy resources;
2. *Demands* that Israel, the occupying Power, cease the exploitation, damage, cause of loss or depletion and endangerment of the natural resources in the Occupied Palestinian Territory, including East Jerusalem, and in the occupied Syrian Golan;
3. *Recognizes* the right of the Palestinian people to claim restitution as a result of any exploitation, damage, loss or depletion or endangerment of their natural resources resulting from illegal measures taken by Israel, the occupying

⁴ A/HRC/22/63.

⁵ [A/56/1026-S/2002/932](#), annex II, resolution 14/221.

⁶ [S/2003/529](#), annex.

⁷ [A/71/86-E/2016/13](#).

Power, and Israeli settlers in the Occupied Palestinian Territory, including East Jerusalem, and expresses the hope that this issue will be dealt with within the framework of the final status negotiations between the Palestinian and Israeli sides;

4. *Stresses* that the wall and settlements being constructed by Israel in the Occupied Palestinian Territory, including in and around East Jerusalem, are contrary to international law and are seriously depriving the Palestinian people of their natural resources, and calls in this regard for full compliance with the legal obligations affirmed in the 9 July 2004 advisory opinion of the International Court of Justice³ and in relevant United Nations resolutions, including General Assembly resolution ES-10/15;

5. *Calls upon* Israel, the occupying Power, to comply strictly with its obligations under international law, including international humanitarian law, and to cease immediately and completely all policies and measures aimed at the alteration of the character and status of the Occupied Palestinian Territory, including East Jerusalem;

6. *Also calls upon* Israel, the occupying Power, to bring a halt to all actions, including those perpetrated by Israeli settlers, harming the environment, including the dumping of all kinds of waste materials, in the Occupied Palestinian Territory, including East Jerusalem, and in the occupied Syrian Golan, which gravely threaten their natural resources, namely water and land resources, and which pose an environmental, sanitation and health threat to the civilian populations;

7. *Further calls upon* Israel to cease its destruction of vital infrastructure, including water pipelines, sewage networks and electricity networks, and to cease its demolition and confiscation of Palestinian homes and civilian infrastructure, agricultural lands and water wells, which, inter alia, have a negative impact on the natural resources of the Palestinian people, stresses the urgent need to advance reconstruction and development projects in this regard, including in the Gaza Strip, and calls for support for the necessary efforts in this regard, in line with the commitments made at, inter alia, the Cairo International Conference on Palestine: Reconstructing Gaza, held on 12 October 2014;

8. *Calls upon* Israel, the occupying Power, to remove all obstacles to the implementation of critical environmental projects, including sewage treatment plants in the Gaza Strip and the reconstruction and development of water infrastructure, including the project for the desalination facility for the Gaza Strip;

9. *Also calls upon* Israel not to impede Palestinian development and export of discovered oil and natural gas reserves;

10. *Calls for* the immediate and safe removal of all unexploded ordnance in the Gaza Strip and for support for the efforts of the Mine Action Service of the United Nations in this regard, and welcomes the extensive efforts exerted by the Mine Action Service to date;

11. *Encourages* all States and international organizations to continue to actively pursue policies to ensure respect for their obligations under international law with regard to all illegal Israeli practices and measures in the Occupied Palestinian Territory, including East Jerusalem, particularly Israeli settlement activities and the exploitation of natural resources;

12. *Requests* the Secretary-General to report to the General Assembly at its seventy-second session on the implementation of the present resolution, including with regard to the cumulative impact of the exploitation, damage and depletion by Israel of natural resources in the Occupied Palestinian Territory, including East Jerusalem, and in the occupied Syrian Golan, and decides to include in the provisional agenda of its seventy-second session the item entitled "Permanent

sovereignty of the Palestinian people in the Occupied Palestinian Territory, including East Jerusalem, and of the Arab population in the occupied Syrian Golan over their natural resources”.

*66th plenary meeting
21 December 2016*



Seventy-second session
Agenda item 63

Resolution adopted by the General Assembly on 20 December 2017

[on the report of the Second Committee (A/72/428)]

72/240. Permanent sovereignty of the Palestinian people in the Occupied Palestinian Territory, including East Jerusalem, and of the Arab population in the occupied Syrian Golan over their natural resources

The General Assembly,

Recalling its resolution [71/247](#) of 21 December 2016, and taking note of Economic and Social Council resolution [2017/30](#) of 25 July 2017,

Recalling also its resolutions [58/292](#) of 6 May 2004 and [59/251](#) of 22 December 2004,

Reaffirming the principle of the permanent sovereignty of peoples under foreign occupation over their natural resources,

Guided by the principles of the Charter of the United Nations, affirming the inadmissibility of the acquisition of territory by force, and recalling relevant Security Council resolutions, including resolutions 242 (1967) of 22 November 1967, 465 (1980) of 1 March 1980, 497 (1981) of 17 December 1981 and [2334 \(2016\)](#) of 23 December 2016,

Recalling its resolution 2625 (XXV) of 24 October 1970,

Bearing in mind its resolution [70/1](#) of 25 September 2015, entitled “Transforming our world: the 2030 Agenda for Sustainable Development”,

Reaffirming the applicability of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949,¹ to the Occupied Palestinian Territory, including East Jerusalem, and other Arab territories occupied by Israel since 1967,

¹ United Nations, *Treaty Series*, vol. 75, No. 973.



Recalling, in this regard, the International Covenant on Civil and Political Rights² and the International Covenant on Economic, Social and Cultural Rights,² and affirming that these human rights instruments must be respected in the Occupied Palestinian Territory, including East Jerusalem, as well as in the occupied Syrian Golan,

Recalling also the advisory opinion rendered on 9 July 2004 by the International Court of Justice on the legal consequences of the construction of a wall in the Occupied Palestinian Territory,³ and recalling further its resolutions ES-10/15 of 20 July 2004 and ES-10/17 of 15 December 2006,

Recalling further its resolution 67/19 of 29 November 2012,

Taking note of the accession by Palestine to several human rights treaties and the core humanitarian law treaties, as well as to other international treaties,

Expressing its concern about the exploitation by Israel, the occupying Power, of the natural resources of the Occupied Palestinian Territory, including East Jerusalem, and other Arab territories occupied by Israel since 1967,

Expressing its grave concern about the extensive destruction by Israel, the occupying Power, of agricultural land and orchards in the Occupied Palestinian Territory, including the uprooting of a vast number of fruit-bearing trees and the destruction of farms and greenhouses, and the grave environmental and economic impact in this regard,

Expressing its grave concern also about the widespread destruction caused by Israel, the occupying Power, to vital infrastructure, including water pipelines, sewage networks and electricity networks, in the Occupied Palestinian Territory, in particular in the Gaza Strip during the military operations of July and August 2014, which, inter alia, has polluted the environment and which negatively affects the functioning of water and sanitation systems and the water supply and other natural resources of the Palestinian people, and stressing the urgency of the reconstruction and development of water and other vital civilian infrastructure, including the project for the desalination facility for the Gaza Strip,

Expressing its grave concern further about the negative impact on the environment and on reconstruction and development efforts of unexploded ordnance that remains in the Gaza Strip as a result of the conflict in July and August 2014, and commending the efforts of the Mine Action Service of the United Nations for the safe removal of such ordnance,

Expressing its grave concern about the chronic energy shortage in the Gaza Strip and its detrimental impact on the operation of water and sanitation facilities, which threaten to further erode groundwater resources, of which only 5 per cent remains potable,

Recalling the 2009 report by the United Nations Environment Programme regarding the grave environmental situation in the Gaza Strip, and relevant reports by the United Nations country team, including “Gaza in 2020: a liveable place?”, “Gaza: two years after” and “Gaza ten years later”, and stressing the need for follow-up to the recommendations contained therein,

Deploring the detrimental impact of the Israeli settlements on Palestinian and other Arab natural resources, especially as a result of the confiscation of land and the forced diversion of water resources, including the destruction of orchards and crops

² See resolution 2200 A (XXI), annex.

³ See A/ES-10/273 and A/ES-10/273/Corr.1.

and the seizure of water wells by Israeli settlers, and of the dire socioeconomic consequences in this regard,

Recalling the report of the independent international fact-finding mission to investigate the implications of the Israeli settlements on the civil, political, economic, social and cultural rights of the Palestinian people throughout the Occupied Palestinian Territory, including East Jerusalem,⁴

Aware of the detrimental impact on Palestinian natural resources being caused by the unlawful construction of the wall by Israel, the occupying Power, in the Occupied Palestinian Territory, including in and around East Jerusalem, and of its grave effect as well on the economic and social conditions of the Palestinian people,

Stressing the urgency of achieving without delay an end to the Israeli occupation that began in 1967 and a just, lasting and comprehensive peace settlement on all tracks, on the basis of Security Council resolutions 242 (1967), 338 (1973) of 22 October 1973, 425 (1978) of 19 March 1978, [1397 \(2002\)](#) of 12 March 2002 and [2334 \(2016\)](#), the principle of land for peace, the Arab Peace Initiative⁵ and the Quartet performance-based road map to a permanent two-State solution to the Israeli-Palestinian conflict,⁶ as endorsed by the Council in its resolution [1515 \(2003\)](#) of 19 November 2003 and supported by the Council in its resolution [1850 \(2008\)](#) of 16 December 2008,

Stressing also, in this regard, the need for respect for the obligation upon Israel under the road map to freeze settlement activity, including so-called “natural growth”, and to dismantle all settlement outposts erected since March 2001,

Stressing further the need for respect and preservation of the territorial unity, contiguity and integrity of all of the Occupied Palestinian Territory, including East Jerusalem,

Recalling that the Security Council, in its resolution [2334 \(2016\)](#), underlined that it would not recognize any changes to the 4 June 1967 lines, including with regard to Jerusalem, other than those agreed by the parties through negotiations,

Recalling also the need to end all acts of violence, including acts of terror, provocation, incitement and destruction,

Taking note of the report prepared by the Economic and Social Commission for Western Asia on the economic and social repercussions of the Israeli occupation on the living conditions of the Palestinian people in the Occupied Palestinian Territory, including East Jerusalem, and of the Arab population in the occupied Syrian Golan, as transmitted by the Secretary-General,⁷

1. *Reaffirms* the inalienable rights of the Palestinian people and of the population of the occupied Syrian Golan over their natural resources, including land, water and energy resources;

2. *Demands* that Israel, the occupying Power, cease the exploitation, damage, cause of loss or depletion and endangerment of the natural resources in the Occupied Palestinian Territory, including East Jerusalem, and in the occupied Syrian Golan;

3. *Recognizes* the right of the Palestinian people to claim restitution as a result of any exploitation, damage, loss or depletion or endangerment of their natural resources resulting from illegal measures taken by Israel, the occupying Power, and Israeli settlers in the Occupied Palestinian Territory, including East Jerusalem, and

⁴ [A/HRC/22/63](#).

⁵ [A/56/1026-S/2002/932](#), annex II, resolution [14/221](#).

⁶ [S/2003/529](#), annex.

⁷ [A/71/86-E/2016/13](#).

expresses the hope that this issue will be dealt with within the framework of the final status negotiations between the Palestinian and Israeli sides;

4. *Stresses* that the wall and settlements being constructed by Israel in the Occupied Palestinian Territory, including in and around East Jerusalem, are contrary to international law and are seriously depriving the Palestinian people of their natural resources, and calls in this regard for full compliance with the legal obligations affirmed in the 9 July 2004 advisory opinion of the International Court of Justice³ and in relevant United Nations resolutions, including General Assembly resolution ES-10/15;

5. *Calls upon* Israel, the occupying Power, to comply strictly with its obligations under international law, including international humanitarian law, and to cease immediately and completely all policies and measures aimed at the alteration of the character and status of the Occupied Palestinian Territory, including East Jerusalem;

6. *Also calls upon* Israel, the occupying Power, to bring a halt to all actions, including those perpetrated by Israeli settlers, harming the environment, including the dumping of all kinds of waste materials, in the Occupied Palestinian Territory, including East Jerusalem, and in the occupied Syrian Golan, which gravely threaten their natural resources, namely water and land resources, and which pose an environmental, sanitation and health threat to the civilian populations;

7. *Further calls upon* Israel to cease its destruction of vital infrastructure, including water pipelines, sewage networks and electricity networks, and to cease its demolition and confiscation of Palestinian homes and civilian infrastructure, agricultural lands and water wells, which, inter alia, have a negative impact on the natural resources of the Palestinian people, stresses the urgent need to advance reconstruction and development projects in this regard, including in the Gaza Strip, and calls for support for the necessary efforts in this regard, in line with the commitments made at, inter alia, the Cairo International Conference on Palestine: Reconstructing Gaza, held on 12 October 2014;

8. *Calls upon* Israel, the occupying Power, to remove all obstacles to the implementation of critical environmental projects, including sewage treatment plants in the Gaza Strip and the reconstruction and development of water infrastructure, including the project for the desalination facility for the Gaza Strip;

9. *Also calls upon* Israel not to impede Palestinian development and export of discovered oil and natural gas reserves;

10. *Calls for* the immediate and safe removal of all unexploded ordnance in the Gaza Strip and for support for the efforts of the Mine Action Service of the United Nations in this regard, and welcomes the extensive efforts exerted by the Mine Action Service to date;

11. *Encourages* all States and international organizations to continue to actively pursue policies to ensure respect for their obligations under international law with regard to all illegal Israeli practices and measures in the Occupied Palestinian Territory, including East Jerusalem, particularly Israeli settlement activities and the exploitation of natural resources;

12. *Underscores*, in this regard, the call by the Security Council, in its resolution [2334 \(2016\)](#), upon all States to distinguish, in their relevant dealings, between the territory of the State of Israel and the territories occupied since 1967;

13. *Requests* the Secretary-General to report to the General Assembly at its seventy-third session on the implementation of the present resolution, including with regard to the cumulative impact of the exploitation, damage and depletion by Israel

of natural resources in the Occupied Palestinian Territory, including East Jerusalem, and in the occupied Syrian Golan, and with regard to the impact of such practices on the promotion of the Sustainable Development Goals,⁸ and decides to include in the provisional agenda of its seventy-third session the item entitled “Permanent sovereignty of the Palestinian people in the Occupied Palestinian Territory, including East Jerusalem, and of the Arab population in the occupied Syrian Golan over their natural resources”.

*74th plenary meeting
20 December 2017*

⁸ See resolution [70/1](#).



Seventy-third session
Agenda item 64

Resolution adopted by the General Assembly on 20 December 2018

[on the report of the Second Committee (A/73/546)]

73/255. Permanent sovereignty of the Palestinian people in the Occupied Palestinian Territory, including East Jerusalem, and of the Arab population in the occupied Syrian Golan over their natural resources

The General Assembly,

Recalling its resolution [72/240](#) of 20 December 2017, and taking note of Economic and Social Council resolution [2018/20](#) of 24 July 2018,

Recalling also its resolutions [58/292](#) of 6 May 2004 and [59/251](#) of 22 December 2004,

Reaffirming the principle of the permanent sovereignty of peoples under foreign occupation over their natural resources,

Guided by the principles of the Charter of the United Nations, affirming the inadmissibility of the acquisition of territory by force, and recalling relevant Security Council resolutions, including resolutions [242 \(1967\)](#) of 22 November 1967, [465 \(1980\)](#) of 1 March 1980, [497 \(1981\)](#) of 17 December 1981 and [2334 \(2016\)](#) of 23 December 2016,

Recalling its resolution 2625 (XXV) of 24 October 1970,

Bearing in mind its resolution [70/1](#) of 25 September 2015, entitled “Transforming our world: the 2030 Agenda for Sustainable Development”,

Reaffirming the applicability of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949,¹ to the Occupied Palestinian Territory, including East Jerusalem, and other Arab territories occupied by Israel since 1967,

* Reissued for technical reasons on 7 March 2019.

¹ United Nations, *Treaty Series*, vol. 75, No. 973.



Recalling, in this regard, the International Covenant on Civil and Political Rights² and the International Covenant on Economic, Social and Cultural Rights,² and affirming that these human rights instruments must be respected in the Occupied Palestinian Territory, including East Jerusalem, as well as in the occupied Syrian Golan,

Recalling also the advisory opinion rendered on 9 July 2004 by the International Court of Justice on the legal consequences of the construction of a wall in the Occupied Palestinian Territory,³ and recalling further its resolutions [ES-10/15](#) of 20 July 2004 and [ES-10/17](#) of 15 December 2006,

Recalling further its resolution [67/19](#) of 29 November 2012,

Taking note of the accession by Palestine to several human rights treaties and the core humanitarian law treaties, as well as to other international treaties,

Expressing its concern about the exploitation by Israel, the occupying Power, of the natural resources of the Occupied Palestinian Territory, including East Jerusalem, and other Arab territories occupied by Israel since 1967,

Expressing its grave concern about the extensive destruction by Israel, the occupying Power, of agricultural land and orchards in the Occupied Palestinian Territory, including the uprooting of a vast number of fruit-bearing trees and the destruction of farms and greenhouses, and the grave environmental and economic impact in this regard,

Expressing its grave concern also about the widespread destruction caused by Israel, the occupying Power, to vital infrastructure, including water pipelines, sewage networks and electricity networks, in the Occupied Palestinian Territory, in particular in the Gaza Strip during the military operations of July and August 2014, which, inter alia, has polluted the environment and which negatively affects the functioning of water and sanitation systems and the water supply and other natural resources of the Palestinian people, and stressing the urgency of the reconstruction and development of water and other vital civilian infrastructure, including the project for the desalination facility for the Gaza Strip,

Expressing its grave concern further about the negative impact on the environment and on reconstruction and development efforts of unexploded ordnance that remains in the Gaza Strip as a result of the conflict in July and August 2014, and commending the efforts of the Mine Action Service of the United Nations for the safe removal of such ordnance,

Expressing its grave concern about the chronic energy shortage in the Gaza Strip and its detrimental impact on the operation of water and sanitation facilities, which threaten to further erode groundwater resources, of which only 5 per cent remains potable,

Recalling the 2009 report by the United Nations Environment Programme regarding the grave environmental situation in the Gaza Strip, and relevant reports by the United Nations country team, including “Gaza in 2020: a liveable place?”, “Gaza: two years after” and “Gaza ten years later”, and stressing the need for follow-up to the recommendations contained therein,

Deploring the detrimental impact of the Israeli settlements on Palestinian and other Arab natural resources, especially as a result of the confiscation of land and the forced diversion of water resources, including the destruction of orchards and crops and the seizure of water wells by Israeli settlers, and of the dire socioeconomic consequences in this regard,

² See resolution 2200 A (XXI), annex.

³ See [A/ES-10/273](#) and [A/ES-10/273/Corr.1](#).

Recalling the report of the independent international fact-finding mission to investigate the implications of the Israeli settlements on the civil, political, economic, social and cultural rights of the Palestinian people throughout the Occupied Palestinian Territory, including East Jerusalem,⁴

Aware of the detrimental impact on Palestinian natural resources being caused by the unlawful construction of the wall by Israel, the occupying Power, in the Occupied Palestinian Territory, including in and around East Jerusalem, and of its grave effect as well on the economic and social conditions of the Palestinian people,

Stressing the urgency of achieving without delay an end to the Israeli occupation that began in 1967 and a just, lasting and comprehensive peace settlement on all tracks, on the basis of Security Council resolutions 242 (1967), 338 (1973) of 22 October 1973, 425 (1978) of 19 March 1978, 1397 (2002) of 12 March 2002 and 2334 (2016), the principle of land for peace, the Arab Peace Initiative⁵ and the Quartet performance-based road map to a permanent two-State solution to the Israeli-Palestinian conflict,⁶ as endorsed by the Council in its resolution 1515 (2003) of 19 November 2003 and supported by the Council in its resolution 1850 (2008) of 16 December 2008,

Stressing also, in this regard, the need for respect for the obligation upon Israel under the road map to freeze settlement activity, including so-called “natural growth”, and to dismantle all settlement outposts erected since March 2001,

Stressing further the need for respect and preservation of the territorial unity, contiguity and integrity of all of the Occupied Palestinian Territory, including East Jerusalem,

Recalling that the Security Council, in its resolution 2334 (2016), underlined that it would not recognize any changes to the 4 June 1967 lines, including with regard to Jerusalem, other than those agreed by the parties through negotiations,

Recalling also the need to end all acts of violence, including acts of terror, provocation, incitement and destruction,

Taking note of the report prepared by the Economic and Social Commission for Western Asia on the economic and social repercussions of the Israeli occupation on the living conditions of the Palestinian people in the Occupied Palestinian Territory, including East Jerusalem, and of the Arab population in the occupied Syrian Golan, as transmitted by the Secretary-General,⁷

1. *Reaffirms* the inalienable rights of the Palestinian people and of the population of the occupied Syrian Golan over their natural resources, including land, water and energy resources;

2. *Demands* that Israel, the occupying Power, cease the exploitation, damage, cause of loss or depletion and endangerment of the natural resources in the Occupied Palestinian Territory, including East Jerusalem, and in the occupied Syrian Golan;

3. *Recognizes* the right of the Palestinian people to claim restitution as a result of any exploitation, damage, loss or depletion or endangerment of their natural resources resulting from illegal measures taken by Israel, the occupying Power, and Israeli settlers in the Occupied Palestinian Territory, including East Jerusalem, and expresses the hope that this issue will be dealt with within the framework of the final status negotiations between the Palestinian and Israeli sides;

⁴ A/HRC/22/63.

⁵ A/56/1026-S/2002/932, annex II, resolution 14/221.

⁶ S/2003/529, annex.

⁷ A/73/87-E/2018/69.

4. *Stresses* that the wall and settlements being constructed by Israel in the Occupied Palestinian Territory, including in and around East Jerusalem, are contrary to international law and are seriously depriving the Palestinian people of their natural resources, and calls in this regard for full compliance with the legal obligations affirmed in the 9 July 2004 advisory opinion of the International Court of Justice³ and in relevant United Nations resolutions, including General Assembly resolution [ES-10/15](#);

5. *Calls upon* Israel, the occupying Power, to comply strictly with its obligations under international law, including international humanitarian law, and to cease immediately and completely all policies and measures aimed at the alteration of the character and status of the Occupied Palestinian Territory, including East Jerusalem;

6. *Also calls upon* Israel, the occupying Power, to bring a halt to all actions, including those perpetrated by Israeli settlers, harming the environment, including the dumping of all kinds of waste materials, in the Occupied Palestinian Territory, including East Jerusalem, and in the occupied Syrian Golan, which gravely threaten their natural resources, namely water and land resources, and which pose an environmental, sanitation and health threat to the civilian populations;

7. *Further calls upon* Israel to cease its destruction of vital infrastructure, including water pipelines, sewage networks and electricity networks, and to cease its demolition and confiscation of Palestinian homes and civilian infrastructure, agricultural lands and water wells, which, inter alia, have a negative impact on the natural resources of the Palestinian people, stresses the urgent need to advance reconstruction and development projects in this regard, including in the Gaza Strip, and calls for support for the necessary efforts in this regard, in line with the commitments made at, inter alia, the Cairo International Conference on Palestine: Reconstructing Gaza, held on 12 October 2014;

8. *Calls upon* Israel, the occupying Power, to remove all obstacles to the implementation of critical environmental projects, including sewage treatment plants in the Gaza Strip and the reconstruction and development of water infrastructure, including the project for the desalination facility for the Gaza Strip;

9. *Also calls upon* Israel not to impede Palestinian development and export of discovered oil and natural gas reserves;

10. *Calls for* the immediate and safe removal of all unexploded ordnance in the Gaza Strip and for support for the efforts of the Mine Action Service of the United Nations in this regard, and welcomes the extensive efforts exerted by the Mine Action Service to date;

11. *Encourages* all States and international organizations to continue to actively pursue policies to ensure respect for their obligations under international law with regard to all illegal Israeli practices and measures in the Occupied Palestinian Territory, including East Jerusalem, particularly Israeli settlement activities and the exploitation of natural resources;

12. *Underscores*, in this regard, the call by the Security Council, in its resolution [2334 \(2016\)](#), upon all States to distinguish, in their relevant dealings, between the territory of the State of Israel and the territories occupied since 1967;

13. *Requests* the Secretary-General to report to the General Assembly at its seventy-fourth session on the implementation of the present resolution, including with regard to the cumulative impact of the exploitation, damage and depletion by Israel of natural resources in the Occupied Palestinian Territory, including East Jerusalem, and in the occupied Syrian Golan, and with regard to the impact of such practices on

the promotion of the Sustainable Development Goals,⁸ and decides to include in the provisional agenda of its seventy-fourth session the item entitled “Permanent sovereignty of the Palestinian people in the Occupied Palestinian Territory, including East Jerusalem, and of the Arab population in the occupied Syrian Golan over their natural resources”.

*62nd plenary meeting
20 December 2018*

⁸ See resolution [70/1](#).



General Assembly

Distr.: General
17 January 2020

Seventy-fourth session

Agenda item 60

Permanent sovereignty of the Palestinian people in the Occupied Palestinian Territory, including East Jerusalem, and of the Arab population in the occupied Syrian Golan over their natural resources

Resolution adopted by the General Assembly on 19 December 2019

[*on the report of the Second Committee (A/74/387)*]

74/243. Permanent sovereignty of the Palestinian people in the Occupied Palestinian Territory, including East Jerusalem, and of the Arab population in the occupied Syrian Golan over their natural resources

The General Assembly,

Recalling its resolution [73/255](#) of 20 December 2018, and taking note of Economic and Social Council resolution [2019/29](#) of 23 July 2019,

Recalling also its resolutions [58/292](#) of 6 May 2004 and [59/251](#) of 22 December 2004,

Reaffirming the principle of the permanent sovereignty of peoples under foreign occupation over their natural resources,

Guided by the principles of the Charter of the United Nations, affirming the inadmissibility of the acquisition of territory by force, and recalling relevant Security Council resolutions, including resolutions [242 \(1967\)](#) of 22 November 1967, [465 \(1980\)](#) of 1 March 1980, [497 \(1981\)](#) of 17 December 1981 and [2334 \(2016\)](#) of 23 December 2016,

Recalling its resolution [2625 \(XXV\)](#) of 24 October 1970,

Bearing in mind its resolution [70/1](#) of 25 September 2015, entitled “Transforming our world: the 2030 Agenda for Sustainable Development”,

Reaffirming the applicability of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949,¹ to the Occupied

¹ United Nations, *Treaty Series*, vol. 75, No. 973.



Palestinian Territory, including East Jerusalem, and other Arab territories occupied by Israel since 1967,

Recalling, in this regard, the International Covenant on Civil and Political Rights² and the International Covenant on Economic, Social and Cultural Rights,² and affirming that these human rights instruments must be respected in the Occupied Palestinian Territory, including East Jerusalem, as well as in the occupied Syrian Golan,

Recalling also the advisory opinion rendered on 9 July 2004 by the International Court of Justice on the legal consequences of the construction of a wall in the Occupied Palestinian Territory,³ and recalling further its resolutions [ES-10/15](#) of 20 July 2004 and [ES-10/17](#) of 15 December 2006,

Recalling further its resolution [67/19](#) of 29 November 2012,

Taking note of the accession by Palestine to several human rights treaties and the core humanitarian law treaties, as well as to other international treaties,

Expressing its concern about the exploitation by Israel, the occupying Power, of the natural resources of the Occupied Palestinian Territory, including East Jerusalem, and other Arab territories occupied by Israel since 1967,

Expressing its grave concern about the extensive destruction by Israel, the occupying Power, of agricultural land and orchards in the Occupied Palestinian Territory, including the uprooting of a vast number of fruit-bearing trees and the destruction of farms and greenhouses, and the grave environmental and economic impact in this regard,

Expressing its grave concern also about the widespread destruction caused by Israel, the occupying Power, to vital infrastructure, including water pipelines, sewage networks and electricity networks, in the Occupied Palestinian Territory, in particular in the Gaza Strip during the military operations of July and August 2014, which, inter alia, has polluted the environment and which negatively affects the functioning of water and sanitation systems and the water supply and other natural resources of the Palestinian people, and stressing the urgency of the reconstruction and development of water and other vital civilian infrastructure, including the project for the desalination facility for the Gaza Strip,

Expressing its grave concern further about the negative impact on the environment and on reconstruction and development efforts of unexploded ordnance that remains in the Gaza Strip as a result of the conflict in July and August 2014, and commending the efforts of the Mine Action Service of the United Nations for the safe removal of such ordnance,

Expressing its grave concern about the chronic energy shortage in the Gaza Strip and its detrimental impact on the operation of water and sanitation facilities, which threaten to further erode groundwater resources, of which only 5 per cent remains potable,

Recalling the 2009 report by the United Nations Environment Programme regarding the grave environmental situation in the Gaza Strip, and relevant reports by the United Nations country team, including “Gaza in 2020: a liveable place?”, “Gaza: two years after” and “Gaza ten years later”, and stressing the need for follow-up to the recommendations contained therein,

² See resolution [2200 A \(XXI\)](#), annex.

³ See [A/ES-10/273](#) and [A/ES-10/273/Corr.1](#).

Deploing the detrimental impact of the Israeli settlements on Palestinian and other Arab natural resources, especially as a result of the confiscation of land and the forced diversion of water resources, including the destruction of orchards and crops and the seizure of water wells by Israeli settlers, and of the dire socioeconomic consequences in this regard,

Recalling the report of the independent international fact-finding mission to investigate the implications of the Israeli settlements on the civil, political, economic, social and cultural rights of the Palestinian people throughout the Occupied Palestinian Territory, including East Jerusalem,⁴

Aware of the detrimental impact on Palestinian natural resources being caused by the unlawful construction of the wall by Israel, the occupying Power, in the Occupied Palestinian Territory, including in and around East Jerusalem, and of its grave effect as well on the economic and social conditions of the Palestinian people,

Stressing the urgency of achieving without delay an end to the Israeli occupation that began in 1967 and a just, lasting and comprehensive peace settlement on all tracks, on the basis of Security Council resolutions [242 \(1967\)](#), [338 \(1973\)](#) of 22 October 1973, [425 \(1978\)](#) of 19 March 1978, [1397 \(2002\)](#) of 12 March 2002 and [2334 \(2016\)](#), the principle of land for peace, the Arab Peace Initiative⁵ and the Quartet performance-based road map to a permanent two-State solution to the Israeli-Palestinian conflict,⁶ as endorsed by the Council in its resolution [1515 \(2003\)](#) of 19 November 2003 and supported by the Council in its resolution [1850 \(2008\)](#) of 16 December 2008,

Stressing also, in this regard, the need for respect for the obligation upon Israel under the road map to freeze settlement activity, including so-called “natural growth”, and to dismantle all settlement outposts erected since March 2001,

Stressing further the need for respect and preservation of the territorial unity, contiguity and integrity of all of the Occupied Palestinian Territory, including East Jerusalem,

Recalling that the Security Council, in its resolution [2334 \(2016\)](#), underlined that it would not recognize any changes to the 4 June 1967 lines, including with regard to Jerusalem, other than those agreed by the parties through negotiations,

Recalling also the need to end all acts of violence, including acts of terror, provocation, incitement and destruction,

Taking note of the report prepared by the Economic and Social Commission for Western Asia on the economic and social repercussions of the Israeli occupation on the living conditions of the Palestinian people in the Occupied Palestinian Territory, including East Jerusalem, and of the Arab population in the occupied Syrian Golan, as transmitted by the Secretary-General,⁷

1. *Reaffirms* the inalienable rights of the Palestinian people and of the population of the occupied Syrian Golan over their natural resources, including land, water and energy resources;

2. *Demands* that Israel, the occupying Power, cease the exploitation, damage, cause of loss or depletion and endangerment of the natural resources in the Occupied Palestinian Territory, including East Jerusalem, and in the occupied Syrian Golan;

⁴ [A/HRC/22/63](#).

⁵ [A/56/1026-S/2002/932](#), annex II, resolution 14/221.

⁶ [S/2003/529](#), annex.

⁷ [A/74/88-E/2019/72](#).

3. *Recognizes* the right of the Palestinian people to claim restitution as a result of any exploitation, damage, loss or depletion or endangerment of their natural resources resulting from illegal measures taken by Israel, the occupying Power, and Israeli settlers in the Occupied Palestinian Territory, including East Jerusalem, and expresses the hope that this issue will be dealt with within the framework of the final status negotiations between the Palestinian and Israeli sides;

4. *Stresses* that the wall and settlements being constructed by Israel in the Occupied Palestinian Territory, including in and around East Jerusalem, are contrary to international law and are seriously depriving the Palestinian people of their natural resources, and calls in this regard for full compliance with the legal obligations affirmed in the 9 July 2004 advisory opinion of the International Court of Justice³ and in relevant United Nations resolutions, including General Assembly resolution [ES-10/15](#);

5. *Calls upon* Israel, the occupying Power, to comply strictly with its obligations under international law, including international humanitarian law, and to cease immediately and completely all policies and measures aimed at the alteration of the character and status of the Occupied Palestinian Territory, including East Jerusalem;

6. *Also calls upon* Israel, the occupying Power, to bring a halt to all actions, including those perpetrated by Israeli settlers, harming the environment, including the dumping of all kinds of waste materials, in the Occupied Palestinian Territory, including East Jerusalem, and in the occupied Syrian Golan, which gravely threaten their natural resources, namely water and land resources, and which pose an environmental, sanitation and health threat to the civilian populations;

7. *Further calls upon* Israel to cease its destruction of vital infrastructure, including water pipelines, sewage networks and electricity networks, and to cease its demolition and confiscation of Palestinian homes and civilian infrastructure, agricultural lands and water wells, which, inter alia, have a negative impact on the natural resources of the Palestinian people, stresses the urgent need to advance reconstruction and development projects in this regard, including in the Gaza Strip, and calls for support for the necessary efforts in this regard, in line with the commitments made at, inter alia, the Cairo International Conference on Palestine: Reconstructing Gaza, held on 12 October 2014;

8. *Calls upon* Israel, the occupying Power, to remove all obstacles to the implementation of critical environmental projects, including sewage treatment plants in the Gaza Strip and the reconstruction and development of water infrastructure, including the project for the desalination facility for the Gaza Strip;

9. *Also calls upon* Israel not to impede Palestinian development and export of discovered oil and natural gas reserves;

10. *Calls for* the immediate and safe removal of all unexploded ordnance in the Gaza Strip and for support for the efforts of the Mine Action Service of the United Nations in this regard, and welcomes the extensive efforts exerted by the Mine Action Service to date;

11. *Encourages* all States and international organizations to continue to actively pursue policies to ensure respect for their obligations under international law with regard to all illegal Israeli practices and measures in the Occupied Palestinian Territory, including East Jerusalem, particularly Israeli settlement activities and the exploitation of natural resources;

12. *Underscores*, in this regard, the call by the Security Council, in its resolution [2334 \(2016\)](#), upon all States to distinguish, in their relevant dealings, between the territory of the State of Israel and the territories occupied since 1967;

13. *Requests* the Secretary-General to report to the General Assembly at its seventy-fifth session on the implementation of the present resolution, including with regard to the cumulative impact of the exploitation, damage and depletion by Israel of natural resources in the Occupied Palestinian Territory, including East Jerusalem, and in the occupied Syrian Golan, and with regard to the impact of such practices on the promotion of the Sustainable Development Goals,⁸ and decides to include in the provisional agenda of its seventy-fifth session the item entitled “Permanent sovereignty of the Palestinian people in the Occupied Palestinian Territory, including East Jerusalem, and of the Arab population in the occupied Syrian Golan over their natural resources”.

*52nd plenary meeting
19 December 2019*

⁸ See resolution [70/1](#).



General Assembly

Distr.: General
30 December 2020

Seventy-fifth session

Agenda item 62

Permanent sovereignty of the Palestinian people in the Occupied Palestinian Territory, including East Jerusalem, and of the Arab population in the occupied Syrian Golan over their natural resources

Resolution adopted by the General Assembly on 21 December 2020

[*on the report of the Second Committee (A/75/465, para. 11)*]

75/236. Permanent sovereignty of the Palestinian people in the Occupied Palestinian Territory, including East Jerusalem, and of the Arab population in the occupied Syrian Golan over their natural resources

The General Assembly,

Recalling its resolution [74/243](#) of 19 December 2019, and taking note of Economic and Social Council resolution [2021/4](#) of 14 September 2020,

Recalling also its resolutions [58/292](#) of 6 May 2004 and [59/251](#) of 22 December 2004,

Reaffirming the principle of the permanent sovereignty of peoples under foreign occupation over their natural resources,

Guided by the principles of the Charter of the United Nations, affirming the inadmissibility of the acquisition of territory by force, and recalling relevant Security Council resolutions, including resolutions [242 \(1967\)](#) of 22 November 1967, [465 \(1980\)](#) of 1 March 1980, [497 \(1981\)](#) of 17 December 1981 and [2334 \(2016\)](#) of 23 December 2016,

Recalling its resolution [2625 \(XXV\)](#) of 24 October 1970,

Bearing in mind its resolution [70/1](#) of 25 September 2015, entitled “Transforming our world: the 2030 Agenda for Sustainable Development”,

Reaffirming the applicability of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949,¹ to the Occupied

¹ United Nations, *Treaty Series*, vol. 75, No. 973.



Palestinian Territory, including East Jerusalem, and other Arab territories occupied by Israel since 1967,

Recalling, in this regard, the International Covenant on Civil and Political Rights² and the International Covenant on Economic, Social and Cultural Rights,³ and affirming that these human rights instruments must be respected in the Occupied Palestinian Territory, including East Jerusalem, as well as in the occupied Syrian Golan,

Recalling also the advisory opinion rendered on 9 July 2004 by the International Court of Justice on the legal consequences of the construction of a wall in the Occupied Palestinian Territory,⁴ and recalling further its resolutions [ES-10/15](#) of 20 July 2004 and [ES-10/17](#) of 15 December 2006,

Recalling further its resolution [67/19](#) of 29 November 2012,

Taking note of the accession by Palestine to several human rights treaties and the core humanitarian law treaties, as well as to other international treaties,

Expressing its concern about the exploitation by Israel, the occupying Power, of the natural resources of the Occupied Palestinian Territory, including East Jerusalem, and other Arab territories occupied by Israel since 1967,

Expressing its grave concern about the extensive destruction by Israel, the occupying Power, of agricultural land and orchards in the Occupied Palestinian Territory, including the uprooting of a vast number of fruit-bearing trees and the destruction of farms and greenhouses, and the grave environmental and economic impact in this regard,

Expressing its grave concern also about the widespread destruction caused by Israel, the occupying Power, to vital infrastructure, including water pipelines, sewage networks and electricity networks, in the Occupied Palestinian Territory, in particular in the Gaza Strip during the military operations of July and August 2014, which, inter alia, has polluted the environment and which negatively affects the functioning of water and sanitation systems and the water supply and other natural resources of the Palestinian people, and stressing the urgency of the reconstruction and development of water and other vital civilian infrastructure, including the project for the desalination facility for the Gaza Strip,

Expressing its grave concern further about the negative impact on the environment and on reconstruction and development efforts of unexploded ordnance that remains in the Gaza Strip as a result of the conflict in July and August 2014, and commending the efforts of the Mine Action Service of the United Nations for the safe removal of such ordnance,

Expressing its grave concern about the chronic energy shortage in the Gaza Strip and its detrimental impact on the operation of water and sanitation facilities, which threaten to further erode groundwater resources, of which only 5 per cent remains potable,

Recalling the 2009 report by the United Nations Environment Programme regarding the grave environmental situation in the Gaza Strip, and relevant reports by the United Nations country team, including “Gaza in 2020: a liveable place?”, “Gaza: two years after” and “Gaza ten years later”, and stressing the need for follow-up to the recommendations contained therein,

² See resolution [2200 A \(XXI\)](#), annex.

³ Ibid.

⁴ See [A/ES-10/273](#) and [A/ES-10/273/Corr.1](#).

Deploing the detrimental impact of the Israeli settlements on Palestinian and other Arab natural resources, especially as a result of the confiscation of land and the forced diversion of water resources, including the destruction of orchards and crops and the seizure of water wells by Israeli settlers, and of the dire socioeconomic consequences in this regard,

Recalling the report of the independent international fact-finding mission to investigate the implications of the Israeli settlements on the civil, political, economic, social and cultural rights of the Palestinian people throughout the Occupied Palestinian Territory, including East Jerusalem,⁵

Aware of the detrimental impact on Palestinian natural resources being caused by the unlawful construction of the wall by Israel, the occupying Power, in the Occupied Palestinian Territory, including in and around East Jerusalem, and of its grave effect as well on the economic and social conditions of the Palestinian people,

Stressing the urgency of achieving without delay an end to the Israeli occupation that began in 1967 and a just, lasting and comprehensive peace settlement on all tracks, on the basis of Security Council resolutions 242 (1967), 338 (1973) of 22 October 1973, 425 (1978) of 19 March 1978, 1397 (2002) of 12 March 2002 and 2334 (2016), the principle of land for peace, the Arab Peace Initiative⁶ and the Quartet performance-based road map to a permanent two-State solution to the Israeli-Palestinian conflict,⁷ as endorsed by the Council in its resolution 1515 (2003) of 19 November 2003 and supported by the Council in its resolution 1850 (2008) of 16 December 2008,

Stressing also, in this regard, the need for respect for the obligation upon Israel under the road map to freeze settlement activity, including so-called “natural growth”, and to dismantle all settlement outposts erected since March 2001,

Stressing further the need for respect and preservation of the territorial unity, contiguity and integrity of all of the Occupied Palestinian Territory, including East Jerusalem,

Recalling that the Security Council, in its resolution 2334 (2016), underlined that it would not recognize any changes to the 4 June 1967 lines, including with regard to Jerusalem, other than those agreed by the parties through negotiations,

Recalling also the need to end all acts of violence, including acts of terror, provocation, incitement and destruction,

Taking note of the report prepared by the Economic and Social Commission for Western Asia on the economic and social repercussions of the Israeli occupation on the living conditions of the Palestinian people in the Occupied Palestinian Territory, including East Jerusalem, and of the Arab population in the occupied Syrian Golan, as transmitted by the Secretary-General,⁸

1. *Reaffirms* the inalienable rights of the Palestinian people and of the population of the occupied Syrian Golan over their natural resources, including land, water and energy resources;

2. *Demands* that Israel, the occupying Power, cease the exploitation, damage, cause of loss or depletion and endangerment of the natural resources in the Occupied Palestinian Territory, including East Jerusalem, and in the occupied Syrian Golan;

⁵ A/HRC/22/63.

⁶ A/56/1026-S/2002/932, annex II, resolution 14/221.

⁷ S/2003/529, annex.

⁸ A/75/86-E/2020/62.

3. *Recognizes* the right of the Palestinian people to claim restitution as a result of any exploitation, damage, loss or depletion or endangerment of their natural resources resulting from illegal measures taken by Israel, the occupying Power, and Israeli settlers in the Occupied Palestinian Territory, including East Jerusalem, and expresses the hope that this issue will be dealt with within the framework of the final status negotiations between the Palestinian and Israeli sides;

4. *Stresses* that the wall and settlements being constructed by Israel in the Occupied Palestinian Territory, including in and around East Jerusalem, are contrary to international law and are seriously depriving the Palestinian people of their natural resources, and calls in this regard for full compliance with the legal obligations affirmed in the 9 July 2004 advisory opinion of the International Court of Justice and in relevant United Nations resolutions, including General Assembly resolution [ES-10/15](#);

5. *Calls upon* Israel, the occupying Power, to comply strictly with its obligations under international law, including international humanitarian law, and to cease immediately and completely all policies and measures aimed at the alteration of the character and status of the Occupied Palestinian Territory, including East Jerusalem;

6. *Also calls upon* Israel, the occupying Power, to bring a halt to all actions, including those perpetrated by Israeli settlers, harming the environment, including the dumping of all kinds of waste materials, in the Occupied Palestinian Territory, including East Jerusalem, and in the occupied Syrian Golan, which gravely threaten their natural resources, namely water and land resources, and which pose an environmental, sanitation and health threat to the civilian populations;

7. *Further calls upon* Israel to cease its destruction of vital infrastructure, including water pipelines, sewage networks and electricity networks, and to cease its demolition and confiscation of Palestinian homes and civilian infrastructure, agricultural lands and water wells, which, inter alia, have a negative impact on the natural resources of the Palestinian people, stresses the urgent need to advance reconstruction and development projects in this regard, including in the Gaza Strip, and calls for support for the necessary efforts in this regard, in line with the commitments made at, inter alia, the Cairo International Conference on Palestine: Reconstructing Gaza, held on 12 October 2014;

8. *Calls upon* Israel, the occupying Power, to remove all obstacles to the implementation of critical environmental projects, including sewage treatment plants in the Gaza Strip and the reconstruction and development of water infrastructure, including the project for the desalination facility for the Gaza Strip;

9. *Also calls upon* Israel not to impede Palestinian development and export of discovered oil and natural gas reserves;

10. *Calls for* the immediate and safe removal of all unexploded ordnance in the Gaza Strip and for support for the efforts of the Mine Action Service of the United Nations in this regard, and welcomes the extensive efforts exerted by the Mine Action Service to date;

11. *Encourages* all States and international organizations to continue to actively pursue policies to ensure respect for their obligations under international law with regard to all illegal Israeli practices and measures in the Occupied Palestinian Territory, including East Jerusalem, particularly Israeli settlement activities and the exploitation of natural resources;

12. *Underscores*, in this regard, the call by the Security Council, in its resolution [2334 \(2016\)](#), upon all States to distinguish, in their relevant dealings, between the territory of the State of Israel and the territories occupied since 1967;

13. *Requests* the Secretary-General to report to the General Assembly at its seventy-sixth session on the implementation of the present resolution, including with regard to the cumulative impact of the exploitation, damage and depletion by Israel of natural resources in the Occupied Palestinian Territory, including East Jerusalem, and in the occupied Syrian Golan, and with regard to the impact of such practices on the promotion of the Sustainable Development Goals,⁹ and decides to include in the provisional agenda of its seventy-sixth session the item entitled “Permanent sovereignty of the Palestinian people in the Occupied Palestinian Territory, including East Jerusalem, and of the Arab population in the occupied Syrian Golan over their natural resources”.

*48th plenary meeting
21 December 2020*

⁹ See resolution [70/1](#).



General Assembly

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Seventy-sixth session

Agenda item 64

Permanent sovereignty of the Palestinian people in the Occupied Palestinian Territory, including East Jerusalem, and of the Arab population in the occupied Syrian Golan over their natural resources

Resolution adopted by the General Assembly on 17 December 2021

[on the report of the Second Committee (A/76/540, para. 15)]

76/225. Permanent sovereignty of the Palestinian people in the Occupied Palestinian Territory, including East Jerusalem, and of the Arab population in the occupied Syrian Golan over their natural resources

The General Assembly,

Recalling its resolution [75/236](#) of 21 December 2020, and taking note of Economic and Social Council resolution [2021/4](#) of 14 September 2020,

Recalling also its resolutions [58/292](#) of 6 May 2004 and [59/251](#) of 22 December 2004,

Reaffirming the principle of the permanent sovereignty of peoples under foreign occupation over their natural resources,

Guided by the principles of the Charter of the United Nations, affirming the inadmissibility of the acquisition of territory by force, and recalling relevant Security Council resolutions, including resolutions [242 \(1967\)](#) of 22 November 1967, [465 \(1980\)](#) of 1 March 1980, [497 \(1981\)](#) of 17 December 1981 and [2334 \(2016\)](#) of 23 December 2016,

Recalling its resolution [2625 \(XXV\)](#) of 24 October 1970,

Bearing in mind its resolution [70/1](#) of 25 September 2015, entitled “Transforming our world: the 2030 Agenda for Sustainable Development”,

Reaffirming the applicability of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949,¹ to the Occupied

¹ United Nations, *Treaty Series*, vol. 75, No. 973.



Palestinian Territory, including East Jerusalem, and other Arab territories occupied by Israel since 1967,

Recalling, in this regard, the International Covenant on Civil and Political Rights² and the International Covenant on Economic, Social and Cultural Rights,³ and affirming that these human rights instruments must be respected in the Occupied Palestinian Territory, including East Jerusalem, as well as in the occupied Syrian Golan,

Recalling also the advisory opinion rendered on 9 July 2004 by the International Court of Justice on the legal consequences of the construction of a wall in the Occupied Palestinian Territory,⁴ and recalling further its resolutions [ES-10/15](#) of 20 July 2004 and [ES-10/17](#) of 15 December 2006,

Recalling further its resolution [67/19](#) of 29 November 2012,

Taking note of the accession by Palestine to several human rights treaties and the core humanitarian law treaties, as well as to other international treaties,

Expressing its concern about the exploitation by Israel, the occupying Power, of the natural resources of the Occupied Palestinian Territory, including East Jerusalem, and other Arab territories occupied by Israel since 1967,

Expressing its grave concern about the extensive destruction by Israel, the occupying Power, of agricultural land and orchards in the Occupied Palestinian Territory, including the uprooting of a vast number of fruit-bearing trees and the destruction of farms and greenhouses, and the grave environmental and economic impact in this regard,

Expressing its grave concern also about the widespread destruction caused by Israel, the occupying Power, to vital infrastructure, including water pipelines, sewage networks and electricity networks, in the Occupied Palestinian Territory, in particular in the Gaza Strip during the military operations of July and August 2014, which, inter alia, has polluted the environment and which negatively affects the functioning of water and sanitation systems and the water supply and other natural resources of the Palestinian people, and stressing the urgency of the reconstruction and development of water and other vital civilian infrastructure, including the project for the desalination facility for the Gaza Strip,

Expressing its grave concern further about the negative impact on the environment and on reconstruction and development efforts of unexploded ordnance that remains in the Gaza Strip as a result of the conflict in July and August 2014, and commending the efforts of the Mine Action Service of the United Nations for the safe removal of such ordnance,

Expressing its grave concern about the chronic energy shortage in the Gaza Strip and its detrimental impact on the operation of water and sanitation facilities, which threaten to further erode groundwater resources, of which only 5 per cent remains potable,

Recalling the 2009 report by the United Nations Environment Programme regarding the grave environmental situation in the Gaza Strip, and relevant reports by the United Nations country team, including “Gaza in 2020: a liveable place?”, “Gaza: two years after” and “Gaza ten years later”, and stressing the need for follow-up to the recommendations contained therein,

² See resolution [2200 A \(XXI\)](#), annex.

³ Ibid.

⁴ See [A/ES-10/273](#) and [A/ES-10/273/Corr.1](#).

Deploing the detrimental impact of the Israeli settlements on Palestinian and other Arab natural resources, especially as a result of the confiscation of land and the forced diversion of water resources, including the destruction of orchards and crops and the seizure of water wells by Israeli settlers, and of the dire socioeconomic consequences in this regard,

Recalling the report of the independent international fact-finding mission to investigate the implications of the Israeli settlements on the civil, political, economic, social and cultural rights of the Palestinian people throughout the Occupied Palestinian Territory, including East Jerusalem,⁵

Aware of the detrimental impact on Palestinian natural resources being caused by the unlawful construction of the wall by Israel, the occupying Power, in the Occupied Palestinian Territory, including in and around East Jerusalem, and of its grave effect as well on the economic and social conditions of the Palestinian people,

Stressing the urgency of achieving without delay an end to the Israeli occupation that began in 1967 and a just, lasting and comprehensive peace settlement on all tracks, on the basis of Security Council resolutions 242 (1967), 338 (1973) of 22 October 1973, 425 (1978) of 19 March 1978, 1397 (2002) of 12 March 2002 and 2334 (2016), the principle of land for peace, the Arab Peace Initiative⁶ and the Quartet performance-based road map to a permanent two-State solution to the Israeli-Palestinian conflict,⁷ as endorsed by the Council in its resolution 1515 (2003) of 19 November 2003 and supported by the Council in its resolution 1850 (2008) of 16 December 2008,

Stressing also, in this regard, the need for respect for the obligation upon Israel under the road map to freeze settlement activity, including so-called “natural growth”, and to dismantle all settlement outposts erected since March 2001,

Stressing further the need for respect and preservation of the territorial unity, contiguity and integrity of all of the Occupied Palestinian Territory, including East Jerusalem,

Recalling that the Security Council, in its resolution 2334 (2016), underlined that it would not recognize any changes to the 4 June 1967 lines, including with regard to Jerusalem, other than those agreed by the parties through negotiations,

Recalling also the need to end all acts of violence, including acts of terror, provocation, incitement and destruction,

Taking note of the report prepared by the Economic and Social Commission for Western Asia on the economic and social repercussions of the Israeli occupation on the living conditions of the Palestinian people in the Occupied Palestinian Territory, including East Jerusalem, and of the Arab population in the occupied Syrian Golan, as transmitted by the Secretary-General,⁸

1. *Reaffirms* the inalienable rights of the Palestinian people and of the population of the occupied Syrian Golan over their natural resources, including land, water and energy resources;

2. *Demands* that Israel, the occupying Power, cease the exploitation, damage, cause of loss or depletion and endangerment of the natural resources in the Occupied Palestinian Territory, including East Jerusalem, and in the occupied Syrian Golan;

⁵ A/HRC/22/63.

⁶ A/56/1026-S/2002/932, annex II, resolution 14/221.

⁷ S/2003/529, annex.

⁸ A/76/94-E/2021/73.

3. *Recognizes* the right of the Palestinian people to claim restitution as a result of any exploitation, damage, loss or depletion or endangerment of their natural resources resulting from illegal measures taken by Israel, the occupying Power, and Israeli settlers in the Occupied Palestinian Territory, including East Jerusalem, and expresses the hope that this issue will be dealt with within the framework of the final status negotiations between the Palestinian and Israeli sides;

4. *Stresses* that the wall and settlements being constructed by Israel in the Occupied Palestinian Territory, including in and around East Jerusalem, are contrary to international law and are seriously depriving the Palestinian people of their natural resources, and calls in this regard for full compliance with the legal obligations affirmed in the 9 July 2004 advisory opinion of the International Court of Justice and in relevant United Nations resolutions, including General Assembly resolution [ES-10/15](#);

5. *Calls upon* Israel, the occupying Power, to comply strictly with its obligations under international law, including international humanitarian law, and to cease immediately and completely all policies and measures aimed at the alteration of the character and status of the Occupied Palestinian Territory, including East Jerusalem;

6. *Also calls upon* Israel, the occupying Power, to bring a halt to all actions, including those perpetrated by Israeli settlers, harming the environment, including the dumping of all kinds of waste materials, in the Occupied Palestinian Territory, including East Jerusalem, and in the occupied Syrian Golan, which gravely threaten their natural resources, namely water and land resources, and which pose an environmental, sanitation and health threat to the civilian populations;

7. *Further calls upon* Israel to cease its destruction of vital infrastructure, including water pipelines, sewage networks and electricity networks, and to cease its demolition and confiscation of Palestinian homes and civilian infrastructure, agricultural lands and water wells, which, inter alia, have a negative impact on the natural resources of the Palestinian people, stresses the urgent need to advance reconstruction and development projects in this regard, including in the Gaza Strip, and calls for support for the necessary efforts in this regard, in line with the commitments made at, inter alia, the Cairo International Conference on Palestine: Reconstructing Gaza, held on 12 October 2014;

8. *Calls upon* Israel, the occupying Power, to remove all obstacles to the implementation of critical environmental projects, including sewage treatment plants in the Gaza Strip and the reconstruction and development of water infrastructure, including the project for the desalination facility for the Gaza Strip;

9. *Also calls upon* Israel not to impede Palestinian development and export of discovered oil and natural gas reserves;

10. *Calls for* the immediate and safe removal of all unexploded ordnance in the Gaza Strip and for support for the efforts of the Mine Action Service of the United Nations in this regard, and welcomes the extensive efforts exerted by the Mine Action Service to date;

11. *Encourages* all States and international organizations to continue to actively pursue policies to ensure respect for their obligations under international law with regard to all illegal Israeli practices and measures in the Occupied Palestinian Territory, including East Jerusalem, particularly Israeli settlement activities and the exploitation of natural resources;

12. *Underscores*, in this regard, the call by the Security Council, in its resolution [2334 \(2016\)](#), upon all States to distinguish, in their relevant dealings, between the territory of the State of Israel and the territories occupied since 1967;

13. *Requests* the Secretary-General to report to the General Assembly at its seventy-sixth and seventy-seventh sessions, through the Economic and Social Council, on the economic and social repercussions of the Israeli occupation on the living conditions of the Palestinian people in the Occupied Palestinian Territory, including East Jerusalem, and of the Arab population in the occupied Syrian Golan, and to the Assembly at its seventy-seventh session on the implementation of the present resolution, including with regard to the cumulative impact of the exploitation, damage and depletion by Israel of natural resources in the Occupied Palestinian Territory, including East Jerusalem, and in the occupied Syrian Golan, and with regard to the impact of such practices on the promotion of the Sustainable Development Goals,⁹ and decides to include in the provisional agenda of its seventy-seventh session the item entitled “Permanent sovereignty of the Palestinian people in the Occupied Palestinian Territory, including East Jerusalem, and of the Arab population in the occupied Syrian Golan over their natural resources”.

*54th plenary meeting
17 December 2021*

⁹ See resolution [70/1](#).



Seventy-seventh session

Agenda item 56

Permanent sovereignty of the Palestinian people in the Occupied Palestinian Territory, including East Jerusalem, and of the Arab population in the occupied Syrian Golan over their natural resources**Resolution adopted by the General Assembly
on 14 December 2022***[on the report of the Second Committee (A/77/450, para. 15)]***77/187. Permanent sovereignty of the Palestinian people in the Occupied Palestinian Territory, including East Jerusalem, and of the Arab population in the occupied Syrian Golan over their natural resources***The General Assembly,**Recalling* its resolution [76/225](#) of 17 December 2021, and taking note of Economic and Social Council resolution [2022/22](#) of 22 July 2022,*Recalling also* its resolutions [58/292](#) of 6 May 2004 and [59/251](#) of 22 December 2004,*Reaffirming* the principle of the permanent sovereignty of peoples under foreign occupation over their natural resources,*Guided* by the principles of the Charter of the United Nations, affirming the inadmissibility of the acquisition of territory by force, and recalling relevant Security Council resolutions, including resolutions [242 \(1967\)](#) of 22 November 1967, [465 \(1980\)](#) of 1 March 1980, [497 \(1981\)](#) of 17 December 1981 and [2334 \(2016\)](#) of 23 December 2016,*Recalling* its resolution [2625 \(XXV\)](#) of 24 October 1970,*Bearing in mind* its resolution [70/1](#) of 25 September 2015, entitled “Transforming our world: the 2030 Agenda for Sustainable Development”,*Reaffirming* the applicability of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949,¹ to the Occupied

¹ United Nations, *Treaty Series*, vol. 75, No. 973.



Palestinian Territory, including East Jerusalem, and other Arab territories occupied by Israel since 1967,

Recalling, in this regard, the International Covenant on Civil and Political Rights² and the International Covenant on Economic, Social and Cultural Rights,³ and affirming that these human rights instruments must be respected in the Occupied Palestinian Territory, including East Jerusalem, as well as in the occupied Syrian Golan,

Recalling also the advisory opinion rendered on 9 July 2004 by the International Court of Justice on the legal consequences of the construction of a wall in the Occupied Palestinian Territory,⁴ and recalling further its resolutions [ES-10/15](#) of 20 July 2004 and [ES-10/17](#) of 15 December 2006,

Recalling further its resolution [67/19](#) of 29 November 2012,

Taking note of the accession by Palestine to several human rights treaties and the core humanitarian law treaties, as well as to other international treaties,

Expressing its concern about the exploitation by Israel, the occupying Power, of the natural resources of the Occupied Palestinian Territory, including East Jerusalem, and other Arab territories occupied by Israel since 1967,

Expressing its grave concern about the extensive destruction by Israel, the occupying Power, of agricultural land and orchards in the Occupied Palestinian Territory, including the uprooting of a vast number of fruit-bearing trees and the destruction of farms and greenhouses, and the grave environmental and economic impact in this regard,

Expressing its grave concern also about the widespread destruction caused by Israel, the occupying Power, to vital infrastructure, including water pipelines, sewage networks and electricity networks, in the Occupied Palestinian Territory, in particular in the Gaza Strip during the military operations of July and August 2014, which, inter alia, has polluted the environment and which negatively affects the functioning of water and sanitation systems and the water supply and other natural resources of the Palestinian people, and stressing the urgency of the reconstruction and development of water and other vital civilian infrastructure, including the project for the desalination facility for the Gaza Strip,

Expressing its grave concern further about the negative impact on the environment and on reconstruction and development efforts of unexploded ordnance that remains in the Gaza Strip as a result of the conflict in July and August 2014, and commending the efforts of the Mine Action Service of the United Nations for the safe removal of such ordnance,

Expressing its grave concern about the chronic energy shortage in the Gaza Strip and its detrimental impact on the operation of water and sanitation facilities, which threaten to further erode groundwater resources, of which only 5 per cent remains potable,

Recalling the 2009 report by the United Nations Environment Programme regarding the grave environmental situation in the Gaza Strip, and relevant reports by the United Nations country team, including “Gaza in 2020: a liveable place?”, “Gaza: two years after” and “Gaza ten years later”, and stressing the need for follow-up to the recommendations contained therein,

² See resolution [2200 A \(XXI\)](#), annex.

³ Ibid.

⁴ See [A/ES-10/273](#) and [A/ES-10/273/Corr.1](#).

Deploing the detrimental impact of the Israeli settlements on Palestinian and other Arab natural resources, especially as a result of the confiscation of land and the forced diversion of water resources, including the destruction of orchards and crops and the seizure of water wells by Israeli settlers, and of the dire socioeconomic consequences in this regard,

Recalling the report of the independent international fact-finding mission to investigate the implications of the Israeli settlements on the civil, political, economic, social and cultural rights of the Palestinian people throughout the Occupied Palestinian Territory, including East Jerusalem,⁵

Aware of the detrimental impact on Palestinian natural resources being caused by the unlawful construction of the wall by Israel, the occupying Power, in the Occupied Palestinian Territory, including in and around East Jerusalem, and of its grave effect as well on the economic and social conditions of the Palestinian people,

Stressing the urgency of achieving without delay an end to the Israeli occupation that began in 1967 and a just, lasting and comprehensive peace settlement on all tracks, on the basis of Security Council resolutions [242 \(1967\)](#), [338 \(1973\)](#) of 22 October 1973, [425 \(1978\)](#) of 19 March 1978, [1397 \(2002\)](#) of 12 March 2002 and [2334 \(2016\)](#), the principle of land for peace, the Arab Peace Initiative⁶ and the Quartet performance-based road map to a permanent two-State solution to the Israeli-Palestinian conflict,⁷ as endorsed by the Council in its resolution [1515 \(2003\)](#) of 19 November 2003 and supported by the Council in its resolution [1850 \(2008\)](#) of 16 December 2008,

Stressing also, in this regard, the need for respect for the obligation upon Israel under the road map to freeze settlement activity, including so-called “natural growth”, and to dismantle all settlement outposts erected since March 2001,

Stressing further the need for respect and preservation of the territorial unity, contiguity and integrity of all of the Occupied Palestinian Territory, including East Jerusalem,

Recalling that the Security Council, in its resolution [2334 \(2016\)](#), underlined that it would not recognize any changes to the 4 June 1967 lines, including with regard to Jerusalem, other than those agreed by the parties through negotiations,

Recalling also the need to end all acts of violence, including acts of terror, provocation, incitement and destruction,

Taking note of the report prepared by the Economic and Social Commission for Western Asia on the economic and social repercussions of the Israeli occupation on the living conditions of the Palestinian people in the Occupied Palestinian Territory, including East Jerusalem, and of the Arab population in the occupied Syrian Golan, as transmitted by the Secretary-General,⁸

1. *Reaffirms* the inalienable rights of the Palestinian people and of the population of the occupied Syrian Golan over their natural resources, including land, water and energy resources;

2. *Demands* that Israel, the occupying Power, cease the exploitation, damage, cause of loss or depletion and endangerment of the natural resources in the Occupied Palestinian Territory, including East Jerusalem, and in the occupied Syrian Golan;

⁵ [A/HRC/22/63](#).

⁶ [A/56/1026-S/2002/932](#), annex II, resolution 14/221.

⁷ [S/2003/529](#), annex.

⁸ [A/77/90-E/2022/66](#).

3. *Recognizes* the right of the Palestinian people to claim restitution as a result of any exploitation, damage, loss or depletion or endangerment of their natural resources resulting from illegal measures taken by Israel, the occupying Power, and Israeli settlers in the Occupied Palestinian Territory, including East Jerusalem, and expresses the hope that this issue will be dealt with within the framework of the final status negotiations between the Palestinian and Israeli sides;

4. *Stresses* that the wall and settlements being constructed by Israel in the Occupied Palestinian Territory, including in and around East Jerusalem, are contrary to international law and are seriously depriving the Palestinian people of their natural resources, and calls in this regard for full compliance with the legal obligations affirmed in the 9 July 2004 advisory opinion of the International Court of Justice⁹ and in relevant United Nations resolutions, including General Assembly resolution [ES-10/15](#);

5. *Calls upon* Israel, the occupying Power, to comply strictly with its obligations under international law, including international humanitarian law, and to cease immediately and completely all policies and measures aimed at the alteration of the character and status of the Occupied Palestinian Territory, including East Jerusalem;

6. *Also calls upon* Israel, the occupying Power, to bring a halt to all actions, including those perpetrated by Israeli settlers, harming the environment, including the dumping of all kinds of waste materials, in the Occupied Palestinian Territory, including East Jerusalem, and in the occupied Syrian Golan, which gravely threaten their natural resources, namely water and land resources, and which pose an environmental, sanitation and health threat to the civilian populations;

7. *Further calls upon* Israel to cease its destruction of vital infrastructure, including water pipelines, sewage networks and electricity networks, and to cease its demolition and confiscation of Palestinian homes and civilian infrastructure, agricultural lands and water wells, which, inter alia, have a negative impact on the natural resources of the Palestinian people, stresses the urgent need to advance reconstruction and development projects in this regard, including in the Gaza Strip, and calls for support for the necessary efforts in this regard, in line with the commitments made at, inter alia, the Cairo International Conference on Palestine: Reconstructing Gaza, held on 12 October 2014;

8. *Calls upon* Israel, the occupying Power, to remove all obstacles to the implementation of critical environmental projects, including sewage treatment plants in the Gaza Strip and the reconstruction and development of water infrastructure, including the project for the desalination facility for the Gaza Strip;

9. *Also calls upon* Israel not to impede Palestinian development and export of discovered oil and natural gas reserves;

10. *Calls for* the immediate and safe removal of all unexploded ordnance in the Gaza Strip and for support for the efforts of the Mine Action Service of the United Nations in this regard, and welcomes the extensive efforts exerted by the Mine Action Service to date;

11. *Encourages* all States and international organizations to continue to actively pursue policies to ensure respect for their obligations under international law with regard to all illegal Israeli practices and measures in the Occupied Palestinian Territory, including East Jerusalem, particularly Israeli settlement activities and the exploitation of natural resources;

⁹ See [A/ES-10/273](#) and [A/ES-10/273/Corr.1](#).

12. *Underscores*, in this regard, the call by the Security Council, in its resolution [2334 \(2016\)](#), upon all States to distinguish, in their relevant dealings, between the territory of the State of Israel and the territories occupied since 1967;

13. *Requests* the Secretary-General to report to the General Assembly at its seventy-eighth session on the implementation of the present resolution, including with regard to the cumulative impact of the exploitation, damage and depletion by Israel of natural resources in the Occupied Palestinian Territory, including East Jerusalem, and in the occupied Syrian Golan, and with regard to the impact of such practices on the promotion of the Sustainable Development Goals,¹⁰ and decides to include in the provisional agenda of its seventy-eighth session the item entitled “Permanent sovereignty of the Palestinian people in the Occupied Palestinian Territory, including East Jerusalem, and of the Arab population in the occupied Syrian Golan over their natural resources”.

*53rd plenary meeting
14 December 2022*

¹⁰ See resolution [70/1](#).



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REPORT OF THE ECONOMIC AND SOCIAL COUNCIL

Permanent sovereignty over national resources in the
occupied Arab territories

Report of the Secretary-General

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Report of the Secretary-General

1. On 17 December 1974, the General Assembly adopted resolution 3336 (XXIX) entitled "Permanent sovereignty over national resources in the occupied Arab territories", in paragraph 5 of which the Assembly requested the Secretary-General, with the assistance of the relevant specialized agencies and United Nations organs, to prepare a report on "the adverse economic effects on the Arab States and peoples, resulting from repeated Israeli aggression and continued occupation of their territories, to be submitted to the General Assembly at its thirtieth session".
2. The Member States directly concerned, in addition to the relevant specialized agencies and United Nations organs, including the United Nations Conference on Trade and Development, were invited to provide relevant information as a basis for the report.
3. On 18 March 1975, therefore, the Secretary-General sent notes verbales to the Permanent Representatives of Egypt, Israel, Jordan, Lebanon and the Syrian Arab Republic to the United Nations (see annex I below).
4. The Permanent Representative of Egypt to the United Nations replied in notes verbales dated 26 June, 8 July, 26 August, 23 and 30 September and 24 October 1975, transmitting tables presenting "examples of losses incurred by some ministries, governmental departments, public sector enterprises and services sectors" (see annex II below). In the view of the Government of Egypt, the information conveyed represents a fraction of the total losses.
5. On 8 July 1975, the Permanent Representative of the Syrian Arab Republic to the United Nations addressed to the Secretary-General a note verbale (see annex III) transmitting five tables entitled: "the amount of damage suffered by State bodies and the public sector; the amount of direct damage suffered by the private sector; the amount of direct damage suffered by villages in the theatre of operations and villages occupied in 1973 and subsequently evacuated; amount of damage resulting from the devastation of the town of Quneitra and occupation of the district; and the amount of agricultural damage resulting from the occupation of Quneitra district". The reply also contained figures which represent the value of antiquities, which the Government of the Syrian Arab Republic stated were removed from this district, as well as the amount of aid to the people displaced during the period 1967-1975 and the economic damage which the Government anticipated it would incur, as from 1976, owing to the loss of revenue from properties and public utilities. The reply further indicated that the information was not all-inclusive and that Syrian authorities were still in the process of assessing other direct and indirect damage.
6. In a note verbale of 6 August 1975, the Permanent Mission of Israel to the United Nations stated that "the position of Israel on the subject matter of the resolution in question was made clear by the delegate of Israel in the Second Committee on 15 November 1974 and in the plenary meeting on 17 December 1974" (see annex IV below). It further noted that "the wording of paragraph 5 of resolution 3336 (XXIX) completely prejudices the issue, leaving no room and no purpose for the preparation of an objective report".
7. The Secretary-General also received replies dated 26 August and 9 September 1975

from the Permanent Representative of Jordan to the United Nations. The reply of 9 September transmitted the Government's revised report on the adverse effects of Israeli occupation of the West Bank on Jordan's economy (see annex V below).

8. In a letter dated 19 March 1975, the Secretary-General also requested information from the relevant specialized agencies and United Nations organs, namely, UNCTAD, UNIDO, FAO, UNESCO, the ILO, WHO, IBRD and IMF, as well as the Economic Commission for Western Asia (ECWA) (see annex VI below). These agencies or organs have co-operated by sending relevant documentation. Some stated that they had no information directly related to the subject-matter and others advised that they only had information of a general nature.

9. The reply of UNCTAD, dated 29 May 1975, focused on its report entitled The Economic Effects of the Closure of the Suez Canal. ^{1/} That study identified and quantified the effects of the closure of the Canal on ocean shipping services and costs, and evaluated the trade losses of the areas affected. It concluded that countries south of the Canal, especially in East Africa and in South-East Asia, had been principally affected, but it did not provide a breakdown for any country in particular.

10. According to the UNCTAD report, in 1966, the last full year of the operation of the Suez Canal, a total of 242 million tons (176 million tons of oil and 66 million tons of dry cargo) passed through the Canal, equal to 14 per cent of world sea-borne trade. Egypt received about \$US 224 million in toll revenues in the 12 months ending May 1967, but the losses to the economy (actually not computed) go beyond this figure in view of the many activities induced by the traffic through the Canal.

11. In its reply dated 24 June 1975, UNIDO transmitted the following relevant information:

"In the course of the hostilities, Egypt suffered the loss of two oil refineries and one fertilizer plant with the result that the country has been forced to meet its crude oil and fertilizer requirements through imports. On the other hand, the present situation on the Sinai peninsula deprives the Egyptians of no less than one third of their oil resources, since the oil fields are currently occupied by the Israelis. In the Syrian Arab Republic, the Homs oil refinery was put out of action. Lebanon made available a certain proportion of its refining capacity with the result that there have been local shortages, impeding the operation of the transport system and certain industrial facilities. The Hamma steel rolling mill in Syria was also put out of operation when its generator plant was damaged. Moreover, funds that should have been devoted to industrial development in the Arab region have been directed to defence purposes."

12. In its replies of 2 May and 26 August 1975 (see annex VII below), the ILO,

^{1/} United Nations publication, Sales No.: 73.II.D.13.

while indicating that it had no directly relevant material, drew attention to a resolution adopted by the International Labour Conference at its fifty-ninth session concerning the policy of discrimination, racism and violation of trade union freedoms and rights practised by Israeli authorities in Palestine and in other occupied Arab territories (see annex VII, appendix III, below), as well as to the action and decision related to that resolution taken subsequent thereto.

13. In its reply of 8 July 1975, UNESCO, while noting that this information was not entirely of direct concern to the subject covered by General Assembly resolution 3336 (XXIX), drew attention to a report prepared for the eighteenth session of the General Conference entitled "The situation of the national education and the cultural life of peoples in the occupied Arab Territories", 2/ prepared pursuant to UNESCO resolution 10.1, part III, paragraph 19. The reply of UNESCO identified the paragraphs of the report concerning economic or financial matters. These paragraphs, as well as the resolution adopted following the consideration of the above-mentioned report, are reproduced in annex VIII below.

2/ UNESCO document 18C/16 of 10 September 1975.

ANNEX I

Note verbale dated 18 March 1975 from the Secretary-General to
the Permanent Representatives of Egypt, Israel, Jordan, Lebanon
and the Syrian Arab Republic to the United Nations

/Original: English/

The Secretary-General of the United Nations presents his compliments to the Permanent Representative of _____ to the United Nations and has the honour to refer to General Assembly resolution 3336 (XXIX) of 17 December 1974. In paragraph 5 of that resolution, the General Assembly:

"Requests the Secretary-General, with the assistance of relevant specialized agencies and United Nations organs, including the United Nations Conference on Trade and Development, to prepare a report on the adverse economic effects on the Arab States and peoples, resulting from repeated Israeli aggression and continued occupation of their territories, to be submitted to the General Assembly at its thirtieth session."

Information concerning economic matters which is normally available to the Secretariat is not adequate to enable the Secretary-General to prepare the report requested by the General Assembly. He must, therefore, turn to the Member States directly concerned which may be in a position to provide the required information, as well as to the relevant specialized agencies and United Nations organs, including the United Nations Conference on Trade and Development.

The Secretary-General would be grateful if your Government could provide him with information available to it which it considers to be relevant to the subject-matter of the report requested by the General Assembly in so far as it relates to Arab territories which have been occupied by Israel since June 1967. The Secretary-General very much hopes that your Government will find it possible to make the required information available to him no later than 1 July 1975, in order that the requested report may be submitted to the General Assembly before the opening of its thirtieth session.

ANNEX II

Notes verbales dated 26 June, 8 July, 26 August, 23 and 30 September
and 24 October 1975 from the Permanent Representative of Egypt to the
United Nations addressed to the Secretary-General

A. Note verbale of 26 June 1975

/Original: English/

The Permanent Representative of the Arab Republic of Egypt to the United Nations presents his compliments to the Secretary-General of the United Nations and with reference to the Secretary-General's note, dated 18 March 1975, regarding General Assembly resolution 3336 (XXIX) of 17 December 1974, has the honour to enclose herewith examples of losses incurred by some Ministries, governmental departments, public sector enterprises and services sectors, as a result of repeated Israeli aggression and continued occupation.

The attached information is, therefore, not comprehensive. It only represents a fraction of the total losses. This is due, inter alia, to the following:

1. Losses incurred by some other sectors are not included in the attached estimates. For example, there are the huge military losses, as well as the losses resulting from destruction of the three cities of Port Said, Ismailia and Suez, as well as villages, institutions and property in the Suez Canal region, in addition to the loss of Suez Canal revenue for exactly eight years.

2. The losses in Sinai and in the Gaza Strip are not included, with the exception of preliminary estimates of the loss of production of the Sinai oil fields.

3. The attached estimates do not account for the continuing rise in the "replacement cost", as a result of inflation and the rising labour cost. Furthermore, the majority of estimates cover periods ending before or at the end of 1974. They do not account for losses incurred up to the present.

4. The estimates do not cover human losses, including the loss of life.

5. There is also the tremendous cost to the national economy resulting from the severe dislocation of productive factors and resources as a result of Israeli aggression and continued occupation. Since June 1967, Egypt has mobilized its resources against aggression and for the ultimate liberation of the occupied territories.

6. The temporary resettlement away from their homes of more than a million displaced persons from the Gaza Strip, Sinai, the Suez Canal zone and its three major cities, also constituted a heavy burden on the economy. In addition, the psychological distress resulting from the occupation of the

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national soil, the abandonment of homes and the dislocation of the economy had considerable adverse effect on national production and productivity.

Consequently, while the estimates attached to this note provide some relevant information, the need for a comprehensive study, as envisaged in paragraph 5 of resolution 3336 (XXIX), is to be stressed. The text of this paragraph, taking into account the magnitude and complexity of the task requested from the Secretary-General, made specific reference to "the assistance of relevant specialized agencies and United Nations organs, including the United Nations Conference on Trade and Development" in preparing the Secretary-General's report "on the adverse economic effects on the Arab States and peoples", related to the subject-matter of the resolution.

The role of the specialized agencies, United Nations organs, and specifically UNCTAD, has been spelt out in the statement made on behalf of the co-sponsors of the draft resolution, which underlined that paragraph 5, as revised:

"is designed to involve the relevant United Nations organizations in the preparation of the report on the adverse economic effects on the Arab States and peoples resulting from repeated Israeli aggression and continued occupation.

"In this respect, the co-sponsors wish to underline the need to seek the assistance of the UNCTAD secretariat in preparing the report, since UNCTAD has the machinery to carry out studies and research which would be useful in the preparation of the report.

"Similarly, the UNESCO secretariat is expected to assist the Secretary-General in assessing the losses, destruction and damages caused to educational, cultural and scientific institutions and infrastructure in the Arab States subjected to Israeli aggression and occupation, as much of the losses and damages have a bearing on the economies and development efforts of the countries concerned. Furthermore, the loss of items of cultural and national heritage should be taken into account by UNESCO whether they relate to biblical heritages in Arab-Jerusalem and the Western Bank of the Jordan River, or in Sinai, where a most ancient and glorious monastery, that of St. Catherine's exists, or in the Golan Heights and the Syrian City of Quneitra, where loss of valuable items of national heritage during Israeli occupation have been reported.

"These are only examples of the cases where the specialized agencies and United Nations organs are to assist the Secretary-General in preparing the requested report. The co-sponsors wish to emphasize that other organizations within the United Nations system, such as WHO, FAO, UNIDO etc., are also expected to participate in preparing the report."

It was also in view of the magnitude and complexity of the task that the Secretary-General submitted a statement (A/C.5/1649) on the administrative and financial implications of the draft resolution (A/C.2/L.1372) in which:

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"it was indicated that it was proposed to prepare the report on the basis of inquiries from, and visits to, the States concerned and consultations with the relevant specialized agencies and United Nations organs, including the United Nations Conference on Trade and Development. A large part of the work involved would be carried out in co-operation with the Economic Commission for Western Asia, and, in view of the short time available and the limited staff resources currently available to that newly created regional commission, would require four economists, appointed for six months each, and General Service secretarial support, as well as travel funds."
(A/C.5/1649, para. 3)

However, in an oral statement on behalf of the Advisory Committee on Administrative and Budgetary Questions, the Chairman of the Advisory Committee pointed out that the main justification offered for the appointment of four economists for six months each was the fact that the Economic Commission for Western Asia had currently only limited staff resources to draw upon. In that connexion, he was in a position to inform the Fifth Committee that the Advisory Committee would recommend the adoption of the Secretary-General's staffing proposals for ECWA, as included in his progress report on the programme budget for the biennium 1974-1975, a/ namely, a net increase of 25 posts in the Professional category and 60 additional local-level posts in 1975. On the assumption that this recommendation would be adopted, it would not prove necessary to engage four economists. The Advisory Committee therefore recommended that an additional provision in the amount of \$37,000 to cover the cost of two economists only for a period of six months each could be made under section 12 of the programme budget (A/9978/Add.1, para. 4). b/ This additional appropriation for the purpose indicated was before the General Assembly in document A/9978/Add.1 as it adopted resolution 3336 (XXIX).

The Permanent Representative wishes to recall that this question was discussed in detail during two meetings, held on 12 February and 22 April 1975 with the Under-Secretary-General for Economic and Social Affairs, with a view to stressing the importance of preparing the Secretary-General's report as envisaged by paragraph 5 of General Assembly resolution 3336 (XXIX) and as spelt out by the co-sponsors of the draft resolution, as well as the statement submitted by the Secretary-General on the administrative and financial implications of the draft resolution, within the allocations approved by the General Assembly upon the explanation given by the Chairman of the Advisory Committee for Administrative and Budgetary Questions as stated in document A/9978/Add.1.

a/ Official Records of the General Assembly, Twenty-ninth Session, Supplement No. 6 (A/9606).

b/ Ibid., Twenty-ninth Session, Annexes, agenda item 73.

APPENDIX

Partial estimates of direct and indirect losses incurred by institutions and installations
as a result of Israeli aggression since June 1967

<u>Sector or Ministry</u>	<u>Description</u>	<u>Estimated loss in Egyptian pounds</u>	<u>Period</u>	<u>Remarks</u>
1. Ministry of the Interior	Buildings, installations, structures, raw materials, and martyrdom remuneration	223 072	from 5 June 1967 to 31 December 1972	
2. Transport Sector	Railroads, roads, bridges, marine transport, land transport, vehicles, lorries, tractors, equipment etc., plus evacuation costs and civil defence expenses etc.	145 978 725	from June 1967 to October 1973	Direct damage: 11 269 325 Indirect damage: 134 351 400
3. Ministry of Commerce	(a) Egyptian Public Cotton Corporation: increase in import-export expenses, evacuation costs and loans.	1 337 450	from June 1967 to 31 December 1974	
	(b) Subsidiaries of the Egyptian Foreign Trade Corporation: decrease of exports resulting from partial or total breakdown of productive units; transportation accommodation and compensation costs; civil defence costs; closure of companies' branches in Port Said and the termination of business in Suez and Sinai.	21 477 501	from June 1967 to 31 December 1974	Number of companies: 9 Losses are direct and indirect
	(c) International exhibitions and fairs: losses sustained by the permanent Egyptian Pavilion at the Damascus International Fair, and the suspension of work on the Cairo International Fair project etc.	1 028 000		Direct and indirect damage
	Subtotal	23 842 951		
4. Civil Aviation Sector	Cairo Airport and the Meteorological Office, plus compensation to families of martyrs	31 263 466	from June 1967 to 31 March 1974	Direct and indirect damage
5. Ministry of Health	Medicaments for regular and emergency treatment, and medical supplies, as a result of direct aggression on Al-Za'faran Medical Aid Station on 9 September 1969	2 103 627		Direct and indirect damage

<u>Sector or Ministry</u>	<u>Description</u>	<u>Estimated loss in Egyptian pounds</u>	<u>Period</u>	<u>Remarks</u>
6. <u>Al-Awkaf</u> (religious endowments)	Damage caused to mosques and immovable properties administered by the <u>Awkaf</u> Authority	1 773 300	From 1967 to 31 March 1974	
7. Agriculture		513 105 403	From 5 June 1967 to 19 February 1975	Direct and indirect damage
8. Ministry of Electricity	Buildings, services, and damage repair	27 139 480	From 1967 through 1974	Direct and indirect damage
9. Ministry of Social Affairs	(a) Compensation paid in the Governorates of Port Said, Ismailia, Suez and Sinai, as well as to families of martyrs	7 179 875	From 1 May 1974 to 31 December 1974	It is to be noted that these figures are exclusive of the evacuation operations expenses, which amount to £E 24 million per year
	(b) Compensation pending reimbursement for loss of life and assets	13 030 000	For 1975	
	Subtotal	20 209 875		
10. Radio and Television Sector		5 305 368	From June 1967 to 30 March 1974	Direct damage: 63 535 Indirect damage: 5 241 833
11. Ministry of War Production (Civil Sector)	Costs of shutdown during raids, and increase in import expenses, etc., plus loss of nitric acid production in Suez	16 137 296	Up to 31 December 1974	Direct damage: 1 522 000 Indirect damage: 14 615 296
12. Petroleum Sector	(a) Direct damage up to 31 December 1974	406 300 000		
	(b) Indirect damage up to 31 December 1974	355 500 000		
	(c) Losses resulting from the loss of Sinai fields up to 30 June 1975	875 000 000		
	Subtotal	1 636 800 000		
13. Industry and Mining	17 public sector industrial installations damaged or destroyed; cost of their restoration and loss caused to the local market by lack of supplies	860 000 000	From June 1967 and during the war of attrition through 1973	

<u>Sector or Ministry</u>	<u>Description</u>	<u>Estimated loss in Egyptian pounds</u>	<u>Period</u>	<u>Remarks</u>
14. Tourism	(a) Direct damage incurred by tourist companies, especially in Port Said, Ghardakah, Al-Ain, Al-Soknah, and tourist offices in Port Said, Suez, Al-Areesh Rest House, as well as the loss sustained by the Ministry's offices in the aforesaid locations.	24 016 770	through 1973	
	(b) Indirect losses in Egypt's tourist revenues as a result of the aggression	434 800 000	through 1973	
	Subtotal	458 816 770		
15. Higher industrial education institutes	Damage caused to buildings and installations, such as the Higher Industrial Institute in Port Said and the Higher Mining Institute in Suez, etc.	153 756		
16. Manpower		76 527		Direct damage: 13 173 Indirect damage: 63 354
17. Education Sector	Damage caused to buildings, installations, and services; evacuation expenses, teachers' salaries etc.	36 745 046		Direct damage: 34 032 294 Indirect damage: 2 712 752
18. Irrigation Sector		16 011 100	From June 1967 to 30 September 1974	Direct damage: 1 007 600 Indirect damage: 15 003 500
19. Ministry of Justice	Renovation of Suez, Ismailia and Port Said courthouses damaged as a result of aggression, as well as the decrease in the revenues of courts, the Land Registration Administration, the State Council and the Forensic Medicine Department in the Governorates of the Canal zone	1 443 615	From June 1967 to 31 March 1974	Direct damage: 9 430 Indirect damage: 1 434 185
20. Ministry of <u>Al-Azhar</u> Affairs	Damage caused to Al-Azhar's affiliated institutes in Port Said, Ismailia, and the Nasser Boarding Quarters for Moslem students in Cairo	171 572		

<u>Sector or Ministry</u>	<u>Description</u>	<u>Estimated loss in Egyptian pounds</u>	<u>Period</u>	<u>Remarks</u>
21. Economic co-operation	Losses incurred by the Free Zone in Port Said, including damage to buildings and roads and loss of revenues	105 087 210		Direct damage: 87 210 Indirect damage: 105 000 000
22. Insurance Sector	Damage caused to buildings and installations and the decrease in revenues and the increase in expenses of the General Egyptian Insurance Corporation	3 521 969	From June 1967 through November 1974	
23. Sea transport	Damage caused to the Department of Ports and Lighthouses and the port of Alexandria	91 611 700	From June 1967 to 31 December 1972 during 1973 From 1967 to 31 March 1974	Direct damage: 9 006 300 Direct damage: 3 863 700 Indirect damage: 78 741 700
24. Ministry of Foreign Affairs	Damage caused to our consular offices in Jerusalem and to the personal property of our consular staff there during the 1967 aggression	19 369		

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B. Note verbale of 8 July 1975

/Original: English/

The Permanent Representative of the Arab Republic of Egypt to the United Nations presents his compliments to the Secretary-General of the United Nations and further to the Permanent Representative's note dated 26 June 1975 regarding General Assembly resolution 3336 (XXIX) of 17 December 1974, has the honour to enclose herewith partial estimates of losses incurred by the Ministry of Supply Sector in the Suez Canal region as a result of repeated Israeli aggression since June 1967.

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APPENDIX

Partial estimates of losses - direct and indirect - incurred by institutions and installations as a result of Israeli aggression since June 1967 (continued)

Sector or Ministry	Description	Estimated loss in Egyptian pounds	Period	Remarks
25. Supply	(a) Direct losses sustained in supply commodities and produce of miscellaneous nature in warehouses in different areas of Canal cities.	70 794	from June 1967 to 31 Dec. 1974	
	(b) Direct losses incurred by the warehouses of the Supply Commodities Corporation in Port Said and Port Tawfiq areas - exclusive of warehouses totally destroyed or severely damaged, the value of which is being estimated.	11 000	Ditto	
	(c) Damage caused to equipment and vehicles rendering them useless.	9 000	Ditto	
	(d) Indirect losses including:			
	(i) Demurrage due to military operations and the closure of Port Said and Suez ports.	13 000 000		
	(ii) Decline in revenues of warehouses in the Canal Zone.	150 000		
	Subtotal	13 240 794		

C. Note verbale of 26 August 1975

/Original: English/

The Permanent Representative of the Arab Republic of Egypt to the United Nations presents his compliments to the Secretary-General of the United Nations and, pursuant to the Permanent Representative's note dated 8 July 1975, regarding General Assembly resolution 3336 (XXIX) of 17 December 1974, has the honour to enclose herewith further partial estimated losses incurred by the Ministries of the Interior, Local Administration and War, in Egypt as well as in the Gaza Strip, as a result of Israeli aggression and occupation since June 1967.

APPENDIX

Partial estimates of direct and indirect losses incurred by Departments and utilities as a result of the Israeli aggression since June 1967

Sector or Ministry	Items	Estimate of losses in Egyptian pounds	Duration	Remarks
26. Ministry of the Interior	Construction; installations of machinery; raw materials; indemnities for casualties	2 724 088	from 1 Jan. 1973 up to present	To be added to data concerning the Ministry in item 1.
27. Ministry of Local Government	Buildings; installations; furnishings and equipment; means of transportation; general economic damages	144 078 000	from 5 June 1967 to 31 Dec. 1974	Losses suffered by the Governorates of Sinai, El Arish, and Kantara East only
28. Ministry of War	Direct and indirect civilian losses to bodies under the Ministry's supervision	724 197	from 5 June 1967 to 31 Dec. 1973	Apart from losses of Armed Forces units, whether in personnel, installations or equipment

D. Note verbale of 23 September 1975

[Original: English]

The Permanent Representative of the Arab Republic of Egypt to the United Nations presents his compliments to the Secretary-General of the United Nations, and further to the Permanent Representative's note, dated 26 August 1975, regarding General Assembly resolution 3336 (XXIX) of 17 December 1974, has the honour to enclose herewith partial estimates of the losses incurred by the Gaza Strip and the Ministry of War, and re-estimates of the losses incurred by the Ministries of Social Affairs, Commerce and Petroleum.

APPENDIX

Partial estimates of direct and indirect losses incurred by Departments and utilities as a result of Israeli aggression since June 1967

Sector or Ministry	Description	Estimated losses in Egyptian pounds	Period	Remarks
29. Ministry of Social Affairs	(a) Compensation paid for losses of private property	11 128 161	up to 15 Aug. 1975	Amending item 9
	(b) Compensation expected to be paid for losses of property	3 871 839	from 16 Aug. 1975 to 31 Dec. 1975	
		15 000 000	from 1 Jan. 1967 to 31 Dec. 1967	
	(c) Compensation paid for civilian casualties	182 088	up to 1 Sept. 1975	
	(d) Reparation paid to evacuees	119 336 111	from 5 June 1967 to 31 July 1975	
	(e) Reparation expected to be paid	10 502 053	from 1 Aug. 1975 to 31 Dec. 1975	
	(f) Reparation paid to families of troops	22 628 000	up to 1 Sept. 1975	
	(g) Cost of the Social Development Plan in the Suez Canal region	2 000 000	up to 1 Sept. 1975	
(h) Sums paid from the allocation for victims of the aggression	4 647 499	up to 1 Sept. 1975		

APPENDIX

Partial estimates of direct and indirect losses incurred by Departments and utilities as a result of Israeli aggression since June 1967 (continued)

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Sector or Ministry	Description	Estimated losses in Egyptian pounds	Period	Remarks
29. Ministry of Social Affairs (continued)	(i) Assistance paid to charity societies in service of the battle	11 886 939	up to 1 Sept. 1975	
	(j) Financial estimates of unrealized profits	390 000 000	up to 1 Sept. 1975	
	(k) Estimate of losses incurred in the installations of the Ministry and of other affiliate bodies	235 301	up to 1 Sept. 1975	
	(l) Sums paid against evacuation and for commercial and real-estate loans	Under preparation by the Ministry of Finance		
30. Ministry of Commerce	(a) Direct damages	61 994 550	up to 31 Dec. 1974	Amending item 3 (above)
	(b) Indirect damages	457 800	up to 31 Dec. 1974	

APPENDIX

Partial estimates of direct and indirect losses incurred by Departments and utilities as a result of Israeli aggression since June 1967 (continued)

Sector or Ministry	Description	Estimated losses in Egyptian pounds	Period	Remarks
31. Ministry of Petroleum	(a) Direct damages	452 499 000	up to 31 Dec. 1974	Amending item 12 (above)
	(b) Indirect damages	368 264 000	up to 31 Dec. 1974	
	(c) Losses resulting from the enemy's seizure of Sinai's petroleum production	896 200 000	up to 31 Dec. 1975	
32. Gaza Strip	(a) Losses incurred by the Directorate of Education	440 000	up to 1 Sept. 1975	
	(b) Losses incurred by the Directorate of the Interior and Public Security	1 606 825	up to 1 Sept. 1975	
	(c) Losses incurred by the Directorate of Finance and Economy	12 019 248	up to 1 Sept. 1975	
	(d) Losses incurred by the Directorate of Social Affairs and Refugees	233 666 000	up to 1 Sept. 1975	

APPENDIX

Partial estimates of direct and indirect losses incurred by Departments and utilities as a result of Israeli aggression since June 1967 (continued)

Sector or Ministry	Description	Estimated losses in Egyptian pounds	Period	Remarks
33. Ministry of War	(a) Losses of equipment, weapons and ammunition:			
	June 1967 operations	1 200 000 000		
	War of Attrition	260 000 000		
	October 1973 war	1 500 000 000		
	(b) Losses in installations	26 000 000		
	(c) Compensations for families of casualties	40 000 000		In addition to monthly pensions paid to entitled persons

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E. Note verbale of 30 September 1975

The Permanent Representative of the Arab Republic of Egypt to the United Nations presents his compliments to the Secretary-General of the United Nations and, further to the Permanent Representative's note dated 23 September 1975, regarding General Assembly resolution 3336 (XXIX) of 17 December 1974, has the honour to enclose herewith partial re-estimates of the losses incurred by the Ministries of Electricity, Military Production (Civil Sector) and Education.

It should also be pointed out that the Ministry of Finance, in connexion with information gathered from most ministries, has estimated that the global losses incurred by these ministries and up to 31 August 1975 should read as follows:

(In Egyptian pounds)

1. Civil losses	
(a) Direct losses	2 412 000 000
(b) Indirect losses	4 655 900 000
2. Military losses (approx.)	4 942 400 000

APPENDIX

Statement of partial estimates of direct and indirect losses incurred by Departments and utilities as a result of Israeli aggression since June 1967 (continued)

Sector or Ministry	Description	Estimated losses in Egyptian pounds	Period	Remarks
34. Ministry of Electricity	(a) Direct damages	31 526 600	from 5 June 1967 to 31 Dec. 1974	Amending item 8 above
	(b) Indirect damages	267 076 700	"	
35. Ministry of War Production (Civil Sector)	Cost of suspension of production during the raids and rise in cost of imports etc., as well as loss of production of nitric acid in Suez	18 349 769	from 5 June 1967 to 31 Aug. 1974	Direct losses 1 522 000 Indirect losses 16 827 769 (amending item 11 above)
36. Ministry of Education	(a) Direct damages	51 048 491	from 5 June 1967 to 1 Sept. 1975	Amending item 17 above
	(b) Indirect damages	4 281 468	"	

F. Note verbale of 24 October 1975

/Original: English/

The Permanent Representative of the Arab Republic of Egypt to the United Nations presents his compliments to the Secretary-General of the United Nations and, further to the Permanent Representative's note dated 30 September 1975, regarding General Assembly resolution 3336 (XXIX) of 17 December 1974, has the honour to enclose herewith partial estimates of losses incurred by the Ministry of Housing and Reconstruction, and re-estimates of the losses incurred by the Ministries of Health and Wakfs.

APPENDIX

/Original: Arabic/

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Sector or Ministry	Statement of losses	Estimate of losses in Egyptian pounds	Period	Remarks
37. Ministry of Health	(a) Medicines for treatment and emergencies and medical equipment, as a result of a direct attack on the First Aid Station at Zaafarana on 9 Sept. 1969	2 103 627	from 9 Sept. 1969 to 1 Oct. 1975	Amendment of item 5
	(b) Losses incurred by the Governorate of Sinai	18 061 000	from June 1967 to 1 Oct. 1975	
	(c) Losses incurred by the Gaza Strip	60 884 365	from June 1967 to 1 Oct. 1975	
	(d) Losses incurred within Egypt	623 050 000	from June 1967 to 1 Oct. 1975	
38. Ministry of Wakfs (endowments)	(a) Cost of renovation and restoration of the Ministry's mosques in the Governorates of the Suez-Canal region and Sinai	2 008 725	from June 1967 to 1 Oct. 1975	Amendment of item 6

APPENDIX

Partial estimates of direct and indirect losses incurred by Departments and organs as a result of the Israeli aggression since 1967 (continued)

Sector or Ministry	Statement of losses	Estimate of losses in Egyptian pounds	Period	Remarks
38. Ministry of Wakfs (endowments) (continued)	(b) Cost of renovation and restoration of mosques endowed by private individuals in the Governorates of the Suez Canal region and Sinai	480 000	from June 1967 to 1 Oct. 1975	
	(c) Egyptian Wakfs Authority:			
	(i) Direct losses	125 491	from 5 June 1967 to 1 Oct. 1975	
	(ii) Indirect losses	6 597	"	
39. Ministry of Housing and Construction	Losses incurred by contracting companies (direct and indirect)	30 042 632	from 5 June 1967 to 1 Oct. 1975	

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ANNEX III

Note verbale dated 8 July 1975 from the Permanent Representative
 of the Syrian Arab Republic to the United Nations addressed
 to the Secretary-General

/Original: Arabic/

The Permanent Representative of the Syrian Arab Republic to the United Nations, in response to the Secretary-General's note of 18 March 1975 requesting information on the adverse economic effects suffered by the Syrian Arab Republic since 1967 as a result of repeated Israeli aggression and continued occupation of part of its territories, in pursuance of paragraph 5 of General Assembly resolution 3336 (XXIX) of 17 December 1974, encloses tables containing the following information on such economic effects:

		<u>\$US 1,000</u>
1.	Table 1 Amount of economic damage suffered by State bodies and the public sector, 1967-1975	2,541,543
2.	Table 2 Amount of direct damage suffered by the private sector, 1973-1975	316,840
3.	Table 3 Amount of direct damage in villages in the theater of operations and villages occupied in 1973 and subsequently evacuated	261,161
4.	Table 4 Amount of damage resulting from the devastation of the town of Quneitra and the occupation of the district, 1967-1975	2,347,765
5.	Table 5 Amount of agricultural damage resulting from the occupation of Quneitra district, 1967-1975	593,852
6.	Value of antiquities taken from the district and looted by the enemy	1,000,000
7.	Amount of aid to the people displaced during the period 1967-1975	<u>354,048</u>
	Grand Total	7,019,209

In addition to this economic damage, which amounted to \$US 7,019,209,000, the Syrian Arab Republic will incur, as from 1976, \$US 184 million, at current rates, owing to the loss of agricultural land, the cost of providing for the needs of the displaced persons and the loss of revenue from properties and public utilities.

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Furthermore, the Permanent Representative of the Syrian Arab Republic would like to draw the Secretary-General's attention to the fact that, in 1967, Israeli forces occupied two towns, 137 villages and 100 farms. In 1973, they occupied 24 villages and 23 farms. They withdrew in 1973 from one town, 27 villages and 23 farms, while to date they continue to occupy one town, 134 villages and 100 farms. The estimated number of persons forced by Israeli aggression to leave their land in the Quneitra district in 1967 is 82,000. The 1970 census shows that 122,937 inhabitants of Quneitra were at that time living in other Syrian districts.

It is to be noted that the attached information on the damage suffered by the Syrian Arab Republic as a result of repeated Israeli aggression and continued occupation of part of its territories is not all inclusive. Syrian authorities are in the process of assessing other direct and indirect damage that might have been caused by Israeli aggression to private establishments and individuals in respect of which no claim or notification has yet been made. Nor does the information cover casualties, including loss of life.

The Permanent Representative of the Syrian Arab Republic transmits this information to the Secretary-General for inclusion in the report he is to prepare in pursuance of paragraph 5 of General Assembly resolution 3336 (XXIX).

Table 1

Amount of economic damage suffered by State bodies and the public sector as a result of continued occupation and repeated Israeli aggression, 1967-1975

Body	1967-1973			1973-1975			\$US 1 000
	Direct damage	Indirect damage	Total	Direct damage	Indirect damage	Total	Grand total
Ministry of Petroleum	-	-	-	402 580	111 322	513 902	513 902
Ministry of Electricity	21 000	6 000	27 000	692 000	134 000	826 000	853 000
Ministry of Industry	-	-	-	15 020	54 693	69 713	69 713
Ministry of Communications	276 000	24 000	300 000	186 000	24 000	210 000	510 000
Ministry of Public Works	1 050	6 000	7 050	3 450	3 105	6 555	13 605
Ministry of Education	73 100	-	73 100	1 080	-	1 080	74 180
Ministry of Higher Education	-	-	-	13	-	13	13
Ministry of Health	661	-	661	35	1 026	1 061	1 722
Ministry of Information	-	-	-	260	293	553	553
Ministry of Supplies	-	-	-	200	126	326	326
Ministry of Economy and Foreign Trade	-	-	-	55	30 236	30 291	30 291
Ministry of Labour and Social Affairs	-	-	-	782	-	782	782
Ministry of Tourism	-	5 600	5 600	10	-	10	5 610
Civil Aviation Administration	-	-	-	-	6 080	6 080	6 080
Ministry of Finance	-	-	-	100	43 200	43 300	43 300
Ministry of Euphrates Dam	-	-	-	7 640	-	7 640	7 640
Ministry of Local Administration	-	-	-	-	641	641	641
Ministry of Housing and Utilities	10 228	1 150	11 378	350	2 000	2 350	13 728
Ministry of Transport	-	305	305	-	152	152	457
Grand total	882 039	43 055	425 094	1 309 575	410 874	1 720 449	2 541 543

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Table 2

Amount of direct damage suffered by the private sector, 1973-1975

Data	\$US 1 000
Buildings destroyed and damaged in the city of Damascus	22 673
Cars destroyed in Damascus and Homs	2 282
Industrial plants	256 200
The construction sector	8 500
Public transport	6 600
Hotels, entertainment and tourism facilities	17 085
Other sectors	3 500
Total	316 840

Table 3

Amount of direct damage in villages in the theatre of operations
 and villages occupied in 1973 and subsequently evacuated

Data	Villages in the theatre of operations	Villages occupied in 1973 and subsequently evacuated	\$US 1 000 Total
Buildings	16 874	51 513	68 387
Funds, commodities and merchandise	17 583	21 035	38 618
Trees and agricultural products	41 348	84 427	125 775
Animals and livestock	3 378	17 430	20 808
Utilities and structures	5 508	2 065	7 573
Total	84 691	176 477	261 161

Table 4

Amount of damage resulting from devastation of the town
 of Quneitra and occupation of the district, 1967-1975

Data	Town of Quneitra	Cities, villages and farms	\$US 1 000 Total
Buildings	1 042 700	312 060	1 354 760
Funds, commodities and merchandise	472 575	79 430	552 005
Utilities and government structures	441 000	a/	441 000
Total	1 956 275	391 490	2 347 765

a/ Included in table 1.

Table 5

Amount of agricultural damage resulting from the
 occupation of Quneitra District, 1967-1975

Data	Direct damage	Losses in production	\$US 1 000 Total
Farm products	-	161 560	161 560
Produce of productive trees	-	210 920	210 920
Animal products	102 760	101 304	204 064
Agricultural machinery	2 954	295	3 249
Mills	984	2 496	3 480
Oil presses	270	1 132	1 402
Molasses presses	285	8 892	9 177
Total	107 253	486 599	593 852

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ANNEX IV

Note verbale dated 6 August 1975 from the Permanent Mission
of Israel to the United Nations addressed to the
Secretary-General

/Original: English/

The Permanent Mission of Israel to the United Nations presents its compliments to the Secretary-General and has the honour to refer to his note of 18 March 1975, concerning General Assembly resolution 3336 (XXIX) of 17 December 1974.

The position of Israel on the subject-matter of the resolution in question was made clear by the delegate of Israel in the Second Committee on 15 November 1974 and in the plenary meeting on 17 December 1974 and is reflected in documents A/C.2/SR.1630 and A/FV.2323 enclosed herewith.

Furthermore, it is noted that the wording of paragraph 5 of resolution 3336 (XXIX) completely prejudices the issue, leaving no room and no purpose for the preparation of an objective report. In fact, the resolution is merely a reflection of the political warfare carried out by the Arab States against Israel in the United Nations.

APPENDIX I

Statement by Mr. Israel Eliashiv in explanation before the vote on item 12
(report of the Economic and Social Council) at the twenty-ninth session of
the General Assembly on 17 December 1974 (A/PV.2323)

I wish to address myself to draft resolution II recommended by the Second Committee in document A/9886 a/ now before the Assembly. It is indeed regrettable that those who have inspired and initiated the draft resolution, and their supporters, have once more involved the Second Committee in highly sensitive political subjects which not only are extraneous to it but have been fully dealt with elsewhere in this Assembly, thus establishing a very negative and unproductive pattern of work for the Second Committee by engaging it in bilateral political disputes. Furthermore, the specific questions referred to in the draft resolution relate to the areas administered by Israel since 1967, and these questions have been fully discussed in the Special Political Committee and in the plenary Assembly. There we have given a very full statement of the factual situation and of our position, and I do not intend to repeat all that.

Last year a very similar proposal was initiated by the same delegation. Its purpose was clear: by the constant repetition of spurious charges, to try and rewrite history. The draft resolution now before us continues in that vein. It singles out one so-called economic issue, which cannot be divorced from that of the whole complex Middle East problem. The motives behind this draft resolution are essentially political in character. They attempt to attribute to Israel exclusive responsibility for all the consequences of the continuous aggression committed by Arab States against it ever since 1948, ignoring the responsibility of the Arab States which cannot escape the consequences of their own aggression against Israel.

As is well known, only a few hours after the proclamation of Israel's independence in 1948, Arab States proclaimed war against Israel and marched their armies across the borders to crush it at birth. The telegrams sent by Arab Governments and by the Secretary-General of the Arab League on 14 May 1948, brazenly informing the Secretary-General of the United Nations of their planned invasion of our country, bear testimony to that fact. I refer to documents S/743, b/ S/745 c/ and S/748 and Corr.1. c/

a/ Official Records of the General Assembly, Twenty-ninth Session, Annexes, agenda item 12, para. 21.

b/ Official Records of the Security Council, Third Year, No. 66, 292nd meeting, pp. 2 and 3.

c/ For the printed text, see *ibid.*, Third Year, Supplement for May 1948.

For more than 26 years Israel has been subjected to constant aggression and belligerency by Arab Governments in defiance of the United Nations Charter and resolutions. This aggression included economic boycott, blockade of international waterways, armed raids and sabotage, political warfare and terror, designed, in the words of the late President Nasser, to strike the death blow at Israel.

The culmination of the Arab aggression was their assault on 6 October 1973, when Egypt and Syria launched a massive premeditated and unprovoked attack against Israel, as fully described in the reports of the United Nations Truce Supervision Organization and clearly admitted by the President of Egypt and other Arab leaders. In 1967 Israel, embattled and besieged, and in the face of the avowed aggression of Egypt, Jordan and Syria, was compelled to defend itself, and the occupation of the areas administered by Israel since then is the outcome of that situation.

The continuation of that occupation is a direct consequence of the refusal of the Arab States since then to enter into negotiations with Israel to establish a firm and just peace in the area. To refer to Israeli presence in the occupied areas while ignoring that Israel arrived there in the course of a war of Arab making is to pervert fundamental truth. International law and the specific United Nations resolutions have entrusted Israel with the responsibility for the security of the territories and the safety of their population.

No amount of fanciful allegations and distorted reports will deter Israel from pursuing its policy of maintaining the law in force in the territories and to conduct its administration in accordance with the relevant rules of international law and binding international conventions, to promote social and economic development, to foster good neighbourly relations and to maintain options open for future peace negotiations.

We reject all the baseless allegations aimed at the creation of confusion and exploitation of fake issues for political purposes.

I would also recall that the Special Committee, whose report (A/9817) the proponents of this draft resolution relied on so heavily, was established in an entirely irregular and unconstitutional manner. Furthermore, as our delegation has previously shown in detail when discussing the Special Committee's report, no validity whatsoever can be attached to the findings and conclusions of that Committee. Anyone who carefully scrutinizes its report must reach the unavoidable conclusion that it is based on preconceived ideas, irrelevant assertions, baseless allegations, selective quotations, and so-called findings that have no foundation whatever.

With reference to the issue of the so-called exploitation of natural resources, I fully explained our position during the debate in the Second Committee and I shall reiterate only that it is our view that there is no rule of international law which could have the effect of barring Israel from the use of natural resources available in the area. Israel has acted in complete and absolute accord with international law and practice in this matter.

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In conclusion, the draft resolution before us is completely uncalled for. It is one-sided and biased. It passes over in utter silence the fact that Israel has endured extremely adverse economic effects as a result of continuing Arab aggression against it since 1948 in flagrant violation of the United Nations Charter and resolutions. It is based on utterly false legal premises. It seeks to prejudge any forthcoming negotiations and will serve no purpose in the quest for peace in the Middle East.

For the reasons presented by my delegation in the Second Committee and here in the General Assembly, we utterly reject the draft resolution and will vote against it.

APPENDIX II

Statement by Mr. Israel Eliashiv on 15 November 1974 at the
1630th meeting of the Second Committee of the General
Assembly on agenda item 12

I wish to address myself to draft resolution A/C.2/L.1372. Before doing so one can only express once again regret at the renewed attempt to involve this Committee in highly sensitive political matters which are not only extraneous to it, but are being fully dealt with elsewhere in this session in the General Assembly. The draft establishes a very negative and non-productive pattern of work for the Second Committee by engaging it in bilateral political disputes. The Second Committee has built up, over the years, a positive tradition of dealing with purely economic and financial matters, and in any case it has avoided as a general practice any reference in its resolutions to countries involved in bilateral disputes, even on economic issues. I need not spell out examples which are of common knowledge to members of this Committee. This draft breaks with this tradition.

Last year a very similar proposal was sponsored by a number of countries. Its purpose was clear, by the constant repetition of spurious charges, to try and rewrite history. The draft now before us continues in that vein.

Those who have inspired and initiated the draft resolution have singled out one so-called economic issue which cannot be divorced from that of the whole complex Middle East problem, which is being discussed elsewhere in this session of the General Assembly. Furthermore, the specific questions referred to in the draft resolution have no relevance to the agenda item we are discussing, which is the report of the Economic and Social Council. The draft relates to the areas administered by Israel since 1967, and these questions have been discussed in the Special Political Committee. There we have given a very full statement of the factual situation and of our position, and I will not take up this Committee's time by repeating all that.

The motives behind this draft resolution are essentially political in character. They aim at attributing to Israel exclusive responsibility for all the consequences of the continuous aggression committed by Arab States against it ever since 1948, ignoring the responsibility of the Arab States who cannot escape the consequences of their own aggression against Israel. As is well known, only a few hours after the proclamation of Israel's independence in 1948, Arab States proclaimed war against Israel and marched their armies across the borders to crush her at birth. Let me recall the telegrams sent by Arab Governments and by the Secretary-General of the Arab League on 14 May 1948, brazenly informing the Secretary-General of the United Nations of their planned invasion of our country. I refer to documents S/743, S/745, S/748. In a cable to the Security Council, contained in document S/743, the then Egyptian Foreign Minister, Mahmoud Bey Fawzi, announced explicitly the invasion, saying that now that the British Mandate in Palestine has ended, the Egyptian armed forces have started to enter.

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For more than 26 years, Israel has been subjected to constant aggression and belligerency by Arab Governments, in defiance of the United Nations Charter and resolutions. This aggression included economic boycott, blockade of international waterways, armed raids and sabotage, political warfare and terror designed, in the words of the late President Nasser, "to strike the death blow at Israel". The culmination of the Arab aggression was their assault on 6 October 1973, when Egypt and Syria launched a massive premeditated and unprovoked attack against Israel as fully described in the reports of United Nations Truce Supervision Organization, and clearly admitted by the President of Egypt and other Arab leaders.

By what perverse logic can the Arab representatives accuse Israel of aggression? A belligerent cannot preach and practise unilateral aggression, and then demand to be protected from the consequences of his acts.

The principal organs of the United Nations repudiated the malicious Arab thesis that aggression and a state of war which the Arab States have proclaimed and practised against Israel conferred upon them the right to blockade, boycott, threaten, intimidate and engage in political warfare and terror, while requiring Israel to resign itself to its annihilation, openly promised and planned by Arab States. They also repudiated all unfounded Arab charges that Israel has been guilty of aggression.

In 1967, Israel, embattled and besieged and in the face of the avowed aggression of Egypt, Jordan and Syria, was compelled to defend itself, and the occupation of the areas administered by Israel since then, is the outcome of that situation. The continuation of that occupation has been the direct consequence of the refusal of the Arab States since then to enter into negotiations with Israel to establish a firm and just peace in the area.

To refer to the Israeli presence in the occupied areas while ignoring that Israel had arrived there in the course of a war of Arab making is to pervert fundamental truth.

International law and specific United Nations resolutions have entrusted Israel with the responsibility for the security of the territories and the safety of its population. The policy of the Military Administration in the territories has been to maintain the laws in force in the territories and to conduct its administration in accordance with the relevant rules of international law and binding international conventions, to promote social and economic development, to foster good neighbourly relations and to maintain options open for future peace negotiations.

Progress has been achieved in every field of human life and endeavour, be it in the sphere of education, health, social services, building activity, agriculture, industry or development.

To ignore these facts and to place the matter in the distorted mirror of the draft resolution is an invidious and tasteless misrepresentation which exceeds all limits. To refer to a situation where tens of thousands of workers from occupied territories find useful and remunerative employment in Israel as "exploitation of existing resources", including human resources, is absurd.

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We reject all the baseless allegations aimed at the creation of confusion and the exploitation of faked issues for political purposes. I would also recall that the Special Committee, d/ on the report of which the proponents of this resolution relied so heavily, was established in an entirely irregular and unconstitutional manner and, for the further reasons presented by my delegation in the Special Political Committee when discussing that report, none of its findings and conclusions have any validity whatsoever.

With reference to the issues of the so-called "exploitation of natural resources", as I stated last year in this Committee, it is our view that there is no rule of international law which could have the effect of barring Israel from the use of natural resources available in the area.

Israel has acted in complete and absolute accord with international law and practice on this issue. Israel has, in accordance with international law, the responsibility and financial burden of providing public and social services for the population of the territories and it is entitled to that income to which the former authorities were entitled. It is completely and patently untenable to claim that international law stipulates that the occupying Power is bound to provide those services given by the Government, but that the income to which the Government is entitled reverts to the previous authority. On this issue, The Hague Regulations clearly state that the occupying Power is entitled to the usufruct. Any other interpretation would lead to a situation whereby the occupying Power provides the services and public utilities, while the income from public property belongs to the previous Power, who, during the period of occupation, provides no services whatsoever. Such a result would be founded neither on logic nor on international law.

It is obvious that the repeated Arab aggression against my country since 1948, in flagrant violation of the United Nations Charter and resolutions, has had extremely adverse economic effects on Israel.

To conclude, the draft resolution is completely uncalled for, it seeks to prejudge any forthcoming negotiations and will serve no purpose in the quest for peace in the Middle East. We, therefore, reject it completely and hope that many other delegations will oppose it and not adopt an attitude which can be interpreted as implying support for it.

d/ United Nations, Treaty Series, vol. 249, No. 3511.

ANNEX V

Note verbale dated 9 September 1975 from the Permanent Representative
of Jordan to the United Nations addressed to the Secretary-General

/Original: English/

The Permanent Representative of the Hashemite Kingdom of Jordan to the United Nations presents his compliments to the Secretary-General of the United Nations and with reference to the Secretary-General's note dated 18 March 1975 and regarding General Assembly resolution 3336 (XXIX) of 17 December 1974, and pursuant to his note of 26 August 1975, has the honour to enclose herewith the revised and final report on the adverse economic effects on the Hashemite Kingdom of Jordan, resulting from the Israeli aggression and occupation of the West Bank of the Jordan.

The adverse effects of Israeli occupation of the West Bank
on Jordan's economy

1 September 1975

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APPENDIX

Tables 1 to 7

I. Introduction

1. Jordan is situated off the south-eastern shores of the Mediterranean (between longitudes 34° and 39° East and latitudes 29° and 33° North) and extends eastwards to the Arabian desert. Jordan covers an area of 94,740 square kilometres of which 5,874 square kilometres (6.2 per cent) lie on the West Bank of the Jordan River. The total cultivable area is estimated at 13 million dunums, of which 3.2 million dunums (25 per cent) lie on the West Bank.

2. The population of Jordan is estimated at 2.7 million persons in 1975, of whom about 2 million persons live in the East Bank and 0.7 million persons live in the West Bank. The rate of growth of population is 3.2 per cent per annum. The density averages at 28.4 persons per square kilometre of total area and 207.7 persons per square kilometre of cultivable area. Adult literacy rate was 60 per cent in mid-1971.

3. The 1961 population census of Jordan indicated that there were 389,978 persons as economically active; of this, 172,101 persons (44.1 per cent) were in the West Bank. Assuming a participation rate of 20 per cent, the total labour force in 1975 is 540,000 persons, of whom 400,000 are in the East Bank.

II. Economic development and performance

4. Jordan's economy prior to June 1967 witnessed higher rates of growth than any other developing country in the world. Jordan's initial effort in drawing up a Five-Year Economic Development Plan (1962-1967) was superseded by the Seven-Year Plan for Economic Development (1964-1970).

5. The Seven-Year Plan (1964-1970) was launched in 1964 aiming at increasing the gross national product (GNP) in real terms by 7.4 per cent per annum and reducing the ration of foreign trade deficit to GNP from 30 per cent in 1964 to 11 per cent in 1970. The plan also aimed at reducing budget support from JD 14 million to JD 6 million between 1964-1970 and at increasing employment by 5.5 per cent per annum.

6. In order to achieve these objectives, the plan called for a total investment of JD 275 million.

7. Most of the development projects and proposals included in the plan and scheduled for implementation between 1964 and June 1967 were either implemented or under way.

8. The gross national product rose at an annual rate of growth of 9.4 per cent. This high rate of economic growth was maintained with a fairly high degree of price and monetary stability. The significant features of growth trends in the composition of expenditure were the rising share of consumption, whose rate of growth was 15.5 per cent per annum, and the increasing share of investment, whose annual rate of growth was 11 per cent. The rate of growth of exports of goods and non-factor services was almost double the corresponding figure for imports of

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goods and non-factor services (15.4 per cent for exports as against 8.5 per cent for imports). The net-factor income from abroad rose at an annual rate of 15.3 per cent. The structural change was evidenced in domestic output (whose rate of growth was 8.4 per cent per annum) in favour of the agriculture, mining and manufacturing sectors. The annual rates of growth of the agricultural sector over the 1959-1966 period was 9.1 per cent, mining and industry 15.7 per cent, construction 10.4 per cent, electricity and water 16.9 per cent and the services sectors 7 per cent.

9. It is sufficient to mention here that Jordan's absorptive capacity expanded, its natural resources were efficiently utilized, its human resources were upgraded and became more productive, its institutional set-up modernized and developed, its stock of entrepreneurs increased under the umbrella of constitutional continuity, stability, law and order. The social overhead capital accumulated and increased and the capacity of the public sector in providing public services and infrastructural facilities promoted and expanded.

10. A large number of institutions, corporations and firms were established in the fields of agriculture, industry, mining, trade, business and banking.

III. The impact of Israeli occupation on land and human resources of Jordan

A. Land

11. The Israeli aggression in June 1967 resulted in the loss of the West Bank, 6.2 per cent of the total area of Jordan, 25 per cent of Jordan's cultivable area, 80 per cent of the land planted with fruits, 45 per cent of land planted with vegetables, 25 per cent of land planted with cereals and 35 per cent of total livestock.

Area and cultivable land use
 (in millions of dunums)

	Area	Agricultural land	Cereals	Vegetables	Fruits	Unutilized
Kingdom	94.740	13.0	8.7	0.6	0.9	2.8
West Bank	5.874	3.2	2.2	0.3	0.7	
% of total	(6.2)	(25)	(25)	(45)	(80)	

12. The net irrigable area is 728,000 dunums (mostly lie in the Jordan Valley), of which 156,000 dunums (32 per cent) are in the West Bank. This area in particular was subject to frequent attacks and bombardment by Israeli artillery and by air raids, which continued for years after the occupation and caused severe damages to irrigation schemes, roads, houses, farms and other installations, which ended in the destruction of agricultural produce. The total loss in the East Bank caused by continuous Israeli raids in the Jordan Valley, amounted to JD 55 million, or JD 97.2 million in 1975 prices.

13. In the West Bank, the agricultural land was greatly reduced owing to the expropriation of 190,259 dunums of land between 1967 and 1974. Most of the confiscated land is located around Jerusalem, Jericho and Nablus. Over 13,000 housing units were demolished between 1967 and 1974, leaving their dwellers homeless.

14. In judaizing Arab Jerusalem, the Israeli authorities demolished entire villages around Jerusalem, whole quarters in the city, mosques and schools. The Israeli authorities have also confiscated the Palestine museum, 20,000 dunums, including 600 buildings, five mosques, four schools, two markets and two Islamic centres, leaving their dwellers homeless, in order to resettle 100,000 Jews in 30,000 housing units to be built in Jerusalem so as to outnumber the 70,000 Arabs living there.

15. The sanctity of the holy places, including the Dome of the Rock and the Aqsa Mosque and a good number of other mosques and churches, was violated. The Aqsa Mosque was burnt and its structure threatens to collapse owing to excavations by Jewish fanatics searching for Solomon's temple.

B. Human resources

16. Israeli aggression caused the influx of over 414,000 evacuees from the Gaza Strip and the West Bank to East Bank.

17. Israeli authorities deported and put to exile 1,500 persons between 1967 and 1972, entirely demolished three villages, leaving 8,500 persons homeless, and destroyed 7,542 houses in refugee camps, whose dwellers became homeless for the second time in their history. Moreover, 6,000 persons were tempted to migrate. Some of them were supplied with air-tickets free of charge in order to migrate to the United States of America, Canada and Latin America.

18. The end result was that the population of the West Bank, estimated to be 1.3 million persons in 1975, was reduced to only 700,000 persons who are actually living there. Of these, 19,000 were committed to prison because they denounced Israeli occupation.

C. Employment

19. The total labour force, according to the Israeli Central Bureau of Statistics, numbered 126,400 persons in 1973 at a participation rate of 19 per cent.

20. Israeli policy was determined to utilize the maximum number of the Arab labour force available in the occupied territory, in order to achieve the following goals:

(a) To serve Israeli development in the fields of agriculture, industry and construction and thereby replace the maximum number of Jews serving their armed forces;

(b) To choke the occupied territory's resistance to occupation;

(c) To bleed the occupied territory's labour force, which resulted in the substantial reduction of the West Bank's economic growth and development potential.

IV. The impact of Israeli occupation on the Seven-Year Economic Development Plan

21. The implementation of the Seven-Year Plan was halted in the West Bank owing to Israeli military occupation and work on several vital projects in East Bank was either delayed or halted. Among these were the Yarmouk Dam, electrification of Jordan, Jerusalem airport and other projects in the various sectors of the economy. The total investment of these projects was estimated at JD 175 million (or JD 332.7 million in 1975 prices), an amount which, if it had been spent, would have expanded further Jordan's economic potential and its productive capacity.

22. In East Bank, the Government had to adopt an ad hoc development programme and launched an emergency programme in an attempt to absorb the economically active population seeking work. The Government also proceeded in implementing projects and proposals included in the Seven-Year Plan for East Bank.

Investment in the Seven-Year Plan
(1964-1970)

(in millions of Jordanian dinars)

	<u>1964</u>	<u>1965</u>	<u>1966</u>	<u>1967</u>	<u>1968</u>	<u>1969</u>	<u>1970</u>
Plan	22.2	29.1	38.9	49.5	45.8	46.7	42.3
Actual	18.8	23.2	24.9	24.3	27.4	34.2	23.2

23. Actual investment totalled JD 176 million, part of which was spent on capital projects not included in the plan. According to the evaluation report, only 40 per cent of the total number of projects and proposals were implemented.

24. Again, Israeli occupation of the West Bank stood in the way of Jordan's development drive and in the way of achieving the plan's goals.

V. The impact of Israeli occupation on the economic performance of Jordan

25. The adverse effects of Israeli occupation and its aftermath had precipitated far-reaching effects envisaged in the following:

(a) The economic performance in East Bank after the 1967 Israeli aggression was characterized by recession, which started immediately after June 1967 and continued until the end of 1968. Then a period of recovery continued until mid-1970, followed by a period of depression, a picture which reversed itself marginally in 1971, and the economy has continued to revive since then.

(b) East Jordan's economy suffered, until 1972, from excess demand, inflationary pressures, financial imbalances, sectoral deficits, rise in prices and substantial expansion in money and credit.

(c) Table 1 shows Jordan's GNP projected at 1975 prices for the period from 1967 to 1975 on the proviso that conditions and growth rates experienced prior to June 1967 remained the same. Table 2 shows actual data for East Bank's GNP for the corresponding period in 1975 prices.

(d) In comparing both tables, we find that GNP annual rate of growth dropped by 7.6 per cent, GDP at market prices dropped by 7.8 per cent, GDP at factor cost declined by 7.4 per cent, consumption declined by 7.1 per cent, investment dropped by 0.4 per cent, imports of goods and non-factor services outgrew the 1959-1966 growth rate by 1.4 per cent, exports of goods and non-factor services declined by 4.6 per cent and net factor income from abroad also dropped by 6.3 per cent.

(e) Again, by subtracting the findings in table 2 and those in table 3 (West Bank's GNP in 1975 prices according to the Central Bureau of Statistics in Israel) from table 1, we may observe the following (as shown in table 4):

(i) Jordan's accumulated loss amounted to JD 2.2 thousand million in terms of economic resources. In 1966, the West Bank contributed about 45 per cent of the total economic resources in the country;

(ii) The accumulated loss in GNP amounted to JD 1.6 thousand million and in GDP at market prices JD 1.5 thousand million.

Jordan's economic resources and uses
(1967-1975)

(in millions of Jordanian dinars)

	Projected East and West Banks 1	East Bank 2	West Bank 3	Accumulated loss (1 - 2 - 3) 4
GNP	5,379.1	2,741.2	1,009.6	1,618.2
Imports of (G+NFS)	2,078.4	1,059.1	474.5	544.8
Resources/ uses	7,457.5	3,800.3	1,484.1	2,163.0
Consumption	4,817.4	2,537.6	871.8	1,408.0
Investment	801.7	505.2	180.0	116.5
Exports of (G and S) including net factor income from abroad	1,838.3	757.5	432.3	638.5

- (iii) West Bank's economic resources as shown in the previous table did not exceed 20 per cent of Jordan's economic resources compared with 45 per cent in 1966. The drastic change can also be seen in other macro-economic variables.
- (iv) Again, Jordan's economy lost in terms of domestic demand an accumulated amount of JD 1.5 thousand million and in terms of external demand JD 0.6 thousand million.
- (v) The negative saving-investment gap widened. Otherwise, if Israeli occupation had not taken place, it would have shown positive savings:
- (a) Jordan's domestic savings, as shown in table 1, has shown a surplus since 1972 and until 1975 compared with negative domestic savings in previous years;
- (b) Jordan's net-factor income from abroad (in table 1) showed an accumulated amount of JD 561.4 million, which would have been used in supplementing national savings;
- (c) External savings in this case would have been in the range of only 30 per cent of total savings, compared with 58.1 per cent in East Bank.

(f) Again, East Bank suffered from balance-of-payments pressures, especially from 1969 through 1971. The estimated accumulated loss in exports of goods and non-factor services was JD 525 million and in net-factor income from abroad was JD 113.8 million.

(g) Domestic revenues of the government budget incurred a loss of 32 per cent of the total. Furthermore, the budget was subject to further financial pressures owing to the following:

- (i) The influx of over 414,000 evacuees, who needed food, shelter and clothing;
- (ii) Labour-market pressures;
- (iii) The need to expand and reconstruct infrastructure facilities;
- (iv) Higher budgetary allocations for defence instead of investment;
- (v) Allocations for compensation of farmers at the Ghor area and for reconstruction of the severely damaged areas in the Jordan Valley as a result of the continuous daily Israeli raids for several years after June 1967.

(h) Jordan lost half of its markets, which caused a severe shock in Jordan's economy, especially in the industry, trade and construction sectors.

(i) The unfavourable effects on business confidence, which caused reluctance in investment.

(j) The re-routing of sea-borne trade through Beirut instead of Aqaba, owing to the closure of the Suez Canal.

The economic situation of the West Bank after June 1967

26. The statistical data, presented by the Central Bureau of Statistics in Israel, on the West Bank do not reflect the true picture for several reasons, among which are:

(a) GNP figures and other macro-economic variables for the West Bank in 1971 are far below the 1966 level;

(b) Statistics for the integrated pre-war Jordanian economy showed that GNP of the West Bank reached JD 79.2 million in 1966, while GNP, as shown in Israel's own statistics (in 1975 prices), was JD 78.2 million in 1971 for the West Bank;

(c) Investment in the West Bank (in 1975 prices) was only JD 5.9 million in 1968, JD 7.7 million in 1970 and JD 9.2 million in 1971, which is far below the actual figure for 1966;

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(d) Figures quoted for 1968-1971 are far below the corresponding figures for succeeding years;

(e) Production growth rates between 1968 and 1975 for the West Bank were 34.8 per cent in GNP, 27 per cent in GDP, 25 per cent in consumption, 26 per cent in imports and 17 per cent in exports. In constant terms, taking into account the rise in consumer price index of 38.2 per cent, the rates of growth sustained at market prices will turn to be negative at a declining trend of 3.4 per cent in GNP, 11 per cent in GDP, 13 per cent in consumption, 12 per cent in imports and 21 per cent in exports.

27. Therefore these statistical peculiarities should be kept in mind in discussion throughout the report.

28. During the period from 1967 to 1975 the economic performance was below potential on account of low absorptive capacity, reflecting largely institutional and manpower constraints.

29. GNP of the West Bank in real terms rose from JD 34.2 million in 1968 to JD 117.4 million in 1975.

30. If Israeli occupation did not take place, assuming conditions remained the same, Jordan's GNP in real terms would have reached a global figure of JD 434 million. The West Bank's contribution, in this case, will be only 27 per cent in 1975 against 42.6 per cent in 1966, when the West was part of Jordan.

31. Per capita GNP in real terms in the West Bank was JD 109 in 1972 against the equivalent of JD 514 in Israel in 1972.

32. This low income accompanied by a substantial rise in prices of 38 per cent per annum, played a dominant role in determining demand and output.

33. West Bank's gross domestic expenditures in real terms is estimated to reach JD 112.8 million in 1975 against JD 418.3 million for Jordan if the Israeli occupation had not taken place.

34. Incremental capital output ratio in the West Bank was only 1:1 during the period, which denotes that most projects were labour intensive projects.

35. The deficit in the balance of trade of goods and non-factor services was JD 91 million in the West Bank in 1975 against JD 68 million for the Kingdom.

(a) Exports of goods and non-factor services in the West Bank is estimated to reach JD 52 million in 1975 against JD 234 million for Jordan.

(b) Imports of goods and non-factor services in the West Bank is estimated at JD 143 million in 1975 against JD 303 million for Jordan.

36. This left the West Bank with a negative saving-investment gap; otherwise if the economics of both Banks were still integrated, it would have shown a positive domestic savings.

37. The factors responsible for holding down growth and development in the West Bank, which continued to exert themselves throughout the period 1967-1975, are numerous, among which were:

- (a) Israeli occupation of the West Bank;
- (b) Continuous daily raids on the Jordan Valley for years after the cease-fire in 1967;
- (c) Oppression and confiscation of land and property;
- (d) Demolition of entire villages, quarters of cities, refugee camps and houses;
- (e) Bleeding the Arab labour force to serve their own development, which had adverse effects in the West Bank's development;
- (f) Committing thousands of persons to prison and deporting others outside Israel because they denounced Israeli occupation;
- (g) Shifting the economic resources of the West Bank to Israel;
- (h) The October War of 1973;
- (i) Control over the exploitation of natural and human resources by means of expropriation, imposition of high tax rates between cities and at ports of entry and on farmers so that they would leave their farms;
- (j) Slow suffocation of human rights, freedom and development.

38. The end result culminated in low productivity, which led to low income reflected by low savings and low investment, decline in output and in the productive capacity, especially in people's ability to produce more goods and services.

VI. Major sectors

39. The interlocked economic integration between the West and East Banks and intrasectoral flow of goods and services between both Banks was disintegrated and disrupted as a result of the Israeli occupation.

40. The Israeli occupation of the West Bank deprived Jordan of 40 per cent of its domestic output, or 40 per cent in the primary sector, 12.4 per cent in the secondary sector and 47.6 per cent in the tertiary sector.

41. Again, table 4 (Jordan's loss in GNP owing to Israeli occupation) shows that the accumulated loss in GDP at factor cost between 1967 and 1975 totalled JD 1.1 thousand million. To put it in a different perspective, Jordan lost (owing to the Israeli occupation) in domestic income generated out of the primary sector JD 232 million, in the secondary sector JD 171 million and in the tertiary sector JD 727 million.

A. Agriculture

42. Income generated from this sector in 1966 totalled JD 27.7 million, 40 per cent of which was contributed by the West Bank. The labour force engaged in this sector accounted for over 35 per cent of the total, of which almost one half were in the West Bank. Agricultural exports constituted 51 per cent of the total domestic exports in 1966, almost one half of which were contributed by the West Bank.

43. Unfortunately, Israeli occupation in 1967 caused the loss of 80 per cent of land planted with fruits, 45 per cent of land planted with vegetables, 25 per cent of crops and 35 per cent of total livestock.

44. Output of wheat rose by 21.2 per cent per annum between 1958-1960 and 1964 and 1966, while tomatoes production rose by 7.9 per cent per annum, other vegetables 8.1 per cent, olives 2.8 per cent, citrus 30.1 per cent and grapes by 3.7 per cent.

Output of principal agricultural products

(000 Tons)

1964-66 Average

	Kingdom	West Bank	%
1. Wheat	224.4	67.3	30
2. Tomatoes	187.1	121.6	65
3. Other vegetables	338.5	220.0	65
4. Olives	55.8	44.6	80
5. Citrus	47.1	28.3	60
6. Grapes	72.7	43.6	60

45. The West Bank's contribution in 1966 in Jordan's agricultural production was 30 per cent in terms of wheat, 65 per cent in tomatoes, 65 per cent in other vegetables, 80 per cent in olives, 60 per cent in citrus and 60 per cent in other fruits including grapes.

46. Agricultural output of the irrigated area constitutes 30 per cent of the total; in spite of the fact that only 5.6 per cent of all cultivable land is under irrigation. Therefore, the Government gave top priority to irrigation schemes, most of which were in the Jordan Valley. Unfortunately the continuous Israeli raids for several years after 1967 on the Valley severely damaged several houses, farms, roads, irrigation schemes and other installations, including the Yarmouk dam, East Ghor Canal and other canals and laterals. Consequently, agricultural produce, income and exports were hardly affected. The total estimated loss was JD 55 million, or JD 97.2 million in 1975 prices.

47. The main features of the Yarmouk project included the construction of two dams of an annual capacity of 550 MCM, main canals and a system of laterals, extending and raising the sides of the East Ghor Canal, drainage system and erecting a hydro-electric power plant of a capacity of 62 MW, at a total cost of JD 45 million. This project was to irrigate over 500,000 dunums and to increase agricultural income by JD 24 million when completed. This meant a further loss in agricultural income in the amount of JD 47.3 million, as estimated in 1975 prices, and JD 97.2 million caused also by Israeli raids on the Jordan Valley or a total of JD 139.5 million.

48. Furthermore, the sectoral deficit between East and West Bank after the 1967 Israeli aggression can be attributed to the flow of agricultural products from the West to East Bank, which had a direct effect in accumulating over JD 40 million in terms of currency held by the public in the West Bank, which would constitute a threat to the Jordanian dinar's par value if it were to be claimed by Israel.

49. Consequently, the situation of the agricultural sector in the West Bank is in no way to be envied owing to several intolerable measures which have been undertaken by the Israeli authorities:

(a) Several villages were almost demolished and farmers' houses were destroyed, leaving farmers homeless seeking refuge somewhere else;

(b) The agricultural land has been decreased substantially owing to continuous confiscation of agricultural land, which amounted to a total figure of over 190,000 dunums till 1974;

(c) The percentage of agricultural workers to the total labour force dropped from 35 per cent in 1966 to only 21 per cent owing to several types of pressures and persuasion;

(d) The farmers are suffering from the rising cost of inputs marketed mostly in Israel and from the heavy burden of taxes, which in several cases forced the farmers to leave their farms and to seek work somewhere else;

(e) Israeli authorities are endeavoring to introduce changes in the cropping pattern by discouraging production of competitive crops and favouring complementary crops to Israeli agricultural produce;

(f) These measures led to a reduction of West Bank's output, income and exports;

(g) The estimated accumulated loss in agricultural net income between 1967 and 1975 is JD 232 million (see tables 1 to 4) and, on the account of the Israeli raids on the Jordan Valley, JD 140 million, or a total of JD 372 million.

B. Mining and manufacturing

50. The role of the West Bank in this sector was significant. Income generated out of this sector was JD 17.3 million in 1966, of which JD 3.5 million (20 per cent) was the contribution of the West Bank. Total industrial employment in the West Bank was 13,850 persons or 37 per cent of the total. Industrial establishments in the West Bank were 3,308 or 48 per cent of the total establishments in both Banks.

51. A cursory analysis of industrial production during the period prior to the events of 1967, revealed that cement production had risen fivefold between 1958 and 1966, while the production of soap and brewing tripled, cigarettes more than doubled, while petroleum products doubled between 1961 and 1966.

52. Again, Israeli aggression and occupation of the West Bank caused the loss of half of Jordan's markets, which was an important outlet for East Jordan's products.

Output of principal industries

	<u>May-June</u>		Change %	<u>June-December</u>		Change %
	1966	1967		1966	1967	
1. Cement (000 tons)	140	137	-2	225	152	-35.3
2. Petroleum products (000 tons)	165	198	20	265	195	-26.4
3. Sole leather (tons)	144	133	-10	201	105	-47
4. Upper leather (tons)	177	254	44	409	168	-59

53. With the exception of phosphate production (whose exports declined owing to closure of the Suez Canal and Syrian borders), output of principal industries did not reach the 1966 level except in late 1968 and 1969. Curtailment in the rate of growth of production by leading industries as a result of the loss of the West Bank markets contributed to the sharp decline in production of 59 per cent in upper leather, 47 per cent in sole leather, 35 per cent in cement and 26 per cent in petroleum products. This sharp decline and slackening of growth resulted in a sluggishness in consumer spending, retail sales and production in other lines of industry.

54. The Israeli aggression and occupation of the West Bank caused the delay in implementing the potash project, which was scheduled to commence operation in 1968 with an initial production capacity of 500,000 tons. The total cost of the project was JD 30.5 million to be invested throughout the plan period. Jordan's exports would have increased by JD 5.4 million by 1970. Several other projects were scheduled to be implemented in the manufacturing and mining sector, but unfortunately were not implemented owing to occupation of the West Bank.

55. Again, Israel exerted their concerted efforts to integrate the activities of this sector with Israel's own activities and undertook several measures in order to isolate this sector from other sectors of the economy, among which were:

- (a) Restriction of the purchase of raw materials needed by the West Bank's industries to those produced by their own;
- (b) Imposition of direct import controls;
- (c) Creation of marketing problems in order to weaken this sector;
- (d) Maintaining the West Bank as a consumer market and an outlet for Israel's industrial production;
- (e) Prevention of the establishment of competitive industries and encouragement of industries complementary to their own.

56. Again the estimated accumulated loss in income generated out of this sector between 1967 and 1975 is JD 103 million (see tables 1 to 4).

C. Construction

57. Jordan's generated income out of construction activity in 1966 amounted to JD 9.3 million, of which JD 3.3 million (35 per cent) constituted the West Bank's contribution in this sector. The area of residential and non-residential buildings built in 1966 in Jordan totalled 314,000 square metres, of which 75,000 square metres (24 per cent) were built in the West Bank. The rate of growth between 1959 and 1966 was 10.4 per cent per annum.

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58. Unfortunately, the Israeli occupation caused severe deterioration in this activity to the extent that the volume of the area built for residential purposes in 1970 equalled only the volume of the area built in Nablus in 1965.

59. Moreover, Israeli occupation not only hindered the bolstering of this activity, but also demolished a total number of 13,000 housing units up to 1974, leaving their dwellers homeless and seeking shelter elsewhere; in many cases they were deported to East Bank.

60. The estimated loss of income generated out of this sector is 58 million between 1967 and 1975.

D. Electricity and water

61. Jordan's value added in this sector in 1966 totalled JD 2.3 million, of which JD 0.7 million (31 per cent) was contributed by the West Bank. The installed capacity of electric power in Jordan in 1961 was 29 MW, of which 9.4 MW (32 per cent) was installed in the West Bank. Electricity consumption rose from 59.6 million Kwh in 1961 to 154.1 million Kwh in 1966 or at an annual rate of growth of 21 per cent. The generated electric power in Jordan of 177 million Kwh in 1966 dropped to 96.6 million in 1967 or a drop of 45.4 per cent.

62. Assuming the same rate of growth of 21 per cent, electricity generation would have a global figure of 809 million Kwh in 1974 as against 213 million Kwh actually generated in East Bank in 1974.

63. Jordan's electrification scheme was about to be implemented. The project of JD 5.7 million involved the erection of a national grid of 132 Kv linking Zerqa, Amman, Jerusalem, Nablus and Irbid, and construction of a steam power station of 88 MW and a hydroelectric generating plant of a capacity of 30 MW.

64. Unfortunately, Israeli occupation stood in the way of implementation.

65. Currently, Israel is exerting concerted efforts to link several cities in the West Bank, especially in the Nablus area, with their own network, thus increasing the reliance of the West Bank's needs on Israel's own power and resources.

66. The total loss in income generated out of this sector is JD 10 million between 1967 and 1975.

E. Tourism

67. Jordan is endowed with some of the most interesting historical and religious sites in the world. These inexhaustible natural resources in terms of Jordan's history, geography, scenery and climate, far from depreciating with use, have yielded attractive returns to Jordan.

68. Tourist arrivals in Jordan increased substantially from 104,100 persons in 1959 to over 618,000 persons in 1966 (or at an annual rate of growth of 29 per cent). Tourism income increased accordingly from JD 2.9 million in 1959 to JD 11.3 million in 1966 (or at an annual rate of growth of 21.4 per cent).

The situation after the 1967 Israeli aggression

69. The estimated accumulated loss in tourism income is JD 453.6 million between 1967 and 1975.

70. Several hotels, touristic facilities and other development projects in the tourism sector were scheduled to be implemented, but unfortunately Israeli occupation stood in the way of development.

71. Israeli occupation prevented the preservation, consolidation and maintenance of several holy places, historical and archeological sites.

72. The sanctity of Jerusalem, Hegron and other holy places, including mosques and churches, were violated.

73. Israeli authorities demolished and destroyed several mosques and Christian holy places which are part of the inheritance of all mankind.

74. Israeli authorities confiscated the Palestine Museum, Moslem Waqf property, and a large area of land.

75. The new plan of judaization had placed 70 per cent of all Moslem properties around the great twin Moslem mosques under Israeli possession.

76. Israeli acts of oppression extended to Arab people's rights, freedom, existence and development, which are subject to slow suffocation.

F. Trade

77. Income generated out of this sector was JD 28.9 million in 1966, of which JD 13.0 million (45 per cent) represented the contribution of the West Bank. Total business concerns in the West Bank were 6,118 establishments in 1966 or 53 per cent of the total number of establishments in Jordan. The labour force engaged in this sector in the West Bank were 12,028 persons or 44 per cent of the total.

78. The West Bank accounted for 64 per cent of Jordan's exports of goods and services and one half of its imports of goods and services.

The situation after 1967 Israeli aggression

79. The estimated accumulated loss in terms of exports of goods and non-factor services is JD 525 million between 1967 and 1975 and, in terms of imports of goods and non-factor services, is JD 545 million.

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80. Jordan's loss in capital inflow is estimated at JD 639 million.

81. The estimated accumulated loss in net factor income from abroad is JD 114 million.

82. In the West Bank, the export/import ratio was 43 per cent, the imports aggregate demand ratio 38 per cent and imports total consumption 54 per cent.

83. Israel authorities undertook several measures to threaten the development of this sector by demonstrating the following policy:

(a) It subjected Arabs to Israeli laws and regulations and abrogated all Jordanian laws previously applied;

(b) It imposed heavier taxes and municipal fees causing undue hardship and additional financial burdens;

(c) It subjected inhabitants to heavier rates of income tax thus burdening them with further material losses to those already sustained in consequence of the occupation;

(d) It erected customs barriers between cities and collected excise duties on all imported goods from other cities within the West Bank;

(e) It imposed customs and duties according to Israeli laws, including goods already in stock which were imported even before June 1967, bearing in mind that per capita GNP in the West Bank is only one fifth of Israel's;

(f) It refused to recognize Jordanian licence permits and exerted further economic pressures, especially on travel offices and their agents.

84. Again the estimated accumulated loss in income generated out of this sector is JD 239 million between 1967 and 1975.

G. Transport and communications

85. The role of the West Bank in the transport sector was significant. The West Bank accounted for 50 per cent of Jordan's generated income of the transport sector, 36 per cent of the total labour force engaged in the transport sector and 65 per cent of total transport facilities.

86. Unfortunately, works on several roads had to be halted owing to the occupation of the West Bank. Among these roads were the Ramtha-Amman-Jerusalem road, the Hebron-Jerusalem-Nablus road and the Hebron-Dead Sea road. Also the work for the improvement of the Jerusalem Airport was stopped.

87. Currently, only heavy-vehicle movements under strict control can be carried out between East and West Banks through the reopened bridges. This situation led to the segregation of transport activities, which have been transformed into the Israeli economy.

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88. The estimated accumulated loss in income generated out of the transport sector is JD 117.6 million between 1967 and 1975 (see tables 1 to 4).

89. In communications, the work in improving the telecommunication networks and installing the microwave system of JD 2.4 million between Jerusalem and Amman were halted. Implementation of several other projects in telecommunications, such as automatic exchanges and carrier units, had to be stopped.

90. These and several other projects were financed out of foreign loans, which had to be repaid, including interest by the Government of Jordan, thus honouring the amounts of the loans withdrawn.

VII. Summary and conclusion

91. The Israeli aggression of 1967 and the Israeli occupation of the West Bank and its aftermath have precipitated far-reaching adverse effects on Jordan's socio-economic set-up, economic development and performance.

92. The Israeli aggression resulted in massive population displacement of over 414,000 to East Bank; created pressures on the budget, labour market and urban infrastructure; caused an unfavourable effect on business confidence and the entrepreneurial climate; hampered development; suspended the implementation of the Seven-Year Plan; and caused financial imbalances and balance-of-payment pressures.

93. In violating the cease-fire orders taken by the Security Council in 1967, Israel continued its daily raids on the Jordan Valley for several years, thus causing severe damage to irrigation schemes, infrastructural facilities, farms, agricultural produce, houses and other installations and structures in the area, which culminated in a total loss of JD 140 million.

94. In the West Bank, Israeli authorities confiscated over 190,000 dunums of agricultural land, demolished over 13,000 houses, entire villages, whole quarters in the city of Jerusalem, several mosques, schools and markets. The property of absentee Arab landlords was placed under Israeli custodianship - a preliminary step towards complete confiscation.

95. Moreover, the sanctity of the holy places was violated. The Israelis violated the sanctity of the two great twin mosques (the Dome of the Rock and Al-Aqsa Mosques), the holy sepulchre, Al-Ibrahimi Mosque, the nativity and several other mosques and churches.

96. The Israeli oppression, aggression and intolerable acts extended to Arabs' rights, freedom, existence and development, and subjected them to slow suffocation. Over 1,500 persons were deported, 19,000 persons were committed to prison, over 6,000 persons were either forced or were tempted to migrate to the Western Hemisphere and several thousands were tortured, humiliated, dragged and forced to be homeless, unsheltered and without any means of survival.

97. In addition, Arab economic resources in the West Bank were shifted to Israel; the Arab labour force was bled, thus choking economic growth potentials and causing severe reduction in the agricultural and the industrial output of the West Bank.

98. Inhumane acts of aggression were envisaged in the construction of physical barriers and customs barriers between cities, which restricted passage throughout the West Bank. Israel subjected Arabs to heavy income tax, high rates of customs and excise duties, municipal fees and a host of other intolerable measures, thus causing undue hardship to farmers, landlords, real estate owners, businessmen and industrialists, who were forced to leave their farms and business concerns seeking some other means of survival.

99. It is quite clear from the above that Israel had and still is violating, ignoring and neglecting the Charter of the United Nations, the Universal Declaration of Human Rights, the basic principles of justice, the Geneva Convention, a whole series of resolutions adopted by the General Assembly and the Security Council, the stipulations of international law and international conventions governing the state of war and the treatment of civilians in occupied territories.

100. The influence of the adverse effects of the Israeli occupation on Jordan's economy can be felt in the following:

(a) The loss of the West Bank, 6.2 per cent of total area of Jordan, 25 per cent of its cultivatable area, half of its markets, 48 per cent of the industrial establishments and 53 per cent of the business concerns;

(b) Jordan was deprived of 45 per cent of its economic resources, 43 per cent of its GNP, 40 per cent of its GDP, 40 per cent of total income generated in the primary sector, 31.2 per cent in the secondary sector and 42.6 per cent in the tertiary sector;

(c) To put it in a different perspective, Jordan's material loss can be summarized as follows:

(i) The estimated loss in total economic resources is JD 2.2 thousand million, of which:

a. The loss in GNP is JD 1.6 thousand million;

b. The loss in exports of goods and non-factor services is JD 0.5 thousand million;

c. The loss in net factor income from abroad is JD 114 million.

(ii) In other words, the estimated loss in gross domestic income generated within the economy is JD 1.1 thousand million of which:

a. The loss in the primary sector, including damages sustained in the Jordan Valley, is JD 0.4 thousand million;

b. The loss in the secondary sector is JD 0.2 thousand million;

c. The loss in the tertiary sector is JD 0.7 thousand million.

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Table 1
Projected gross national product of Jordan 1967-1975
 (at 1975 prices)
 (In millions of Jordanian dinars)

	1966	1967	1968	1969	1970	1971	1972	1973	1974	1975	Total	Growth rates (1959-66) per cent
1. Gross national product (MP)	185.78	416.37	451.80	500.90	533.55	574.68	632.83	690.17	753.98	824.78	5 379.06	17.2
2. Gross domestic product (MP)	170.63	380.80	411.41	455.03	481.47	515.53	565.66	613.91	667.38	726.44	4 817.63	16.8
(a) Gross domestic product	149.74	332.29	356.90	393.76	412.64	438.19	478.76	516.29	557.69	603.19	4 090.71	16.2
(b) Indirect taxes	20.89	48.51	54.51	61.27	68.83	77.34	86.90	97.62	109.69	123.25	727.92	21.8
3. Consumption	188.78	415.34	441.81	469.86	499.22	530.17	562.67	596.61	632.26	669.44	4 817.38	15.5
4. Gross capital formation	26.39	59.84	65.62	72.00	78.95	86.60	94.99	104.16	114.25	125.32	801.73	18.9
5. Resources gap	-44.52	-94.38	-96.03	-86.82	-96.70	-101.23	-92.06	-86.86	-79.14	-68.32	-801.54	12.8
(a) Imports of G and NFS	-76.60	170.18	182.87	196.56	211.21	226.99	243.96	262.13	281.73	302.78	2 078.41	16.5
(b) Exports of G and NFS	32.06	75.80	86.84	109.74	114.51	125.76	151.90	175.27	202.59	234.46	1 276.87	23.2
6. Net factor income from abroad	15.15	35.57	40.39	45.87	52.08	59.15	67.17	76.26	86.60	98.34	561.43	23.1

Source: For 1966, Department of Statistics.

Notes: 1/ 1967-1975 figures were computed by the National Planning Council according to the 1959-1966 trend plus a 7.8 per cent rise in prices and adjusted according to 1975 prices.

2/ Exports of goods and non-factor services were computed as follows:

- (a) Exports of goods were computed according to the 1959-1966 trend of 17.3 per cent plus a 7.8 per cent rise in prices and adjusted according to 1975 prices;
- (b) Travel income was computed according to the 1959-1966 trend of 21.4 per cent plus a 7.8 per cent rise in prices and adjusted according to 1975 prices;
- (c) Other services receipts were computed at the 1959-1966 trend of 9.4 per cent plus a 7.8 per cent rise in prices and adjusted according to 1975 prices.

3/ GNP and GDP figures were slightly adjusted in accordance with the findings of exports of goods and non-factor services.

4/ In all computations, 1966 figures were taken as a base year.

Table 2

Gross national product of East Bank (1967-1975) at 1975 prices

(In millions of Jordanian dinars)

	1967	1968	1969	1970	1971	1972	1973	1974	1975	Total	Growth rates actual (1967-1975) per cent
1. Gross national product (MP)	329.91	290.23	318.11	272.45	274.82	276.46	283.18	336.04	360.00	2 741.20	9.6
2. Gross domestic product (MP)	308.93	272.65	295.39	252.99	256.87	258.62	256.15	300.27	322.00	2 523.87	9.0
(a) Gross domestic product	276.51	240.99	261.31	223.05	229.25	228.04	222.07	263.41	285.00	2 229.63	8.8
(b) Indirect taxes	32.42	31.66	34.08	29.94	27.62	30.58	34.08	36.86	37.00	294.24	10.2
3. Consumption	303.21	290.24	314.86	263.47	263.77	263.72	250.28	284.01	304.00	2 537.56	8.4
4. Gross capital formation	43.86	45.73	51.94	34.43	49.72	53.51	58.75	80.22	87.00	505.16	18.5
5. Resources gap	-38.14	-63.33	-71.41	-44.91	-56.62	-58.60	-52.88	-63.96	-69.00	-518.85	
(a) Imports of G and NFS	91.54	112.58	123.35	92.81	93.91	105.74	111.63	148.51	179.00	1 059.07	17.9
(b) Exports of G and NFS	53.40	49.25	51.94	47.90	37.29	47.14	58.75	84.55	110.00	540.22	18.6
6. Net factor income from abroad	20.98	17.58	22.72	19.46	17.95	17.84	27.03	35.77	38.00	217.33	16.8

Source: Department of Statistics.

Note: Figures shown are at market prices and adjusted according to 1975 prices.

Table 3

Gross national product of the West Bank at 1975 prices (1968-1975)
(In millions of Jordanian dinars)

	1968	1969	1970	1971	1972	1973	1974	1975	Total	Growth rates (1968-1972) per cent
1. Gross national product (MP)	82.00	73.50	71.40	78.20	108.50	112.90	124.40	358.70	1 009.60	34.8
2. Gross domestic product (MP)	80.60	65.90	61.70	63.00	83.00	82.70	88.90	253.50	779.30	26.6
(a) Gross domestic product	75.00	60.50	56.20	56.90	77.10	76.50	82.20	234.20	718.60	26.6
(b) Indirect taxes	5.60	5.40	5.50	6.10	5.90	6.20	6.70	19.30	60.70	34.3
3. Consumption	96.40	81.50	78.70	75.80	95.80	92.80	95.30	255.50	871.80	25.5
4. Gross capital formation	5.90	6.70	7.70	9.20	15.90	19.60	25.90	89.10	180.00	61.0
5. Resources gap	-21.70	-22.30	-24.70	-22.00	-28.70	-29.80	-32.20	-91.10	-272.50	
(a) Imports of G and NFS	51.50	42.80	40.90	39.60	52.50	51.30	52.90	143.00	474.50	26.3
(b) Exports of G and NFS	29.80	20.50	16.20	17.60	23.80	21.50	20.70	51.90	202.00	17.5
6. Net factor income from abroad	1.40	7.60	9.70	15.20	25.50	30.20	35.50	105.20	230.30	

Source: Central Bureau of Statistics, Israel for 1968-1972.

Notes: 1/ 1973-1975 figures were computed according to the 1968-1972 trend at market prices prevailing in Israel and adjusted according to 1975 prices.

2/ Consumer price index and Israel's official exchange rates were obtained from the International Monetary Fund (International Financial Statistics, vol. 26, No. 11, November 1973; and vol. 28, No. 6, June 1975).

3/ Consumer price index of Israel for 1968-1975 were (1967 = 100): 102.0, 104.5, 110.9, 124.2, 140.2, 168.1, 235.0 and 305.6.

4/ Exchange rates of Israel's pound/JD per (1967-1970) were 10, for 1971, 1972 were 12, 1973 were 12.8 and for 1974, 1975 were 19.2 pounds per 1 Jordanian dinar.

Table 4
Jordan's loss in gross national product (due to Israeli occupation of the West Bank)
at 1975 prices between 1967-1975
 (In millions of Jordanian dinars)

	1967	1968	1969	1970	1971	1972	1973	1974	1975	Total
1. Gross national product (MP)	86.46	80.17	109.01	189.70	221.66	248.79	283.73	293.54	115.08	1 618.20
2. Gross domestic product (MP)	71.87	58.76	93.46	166.78	195.66	223.96	264.70	278.21	159.94	1 504.40
(a) Gross domestic product (FC)	55.78	41.51	71.67	133.39	152.04	173.54	207.36	212.08	92.89	1 131.42
(b) Indirect taxes	16.09	17.25	21.79	33.39	43.62	50.42	57.34	66.13	67.05	372.98
3. Consumption	112.13	55.17	73.50	257.05	190.60	197.15	253.53	252.95	109.94	1 408.02
4. Gross capital formation	15.98	13.99	14.36	36.82	27.68	25.58	26.19	8.13	51.22	116.57
5. Resources gap	-56.24	-11.00	+6.91	-27.09	-22.61	-4.76	-14.18	+17.02	+91.78	-20.19
(a) Imports of G and NFS	78.64	18.79	30.41	77.50	93.48	85.72	99.20	80.32	-19.22	544.84
(b) Exports of G and NFS	22.40	7.79	37.30	50.41	70.87	80.96	85.02	97.34	72.56	524.65
6. Net factor income from abroad	14.59	21.41	15.55	22.92	26.00	24.83	19.03	15.33	-44.86	113.80

Note: Figures shown in the table above are table 1 minus the sum total of tables 2 plus 3.

Table 5
Jordan's loss in tourism income
(In millions of Jordanian dinars)

	<u>Projected</u>		<u>Actual</u>		<u>Loss</u> 1975 prices
	<u>Market prices</u>	<u>1975 prices</u>	<u>Market prices</u>	<u>1975 prices</u>	
1967	14.55	27.47	6.79	12.95	14.52
1968	18.80	33.07	4.60	8.09	24.98
1969	24.29	39.42	4.53	7.35	32.07
1970	31.38	46.98	4.85	7.26	39.72
1971	40.54	55.99	6.35	8.77	47.22
1972	52.38	66.73	8.30	10.57	56.16
1973	67.67	79.51	10.71	12.58	66.93
1974	87.43	94.77	17.29	18.74	76.03
1975	112.96	112.96	17.00	17.00	95.96
		556.90		103.31	453.59

Source: Department of Statistics and Central Bank.

Note: 1966 considered as base year of JD 11.26 million as tourism income.

Table 6
Cost-of-living index of Amman

	Cyclical Deflator Used 1966 = 100	Spliced 1967 = 100
1967	104.1	100.0
1968	103.8	99.7
1969	111.9	107.5
1970	119.5	114.8
1971	124.6	119.7
1972	134.7	129.4
1973	148.8	142.9
1974	178.5	171.5
1975	197.2	190.1

Source: Department of Statistics.

Table 7

Israel's consumer price index and the pound's exchange rates
(1967-1975)

	Deflator used		Exchange rates	
	1966=100	1967=100	Pound/Dollar	Pound/Jordanian Dinar
1967	101.7	100.0	3.5	10.0
1968	103.3	102.0	3.5	10.0
1969	106.3	104.5	3.5	10.0
1970	112.8	110.9	3.5	10.0
1971	126.4	134.2	4.2	12.0
1972	142.6	140.2	4.2	12.0
1973	171.0	168.1	4.2	12.8
1974	239.0	235.0	6.0	19.0
1975	310.8	305.6	6.0	19.2

Source: International Monetary Fund, International Financial Statistics,
 vol. 26, No. 11, November 1973; and vol. 28, No. 6, June 1975.

ANNEX VI

Letter dated 19 March 1975 from the Secretary-General to the heads of the United Nations Conference on Trade and Development, the United Nations Industrial Development Organization, the International Labour Organisation, the Food and Agriculture Organization of the United Nations, the United Nations Educational, Scientific and Cultural Organization and the International Bank for Reconstruction and Development

/Original: English/

I am writing to you in connexion with General Assembly resolution 3336 (XXIX), paragraph 5 of which reads as follows:

"Requests the Secretary-General, with the assistance of the relevant specialized agencies and United Nations organs, including the United Nations Conference on Trade and Development, to prepare a report on the adverse economic effects on the Arab States and peoples, resulting from repeated Israeli aggression and continued occupation of their territories, to be submitted to the General Assembly at its thirtieth session."

Since information concerning economic matters which is normally available to the United Nations Secretariat is not adequate to enable me to prepare the report requested by the General Assembly, a note verbale has been sent to the permanent representatives of Egypt, Jordan, Israel, Syrian Arab Republic and Lebanon inviting them to provide me with information available to them which they consider to be relevant to the subject matter of the report requested by the General Assembly.

In line with the above-cited paragraph of resolution 3336 (XXIX) I am inviting you to supply me with any information which you may have which is directly related to the subject matter of the report requested by the General Assembly.

I should be most grateful if you could send me any material you may have before 1 July 1975, in order that the requested report may be submitted to the General Assembly before the opening of its thirtieth session.

(Signed) Kurt WALDHEIM
Secretary-General

ANNEX VII

Letters dated 2 May and 26 August 1975 from the Director-General of the
International Labour Office addressed to the Secretary-General

A. Letter of 2 May 1975

/Original: English/

In your letter of 19 March 1975, you requested me to send you, by 1 July 1975, any information I might have which is directly related to the question of "the adverse economic effects on the Arab States and peoples, resulting from repeated Israeli aggression and continued occupation of their territories", on which you are requested, by General Assembly resolution 3336 (XXIX), to submit, with the assistance of the relevant specialized agencies, a report to the General Assembly at its thirtieth session.

As I understand the question, it relates essentially to the economic aspects of the situation, such as industrial and agricultural production, use of natural resources, international trade and allied subjects, which are not primarily within the competence of the ILO, and therefore there is no directly relevant, authoritative information available to the ILO which would be of assistance in the preparation of your report.

However, there have been, within the ILO, several developments regarding aspects of the situation referred to in General Assembly resolution 3336 (XXIX) which fall within its competence and which I should bring to your attention, if only to help you build up a complete picture of the handling of the various aspects of the situation in the components of the United Nations system.

At its fifty-ninth session in June 1974, the International Labour Conference adopted a resolution concerning the "Policy of discrimination, racism and violation of trade union freedoms and rights practised by the Israeli authorities in Palestine and in the other Arab territories", a copy of which is enclosed (see appendix III below).

At its 194th session in November 1974, the Governing Body took the following decision in regard to the resolution:

"The Governing Body instructs the Director-General:

- "(1) To communicate the resolution to the Israeli authorities;
- "(2) To ensure for the regions concerned by the resolution, as far as possible in the languages of the country, the widest dissemination of ILO documents concerning the exercise of civil liberties and trade union rights;
- "(3) To submit to the Governing Body at its next session a report and proposals concerning the implementation of the operative part of the resolution;

/...

"(4) To keep the Conference informed of the measures taken in application of the resolution."

In communicating the resolution to the Government of Israel in November 1974, I also drew the Government's attention to the operative paragraphs of the resolution. Early in 1975, I sent the Governments, international intergovernmental organizations and employers' and workers' organizations of the regions concerned, in addition to the text of the resolution, copies of a document issued in Arabic, English and French setting forth the principles and standards of the ILO on the subject of the exercise of civil liberties and trade union rights and referring in particular to the ILO standards on freedom of association, the elimination of discrimination in employment and the abolition of forced labour. A copy of this document is also attached (see appendix II below). I specified that these documents were being dispatched with a view to their dissemination in the regions referred to in the Governing Body's decision mentioned above.

Reporting to the Governing Body at its 195th session in March 1975, in accordance with point (3) in that decision, I stated that I would keep the situation under review in the light of information I might receive and would consider what action might be required. I would bear in mind the possibility of sending a representative to the area to obtain the necessary information, should such a mission appear desirable. I would report to the Governing Body at an early session. The Governing Body took note of the measures taken or contemplated and instructed me to pursue such action along the lines indicated.

I should add that, on 7 October 1974, I had received a communication from the Government of Israel requesting that a special survey of the situation of Arab workers in the territories administered by Israel as regards allegations of discrimination in the field of employment be made as rapidly as possible by an independent expert to be appointed in accordance with established procedures for conducting such survey. The document by which this request was brought to the attention of the Governing Body (GB.194/23/42) is attached (see appendix I below). At its 195th session in March 1975, the Governing Body agreed that it should be left to the Director-General and to its officers to consider what effect should be given to the request made by the Government of Israel.

I shall not fail to keep you informed of any further developments.

(Signed) Francis BLANCHARD
Director-General

INTERNATIONAL LABOUR OFFICE
BUREAU INTERNATIONAL DU TRAVAIL
OFICINA INTERNACIONAL DEL TRABAJO

GOVERNING BODY
CONSEIL D'ADMINISTRATION
CONSEJO DE ADMINISTRACION

GB.194/23/42
194th Session

Geneva,
12-15 November 1974

APPENDIX I

Twenty-third Item on the Agenda

REPORT OF THE DIRECTOR-GENERAL

Tenth Supplementary Report

Request Made by the Government of Israel for a Special
Survey to Be Carried Out in the Light of Certain Allegations
relating to Discrimination in the Field of Employment

1. On 7 October 1974 the Director-General received a communication from the Government of Israel requesting that a special survey of the situation of Arab workers in the territories administered by Israel as regards allegations of discrimination in the field of employment be made as rapidly as possible by an independent expert to be appointed in accordance with the procedure approved by the Governing Body at its 191st (November 1973) Session.
2. The Governing Body will recall that at its 188th Session (November 1972) it had given its endorsement to an innovation in the ILO's programme of practical action for the elimination of discrimination in employment, consisting of the possibility of carrying out special surveys of the situation and problems of a country, with a view to making an impartial evaluation of the facts, providing the government with technical aid to clarify uncertain or disputed situations and overcoming the difficulties encountered. Subsequently, at its 191st (November 1973) Session the Governing Body had approved a procedure for the examination of requests for the carrying out of such special surveys. The details of this procedure are set out in the Appendix to the present paper. It entrusts the Director-General with "examining the effect to be given to any request for a special survey submitted by a member State ... and to settle the arrangements for carrying it out in agreement with the government".
3. The Director-General has consulted the Officers of the Governing Body on the follow-up to be given to the request made by the Government of Israel. The Officers have considered that the survey requested falls within the framework of the system of special surveys approved by the Governing Body, that the request is receivable under the procedure laid down, and that the Director-General should, in accordance with that procedure, make the necessary arrangements for the carrying out of the survey in question.
4. The Director-General is currently considering the practical arrangements necessary for the carrying out of the special survey. The Governing Body will be kept fully informed of all further developments.

Geneva, 12 November 1974.

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APPENDIX

INTERNATIONAL LABOUR ORGANISATION

Procedure for the Examination of Requests for
"Special Surveys" on Situations Connected with
the Elimination of Discrimination in Employment

1. At its 191st Session (November 1973) the Governing Body adopted a procedure for the examination of requests for "special surveys" which governments or organisations of employers or workers may submit on questions concerning the elimination of discrimination in employment.

2. The possibility of undertaking such "special surveys" with a view to evaluating facts and seeking solutions in certain situations was provided for by the Governing Body at its 188th Session (November 1972), on the proposal of its Committee on Discrimination.

3. It was understood that such special surveys might be based on criteria such as those laid down in the Discrimination (Employment and Occupation) Convention, 1958 (No. 111). However, this possibility is more general in scope and is not limited to countries which have ratified the Convention.

4. The questions raised should concern the situation of groups of people defined, for example, according to race, religion, national extraction, social origin, membership of a minority group, sex or age, but should not deal with individual cases unrelated to broader issues of policy.

5. The Director-General was entrusted with "examining the effect to be given to any request for a special survey submitted by a member State, or a workers' or employers' organisation, on specific questions of concern to them, and, if the government concerned agreed to such a survey, to settle the arrangements for carrying it out in agreement with the government".

6. Provision is thus made for two different types of cases: those in which the request is directly submitted by the government of a member State in connection with questions arising in its own country, and those in which the request comes from an employers' or workers' organisation or another member State.

Requests Submitted by the Government
Concerned

7. The examination of the effect to be given to a request made in these circumstances raises no special procedural problems. The request may, for example, be aimed at obtaining a form of technical co-operation on questions of evaluation or method in this field. In addition, recourse to outside observers, whose action would have an objective and impartial character, can help a government to overcome difficulties arising inside the country in connection with certain questions. In other circumstances, a government may wish to clear up certain doubts to which its action in this field may have given rise at the international level. A special survey on the national situation can in particular help a government to reach more precise conclusions regarding uncertainties which may have prevented it from ratifying the Discrimination (Employment and Occupation) Convention, 1958 (No. 111). The Governing Body felt that this possibility should be drawn to the special attention of governments.

Requests Submitted by an Employers' or
Workers' Organisation or by Another Government

8. Receivability of requests. As regards requests submitted by employers' or workers' organisations, the Governing Body laid down principles similar to those which apply in regard to freedom of association: the request must come either from

a national organisation directly concerned, or from international organisations having consultative status with ILO, or from other international or regional employers' or workers' organisations, provided the questions raised directly concern organisations affiliated to them.

9. In the case of a request submitted by the government of a member State in connection with questions arising in another country, the receivability of the request is strictly governed by the condition that the request must relate to "specific questions of concern to it". This presupposes a sufficiently close link between the interests of that government and the questions raised; the Governing Body considered that this could be the case, for example, when such questions concerned the situation of its own nationals working in another country.

10. Communications with the authors of requests. The Director-General may, if necessary, ask the authors of requests to provide further details on the specific questions which they propose to raise and to communicate additional information within a specified time-limit.

11. Communications with the government of the country in regard to which the survey would be requested. The Director-General will inform the government concerned as soon as possible of any receivable and substantiated request, and will request the government to communicate within an appropriate time-limit its observations on this question and its views concerning the possibility of carrying out a special survey under the auspices of the ILO on the questions raised.

12. In cases where the government requests or accepts such a survey, the Director-General will settle the arrangements for carrying it out in agreement with the government, subject to the necessary safeguards, in particular as regards the consultation of employers' and workers' circles concerned.

13. Reports to the Governing Body Committee on Discrimination. The Director-General will report to the Committee on requests received, replies from governments, special surveys undertaken or planned and on cases in which surveys could not be organised, including cases in which they have been refused or no replies have been communicated within a reasonable time-limit. The Committee will, as necessary, be called upon regularly to make such recommendations as it deems appropriate on such questions.

14. List of experts who might be called upon to participate in special surveys. The Director-General was entrusted with examining the possibility of drawing up a list of experts and persons of acknowledged competence, selected from the different regions of the world, whose services could be called upon in appropriate cases. It was further understood that, depending on the circumstances, surveys could also be carried out directly by the International Labour Office.

15. The Governing Body considered that the guidelines set out above should be applied on an experimental basis, on the understanding that they could be re-examined or redefined at a later stage in the light of their practical application.

APPENDIX II

International Labour Organisation

**The Exercise of Civil Liberties
and Trade Union Rights**

INTERNATIONAL LABOUR ORGANISATION

The Exercise of Civil Liberties
and Trade Union Rights

1. The International Labour Organisation has adopted various instruments concerning fundamental human rights, including the exercise of civil liberties and trade union rights.

2. Certain principles relating to these matters are to be found already among the constitutional provisions of the ILO.

Constitutional Principles

3. The Constitution of the International Labour Organisation affirms that "universal and lasting peace can be established only if it is based on social justice".

4. The Declaration of Philadelphia, which is an integral part of the Constitution, affirms that "all human beings, irrespective of race, creed or sex, have the right to pursue both their material well-being and their spiritual development in conditions of freedom and dignity, of economic security and equal opportunity".

5. It proclaims:

labour is not a commodity;

freedom of expression and of association are essential to sustained progress;

poverty anywhere constitutes a danger to prosperity everywhere;

the war against want requires to be carried on with unrelenting vigour within each nation, and by continuous and concerted international effort in which the representatives of workers and employers, enjoying equal status with those of governments, join with them in free discussion and democratic decision with a view to the promotion of the common welfare.

6. It recognises the solemn obligation of the International Labour Organisation to further among the nations of the world programmes which will achieve the effective recognition of the right of collective bargaining, the co-operation of management and labour in the continuous improvement of productive efficiency, and the collaboration of workers and employers in the preparation and application of social and economic measures.

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* * *

7. The International Labour Conference has adopted various Conventions, Recommendations and resolutions aimed at giving effect to these constitutional principles.

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Freedom of Association and Civil Rights

8. The two principal instruments adopted by the International Labour Conference in the field of freedom of association are the Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87) and the Right to Organise and Collective Bargaining Convention, 1949 (No. 98). Convention No. 87 has been ratified by 80 States and Convention No. 98 by 95 States.¹

9. The Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87), provides that:

workers and employers, without distinction whatsoever, shall have the right to establish and, subject only to the rules of the organisation concerned, to join organisations of their own choosing without previous authorisation (Article 2);

workers' and employers' organisations shall have the right to draw up their constitutions and rules, to elect their representatives in full freedom, to organise their administration and activities and to formulate their programmes; the public authorities shall refrain from any interference which would restrict this right or impede the lawful exercise thereof (Article 3);

workers' and employers' organisations shall not be liable to be dissolved or suspended by administrative authority (Article 4);

workers' and employers' organisations shall have the right to establish and join federations and confederations and any such organisation, federation or confederation shall have the right to affiliate with international organisations of workers and employers (Article 5); the guarantees mentioned above (Articles 2, 3 and 4) apply also to federations and confederations (Article 6);

the acquisition of legal personality by workers' and employers' organisations, federations and confederations shall not be made subject to conditions of such a character as to restrict the application of the provisions of Articles 2, 3 and 4 of the Convention (Article 7);

in exercising the rights provided for in the Convention workers and employers and their respective organisations, like other persons or organised collectivities, shall respect the law of the land, but the law of the land shall not be such as to impair, nor shall it be so applied as to impair, the guarantees provided for in the Convention (Article 8);

the term "organisation" employed in the Convention means any organisation of workers or of employers for furthering and defending the interests of workers or of employers (Article 10).

10. The Right to Organise and Collective Bargaining Convention, 1949 (No. 98), provides that:

¹ See appended chart.

workers shall enjoy adequate protection against acts of anti-union discrimination in respect of their employment and such protection shall apply more particularly in respect of acts calculated to:

- (a) make the employment of a worker subject to the condition that he shall not join a union or shall relinquish trade union membership; and
- (b) cause the dismissal of or otherwise prejudice a worker by reason of union membership or because of participation in union activities outside working hours or, with the consent of the employer, within working hours (Article 1);

workers' and employers' organisations shall enjoy adequate protection against any acts of interference by each other or each other's agents or members in their establishment, functioning or administration (Article 2);

machinery appropriate to national conditions shall be established, where necessary, for the purpose of ensuring respect for the right to organise (Article 3);

measures appropriate to national conditions shall be taken, where necessary, to encourage and promote the full development and utilisation of machinery for voluntary negotiation between employers or employers' organisations and workers' organisations, with a view to the regulation of terms and conditions of employment by means of collective agreements (Article 4).

11. The International Labour Conference adopted in 1970 a resolution concerning trade union rights and their relation to civil liberties¹ in which it recognises that the rights conferred upon workers' and employers' organisations must be based on respect for those civil liberties which have been enunciated in particular in the Universal Declaration of Human Rights and in the International Covenants on Civil and Political Rights and that the absence of these civil liberties removes all meaning from the concept of trade union rights.

12. In this resolution the Conference places special emphasis on the following civil liberties, as defined in the Universal Declaration of Human Rights, which are essential for the normal exercise of trade union rights:

the right to freedom and security of person and freedom from arbitrary arrest and detention;

freedom of opinion and expression and in particular freedom to hold opinions without interference and to seek, receive and impart information and ideas through any media and regardless of frontiers;

¹ ILO: Record of Proceedings, International Labour Conference, 54th Session, Geneva, 1970, p. 733.

freedom of assembly;

the right to a fair trial by an independent and impartial tribunal; and

the right to protection of the property of trade union organisations.

13. In this resolution the Conference expressed its deep concern about, and condemns the repeated violations of, trade union rights and other human rights.

14. The Conference also called upon all member States which have not done so to ratify and apply the United Nations Covenants on Civil and Political Rights and on Economic, Social and Cultural Rights and invited the United Nations also to seek this.

15. The Conference also invited the Governing Body to pursue energetically the efforts of the ILO with a view to total decolonisation along the lines of the Declaration adopted on this subject by the United Nations. It furthermore invited the Governing Body to extend and expand its efforts to eliminate the discriminatory practices on the basis of race, colour, sex, religion, nationality, political and trade union opinion which still exist in several countries, including countries and territories under a colonial régime or foreign domination in any form.

16. The Conference moreover reaffirmed its belief in the principles which inspired the Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87), and the Right to Organise and Collective Bargaining Convention, 1949 (No. 98) and strongly urged that all member States which have not already done so ratify these Conventions and, pending ratification, that they ensure that the principles embodied in these Conventions are observed and that they respect the principles enshrined in these Conventions in the enactment of their national legislation.

Abolition of Forced Labour

17. The two basic texts concerning forced labour are the Forced Labour Convention, 1930 (No. 29) and the Abolition of Forced Labour Convention, 1957 (No. 105).

18. Conventions Nos. 29 and 105 have been ratified respectively by 107 and 91 States.¹

19. Convention No. 29 provides for the suppression, within the shortest possible period, of the use of forced or compulsory labour in all its forms, i.e. all work or service which is exacted from any person under the menace of any penalty and for which the said person has not offered himself voluntarily.

¹ See appended chart.

20. Convention No. 105 prohibits recourse to any form of forced labour: as a means of political coercion or education or as a punishment for holding or expressing political views or views ideologically opposed to the established political, social or economic system; as a method of mobilising and using labour for purposes of economic development; as a means of labour discipline; as a punishment for having participated in strikes; and as a means of racial, social, national or religious discrimination.

Elimination of Discrimination in Employment

21. The basic instrument concerning the elimination of discrimination in labour matters is the Discrimination (Employment and Occupation) Convention, 1958 (No. 111).

22. This Convention has been ratified by 84 States.¹

23. The objective of the Convention is the elimination, in respect of employment and occupation in general, of any discrimination based on race, colour, sex, religion, political opinion, national extraction or social origin. The Convention provides that each Member which ratifies it shall undertake to declare and pursue a national policy designed to promote, by methods appropriate to national conditions and practices, equality of opportunity and treatment in respect of employment and occupation with a view to eliminating any discrimination in respect thereof. It specifies that for this purpose the Member shall, in particular: seek the co-operation of employers' and workers' organisations and other appropriate bodies in promoting the acceptance and observance of this policy; enact such legislation and promote such educational programmes as may be calculated to secure the acceptance and observance of the policy; repeal any statutory provisions and modify any administrative instructions or practices which are inconsistent with the policy; pursue the policy in respect of employment under the direct control of a national authority; ensure observance of the policy in the activities of vocational guidance, vocational training and placement services under the direction of a national authority.

24. The Discrimination (Employment and Occupation) Recommendation, 1958 (No. 111) provides that the policy aimed at the elimination of discrimination in employment should have regard to the following principles:

- (a) the promotion of equality of opportunity and treatment in employment and occupation is a matter of public concern;
- (b) all persons should, without discrimination, enjoy equality of opportunity and treatment in respect of -

¹ See appended chart.

- (i) access to vocational guidance and placement services;
 - (ii) access to training and employment of their own choice on the basis of individual suitability for such training or employment;
 - (iii) advancement in accordance with their individual character, experience, ability and diligence;
 - (iv) security of tenure of employment;
 - (v) remuneration for work of equal value;
 - (vi) conditions of work including hours of work, rest periods, annual holidays with pay, occupational safety and occupational health measures, as well as social security measures and welfare facilities and benefits provided in connection with employment;
- (c) government agencies should apply non-discriminatory employment policies in all their activities;
- (d) employers should not practise or countenance discrimination in engaging or training any person for employment, in advancing or retaining such person in employment, or in fixing terms and conditions of employment; nor should any person or organisation obstruct or interfere, either directly or indirectly, with employers in pursuing this principle;
- (e) in collective negotiations and industrial relations the parties should respect the principle of equality of opportunity and treatment in employment and occupation, and should ensure that collective agreements contain no provisions of a discriminatory character in respect of access to, training for, advancement in or retention of employment or in respect of the terms and conditions of employment;
- (f) employers' and workers' organisations should not practise or countenance discrimination in respect of admission, retention of membership or participation in their affairs.

25. The same Recommendation also provides that appropriate agencies should be established for the purpose of promoting application of the said policy in all fields of public and private employment, and in particular:

- (a) to take all practicable measures to foster public understanding and acceptance of the principles of non-discrimination;
 - (b) to receive, examine and investigate complaints that the policy is not being observed and, if necessary by conciliation, to secure the correction of any practices regarded as in conflict with the policy; and
 - (c) to consider further any complaints which cannot be effectively settled by conciliation and to render opinions or issue decisions concerning the manner in which discriminatory practices revealed should be corrected.
-

Chart of Ratifications of ILO Conventions
relating to Fundamental Human Rights

x = ratified Convention

Country	Freedom of Association		Forced Labour		Discrimination
	Convention No. 87	Convention No. 98	Convention No. 29	Convention No. 105	Convention No. 111
Afghanistan				x	x
Albania	x	x	x		
Algeria	x	x	x	x	x
Argentina	x	x	x	x	x
Australia	x	x	x	x	x
Austria	x	x	x	x	x
Bangladesh	x	x	x	x	x
Barbados	x	x	x	x	x
Belgium	x	x	x	x	
Bolivia	x	x			
Brazil		x	x	x	x
Bulgaria	x	x	x		x
Burma	x		x		
Burundi			x	x	
Byelorussian SSR	x	x	x		x
Cameroon	x	x	x	x	
Canada	x			x	x
Central African Rep.	x	x	x	x	x
Chad	x	x	x	x	x
Chile			x		x
China ¹		x		x	x
Colombia			x	x	x
Congo	x		x		
Costa Rica	x	x	x	x	x
Cuba	x	x	x	x	x

¹ The entries in this chart relate to ratifications communicated in the name of China by the authorities representing China in the ILO at the date of communication. All these ratifications were registered after 1 October 1949 (the date on which the People's Republic of China was founded) and before 16 November 1971, the date on which the ILO Governing Body decided to recognise the Government of the People's Republic of China as the representative Government of China.

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Country	Freedom of Association		Forced Labour		Discrimination
	Convention No. 87	Convention No. 98	Convention No. 29	Convention No. 105	Convention No. 111
Cyprus	x	x	x	x	x
Czechoslovakia	x	x	x		x
Dahomey	x	x	x	x	x
Democratic Yemen (Aden)		x	x	x	
Denmark	x	x	x	x	x
Dominican Rep.	x	x	x	x	x
Ecuador	x	x	x	x	x
Egypt	x	x	x	x	x
El Salvador				x	
Ethiopia	x	x			x
Fiji		x	x	x	
Finland	x	x	x	x	x
France	x	x	x	x	
Gabon	x	x	x	x	x
German Dem. Rep.					
Germany, Federal Republic of	x	x	x	x	x
Ghana	x	x	x	x	x
Greece	x	x	x	x	
Guatemala	x	x		x	x
Guinea	x	x	x	x	x
Guyana	x	x	x	x	
Haiti		x	x	x	
Honduras	x	x	x	x	x
Hungary	x	x	x		x
Iceland	x	x	x	x	x
India			x		x
Indonesia		x	x		
Iran			x	x	x
Iraq		x	x	x	x
Ireland	x	x	x	x	
Israel	x	x	x	x	x

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Country	Freedom of Association		Forced Labour		Discrimination
	Convention No. 87	Convention No. 98	Convention No. 29	Convention No. 105	Convention No. 111
Italy	x	x	x	x	x
Ivory Coast	x	x	x	x	x
Jamaica	x	x	x	x	
Japan	x	x	x		
Jordan		x	x	x	x
Kenya		x	x	x	
Khmer Republic			x		
Kuwait	x		x	x	x
Laos			x		
Lebanon					
Lesotho	x	x	x		
Liberia	x	x	x	x	x
Libyan Arab Rep.		x	x	x	x
Luxembourg	x	x	x	x	
Madagascar	x		x		x
Malawi		x			x
Malaysia		x	x	x	
Mali	x	x	x	x	x
Malta	x	x	x	x	x
Mauritania	x		x		x
Mauritius		x	x	x	
Mexico	x		x	x	x
Mongolia	x	x			x
Morocco		x	x	x	x
Nepal					x
Netherlands	x		x	x	x
New Zealand			x	x	
Nicaragua	x	x	x	x	x
Niger	x	x	x	x	x
Nigeria	x	x	x	x	
Norway	x	x	x	x	x
Pakistan	x	x	x	x	x

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Country	Freedom of Association		Forced Labour		Discrimination
	Convention No. 87	Convention No. 98	Convention No. 29	Convention No. 105	
Panama	x	x	x	x	x
Paraguay	x	x	x	x	x
Peru	x	x	x	x	x
Philippines	x	x		x	x
Poland	x	x	x	x	x
Portugal		x	x	x	x
Qatar					
Romania	x	x	x		x
Rwanda				x	
Senegal	x	x	x	x	x
Sierra Leone	x	x	x	x	x
Singapore		x	x	x	
Somalia			x	x	x
Spain			x	x	x
Sri Lanka		x	x		
Sudan		x	x	x	x
Sweden	x	x	x	x	x
Switzerland			x	x	x
Syrian Arab Rep.	x	x	x	x	x
Tanzania		x	x	x	
Thailand			x	x	
Togo	x		x		
Trinidad and Tobago	x	x	x	x	x
Tunisia	x	x	x	x	x
Turkey		x		x	x
Uganda		x	x	x	
Ukrainian SSR	x	x	x		x
USSR	x	x	x		x
United Kingdom	x	x	x	x	
United States					
Upper Volta	x	x	x		x

Country	Freedom of Association		Forced Labour		Discrimination
	Convention No. 87	Convention No. 98	Convention No. 29	Convention No. 105	Convention No. 111
Uruguay	x	x		x	
Venezuela		x	x	x	x
Rep. of Viet-Nam		x	x		x
Yemen					x
Yugoslavia	x	x	x		x
Zaire		x	x		
Zambia			x	x	
Total of ratifications	80	95	107	91	84

/...

APPENDIX III

Resolution concerning the Policy of Discrimination, Racism
and Violation of Trade Union Freedoms and Rights Practised
by the Israeli Authorities in Palestine and in the Other
Occupied Arab Territories
(adopted 20 June 1974)

The General Conference of the International Labour Organisation,

Considering that "universal and lasting peace can be established only if it is based upon social justice", as is proclaimed in the Constitution of the International Labour Organisation,

Considering that the Declaration of Philadelphia solemnly proclaims that "all human beings, irrespective of race, creed or sex, have the right to pursue both their material well-being and their spiritual development in conditions of freedom and dignity",

Considering that the right of work, the right to freedom of movement and the right of association are inalienable rights recognized by the Universal Declaration of Human Rights and by the international community.

Considering that it is incumbent upon the International Labour Organisation to safeguard these rights and to seek to strengthen them,

Recalling the adoption by the International Labour Conference of the Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87), and of the Discrimination (Employment and Occupation) Convention, 1958 (No. 111),

Emphasizing that the Israeli authorities have ratified those Conventions,

Recalling that the International Labour Conference, in its resolution concerning trade union rights and their relation to civil liberties, unanimously adopted at its 54th Session, clearly stated that, without independence and political liberty, no trade union right could be fully and genuinely exercised by the workers,

Recalling also that in the same resolution the International Labour Conference invited the Governing Body of the International Labour Office to extend and expand its efforts to eliminate the discriminatory practises on the basis of race, colour, sex, religion, nationality and political and trade union opinions which still exist in several countries, particularly in countries and territories under a colonial régime or foreign domination in any form,

Considering the resolutions adopted by the International Labour Conference at recent sessions concerning the racial discrimination being suffered by the indigenous populations of South Africa, Guinea-Bissau and other African territories

/...

subject to a colonial régime or foreign domination, in which the workers' conditions of life and work are similar to those of the Arab working peoples under Israeli occupation,

Recalling, moreover, resolutions 9 (XXVII), 3 (XXVIII) and 4 (XXIX), adopted on 15 March 1971, 22 March 1972, and 14 March 1973, respectively, by the Commission on Human Rights at its twenty-seventh, twenty-eighth, and twenty-ninth sessions, which condemn Israel's persistent violations of human rights in the occupied territories,

Seriously concerned at the continuing violation, by the Israeli authorities, of human rights and workers' rights in the occupied Arab territories, and deeply disturbed at the dangerous consequences of this violation,

1. Declares that any occupation of territory following aggression constitutes in itself a permanent violation of basic human rights and in particular of trade union and social rights;
2. Condemns the policy of racial discrimination and violation of trade union freedoms, impairing basic human freedoms, which the Israeli authorities are pursuing against the Arab people;
3. Invites the Governing Body of the International Labour Office and the Director-General:
 - (a) To use all the means at the disposal of the International Labour Organisation to put an immediate end to these violations and discriminatory practises;
 - (b) To take all measures capable of guaranteeing the freedom and dignity of the Arab workers in the occupied territories.
4. Requests the Director-General to submit to an early session a special report on the implementation of this resolution.

B. Letter of 26 August 1975

/Original: Arabic/English/French/

In my letter of 2 May 1975, I outlined developments which had taken place at the time in the ILO regarding some aspects of the situation referred to in General Assembly resolution 3336 (XXIX) and undertook to keep you informed of the evolution of the situation.

/...

A/10290
English
Annex VII
Page 20

I enclose herewith the progress report (GB 196/20/2) which I submitted to the 196th session of the Governing Body, held at Geneva from 30 to 31 May. The Governing Body took note of the measures mentioned in this report and instructed me to report to it on any developments in the situation.

I will keep you informed of any further action which the Governing Body may decide upon at its future sessions.

(Signed) Francis BLANCHARD
Director-General

INTERNATIONAL LABOUR OFFICE
BUREAU INTERNATIONAL DU TRAVAIL
OFICINA INTERNACIONAL DEL TRABAJO

GOVERNING BODY
CONSEIL D'ADMINISTRATION
CONSEJO DE ADMINISTRACION

GB.196/20/2
196th Session

Geneva,
30-31 May 1975

Twentieth item on the agenda

REPORT OF THE DIRECTOR-GENERAL
Second Supplementary Report

Action on the resolution concerning the policy of
discrimination, racism and violation of trade union
freedoms and rights practised by the Israeli
authorities in Palestine and in the other
occupied Arab territories

1. The Governing Body was informed at its 195th Session (March 1975) of the measures taken by the Director-General in pursuance of the decision by the Governing Body at its 194th Session (November 1974) on the resolution concerning the policy of discrimination, racism and violation of trade union freedoms and rights practised by the Israeli authorities in Palestine and in the other occupied Arab territories.¹ Following its discussion of this question the Governing Body "took note of the measures taken or contemplated, as described in paragraphs 2 to 5 of the Office paper" (reproduced as Appendix I) and "instructed the Director-General to pursue such action along the lines indicated". The action pursued since then has consisted of the following elements.

2. The text of a letter dated 6 March 1975 from Mr. Nasr (Employer member, Lebanon) and of the corresponding extract from his statement at the 195th Session of the Governing Body to which he referred (Appendices II and III) have been communicated to the Government of Israel with a view to obtaining its observations on the questions raised. The Governing Body will be informed of any reply received from the Government of Israel. Mr. Nasr's letter and the extract from his statement mentioned above have also been communicated to all the other governments and organisations of the regions concerned, as described below.

3. Following communication by the Director-General on 20 January 1975 of the resolution and of the document concerning "the exercise of civil liberties and trade union rights" to all of those governments and organisations for the purpose of dissemination in the regions concerned, one reply has been received, namely, from the Government of Syria (Appendix IV). The letter sent to that Government by the Director-General following receipt of its reply is reproduced as Appendix V.

¹ Document GB.195/2/2, reproduced as Appendix I.

4. Having received no other communication the Director-General, by letter dated 2 May 1975 (Appendix VI), again wrote to the governments, intergovernmental organisations and employers' and workers' organisations in the regions concerned by the resolution, with regard to examination of measures taken or to be taken on the resolution.

5. A further letter, dated 2 May 1975 (Appendix VII), was also sent to the Government of Israel.

6. Furthermore, the Director-General is bearing in mind the possibility of sending one or two persons to the area to obtain information, as envisaged in the document submitted to the Governing Body at its 195th Session, and he reserves the possibility of reverting to that question in due course.

7. Finally, it may be useful to note that, with regard to the application of the Discrimination (Employment and Occupation) Convention, 1958 (No. 111), in Israel - although this question is not directly related to the situation in the territories to which the above-mentioned resolution refers - the Committee of Experts on the Application of Conventions and Recommendations formulated an observation at its March 1975 session, the text of which is reproduced as Appendix VIII.

8. The Director-General will submit a detailed report as soon as possible concerning replies and information obtained on the basis of the measures indicated above and concerning any further proposals which might appear appropriate having regard to such replies and information.

9. The Governing Body may wish to take note of the measures mentioned above and to instruct the Director-General to report to it on any developments in the situation.

Geneva, 2 May 1975.

POINT FOR DECISION:

Paragraph 9.

1...

INTERNATIONAL LABOUR OFFICE
BUREAU INTERNATIONAL DU TRAVAIL
OFICINA INTERNACIONAL DEL TRABAJO

GOVERNING BODY
CONSEIL D'ADMINISTRATION
CONSEJO DE ADMINISTRACION

GB.195/2/2
195th Session

Geneva,
4-7 March 1975

APPENDIX I

Second Item on the Agenda

ACTION ON THE RESOLUTIONS ADOPTED BY THE
CONFERENCE AT ITS 59TH SESSION (JUNE 1974)

Resolution concerning the Policy of Discrimination,
Racism and Violation of Trade Union Freedoms
and Rights Practised by the Israeli
Authorities in Palestine and in the
Other Occupied Arab Territories

1. Having examined at its 194th Session (November 1974) the question of the action to be taken on the resolution concerning the policy of discrimination, racism and violation of trade union freedoms and rights practised by the Israeli authorities in Palestine and in the other occupied Arab territories, the Governing Body instructed the Director-General -

- (1) to communicate the resolution to the Israeli authorities;
- (2) to ensure for the regions concerned by the resolution, as far as possible in the languages of the country, the widest dissemination of ILO documents concerning the exercise of civil liberties and trade union rights;
- (3) to submit to the Governing Body at its next session a report and proposals concerning the implementation of the operative part of the resolution;
- (4) to keep the Conference informed of the measures taken in application of the resolution.

2. In accordance with point (1) of that decision the Director-General communicated the resolution to the Israeli Government by letter of 25 November 1974, drawing its attention to the operative part of the resolution.

3. To give effect to point (2) of the decision, a document setting out the ILO's principles and standards concerning "the exercise of civil liberties and trade union rights" was prepared in Arabic, English and French. The Director-General sent a number of copies to each government, intergovernmental organisation and employers' or workers' organisation in the regions concerned by the resolution, and at the same time drew attention to the resolution and to the Governing Body's request for the widest dissemination of the documents in the regions concerned. The governments and organisations may obtain extra copies on request.

4. As regards point (3) of the decision, which relates to the implementation of the operative part of the resolution, in operative paragraph 3 the ILO is asked to use all the means at its disposal to achieve the objectives of the resolution. These objectives can, of course, be achieved only if information is available for an assessment of the scope of the problem and how to deal with it. The Director-General has arranged for the collection of information by the Office so as to keep

the situation under review and consider what action may be required. He will make any necessary resource adjustments for the purpose. He assumes that he will receive the information required in answer to his letters to governments and organisations in the regions concerned, mentioned in paragraph 3 above. In the light of that information he will consider taking steps to make further contact with the competent authorities, should the need arise. Moreover, he will bear in mind the possibility of sending an official or some other representative to the area to obtain the information, should such a mission appear desirable, in which case he will so inform the Governing Body. The Director-General will report to the Governing Body at an early session on the action taken.

5. As regards point (4) of the decision, the Director-General's Report to the Conference at its forthcoming session will contain information on the action taken under the resolution.

6. The Governing Body may wish to take note of the measures taken or contemplated, as described in paragraphs 2 to 5 above, and to instruct the Director-General to pursue such action along the lines indicated.

Geneva, 28 January 1975.

POINT FOR DECISION:

Paragraph 6.

/...

APPENDIX II

Letter dated 6 March 1975 from Mr. Nasr to the
Director-General of the International Labour
Office

Following the statement I made in the Governing Body regarding item 2 of the agenda, please find below some further cases which require immediate ILO action in pursuance of the resolution of the 1974 Conference concerning "the policy of discrimination, racism and violation of trade union freedoms and rights practised by the Israeli authorities in Palestine and other occupied Arab territories":

(a) Mr. George Hazboun, Secretary of the Union of Shoe Workers in Bethlehem, has been detained in prison since November 1974. He and Mr. Hejazi, Mr. Abou Gharibah and Mr. Atallah Rishmaoui have been tortured and their lives are, consequently, in imminent danger.

(b) Dr. Salah-uddin Anabtaoui, Secretary of the Arab Order of Medical Doctors, has been expelled from his homeland since 1968.

The same thing was done in the following cases:

(a) Dr. Faisal Kanaan, Secretary of the Order of Dentists;

(b) Dr. Walid Kamhaoui, former Secretary of the Order of Medical Doctors, was expelled in December 1973;

(c) Dr. Alfred Tobassi, Secretary of the Order of Dentists, was expelled in November 1974;

(d) Mrs. Abdul-Hadi, Secretary of the Women's Union in Nablus, was detained, tortured and expelled in 1968;

(e) Mr. Mahmoud Kadri, teacher and Secretary of the Preparatory Committee of the Union of Teachers of the Western Bank (of Jordan), was expelled from his homeland in November 1974.

In April 1974, the following trade unionists were detained in prison and are still there (they were not brought before a court):

(a) Mr. Husni Haddad, engineer, Secretary of the Order of Engineers of the branch of Hebrun and Bethlehem;

(b) Mr. Abbas Abdul-Hakk, engineer of the Order of Engineers, the branch of Nablus;

(c) Dr. Farhan Abou El-Layl, member of the Board of the Order of Medical Doctors of Nablus;

(d) Mr. Abdul-Majid Hamdan, member of the Preparatory Committee of the Teachers' Syndicate of the Western Bank.

(Signed) Marwan NASR
Employers' Member of the
Governing Body

APPENDIX III

Extract from Mr. Nasr's statement at the one hundred and ninety-fifth session of the Governing Body, first sitting, Tuesday morning, 4 March 1975

"Arab workers in the occupied territories of Palestine are not admitted into the highly technical industries, but their employment is confined to the simpler activities. They claim that this is done to prevent them from acquiring higher know-how and the higher standard of living that goes with it. Such activities to which they are confined are agricultural hand-labour, building, simple processes in the canning industry, services in restaurants and hotels. They are denied any access to such industries as the diamond, electric, electronic and chemical industries.

"They are asked to pay up to 33 per cent of their wages in taxes for the social security system and for the war effort. You can imagine their feelings when they will be supporting the war effort of the authorities which have occupied their own territories, but still they are submitted to it. And, which is worse, when it comes to benefits from the social security system, they are not allowed benefits from the social security system for which a part of their salary is being deducted.

"Because they are confined to certain types of work and not to others, they have sometimes to travel an hour or more, one hour going and one more coming from their work, and that is extra time - it is certainly not considered part of their working hours. And then they have to go on buses, which sometimes take double the number they should and sometimes there are accidents. For example, in 1973, a bus accident between Nathania and Tel Aviv caused the injury of several workers and in the village of Assira, there was a sort of grumbling and even a threat to strike. The people who did it were persecuted, they were beaten by what is called the Police Borders Force, put on a blacklist and not given the opportunity to work in any other factory.

"In factories which employ three shifts, the first shift, which is the day shift - the easier shift - is always the exclusivism of the Jewish workers; the Arab workers are confined to only the second and the third shifts, which are the evening and the night shifts.

"Arab workers are not permitted to eat at the tables at lunch-time; they have to use the floor as a dining table.

"There is always a special security officer to deal with Arab workers if they say that their conditions of work are not happy. Thus, in the Yashin Fruit-Packing Factory in Mellis, when the Arab workers had threatened a strike, they were arrested, beaten and sent away and, when they are fired under these conditions, they cannot find work in any other factory.

"The workers, when they come from the occupied territories to work in the other territories, are denied the protection of the Arab labour unions in their home country, because they are working in factories in the other part. And, of course, they are not protected by the trade unions in the other part because they are residents of the occupied territories.

"Workers' unions in occupied Arab territories are under constant pressures and threats. Mr. Dameen Hussein Abhoud, secretary of the union of building labourers in Ramallah, was submitted to investigations and threats by the secret police because he held a meeting of the members at his union on the occasion of Labour Day in 1973. Then, in December 1973, the persecution ended by his being expelled from his own home and his country by the Israeli authorities. He was the last of three other active labour leaders in this union who have suffered at the hands of the police since 1967. The last one, Mr. Adnan Dagher, was arrested in the spring of 1975. He was the secretary of the union and he is still in prison. The union of the workers of Beira had to lose two members of its board of directors, Miss Nejmé Ayyoub and Mr. Mohammad Baghdadi. They were forced to resign under threats because they were active members of the union. Mr. Zakaria Hamdan, Secretary-General of the Federation of Arab Labour Unions on the western bank of the Jordan, was arrested and then was expelled from the country because of union activities. The same thing happened to Mr. Michel Sindaha, secretary of the drivers' union of Jersusalem, and two others, Mr. Khalil Hijazi and Mr. Mohammed Abou Garbieh, who were persecuted. They were put in prison and they are still in prison."

APPENDIX IV

Letter dated 22 March 1975 from the Minister of Social Affairs
and Labour of the Syrian Arab Republic to the Director-General
of the International Labour Office

I refer to your communication of 20 January 1975 and the documents appended to it, that is, the resolution concerning the policy of discrimination, racism and violation of trade union freedoms and rights practised by the Israeli authorities in Palestine and in the other occupied Arab territories, adopted by the International Labour Conference, and the ILO documents relating to the exercise of civil liberties and trade union rights. In this connexion, I wish to make the following observations:

1. You stated in your communication that the above-mentioned ILO documents were being sent to us with a view to their dissemination in the regions concerned with the resolution. It is, however, a practical impossibility for us to do this. The Syrian Arab Republic cannot disseminate these documents because it does not exercise effective control over the regions in question.
2. In our opinion, the dissemination of the ILO documents dealing with the exercise of civil liberties and trade union rights would not suffice to ensure the application of the above-mentioned resolution, particularly as Israel still occupies the Arab territories and continues to violate trade union and human rights in those territories.
3. The above-mentioned communication contains no indication of the measures capable of guaranteeing the freedom and dignity of the Arab workers in the occupied territories which the resolution invites the Governing Body of the ILO and the Director-General to take.

In these circumstances, and in pursuance of the resolution concerned, we hope that this question will be put before the Governing Body again with a view to the adoption of practical measures to guarantee the trade union and civil rights of the workers concerned.

APPENDIX V

Letter dated 2 May 1975 from the Director-General of the International
Labour Office to the Minister of Social Affairs and Labour of the
Syrian Arab Republic

I have the honour to acknowledge with thanks the receipt of your letter of 22 March 1975 in which, following my letter of 20 January 1975, you were good enough to give me your views concerning the action to be taken on the resolution concerning "the policy of discrimination, racism and violation of trade union freedoms and rights practised by the Israeli authorities in Palestine and in the other occupied Arab territories" adopted by the International Labour Conference at its 59th session (June 1974). The information contained in your letter of 22 March will be brought to the attention of the Governing Body in the report on this matter, which I propose to submit to it at its next session.

I have the honour to transmit to you herewith a copy of a letter dated 6 March 1975, which I have received from Mr. Nasr, Employer member of the Governing Body, together with the corresponding part of the statement he made at the 195th session of the Governing Body, to which his letter refers. Mr. Nasr's letter and his statement have been communicated to the Government of Israel with a request for any observations it might have concerning the questions raised.

(Signed) Francis BLANCHARD
Director-General

APPENDIX VI

Letter dated 2 May 1975 from the Director-General of the International Labour Office to the Governments, intergovernmental organizations and employers' and workers' organizations of the regions concerned

By my letter of 20 January 1975, I had the honour to communicate to you a copy of the resolution concerning "the policy of discrimination, racism and violation of trade union freedoms and rights practised by the Israeli authorities in Palestine and in the other occupied Arab territories" adopted by the International Labour Conference at its fifty-ninth session in June 1974, together with copies of a document entitled The Exercise of Civil Liberties and Trade Union Rights, with a view to their distribution in the regions concerned with the resolution. These steps were taken in accordance with the decisions on the subject adopted by the Governing Body at its one hundred and ninety-fourth session in November 1974 and referred to in my letter of 20 January.

At its one hundred and ninety-fifth session in March 1975, the Governing Body instructed me to pursue the action described in the document I had submitted to it on this matter (GE.195/2/2), a copy of which is enclosed herewith (see appendix I above) and in which I expressed my intention to report to the Governing Body at an early session on the action taken.

With a view to the preparation of such a report, I would be obliged if you would send me information concerning any action you may have taken along the lines indicated by the decision taken by the Governing Body at its one hundred and ninety-fourth session to which I referred in my letter of 20 January.

I also have the honour to transmit to you herewith a copy of a letter dated 6 March 1975, which I received from Mr. Nasr, Employer member of the Governing Body, together with the corresponding part of the statement he made at the 195th session of the Governing Body (see appendices II and III above, to which his letter refers. Mr. Nasr's letter and his statement have been communicated to the Government of Israel with a request for any observations it might have concerning the questions raised in it.

(Signed) Francis BLANCHARD
Director-General

APPENDIX VII

Letter dated 2 May 1975 from the Director-General of the International
Labour Office to the Minister of Labour of Israel

By my letter of 20 January 1975, I had the honour to communicate to you copies of a document entitled The Exercise of Civil Liberties and Trade Union Rights with a view to their distribution in the regions covered by the decision which the Governing Body took at its one hundred and ninety-fourth session, in November 1974 on the action to be taken in pursuance of the resolution concerning "the policy of discrimination, racism and violation of trade union freedoms and rights by the Israeli authorities in Palestine and in the other occupied Arab territories", adopted by the International Labour Conference at its fifty-ninth session in June 1974.

The Governing Body, at its one hundred and ninety-fifth session in March 1975, instructed me to pursue the action described in the paper I submitted to it on this matter (GB.195/2/2), a copy of which is enclosed herewith (see appendix I above), in which I expressed my intention to report to the Governing Body at an early session on the action taken.

With a view to the preparation of such a report, I would be obliged if you would send me information concerning any action you may have taken along the lines of the decision adopted by the Governing Body at its one hundred and ninety-fourth session, to which I referred in my letter of 20 January.

In order that consideration may be given to possible additional steps as contemplated in paragraph 4 of my paper to the Governing Body mentioned above, I would be most grateful for whatever information you could send me concerning developments affecting the matters and territories to which the Conference resolution relates.

Finally, I have noted that, by his letter of 8 April 1975, your Government's Permanent Representative at Geneva informed me that he will forward to me immediately any reply received from the Government concerning the letter I received from Mr. Nasr, Employer member of the Governing Body, and the latter's statement to the Governing Body, which I sent to him on 1 April 1975.

(Signed) Francis BLANCHARD
Director-General

APPENDIX VIII

Extract from the report of the Committee of Experts on
the Application of Conventions and Recommendations
(March 1975 session)

Convention No. 111: Discrimination
(Employment and Occupation), 1958

Israel (ratification: 1959)

The Committee has noted the information supplied by the Government in response to its previous observation. It hopes that the Government will be able to give, in its next report, specific information on trends in the participation rates for members of the different ethnic and religious groups of the population in higher-grade posts, in the private and public sectors. In particular, it requests the Government to indicate what action has been taken on the recommendations of the Inter-Ministry Committee set up in 1974 (which the report indicates as having been approved by the Government) and for increasing the recruitment of members of the Arab population to skilled positions in the civil service and other public services.

In addition, the Committee notes that - as the Government points out - the Employment Service Act, 1959, prohibits discrimination in the placement operations to which it applies (sect. 42) and provides for a grievances procedure (sect. 43). However, since these provisions do not relate to admissions to certain categories of posts (particularly posts at the higher level referred to in sect. 32 (b)) or to other aspects of employment (such as promotion), the Committee draws the Government's attention to the fact that it would be useful to adopt supplementary provisions on the prevention of discriminatory practices in respect of employment and occupation in general, including specific methods for examining and dealing with any case of alleged discriminatory practices (article 3 (b) of the Convention).

ANNEX VIII

Letter dated 8 July 1975 from the Director-General of the
United Nations Educational, Scientific and Cultural
Organization to the Secretary-General

On behalf of the Director-General, I wish to acknowledge receipt of your letter dated 19 March 1975, in which you quote paragraph 5 of General Assembly resolution 3336 (XXIX) and request any information which we may have directly related to the subject of "adverse economic effects on the Arab States and peoples, resulting from the repeated Israeli aggression and continued occupation of their territories".

Aside from the UNESCO/UNRWA Department of Education and the organization of the Tawjihi examinations in the Gaza Strip, UNESCO's only activity of relevance to this problem is the report, prepared for the eighteenth session of the General Conference, on the situation of the national education and the cultural life of peoples in the occupied Arab territories. Within the framework of this report, which was prepared in accordance with resolution 10.1, part III, paragraph 19, adopted by the General Conference at its seventeenth session, certain information relevant to the economic situation in the occupied territories was supplied to UNESCO. While this information is not entirely of direct concern to the subject of the economic effects of aggression and occupation on the Arab States and peoples, copies of the report (document 18 C/16) and of the resolution subsequently adopted by the General Conference (18 C/Res.13.1) are enclosed for reference. Details concerning economic or financial matters are to be found in document 18 C/16 in paragraphs 20, 24, 25, 26, 27, 36, 37, 38, 41, 57, 58, 59, 60, 73, 74, 95, 96, 105, 108, 111, 119, 125, 131 and 141 (see appendix II below).

I regret that we are unable to provide any further information relating to the subject matter of the report requested in General Assembly resolution 3336 (XXIX).

(Signed) John E. FOBES
Deputy Director-General
for the Director-General

APPENDIX I

UNESCO General Conference resolution 18 C/Res.13.1 adopted at the
forty-seventh plenary meeting on 23 November 1974

13. Access by the populations of the occupied Arab territories to national education and culture

13.1 The General Conference,

Recognizing that access to national education and culture is one of the fundamental human rights affirmed by the Charter of the United Nations and the UNESCO Constitution,

Recalling that military occupation of territories by foreign forces constitutes a constant danger to peace and human rights, including the inalienable right to national education and cultural life,

Noting with anxiety that, as is apparent from the report by the Director-General (document 18C/16), the populations in the occupied Arab territories are not enjoying their inalienable and inviolable rights to national education and cultural life,

1. Invites the Director-General to exercise full supervision of the operation of educational and cultural institutions in the occupied Arab territories, and to co-operate with the Arab States concerned and with the Palestine Liberation Organization with a view to providing the populations in the occupied Arab territories with every means of enjoying their rights to education and culture so as to preserve their national identity;
2. Urgently appeals to Israel to refrain from any act that has the effect of hindering the populations of the occupied Arab territories in the exercise of their rights to national education and cultural life, and invites it to allow the Director-General of UNESCO to carry out the task referred to in the foregoing paragraph;
3. Invites the Director-General to report to the Executive Board on the implementation of this resolution.

APPENDIX II

Extracts from the report by the Director-General on the
situation of the national education and the cultural
life of peoples in the occupied Arab territories

/document 18 C/16/

...

"II. THE GAZA STRIP AND NORTHERN SINAI

...

"A. National education

...

"Numerical data

...

"20. According to official Egyptian sources, the education budget for the Gaza zone represented one quarter of the general budget for the zone. This budget amounted to:

£(E)3,514,000 (Egyptian pounds) in 1964-1965
£(E)4,658,000 in 1965-1966
£(E)5,130,000 in 1966-1967

"The government also assisted students going to Egyptian universities and institutes.

In 1964-1965, the education budget amounted to £(E)1,500,000, plus the sum of £(E)105,000 for aid to students.

In 1965-1966, the education budget amounted to £(E)1,800,000 plus the sum of £(E)180,000 for aid to students.

In 1966-1967, the education budget was £(E)2,500,000 but aid to students fell to £(E)20,000.

...

"24. Fifty per cent of the education budget is covered by the Israeli authorities; a/ in 1974-1972, education represented 18 per cent of the total

a/ Haifa report, p. 5.

/...

budget for the Gaza Strip. b/ It amounted to £(I)10,839,924, to which should be added £(I)386,327 for the building of schools. The remaining 50 per cent of the budget was provided by the municipalities for the government schools.

"25. At the beginning of the occupation, the UNRWA/UNESCO programme had to cope with a substantial increase in the costs of education. Between 1967 and 1970, recurrent expenditure in the education budget rose from \$9,800,000 to \$15,200,000 for UNRWA/UNESCO education services as a whole. The share of the budget allocated to education at present represents 47 per cent, whereas 13 per cent goes to health services. The following table shows the importance of education in the UNRWA budget. Since about 21 per cent of the refugee population receiving education are in the Gaza Strip, it may be taken that approximately one fifth of this budget is used for the Gaza Strip.

b/ Ministry of Defense, The Administered Territories 1971-1972, p. 275.

	(In thousands of United States dollars)		
	1974	1973	1972
	<u>budget</u> <u>estimates</u>	<u>adjusted</u> <u>budget</u> <u>estimates</u>	<u>actual</u> <u>expenditure</u>
<u>Education services</u>			
General education	24,506	21,925	17,752
Vocational and professional training	4,649	4,529	3,661
Share of common costs from Part IV	3,807	3,464	2,894
Total, education	<u>32,962</u>	<u>29,918</u>	<u>24,307</u>
Grand total	<u>70,291</u>	<u>62,676</u>	<u>52,126</u>
Percentage of grand total used for education	47%	48%	47%

Source: Report of the Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East, 1 July 1972-30 June 1973 (Official Records of the General Assembly, Twenty-eighth Session, Supplement No. 13 (A/9013), p. 59, table C.

"26. Besides their contribution to the UNRWA budget, certain Governments make an additional direct contribution to the refugees. Direct contributions for educational services in 1972-1973 are shown below.

Direct contribution to refugees a/ b/ for the year ended 30 June 1973
(In United States dollars)

Governments	Education services	Totals
Egypt	7,095,000	9,022,475
Israel	2,312,619	7,902,665
Jordan	1,672,512	10,074,976
Lebanon	60,970	1,341,493
Syrian Arab Republic	1,342,146	3,530,975

a/ All data shown in this table are provided by the Governments concerned and are expressed in United States dollars computed by applying the agency's accounting rates of exchange.

b/ These contributions direct to the refugees are in addition to contributions made by these Governments.

Source: Report of the Commissioner-General of UNRWA, 1972-1973, Official Records of the General Assembly, Twenty-eighth Session, Supplement No. 13 (A/9013), p. 102, table 21.

"27. In addition to the contributions to the Regular Budget and the government contributions detailed above, the UNRWA/UNESCO schools receive special donations, particularly from the following countries: United States of America, Germany (Federal Republic of), Sweden and Switzerland.

...

"Teacher training

...

"36. It will be seen that a large number of teachers hold only the secondary school certificate (980 out of a total of 1,416, or over two thirds), as against 264 university graduates. Only two teachers have a university degree in English and none holds a degree in mathematics. This seems to have adverse effects on the standard of teaching in these subjects. The relatively few teachers (172 out of a total of 1,416) with a two-year post-secondary training will also be noted. All the institutes providing such training are situated on the West Bank of the Jordan and access to them was consequently very difficult for inhabitants of the Gaza Strip until after the hostilities of June 1967. A further point is that UNRWA, on which three of the four such institutes depend, has difficulty in finding teaching posts for graduates from the Gaza Strip. The Israeli authorities, however, report 700 teachers having taken advanced courses in the Gaza Strip and Israel in 1971. c/ Another point is that the salaries payable to teachers make it more tempting to seek work in Israel or sometimes to emigrate.

"Higher education

"37. The table below shows the number of students admitted to the universities and higher institutes of Egypt.

Number of students from the Gaza Strip admitted to the universities and higher institutes of Egypt, 1964-1973

	<u>1964</u>	<u>1965</u>	<u>1966</u>	<u>1967</u>	<u>1968</u>	<u>1969</u>	<u>1970</u>	<u>1971</u>	<u>1972</u>	<u>1973</u>
Universities and higher institutes	728	1,323	nil	nil	nil	1,195	1,030 ^{a/}	961 ^{a/}	732 ^{a/}	1,031 ^{a/}

a/ The figures from 1970 onwards represent the number of those passing the tawjihi examination who crossed the Suez Canal for the purpose of pursuing higher studies in Egypt.

Source: Ministry of Education, ARE and UNRWA Office, Beirut.

c/ Ministry of Defence, The Administered Territories 1971-1972, p. 276.

/...

"Egypt provides students from the Gaza Strip with financial assistance amounting to £(E)2 million a year for educational costs and £(E)120,000 a year in direct assistance. The Egyptian authorities intend to restrict the number of such students to 1,000, apparently owing to the massive rise in the number of students at the universities of Cairo.

"38. In addition, a number of students continue their studies at foreign universities, often with the assistance of fellowships administered by UNRWA/UNESCO. The number of UNRWA fellowship-holders was 384 in 1968-1969, but fell to 82 in 1972-1973 owing to the running-out of one source of finance. d/ Israeli sources indicate that very few students from Gaza continue their studies in Israeli universities. e/ The main difficulties appear to be attributable to a generally inadequate standard of secondary education, and the opportunities of work in Israel.

...

"B. Cultural life

"Cultural life prior to 1967

...

"41. According to a special report submitted to the Director-General by the Arab Educational, Cultural and Scientific Organization (ALECSO), prior to 1967 the region had six tourist offices, six sports clubs, three cultural centres, two public libraries, 10 bookshops and eight cinemas (including four indoor cinemas). The ALECSO report also states that the Egyptian Government spent £(E)40,000 on the maintenance of these establishments.

...

"III. THE WEST BANK, INCLUDING EAST JERUSALEM

"General observations

...

"57. Israeli sources show that the annual rate of natural increase in the population of the West Bank was apparently rising until 1971 (2.8 per cent) and then went down to the 1968 rate (2.3 per cent), which is similar to the trend noted in the Gaza Strip. f/ There is, on the other hand, a net emigration from the occupied territories. In the 1950s, there was noticeable

d/ UNRWA/UNESCO Department of Education Statistical Yearbook, 1972-1973, pp. 7 and 96.

e/ Haifa report, p. 9.

f/ Ministry of Defence, op. cit., pp. 17-215.

/...

emigration from the West Bank to the East Bank of the Jordan and to foreign countries where economic opportunities were better. g/ In the months following the war of 1967, an estimated 200,000 fled from the West Bank to the East Bank. h/ Since 1971, however, the rate of net emigration seems to be decreasing for reasons attributed by Israeli sources to employment opportunities mainly in Israel. i/

"58. Like the Gaza Strip, the West Bank economy is predominantly agricultural. The region is, however, much more developed and produces a greater variety of items, including olives, deciduous fruits, citrus and bananas, field crops, vegetables, as well as animals. j/ In spite of certain improvements, the techniques used are rudimentary by comparison to those used in Israel. Industry has not been able to develop in the West Bank since the beginning of occupation. Several reasons are given. There is virtually no investment in the region by outside sources, Arab or other. Jordanian banks have been closed and the local population is not inclined to deposit in or borrow from Israeli banks. Furthermore, nearly half of the West Bank hired workers in industry (6,500 out of a total of 13,900 in 1972) work in industry in Israel. k/

"59. In general, there is a tendency among West Bankers to be attracted by higher wages in Israel. If one examines the monthly figures of West Bankers seeking work through Israeli employment offices in 1971-1972, one finds an average of 21,833 per month, of which almost all were employed in Israel (20,452 or 94 per cent). l/ Another 10,000 obtained employment without going through the employment offices. Whether they go through the employment offices or not, the attraction of employment in Israel appears to prevail over fears arising from the unstable and precarious nature of such work. The October 1973 war, for example, cut many West Bank workers off from their main source of income, yet little by little they returned to Israel in their day-by-day search for better material living conditions for themselves and their families.

g/ See, for example, "Palestinian emigration and Israeli land expropriation in the occupied territories", Journal of Palestine Studies, vol. III, 1973, pp. 106-108.

h/ Report of the Commissioner-General of UNRWA, 1 July 1966-30 June 1967, Official Records of the General Assembly, Twenty-second Session, Supplement No. 13 (A/6713), para. 32; and ibid., Twenty-third Session, Supplement No. 13 (A/7213), paras. 9 and 10.

i/ Ministry of Defence, op. cit., pp. 2, 98-100.

j/ Ibid., p. 30

k/ Ibid., p. 31.

l/ Ministry of Defence, op. cit., p. 99.

"60. The effects of these trends on the economy of the West Bank are considerable. Industry and the population have been adjusting to meet the demands of the Israeli economy. The occupying Power, the local population and the States whose territory is occupied agree on this point. This situation obviously affects both the education and cultural life of the Arab population of the West Bank.

"A. National education

...

"Numerical data

...

"73. As regards the budget spent on education in the West Bank, the Israeli authorities had an educational budget for the West Bank of £(I)20 million for 1972. m/ It should be noted that approximately 70 per cent of the schools in the area are run by the Government. The authorities encourage building of schools by offering to pay 50 per cent of the cost. The difficulty seems to be that the authorities will not allow the levying of additional taxes through the municipalities from the local population for this purpose, because of the policy of non-interference in local affairs, although they do enforce other forms of taxation. The result is that schoolrooms have to be rented in different parts of the towns and villages and are often overcrowded.

"74. As already mentioned (see para. 25 above), the total expenditures in 1972 for education services of UNRWA/UNESCO amounted to \$24,307,000 and the budget estimates for 1974 were \$32,962,000. Since nearly 16 per cent of the refugee pupils receiving education are in the West Bank, the amount of UNRWA/UNESCO education funds for the West Bank education services may be roughly calculated at \$4 million for 1972.

...

"Higher education

...

"95. In the report submitted by Jordan, n/ it is stressed that "the occupation has affected directly or indirectly higher education". The Ministry of Education regrets that it has no reliable statistics available, and enumerates several consequences of the occupation, including the

m/ Haifa report, p. 35. The Ministry of Defence, op. cit., p. 139, indicates the higher amount of £(I)35,573,363 in actual expenditures for education in 1971-1972.

n/ Ministry of Education, Effect of Occupation on Education and Culture in the West Bank of Jordan (a special report prepared for UNESCO), p. 10.

/...

:

:

difficulties students have in leaving the occupied territories West of the Jordan, and the petty annoyances suffered by those who do leave when they come home to their parents on holiday; the problems they encounter when trying to find employment benefiting their qualifications; and the extreme difficulty of gaining admission to the Israeli universities. The report also mentions the closing down of the Beit-Hanina Institute of Business Administration.

"96. On the other hand, it is stated in the Haifa report o/ that things are going on much as before, although students who used to go to Arab universities in other countries now tend to go rather to the United States of America and Europe. It is also stated that the Israeli universities are open to students from the occupied territories, but that very few actually go to them. Another point to note is that the Israeli authorities authorize the purchase of foreign currency by students who wish to study abroad.

...

"B. Cultural life

...

"105. Two features mark the Right Bank of the Jordan from the cultural standpoint: firstly, the distinctive character of the large towns, each of which has its own quite individual past, history, élites and trends of development; and, secondly - a feature connected with long-standing and exceptional urban development - the great disparity between the standard of living and way of life in the towns and in the countryside, the latter remaining particularly poor.

"Cultural life prior to 1967

...

"108. The Jordanian Ministry of Education, in its report to UNESCO p/ stressed the fact that the West Bank was an important market for the books, magazines and newspapers of the Arab world. Furthermore, a law of 1964 provided for the administration and maintenance of the holy places by the Ministry of Waqfs, Islamic Affairs and Shrines. q/

o/ See Haifa report, pp. 40-41.

p/ Minister of Education, Effects of Occupation on Education and Culture in the West Bank of Jordan (a special report prepared for UNESCO), p. 17.

q/ Ibid., p. 19.

"Cultural life since 1967

...

"111. For information about the Moslems, the officials of the Secretariat visited the Ministry of Waqfs in Amman, where they were told that religious instruction in the West Bank schools was going on as before, as were the prayers in the mosques, and that the Ministry was continuing to see to the maintenance of the buildings and to administer the community's property, the income being used either for helping the needy or for preserving religious buildings etc. The Israeli authorities also provide assistance for this purpose and have contributed to the restoration of various Moslem mosques and cemeteries. Furthermore, they broadcast the major Moslem ceremonies - as, indeed, those of other religions - on radio and television. r/

...

"119. The problem of books and periodicals in Arabic also impinges on cultural life. It is no doubt theoretically possible to obtain any book or periodical in Arabic provided that it contains no incitement to racial hatred or anti-Semitic statement. In fact, however, the situation is not as simple as this, and the circulation of periodicals in particular is extremely difficult. An import licence is required in order to obtain books or periodicals from Arab countries, and they have to go through a slow, cumbersome and complicated commercial circuit. In addition, high customs duties are levied on such publications. Although a large number of English-language publications freely expressing all shades of opinion may be available in Jerusalem, Ramallah and elsewhere, the language barrier restricts their readership considerably.

...

"125. The increase in the number of television sets and in the flow of workers from the occupied territories to Israel have brought about a change in habits and attitudes of mind. Contact with Israeli society has led to a partial splitting up of families. Not only the father but often also the mother may go to work in Israel, with the result that the cultivation of the land and the education of the children are frequently left in the hands of the grandparents, who are not always up to the task. Moreover, the workers who are attracted by this new working environment - far more advantageous, it is true, but very different from the point of view of dietary habits, mores and life style - are ill prepared for the cultural shock involved. The complaint is made that the wages earned are spent in Israel itself on doubtful forms of entertainment. The Jordanian Government also mentions the breaking down of parental authority. The dangers to young girls' honour, so carefully guarded in Islam, are very keenly felt. It is feared that they may, against the wishes of their families, marry

r/ Haifa report, p. 47.

/...

Arab boy-friends they have met in Israel while working there. The result of this is that, on the one hand, they are married off by their parents at an increasingly early age and, on the other, certain municipalities and associations are trying to create occupations and jobs for girls and women in the territories themselves. Whatever may be said, however, values remain extremely traditional.

...

"IV. THE GOLAN HEIGHTS

...

"A. National education

"Numerical data

"131. The educational system has been financed since the occupation s/ by the Government of Israel. The pay, however, was considered to be too low according to one teacher, who informed members of the Secretariat that it amounted to £(I)800 per month as compared to a worker's salary of £(I)1,200 per month. The Secretariat also heard reports of students being attracted by wages offered for manual labour in Israeli settlements in occupied Golan, where they could earn up to £(I)50 per day.

...

"B. Cultural life

...

"141. The other activities mentioned in the Haifa report seem to be related to the development of ties with Israel, as for example the sports clubs which compete in an Israeli football league, the coffee houses catering to visitors, and the handicrafts and home industries aimed at the tourist market. t/

...

s/ Haifa report, p. 68.

t/ Ibid., p. 72.



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REPORT OF THE ECONOMIC AND SOCIAL COUNCIL

Permanent sovereignty over national resources in the
occupied Arab territories

Report of the Secretary-General

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Report of the Secretary-General

1. On 17 December 1974, the General Assembly adopted resolution 3336 (XXIX) entitled "Permanent sovereignty over national resources in the occupied Arab territories", in paragraph 5 of which the Assembly requested the Secretary-General, with the assistance of the relevant specialized agencies and United Nations organs, to prepare a report on "the adverse economic effects on the Arab States and peoples, resulting from repeated Israeli aggression and continued occupation of their territories, to be submitted to the General Assembly at its thirtieth session".
2. The Member States directly concerned, in addition to the relevant specialized agencies and United Nations organs, including the United Nations Conference on Trade and Development, were invited to provide relevant information as a basis for the report.
3. On 18 March 1975, therefore, the Secretary-General sent notes verbales to the Permanent Representatives of Egypt, Israel, Jordan, Lebanon and the Syrian Arab Republic to the United Nations (see annex I below).
4. The Permanent Representative of Egypt to the United Nations replied in notes verbales dated 26 June, 8 July, 26 August, 23 and 30 September and 24 October 1975, transmitting tables presenting "examples of losses incurred by some ministries, governmental departments, public sector enterprises and services sectors" (see annex II below). In the view of the Government of Egypt, the information conveyed represents a fraction of the total losses.
5. On 8 July 1975, the Permanent Representative of the Syrian Arab Republic to the United Nations addressed to the Secretary-General a note verbale (see annex III) transmitting five tables entitled: "the amount of damage suffered by State bodies and the public sector; the amount of direct damage suffered by the private sector; the amount of direct damage suffered by villages in the theatre of operations and villages occupied in 1973 and subsequently evacuated; amount of damage resulting from the devastation of the town of Quneitra and occupation of the district; and the amount of agricultural damage resulting from the occupation of Quneitra district". The reply also contained figures which represent the value of antiquities, which the Government of the Syrian Arab Republic stated were removed from this district, as well as the amount of aid to the people displaced during the period 1967-1975 and the economic damage which the Government anticipated it would incur, as from 1976, owing to the loss of revenue from properties and public utilities. The reply further indicated that the information was not all-inclusive and that Syrian authorities were still in the process of assessing other direct and indirect damage.
6. In a note verbale of 6 August 1975, the Permanent Mission of Israel to the United Nations stated that "the position of Israel on the subject matter of the resolution in question was made clear by the delegate of Israel in the Second Committee on 15 November 1974 and in the plenary meeting on 17 December 1974" (see annex IV below). It further noted that "the wording of paragraph 5 of resolution 3336 (XXIX) completely prejudices the issue, leaving no room and no purpose for the preparation of an objective report".
7. The Secretary-General also received replies dated 26 August and 9 September 1975

from the Permanent Representative of Jordan to the United Nations. The reply of 9 September transmitted the Government's revised report on the adverse effects of Israeli occupation of the West Bank on Jordan's economy (see annex V below).

8. In a letter dated 19 March 1975, the Secretary-General also requested information from the relevant specialized agencies and United Nations organs, namely, UNCTAD, UNIDO, FAO, UNESCO, the ILO, WHO, IBRD and IMF, as well as the Economic Commission for Western Asia (ECWA) (see annex VI below). These agencies or organs have co-operated by sending relevant documentation. Some stated that they had no information directly related to the subject-matter and others advised that they only had information of a general nature.

9. The reply of UNCTAD, dated 29 May 1975, focused on its report entitled The Economic Effects of the Closure of the Suez Canal. ^{1/} That study identified and quantified the effects of the closure of the Canal on ocean shipping services and costs, and evaluated the trade losses of the areas affected. It concluded that countries south of the Canal, especially in East Africa and in South-East Asia, had been principally affected, but it did not provide a breakdown for any country in particular.

10. According to the UNCTAD report, in 1966, the last full year of the operation of the Suez Canal, a total of 242 million tons (176 million tons of oil and 66 million tons of dry cargo) passed through the Canal, equal to 14 per cent of world sea-borne trade. Egypt received about \$US 224 million in toll revenues in the 12 months ending May 1967, but the losses to the economy (actually not computed) go beyond this figure in view of the many activities induced by the traffic through the Canal.

11. In its reply dated 24 June 1975, UNIDO transmitted the following relevant information:

"In the course of the hostilities, Egypt suffered the loss of two oil refineries and one fertilizer plant with the result that the country has been forced to meet its crude oil and fertilizer requirements through imports. On the other hand, the present situation on the Sinai peninsula deprives the Egyptians of no less than one third of their oil resources, since the oil fields are currently occupied by the Israelis. In the Syrian Arab Republic, the Homs oil refinery was put out of action. Lebanon made available a certain proportion of its refining capacity with the result that there have been local shortages, impeding the operation of the transport system and certain industrial facilities. The Hamma steel rolling mill in Syria was also put out of operation when its generator plant was damaged. Moreover, funds that should have been devoted to industrial development in the Arab region have been directed to defence purposes."

12. In its replies of 2 May and 26 August 1975 (see annex VII below), the ILO,

^{1/} United Nations publication, Sales No.: 73.II.D.13.

while indicating that it had no directly relevant material, drew attention to a resolution adopted by the International Labour Conference at its fifty-ninth session concerning the policy of discrimination, racism and violation of trade union freedoms and rights practised by Israeli authorities in Palestine and in other occupied Arab territories (see annex VII, appendix III, below), as well as to the action and decision related to that resolution taken subsequent thereto.

13. In its reply of 8 July 1975, UNESCO, while noting that this information was not entirely of direct concern to the subject covered by General Assembly resolution 3336 (XXIX), drew attention to a report prepared for the eighteenth session of the General Conference entitled "The situation of the national education and the cultural life of peoples in the occupied Arab Territories", 2/ prepared pursuant to UNESCO resolution 10.1, part III, paragraph 19. The reply of UNESCO identified the paragraphs of the report concerning economic or financial matters. These paragraphs, as well as the resolution adopted following the consideration of the above-mentioned report, are reproduced in annex VIII below.

2/ UNESCO document 18C/16 of 10 September 1975.

ANNEX I

Note verbale dated 18 March 1975 from the Secretary-General to
the Permanent Representatives of Egypt, Israel, Jordan, Lebanon
and the Syrian Arab Republic to the United Nations

/Original: English/

The Secretary-General of the United Nations presents his compliments to the Permanent Representative of _____ to the United Nations and has the honour to refer to General Assembly resolution 3336 (XXIX) of 17 December 1974. In paragraph 5 of that resolution, the General Assembly:

"Requests the Secretary-General, with the assistance of relevant specialized agencies and United Nations organs, including the United Nations Conference on Trade and Development, to prepare a report on the adverse economic effects on the Arab States and peoples, resulting from repeated Israeli aggression and continued occupation of their territories, to be submitted to the General Assembly at its thirtieth session."

Information concerning economic matters which is normally available to the Secretariat is not adequate to enable the Secretary-General to prepare the report requested by the General Assembly. He must, therefore, turn to the Member States directly concerned which may be in a position to provide the required information, as well as to the relevant specialized agencies and United Nations organs, including the United Nations Conference on Trade and Development.

The Secretary-General would be grateful if your Government could provide him with information available to it which it considers to be relevant to the subject-matter of the report requested by the General Assembly in so far as it relates to Arab territories which have been occupied by Israel since June 1967. The Secretary-General very much hopes that your Government will find it possible to make the required information available to him no later than 1 July 1975, in order that the requested report may be submitted to the General Assembly before the opening of its thirtieth session.

ANNEX II

Notes verbales dated 26 June, 8 July, 26 August, 23 and 30 September
and 24 October 1975 from the Permanent Representative of Egypt to the
United Nations addressed to the Secretary-General

A. Note verbale of 26 June 1975

/Original: English/

The Permanent Representative of the Arab Republic of Egypt to the United Nations presents his compliments to the Secretary-General of the United Nations and with reference to the Secretary-General's note, dated 18 March 1975, regarding General Assembly resolution 3336 (XXIX) of 17 December 1974, has the honour to enclose herewith examples of losses incurred by some Ministries, governmental departments, public sector enterprises and services sectors, as a result of repeated Israeli aggression and continued occupation.

The attached information is, therefore, not comprehensive. It only represents a fraction of the total losses. This is due, inter alia, to the following:

1. Losses incurred by some other sectors are not included in the attached estimates. For example, there are the huge military losses, as well as the losses resulting from destruction of the three cities of Port Said, Ismailia and Suez, as well as villages, institutions and property in the Suez Canal region, in addition to the loss of Suez Canal revenue for exactly eight years.

2. The losses in Sinai and in the Gaza Strip are not included, with the exception of preliminary estimates of the loss of production of the Sinai oil fields.

3. The attached estimates do not account for the continuing rise in the "replacement cost", as a result of inflation and the rising labour cost. Furthermore, the majority of estimates cover periods ending before or at the end of 1974. They do not account for losses incurred up to the present.

4. The estimates do not cover human losses, including the loss of life.

5. There is also the tremendous cost to the national economy resulting from the severe dislocation of productive factors and resources as a result of Israeli aggression and continued occupation. Since June 1967, Egypt has mobilized its resources against aggression and for the ultimate liberation of the occupied territories.

6. The temporary resettlement away from their homes of more than a million displaced persons from the Gaza Strip, Sinai, the Suez Canal zone and its three major cities, also constituted a heavy burden on the economy. In addition, the psychological distress resulting from the occupation of the

/...

national soil, the abandonment of homes and the dislocation of the economy had considerable adverse effect on national production and productivity.

Consequently, while the estimates attached to this note provide some relevant information, the need for a comprehensive study, as envisaged in paragraph 5 of resolution 3336 (XXIX), is to be stressed. The text of this paragraph, taking into account the magnitude and complexity of the task requested from the Secretary-General, made specific reference to "the assistance of relevant specialized agencies and United Nations organs, including the United Nations Conference on Trade and Development" in preparing the Secretary-General's report "on the adverse economic effects on the Arab States and peoples", related to the subject-matter of the resolution.

The role of the specialized agencies, United Nations organs, and specifically UNCTAD, has been spelt out in the statement made on behalf of the co-sponsors of the draft resolution, which underlined that paragraph 5, as revised:

"is designed to involve the relevant United Nations organizations in the preparation of the report on the adverse economic effects on the Arab States and peoples resulting from repeated Israeli aggression and continued occupation.

"In this respect, the co-sponsors wish to underline the need to seek the assistance of the UNCTAD secretariat in preparing the report, since UNCTAD has the machinery to carry out studies and research which would be useful in the preparation of the report.

"Similarly, the UNESCO secretariat is expected to assist the Secretary-General in assessing the losses, destruction and damages caused to educational, cultural and scientific institutions and infrastructure in the Arab States subjected to Israeli aggression and occupation, as much of the losses and damages have a bearing on the economies and development efforts of the countries concerned. Furthermore, the loss of items of cultural and national heritage should be taken into account by UNESCO whether they relate to biblical heritages in Arab-Jerusalem and the Western Bank of the Jordan River, or in Sinai, where a most ancient and glorious monastery, that of St. Catherine's exists, or in the Golan Heights and the Syrian City of Quneitra, where loss of valuable items of national heritage during Israeli occupation have been reported.

"These are only examples of the cases where the specialized agencies and United Nations organs are to assist the Secretary-General in preparing the requested report. The co-sponsors wish to emphasize that other organizations within the United Nations system, such as WHO, FAO, UNIDO etc., are also expected to participate in preparing the report."

It was also in view of the magnitude and complexity of the task that the Secretary-General submitted a statement (A/C.5/1649) on the administrative and financial implications of the draft resolution (A/C.2/L.1372) in which:

/...

"it was indicated that it was proposed to prepare the report on the basis of inquiries from, and visits to, the States concerned and consultations with the relevant specialized agencies and United Nations organs, including the United Nations Conference on Trade and Development. A large part of the work involved would be carried out in co-operation with the Economic Commission for Western Asia, and, in view of the short time available and the limited staff resources currently available to that newly created regional commission, would require four economists, appointed for six months each, and General Service secretarial support, as well as travel funds."
(A/C.5/1649, para. 3)

However, in an oral statement on behalf of the Advisory Committee on Administrative and Budgetary Questions, the Chairman of the Advisory Committee pointed out that the main justification offered for the appointment of four economists for six months each was the fact that the Economic Commission for Western Asia had currently only limited staff resources to draw upon. In that connexion, he was in a position to inform the Fifth Committee that the Advisory Committee would recommend the adoption of the Secretary-General's staffing proposals for ECWA, as included in his progress report on the programme budget for the biennium 1974-1975, a/ namely, a net increase of 25 posts in the Professional category and 60 additional local-level posts in 1975. On the assumption that this recommendation would be adopted, it would not prove necessary to engage four economists. The Advisory Committee therefore recommended that an additional provision in the amount of \$37,000 to cover the cost of two economists only for a period of six months each could be made under section 12 of the programme budget (A/9978/Add.1, para. 4). b/ This additional appropriation for the purpose indicated was before the General Assembly in document A/9978/Add.1 as it adopted resolution 3336 (XXIX).

The Permanent Representative wishes to recall that this question was discussed in detail during two meetings, held on 12 February and 22 April 1975 with the Under-Secretary-General for Economic and Social Affairs, with a view to stressing the importance of preparing the Secretary-General's report as envisaged by paragraph 5 of General Assembly resolution 3336 (XXIX) and as spelt out by the co-sponsors of the draft resolution, as well as the statement submitted by the Secretary-General on the administrative and financial implications of the draft resolution, within the allocations approved by the General Assembly upon the explanation given by the Chairman of the Advisory Committee for Administrative and Budgetary Questions as stated in document A/9978/Add.1.

a/ Official Records of the General Assembly, Twenty-ninth Session, Supplement No. 6 (A/9606).

b/ Ibid., Twenty-ninth Session, Annexes, agenda item 73.

APPENDIX

Partial estimates of direct and indirect losses incurred by institutions and installations
as a result of Israeli aggression since June 1967

<u>Sector or Ministry</u>	<u>Description</u>	<u>Estimated loss in Egyptian pounds</u>	<u>Period</u>	<u>Remarks</u>
1. Ministry of the Interior	Buildings, installations, structures, raw materials, and martyrdom remuneration	223 072	from 5 June 1967 to 31 December 1972	
2. Transport Sector	Railroads, roads, bridges, marine transport, land transport, vehicles, lorries, tractors, equipment etc., plus evacuation costs and civil defence expenses etc.	145 978 725	from June 1967 to October 1973	Direct damage: 11 269 325 Indirect damage: 134 351 400
3. Ministry of Commerce	(a) Egyptian Public Cotton Corporation: increase in import-export expenses, evacuation costs and loans.	1 337 450	from June 1967 to 31 December 1974	
	(b) Subsidiaries of the Egyptian Foreign Trade Corporation: decrease of exports resulting from partial or total breakdown of productive units; transportation accommodation and compensation costs; civil defence costs; closure of companies' branches in Port Said and the termination of business in Suez and Sinai.	21 477 501	from June 1967 to 31 December 1974	Number of companies: 9 Losses are direct and indirect
	(c) International exhibitions and fairs: losses sustained by the permanent Egyptian Pavilion at the Damascus International Fair, and the suspension of work on the Cairo International Fair project etc.	1 028 000		Direct and indirect damage
	Subtotal	23 842 951		
4. Civil Aviation Sector	Cairo Airport and the Meteorological Office, plus compensation to families of martyrs	31 263 466	from June 1967 to 31 March 1974	Direct and indirect damage
5. Ministry of Health	Medicaments for regular and emergency treatment, and medical supplies, as a result of direct aggression on Al-Za'faran Medical Aid Station on 9 September 1969	2 103 627		Direct and indirect damage

<u>Sector or Ministry</u>	<u>Description</u>	<u>Estimated loss in Egyptian pounds</u>	<u>Period</u>	<u>Remarks</u>
6. <u>Al-Awkaf</u> (religious endowments)	Damage caused to mosques and immovable properties administered by the <u>Awkaf</u> Authority	1 773 300	From 1967 to 31 March 1974	
7. Agriculture		513 105 403	From 5 June 1967 to 19 February 1975	Direct and indirect damage
8. Ministry of Electricity	Buildings, services, and damage repair	27 139 480	From 1967 through 1974	Direct and indirect damage
9. Ministry of Social Affairs	(a) Compensation paid in the Governorates of Port Said, Ismailia, Suez and Sinai, as well as to families of martyrs	7 179 875	From 1 May 1974 to 31 December 1974	It is to be noted that these figures are exclusive of the evacuation operations expenses, which amount to £E 24 million per year
	(b) Compensation pending reimbursement for loss of life and assets	13 030 000	For 1975	
	Subtotal	20 209 875		
10. Radio and Television Sector		5 305 368	From June 1967 to 30 March 1974	Direct damage: 63 535 Indirect damage: 5 241 833
11. Ministry of War Production (Civil Sector)	Costs of shutdown during raids, and increase in import expenses, etc., plus loss of nitric acid production in Suez	16 137 296	Up to 31 December 1974	Direct damage: 1 522 000 Indirect damage: 14 615 296
12. Petroleum Sector	(a) Direct damage up to 31 December 1974	406 300 000		
	(b) Indirect damage up to 31 December 1974	355 500 000		
	(c) Losses resulting from the loss of Sinai fields up to 30 June 1975	875 000 000		
	Subtotal	1 636 800 000		
13. Industry and Mining	17 public sector industrial installations damaged or destroyed; cost of their restoration and loss caused to the local market by lack of supplies	860 000 000	From June 1967 and during the war of attrition through 1973	

<u>Sector or Ministry</u>	<u>Description</u>	<u>Estimated loss in Egyptian pounds</u>	<u>Period</u>	<u>Remarks</u>
14. Tourism	(a) Direct damage incurred by tourist companies, especially in Port Said, Ghardakah, Al-Ain, Al-Soknah, and tourist offices in Port Said, Suez, Al-Areesh Rest House, as well as the loss sustained by the Ministry's offices in the aforesaid locations.	24 016 770	through 1973	
	(b) Indirect losses in Egypt's tourist revenues as a result of the aggression	434 800 000	through 1973	
	Subtotal	458 816 770		
15. Higher industrial education institutes	Damage caused to buildings and installations, such as the Higher Industrial Institute in Port Said and the Higher Mining Institute in Suez, etc.	153 756		
16. Manpower		76 527		Direct damage: 13 173 Indirect damage: 63 354
17. Education Sector	Damage caused to buildings, installations, and services; evacuation expenses, teachers' salaries etc.	36 745 046		Direct damage: 34 032 294 Indirect damage: 2 712 752
18. Irrigation Sector		16 011 100	From June 1967 to 30 September 1974	Direct damage: 1 007 600 Indirect damage: 15 003 500
19. Ministry of Justice	Renovation of Suez, Ismailia and Port Said courthouses damaged as a result of aggression, as well as the decrease in the revenues of courts, the Land Registration Administration, the State Council and the Forensic Medicine Department in the Governorates of the Canal zone	1 443 615	From June 1967 to 31 March 1974	Direct damage: 9 430 Indirect damage: 1 434 185
20. Ministry of <u>Al-Azhar</u> Affairs	Damage caused to Al-Azhar's affiliated institutes in Port Said, Ismailia, and the Nasser Boarding Quarters for Moslem students in Cairo	171 572		

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<u>Sector or Ministry</u>	<u>Description</u>	<u>Estimated loss in Egyptian pounds</u>	<u>Period</u>	<u>Remarks</u>
21. Economic co-operation	Losses incurred by the Free Zone in Port Said, including damage to buildings and roads and loss of revenues	105 087 210		Direct damage: 87 210 Indirect damage: 105 000 000
22. Insurance Sector	Damage caused to buildings and installations and the decrease in revenues and the increase in expenses of the General Egyptian Insurance Corporation	3 521 969	From June 1967 through November 1974	
23. Sea transport	Damage caused to the Department of Ports and Lighthouses and the port of Alexandria	91 611 700	From June 1967 to 31 December 1972 during 1973 From 1967 to 31 March 1974	Direct damage: 9 006 300 Direct damage: 3 863 700 Indirect damage: 78 741 700
24. Ministry of Foreign Affairs	Damage caused to our consular offices in Jerusalem and to the personal property of our consular staff there during the 1967 aggression	19 369		

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B. Note verbale of 8 July 1975

/Original: English/

The Permanent Representative of the Arab Republic of Egypt to the United Nations presents his compliments to the Secretary-General of the United Nations and further to the Permanent Representative's note dated 26 June 1975 regarding General Assembly resolution 3336 (XXIX) of 17 December 1974, has the honour to enclose herewith partial estimates of losses incurred by the Ministry of Supply Sector in the Suez Canal region as a result of repeated Israeli aggression since June 1967.

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APPENDIX

Partial estimates of losses - direct and indirect - incurred by institutions and installations as a result of Israeli aggression since June 1967 (continued)

Sector or Ministry	Description	Estimated loss in Egyptian pounds	Period	Remarks
25. Supply	(a) Direct losses sustained in supply commodities and produce of miscellaneous nature in warehouses in different areas of Canal cities.	70 794	from June 1967 to 31 Dec. 1974	
	(b) Direct losses incurred by the warehouses of the Supply Commodities Corporation in Port Said and Port Tawfiq areas - exclusive of warehouses totally destroyed or severely damaged, the value of which is being estimated.	11 000	Ditto	
	(c) Damage caused to equipment and vehicles rendering them useless.	9 000	Ditto	
	(d) Indirect losses including:			
	(i) Demurrage due to military operations and the closure of Port Said and Suez ports.	13 000 000		
	(ii) Decline in revenues of warehouses in the Canal Zone.	150 000		
	Subtotal	13 240 794		

C. Note verbale of 26 August 1975

/Original: English/

The Permanent Representative of the Arab Republic of Egypt to the United Nations presents his compliments to the Secretary-General of the United Nations and, pursuant to the Permanent Representative's note dated 8 July 1975, regarding General Assembly resolution 3336 (XXIX) of 17 December 1974, has the honour to enclose herewith further partial estimated losses incurred by the Ministries of the Interior, Local Administration and War, in Egypt as well as in the Gaza Strip, as a result of Israeli aggression and occupation since June 1967.

APPENDIX

Partial estimates of direct and indirect losses incurred by Departments and utilities as a result of the Israeli aggression since June 1967

Sector or Ministry	Items	Estimate of losses in Egyptian pounds	Duration	Remarks
26. Ministry of the Interior	Construction; installations of machinery; raw materials; indemnities for casualties	2 724 088	from 1 Jan. 1973 up to present	To be added to data concerning the Ministry in item 1.
27. Ministry of Local Government	Buildings; installations; furnishings and equipment; means of transportation; general economic damages	144 078 000	from 5 June 1967 to 31 Dec. 1974	Losses suffered by the Governorates of Sinai, El Arish, and Kantara East only
28. Ministry of War	Direct and indirect civilian losses to bodies under the Ministry's supervision	724 197	from 5 June 1967 to 31 Dec. 1973	Apart from losses of Armed Forces units, whether in personnel, installations or equipment

D. Note verbale of 23 September 1975

[Original: English]

The Permanent Representative of the Arab Republic of Egypt to the United Nations presents his compliments to the Secretary-General of the United Nations, and further to the Permanent Representative's note, dated 26 August 1975, regarding General Assembly resolution 3336 (XXIX) of 17 December 1974, has the honour to enclose herewith partial estimates of the losses incurred by the Gaza Strip and the Ministry of War, and re-estimates of the losses incurred by the Ministries of Social Affairs, Commerce and Petroleum.

APPENDIX

Partial estimates of direct and indirect losses incurred by Departments and utilities as a result of Israeli aggression since June 1967

Sector or Ministry	Description	Estimated losses in Egyptian pounds	Period	Remarks
29. Ministry of Social Affairs	(a) Compensation paid for losses of private property	11 128 161	up to 15 Aug. 1975	Amending item 9
	(b) Compensation expected to be paid for losses of property	3 871 839	from 16 Aug. 1975 to 31 Dec. 1975	
		15 000 000	from 1 Jan. 1967 to 31 Dec. 1967	
	(c) Compensation paid for civilian casualties	182 088	up to 1 Sept. 1975	
	(d) Reparation paid to evacuees	119 336 111	from 5 June 1967 to 31 July 1975	
	(e) Reparation expected to be paid	10 502 053	from 1 Aug. 1975 to 31 Dec. 1975	
	(f) Reparation paid to families of troops	22 628 000	up to 1 Sept. 1975	
	(g) Cost of the Social Development Plan in the Suez Canal region	2 000 000	up to 1 Sept. 1975	
(h) Sums paid from the allocation for victims of the aggression	4 647 499	up to 1 Sept. 1975		

APPENDIX

Partial estimates of direct and indirect losses incurred by Departments and utilities as a result of Israeli aggression since June 1967 (continued)

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Sector or Ministry	Description	Estimated losses in Egyptian pounds	Period	Remarks
29. Ministry of Social Affairs (continued)	(i) Assistance paid to charity societies in service of the battle	11 886 939	up to 1 Sept. 1975	
	(j) Financial estimates of unrealized profits	390 000 000	up to 1 Sept. 1975	
	(k) Estimate of losses incurred in the installations of the Ministry and of other affiliate bodies	235 301	up to 1 Sept. 1975	
	(l) Sums paid against evacuation and for commercial and real-estate loans	Under preparation by the Ministry of Finance		
30. Ministry of Commerce	(a) Direct damages	61 994 550	up to 31 Dec. 1974	Amending item 3 (above)
	(b) Indirect damages	457 800	up to 31 Dec. 1974	

APPENDIX

Partial estimates of direct and indirect losses incurred by Departments and utilities as a result of Israeli aggression since June 1967 (continued)

Sector or Ministry	Description	Estimated losses in Egyptian pounds	Period	Remarks
31. Ministry of Petroleum	(a) Direct damages	452 499 000	up to 31 Dec. 1974	Amending item 12 (above)
	(b) Indirect damages	368 264 000	up to 31 Dec. 1974	
	(c) Losses resulting from the enemy's seizure of Sinai's petroleum production	896 200 000	up to 31 Dec. 1975	
32. Gaza Strip	(a) Losses incurred by the Directorate of Education	440 000	up to 1 Sept. 1975	
	(b) Losses incurred by the Directorate of the Interior and Public Security	1 606 825	up to 1 Sept. 1975	
	(c) Losses incurred by the Directorate of Finance and Economy	12 019 248	up to 1 Sept. 1975	
	(d) Losses incurred by the Directorate of Social Affairs and Refugees	233 666 000	up to 1 Sept. 1975	

APPENDIX

Partial estimates of direct and indirect losses incurred by Departments and utilities as a result of Israeli aggression since June 1967 (continued)

Sector or Ministry	Description	Estimated losses in Egyptian pounds	Period	Remarks
33. Ministry of War	(a) Losses of equipment, weapons and ammunition:			
	June 1967 operations	1 200 000 000		
	War of Attrition	260 000 000		
	October 1973 war	1 500 000 000		
	(b) Losses in installations	26 000 000		
	(c) Compensations for families of casualties	40 000 000		In addition to monthly pensions paid to entitled persons

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E. Note verbale of 30 September 1975

The Permanent Representative of the Arab Republic of Egypt to the United Nations presents his compliments to the Secretary-General of the United Nations and, further to the Permanent Representative's note dated 23 September 1975, regarding General Assembly resolution 3336 (XXIX) of 17 December 1974, has the honour to enclose herewith partial re-estimates of the losses incurred by the Ministries of Electricity, Military Production (Civil Sector) and Education.

It should also be pointed out that the Ministry of Finance, in connexion with information gathered from most ministries, has estimated that the global losses incurred by these ministries and up to 31 August 1975 should read as follows:

(In Egyptian pounds)

1. Civil losses	
(a) Direct losses	2 412 000 000
(b) Indirect losses	4 655 900 000
2. Military losses (approx.)	4 942 400 000

APPENDIX

Statement of partial estimates of direct and indirect losses incurred by Departments and utilities as a result of Israeli aggression since June 1967 (continued)

Sector or Ministry	Description	Estimated losses in Egyptian pounds	Period	Remarks
34. Ministry of Electricity	(a) Direct damages	31 526 600	from 5 June 1967 to 31 Dec. 1974	Amending item 8 above
	(b) Indirect damages	267 076 700	"	
35. Ministry of War Production (Civil Sector)	Cost of suspension of production during the raids and rise in cost of imports etc., as well as loss of production of nitric acid in Suez	18 349 769	from 5 June 1967 to 31 Aug. 1974	Direct losses 1 522 000 Indirect losses 16 827 769 (amending item 11 above)
36. Ministry of Education	(a) Direct damages	51 048 491	from 5 June 1967 to 1 Sept. 1975	Amending item 17 above
	(b) Indirect damages	4 281 468	"	

F. Note verbale of 24 October 1975

/Original: English/

The Permanent Representative of the Arab Republic of Egypt to the United Nations presents his compliments to the Secretary-General of the United Nations and, further to the Permanent Representative's note dated 30 September 1975, regarding General Assembly resolution 3336 (XXIX) of 17 December 1974, has the honour to enclose herewith partial estimates of losses incurred by the Ministry of Housing and Reconstruction, and re-estimates of the losses incurred by the Ministries of Health and Wakfs.

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APPENDIX

/Original: Arabic/

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Page 20Partial estimates of direct and indirect losses incurred by Departments and organs as a result of the Israeli aggression since 1967

Sector or Ministry	Statement of losses	Estimate of losses in Egyptian pounds	Period	Remarks
37. Ministry of Health	(a) Medicines for treatment and emergencies and medical equipment, as a result of a direct attack on the First Aid Station at Zaafarana on 9 Sept. 1969	2 103 627	from 9 Sept. 1969 to 1 Oct. 1975	Amendment of item 5
	(b) Losses incurred by the Governorate of Sinai	18 061 000	from June 1967 to 1 Oct. 1975	
	(c) Losses incurred by the Gaza Strip	60 884 365	from June 1967 to 1 Oct. 1975	
	(d) Losses incurred within Egypt	623 050 000	from June 1967 to 1 Oct. 1975	
38. Ministry of Wakfs (endowments)	(a) Cost of renovation and restoration of the Ministry's mosques in the Governorates of the Suez-Canal region and Sinai	2 008 725	from June 1967 to 1 Oct. 1975	Amendment of item 6

APPENDIX

Partial estimates of direct and indirect losses incurred by Departments and organs as a result of the Israeli aggression since 1967 (continued)

Sector or Ministry	Statement of losses	Estimate of losses in Egyptian pounds	Period	Remarks
38. Ministry of Wakfs (endowments) (continued)	(b) Cost of renovation and restoration of mosques endowed by private individuals in the Governorates of the Suez Canal region and Sinai	480 000	from June 1967 to 1 Oct. 1975	
	(c) Egyptian Wakfs Authority:			
	(i) Direct losses	125 491	from 5 June 1967 to 1 Oct. 1975	
	(ii) Indirect losses	6 597	"	
39. Ministry of Housing and Construction	Losses incurred by contracting companies (direct and indirect)	30 042 632	from 5 June 1967 to 1 Oct. 1975	

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ANNEX III

Note verbale dated 8 July 1975 from the Permanent Representative
 of the Syrian Arab Republic to the United Nations addressed
 to the Secretary-General

/Original: Arabic/

The Permanent Representative of the Syrian Arab Republic to the United Nations, in response to the Secretary-General's note of 18 March 1975 requesting information on the adverse economic effects suffered by the Syrian Arab Republic since 1967 as a result of repeated Israeli aggression and continued occupation of part of its territories, in pursuance of paragraph 5 of General Assembly resolution 3336 (XXIX) of 17 December 1974, encloses tables containing the following information on such economic effects:

	<u>\$US 1,000</u>
1. Table 1 Amount of economic damage suffered by State bodies and the public sector, 1967-1975	2,541,543
2. Table 2 Amount of direct damage suffered by the private sector, 1973-1975	316,840
3. Table 3 Amount of direct damage in villages in the theater of operations and villages occupied in 1973 and subsequently evacuated	261,161
4. Table 4 Amount of damage resulting from the devastation of the town of Quneitra and the occupation of the district, 1967-1975	2,347,765
5. Table 5 Amount of agricultural damage resulting from the occupation of Quneitra district, 1967-1975	593,852
6. Value of antiquities taken from the district and looted by the enemy	1,000,000
7. Amount of aid to the people displaced during the period 1967-1975	<u>354,048</u>
Grand Total	7,019,209

In addition to this economic damage, which amounted to \$US 7,019,209,000, the Syrian Arab Republic will incur, as from 1976, \$US 184 million, at current rates, owing to the loss of agricultural land, the cost of providing for the needs of the displaced persons and the loss of revenue from properties and public utilities.

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Furthermore, the Permanent Representative of the Syrian Arab Republic would like to draw the Secretary-General's attention to the fact that, in 1967, Israeli forces occupied two towns, 137 villages and 100 farms. In 1973, they occupied 24 villages and 23 farms. They withdrew in 1973 from one town, 27 villages and 23 farms, while to date they continue to occupy one town, 134 villages and 100 farms. The estimated number of persons forced by Israeli aggression to leave their land in the Quneitra district in 1967 is 82,000. The 1970 census shows that 122,937 inhabitants of Quneitra were at that time living in other Syrian districts.

It is to be noted that the attached information on the damage suffered by the Syrian Arab Republic as a result of repeated Israeli aggression and continued occupation of part of its territories is not all inclusive. Syrian authorities are in the process of assessing other direct and indirect damage that might have been caused by Israeli aggression to private establishments and individuals in respect of which no claim or notification has yet been made. Nor does the information cover casualties, including loss of life.

The Permanent Representative of the Syrian Arab Republic transmits this information to the Secretary-General for inclusion in the report he is to prepare in pursuance of paragraph 5 of General Assembly resolution 3336 (XXIX).

Table 1

Amount of economic damage suffered by State bodies and the public sector as a result of continued occupation and repeated Israeli aggression, 1967-1975

Body	1967-1973			1973-1975			\$US 1 000 Grand total
	Direct damage	Indirect damage	Total	Direct damage	Indirect damage	Total	
Ministry of Petroleum	-	-	-	402 580	111 322	513 902	513 902
Ministry of Electricity	21 000	6 000	27 000	692 000	134 000	826 000	853 000
Ministry of Industry	-	-	-	15 020	54 693	69 713	69 713
Ministry of Communications	276 000	24 000	300 000	186 000	24 000	210 000	510 000
Ministry of Public Works	1 050	6 000	7 050	3 450	3 105	6 555	13 605
Ministry of Education	73 100	-	73 100	1 080	-	1 080	74 180
Ministry of Higher Education	-	-	-	13	-	13	13
Ministry of Health	661	-	661	35	1 026	1 061	1 722
Ministry of Information	-	-	-	260	293	553	553
Ministry of Supplies	-	-	-	200	126	326	326
Ministry of Economy and Foreign Trade	-	-	-	55	30 236	30 291	30 291
Ministry of Labour and Social Affairs	-	-	-	782	-	782	782
Ministry of Tourism	-	5 600	5 600	10	-	10	5 610
Civil Aviation Administration	-	-	-	-	6 080	6 080	6 080
Ministry of Finance	-	-	-	100	43 200	43 300	43 300
Ministry of Euphrates Dam	-	-	-	7 640	-	7 640	7 640
Ministry of Local Administration	-	-	-	-	641	641	641
Ministry of Housing and Utilities	10 228	1 150	11 378	350	2 000	2 350	13 728
Ministry of Transport	-	305	305	-	152	152	457
Grand total	882 039	43 055	425 094	1 309 575	410 874	1 720 449	2 541 543

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Table 2

Amount of direct damage suffered by the private sector, 1973-1975

Data	\$US 1 000
Buildings destroyed and damaged in the city of Damascus	22 673
Cars destroyed in Damascus and Homs	2 282
Industrial plants	256 200
The construction sector	8 500
Public transport	6 600
Hotels, entertainment and tourism facilities	17 085
Other sectors	3 500
Total	316 840

Table 3

Amount of direct damage in villages in the theatre of operations
 and villages occupied in 1973 and subsequently evacuated

Data	Villages in the theatre of operations	Villages occupied in 1973 and subsequently evacuated	\$US 1 000 Total
Buildings	16 874	51 513	68 387
Funds, commodities and merchandise	17 583	21 035	38 618
Trees and agricultural products	41 348	84 427	125 775
Animals and livestock	3 378	17 430	20 808
Utilities and structures	5 508	2 065	7 573
Total	84 691	176 477	261 161

Table 4

Amount of damage resulting from devastation of the town
 of Quneitra and occupation of the district, 1967-1975

Data	Town of Quneitra	Cities, villages and farms	\$US 1 000 Total
Buildings	1 042 700	312 060	1 354 760
Funds, commodities and merchandise	472 575	79 430	552 005
Utilities and government structures	441 000	a/	441 000
Total	1 956 275	391 490	2 347 765

a/ Included in table 1.

Table 5

Amount of agricultural damage resulting from the
 occupation of Quneitra District, 1967-1975

Data	Direct damage	Losses in production	\$US 1 000 Total
Farm products	-	161 560	161 560
Produce of productive trees	-	210 920	210 920
Animal products	102 760	101 304	204 064
Agricultural machinery	2 954	295	3 249
Mills	984	2 496	3 480
Oil presses	270	1 132	1 402
Molasses presses	285	8 892	9 177
Total	107 253	486 599	593 852

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ANNEX IV

Note verbale dated 6 August 1975 from the Permanent Mission
of Israel to the United Nations addressed to the
Secretary-General

/Original: English/

The Permanent Mission of Israel to the United Nations presents its compliments to the Secretary-General and has the honour to refer to his note of 18 March 1975, concerning General Assembly resolution 3336 (XXIX) of 17 December 1974.

The position of Israel on the subject-matter of the resolution in question was made clear by the delegate of Israel in the Second Committee on 15 November 1974 and in the plenary meeting on 17 December 1974 and is reflected in documents A/C.2/SR.1630 and A/FV.2323 enclosed herewith.

Furthermore, it is noted that the wording of paragraph 5 of resolution 3336 (XXIX) completely prejudices the issue, leaving no room and no purpose for the preparation of an objective report. In fact, the resolution is merely a reflection of the political warfare carried out by the Arab States against Israel in the United Nations.

APPENDIX I

Statement by Mr. Israel Eliashiv in explanation before the vote on item 12
(report of the Economic and Social Council) at the twenty-ninth session of
the General Assembly on 17 December 1974 (A/PV.2323)

I wish to address myself to draft resolution II recommended by the Second Committee in document A/9886 a/ now before the Assembly. It is indeed regrettable that those who have inspired and initiated the draft resolution, and their supporters, have once more involved the Second Committee in highly sensitive political subjects which not only are extraneous to it but have been fully dealt with elsewhere in this Assembly, thus establishing a very negative and unproductive pattern of work for the Second Committee by engaging it in bilateral political disputes. Furthermore, the specific questions referred to in the draft resolution relate to the areas administered by Israel since 1967, and these questions have been fully discussed in the Special Political Committee and in the plenary Assembly. There we have given a very full statement of the factual situation and of our position, and I do not intend to repeat all that.

Last year a very similar proposal was initiated by the same delegation. Its purpose was clear: by the constant repetition of spurious charges, to try and rewrite history. The draft resolution now before us continues in that vein. It singles out one so-called economic issue, which cannot be divorced from that of the whole complex Middle East problem. The motives behind this draft resolution are essentially political in character. They attempt to attribute to Israel exclusive responsibility for all the consequences of the continuous aggression committed by Arab States against it ever since 1948, ignoring the responsibility of the Arab States which cannot escape the consequences of their own aggression against Israel.

As is well known, only a few hours after the proclamation of Israel's independence in 1948, Arab States proclaimed war against Israel and marched their armies across the borders to crush it at birth. The telegrams sent by Arab Governments and by the Secretary-General of the Arab League on 14 May 1948, brazenly informing the Secretary-General of the United Nations of their planned invasion of our country, bear testimony to that fact. I refer to documents S/743, b/ S/745 c/ and S/748 and Corr.1. c/

a/ Official Records of the General Assembly, Twenty-ninth Session, Annexes, agenda item 12, para. 21.

b/ Official Records of the Security Council, Third Year, No. 66, 292nd meeting, pp. 2 and 3.

c/ For the printed text, see *ibid.*, Third Year, Supplement for May 1948.

For more than 26 years Israel has been subjected to constant aggression and belligerency by Arab Governments in defiance of the United Nations Charter and resolutions. This aggression included economic boycott, blockade of international waterways, armed raids and sabotage, political warfare and terror, designed, in the words of the late President Nasser, to strike the death blow at Israel.

The culmination of the Arab aggression was their assault on 6 October 1973, when Egypt and Syria launched a massive premeditated and unprovoked attack against Israel, as fully described in the reports of the United Nations Truce Supervision Organization and clearly admitted by the President of Egypt and other Arab leaders. In 1967 Israel, embattled and besieged, and in the face of the avowed aggression of Egypt, Jordan and Syria, was compelled to defend itself, and the occupation of the areas administered by Israel since then is the outcome of that situation.

The continuation of that occupation is a direct consequence of the refusal of the Arab States since then to enter into negotiations with Israel to establish a firm and just peace in the area. To refer to Israeli presence in the occupied areas while ignoring that Israel arrived there in the course of a war of Arab making is to pervert fundamental truth. International law and the specific United Nations resolutions have entrusted Israel with the responsibility for the security of the territories and the safety of their population.

No amount of fanciful allegations and distorted reports will deter Israel from pursuing its policy of maintaining the law in force in the territories and to conduct its administration in accordance with the relevant rules of international law and binding international conventions, to promote social and economic development, to foster good neighbourly relations and to maintain options open for future peace negotiations.

We reject all the baseless allegations aimed at the creation of confusion and exploitation of fake issues for political purposes.

I would also recall that the Special Committee, whose report (A/9817) the proponents of this draft resolution relied on so heavily, was established in an entirely irregular and unconstitutional manner. Furthermore, as our delegation has previously shown in detail when discussing the Special Committee's report, no validity whatsoever can be attached to the findings and conclusions of that Committee. Anyone who carefully scrutinizes its report must reach the unavoidable conclusion that it is based on preconceived ideas, irrelevant assertions, baseless allegations, selective quotations, and so-called findings that have no foundation whatever.

With reference to the issue of the so-called exploitation of natural resources, I fully explained our position during the debate in the Second Committee and I shall reiterate only that it is our view that there is no rule of international law which could have the effect of barring Israel from the use of natural resources available in the area. Israel has acted in complete and absolute accord with international law and practice in this matter.

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In conclusion, the draft resolution before us is completely uncalled for. It is one-sided and biased. It passes over in utter silence the fact that Israel has endured extremely adverse economic effects as a result of continuing Arab aggression against it since 1948 in flagrant violation of the United Nations Charter and resolutions. It is based on utterly false legal premises. It seeks to prejudge any forthcoming negotiations and will serve no purpose in the quest for peace in the Middle East.

For the reasons presented by my delegation in the Second Committee and here in the General Assembly, we utterly reject the draft resolution and will vote against it.

APPENDIX II

Statement by Mr. Israel Eliashiv on 15 November 1974 at the
1630th meeting of the Second Committee of the General
Assembly on agenda item 12

I wish to address myself to draft resolution A/C.2/L.1372. Before doing so one can only express once again regret at the renewed attempt to involve this Committee in highly sensitive political matters which are not only extraneous to it, but are being fully dealt with elsewhere in this session in the General Assembly. The draft establishes a very negative and non-productive pattern of work for the Second Committee by engaging it in bilateral political disputes. The Second Committee has built up, over the years, a positive tradition of dealing with purely economic and financial matters, and in any case it has avoided as a general practice any reference in its resolutions to countries involved in bilateral disputes, even on economic issues. I need not spell out examples which are of common knowledge to members of this Committee. This draft breaks with this tradition.

Last year a very similar proposal was sponsored by a number of countries. Its purpose was clear, by the constant repetition of spurious charges, to try and rewrite history. The draft now before us continues in that vein.

Those who have inspired and initiated the draft resolution have singled out one so-called economic issue which cannot be divorced from that of the whole complex Middle East problem, which is being discussed elsewhere in this session of the General Assembly. Furthermore, the specific questions referred to in the draft resolution have no relevance to the agenda item we are discussing, which is the report of the Economic and Social Council. The draft relates to the areas administered by Israel since 1967, and these questions have been discussed in the Special Political Committee. There we have given a very full statement of the factual situation and of our position, and I will not take up this Committee's time by repeating all that.

The motives behind this draft resolution are essentially political in character. They aim at attributing to Israel exclusive responsibility for all the consequences of the continuous aggression committed by Arab States against it ever since 1948, ignoring the responsibility of the Arab States who cannot escape the consequences of their own aggression against Israel. As is well known, only a few hours after the proclamation of Israel's independence in 1948, Arab States proclaimed war against Israel and marched their armies across the borders to crush her at birth. Let me recall the telegrams sent by Arab Governments and by the Secretary-General of the Arab League on 14 May 1948, brazenly informing the Secretary-General of the United Nations of their planned invasion of our country. I refer to documents S/743, S/745, S/748. In a cable to the Security Council, contained in document S/743, the then Egyptian Foreign Minister, Mahmoud Bey Fawzi, announced explicitly the invasion, saying that now that the British Mandate in Palestine has ended, the Egyptian armed forces have started to enter.

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For more than 26 years, Israel has been subjected to constant aggression and belligerency by Arab Governments, in defiance of the United Nations Charter and resolutions. This aggression included economic boycott, blockade of international waterways, armed raids and sabotage, political warfare and terror designed, in the words of the late President Nasser, "to strike the death blow at Israel". The culmination of the Arab aggression was their assault on 6 October 1973, when Egypt and Syria launched a massive premeditated and unprovoked attack against Israel as fully described in the reports of United Nations Truce Supervision Organization, and clearly admitted by the President of Egypt and other Arab leaders.

By what perverse logic can the Arab representatives accuse Israel of aggression? A belligerent cannot preach and practise unilateral aggression, and then demand to be protected from the consequences of his acts.

The principal organs of the United Nations repudiated the malicious Arab thesis that aggression and a state of war which the Arab States have proclaimed and practised against Israel conferred upon them the right to blockade, boycott, threaten, intimidate and engage in political warfare and terror, while requiring Israel to resign itself to its annihilation, openly promised and planned by Arab States. They also repudiated all unfounded Arab charges that Israel has been guilty of aggression.

In 1967, Israel, embattled and besieged and in the face of the avowed aggression of Egypt, Jordan and Syria, was compelled to defend itself, and the occupation of the areas administered by Israel since then, is the outcome of that situation. The continuation of that occupation has been the direct consequence of the refusal of the Arab States since then to enter into negotiations with Israel to establish a firm and just peace in the area.

To refer to the Israeli presence in the occupied areas while ignoring that Israel had arrived there in the course of a war of Arab making is to pervert fundamental truth.

International law and specific United Nations resolutions have entrusted Israel with the responsibility for the security of the territories and the safety of its population. The policy of the Military Administration in the territories has been to maintain the laws in force in the territories and to conduct its administration in accordance with the relevant rules of international law and binding international conventions, to promote social and economic development, to foster good neighbourly relations and to maintain options open for future peace negotiations.

Progress has been achieved in every field of human life and endeavour, be it in the sphere of education, health, social services, building activity, agriculture, industry or development.

To ignore these facts and to place the matter in the distorted mirror of the draft resolution is an invidious and tasteless misrepresentation which exceeds all limits. To refer to a situation where tens of thousands of workers from occupied territories find useful and remunerative employment in Israel as "exploitation of existing resources", including human resources, is absurd.

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We reject all the baseless allegations aimed at the creation of confusion and the exploitation of faked issues for political purposes. I would also recall that the Special Committee, d/ on the report of which the proponents of this resolution relied so heavily, was established in an entirely irregular and unconstitutional manner and, for the further reasons presented by my delegation in the Special Political Committee when discussing that report, none of its findings and conclusions have any validity whatsoever.

With reference to the issues of the so-called "exploitation of natural resources", as I stated last year in this Committee, it is our view that there is no rule of international law which could have the effect of barring Israel from the use of natural resources available in the area.

Israel has acted in complete and absolute accord with international law and practice on this issue. Israel has, in accordance with international law, the responsibility and financial burden of providing public and social services for the population of the territories and it is entitled to that income to which the former authorities were entitled. It is completely and patently untenable to claim that international law stipulates that the occupying Power is bound to provide those services given by the Government, but that the income to which the Government is entitled reverts to the previous authority. On this issue, The Hague Regulations clearly state that the occupying Power is entitled to the usufruct. Any other interpretation would lead to a situation whereby the occupying Power provides the services and public utilities, while the income from public property belongs to the previous Power, who, during the period of occupation, provides no services whatsoever. Such a result would be founded neither on logic nor on international law.

It is obvious that the repeated Arab aggression against my country since 1948, in flagrant violation of the United Nations Charter and resolutions, has had extremely adverse economic effects on Israel.

To conclude, the draft resolution is completely uncalled for, it seeks to prejudge any forthcoming negotiations and will serve no purpose in the quest for peace in the Middle East. We, therefore, reject it completely and hope that many other delegations will oppose it and not adopt an attitude which can be interpreted as implying support for it.

d/ United Nations, Treaty Series, vol. 249, No. 3511.

ANNEX V

Note verbale dated 9 September 1975 from the Permanent Representative
of Jordan to the United Nations addressed to the Secretary-General

/Original: English/

The Permanent Representative of the Hashemite Kingdom of Jordan to the United Nations presents his compliments to the Secretary-General of the United Nations and with reference to the Secretary-General's note dated 18 March 1975 and regarding General Assembly resolution 3336 (XXIX) of 17 December 1974, and pursuant to his note of 26 August 1975, has the honour to enclose herewith the revised and final report on the adverse economic effects on the Hashemite Kingdom of Jordan, resulting from the Israeli aggression and occupation of the West Bank of the Jordan.

The adverse effects of Israeli occupation of the West Bank
on Jordan's economy

1 September 1975

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APPENDIX

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I. Introduction

1. Jordan is situated off the south-eastern shores of the Mediterranean (between longitudes 34° and 39° East and latitudes 29° and 33° North) and extends eastwards to the Arabian desert. Jordan covers an area of 94,740 square kilometres of which 5,874 square kilometres (6.2 per cent) lie on the West Bank of the Jordan River. The total cultivable area is estimated at 13 million dunums, of which 3.2 million dunums (25 per cent) lie on the West Bank.

2. The population of Jordan is estimated at 2.7 million persons in 1975, of whom about 2 million persons live in the East Bank and 0.7 million persons live in the West Bank. The rate of growth of population is 3.2 per cent per annum. The density averages at 28.4 persons per square kilometre of total area and 207.7 persons per square kilometre of cultivable area. Adult literacy rate was 60 per cent in mid-1971.

3. The 1961 population census of Jordan indicated that there were 389,978 persons as economically active; of this, 172,101 persons (44.1 per cent) were in the West Bank. Assuming a participation rate of 20 per cent, the total labour force in 1975 is 540,000 persons, of whom 400,000 are in the East Bank.

II. Economic development and performance

4. Jordan's economy prior to June 1967 witnessed higher rates of growth than any other developing country in the world. Jordan's initial effort in drawing up a Five-Year Economic Development Plan (1962-1967) was superseded by the Seven-Year Plan for Economic Development (1964-1970).

5. The Seven-Year Plan (1964-1970) was launched in 1964 aiming at increasing the gross national product (GNP) in real terms by 7.4 per cent per annum and reducing the ration of foreign trade deficit to GNP from 30 per cent in 1964 to 11 per cent in 1970. The plan also aimed at reducing budget support from JD 14 million to JD 6 million between 1964-1970 and at increasing employment by 5.5 per cent per annum.

6. In order to achieve these objectives, the plan called for a total investment of JD 275 million.

7. Most of the development projects and proposals included in the plan and scheduled for implementation between 1964 and June 1967 were either implemented or under way.

8. The gross national product rose at an annual rate of growth of 9.4 per cent. This high rate of economic growth was maintained with a fairly high degree of price and monetary stability. The significant features of growth trends in the composition of expenditure were the rising share of consumption, whose rate of growth was 15.5 per cent per annum, and the increasing share of investment, whose annual rate of growth was 11 per cent. The rate of growth of exports of goods and non-factor services was almost double the corresponding figure for imports of

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goods and non-factor services (15.4 per cent for exports as against 8.5 per cent for imports). The net-factor income from abroad rose at an annual rate of 15.3 per cent. The structural change was evidenced in domestic output (whose rate of growth was 8.4 per cent per annum) in favour of the agriculture, mining and manufacturing sectors. The annual rates of growth of the agricultural sector over the 1959-1966 period was 9.1 per cent, mining and industry 15.7 per cent, construction 10.4 per cent, electricity and water 16.9 per cent and the services sectors 7 per cent.

9. It is sufficient to mention here that Jordan's absorptive capacity expanded, its natural resources were efficiently utilized, its human resources were upgraded and became more productive, its institutional set-up modernized and developed, its stock of entrepreneurs increased under the umbrella of constitutional continuity, stability, law and order. The social overhead capital accumulated and increased and the capacity of the public sector in providing public services and infrastructural facilities promoted and expanded.

10. A large number of institutions, corporations and firms were established in the fields of agriculture, industry, mining, trade, business and banking.

III. The impact of Israeli occupation on land and human resources of Jordan

A. Land

11. The Israeli aggression in June 1967 resulted in the loss of the West Bank, 6.2 per cent of the total area of Jordan, 25 per cent of Jordan's cultivable area, 80 per cent of the land planted with fruits, 45 per cent of land planted with vegetables, 25 per cent of land planted with cereals and 35 per cent of total livestock.

Area and cultivable land use (in millions of dunums)

	Area	Agricultural land	Cereals	Vegetables	Fruits	Unutilized
Kingdom	94.740	13.0	8.7	0.6	0.9	2.8
West Bank	5.874	3.2	2.2	0.3	0.7	
% of total	(6.2)	(25)	(25)	(45)	(80)	

12. The net irrigable area is 728,000 dunums (mostly lie in the Jordan Valley), of which 156,000 dunums (32 per cent) are in the West Bank. This area in particular was subject to frequent attacks and bombardment by Israeli artillery and by air raids, which continued for years after the occupation and caused severe damages to irrigation schemes, roads, houses, farms and other installations, which ended in the destruction of agricultural produce. The total loss in the East Bank caused by continuous Israeli raids in the Jordan Valley, amounted to JD 55 million, or JD 97.2 million in 1975 prices.

13. In the West Bank, the agricultural land was greatly reduced owing to the expropriation of 190,259 dunums of land between 1967 and 1974. Most of the confiscated land is located around Jerusalem, Jericho and Nablus. Over 13,000 housing units were demolished between 1967 and 1974, leaving their dwellers homeless.

14. In judaizing Arab Jerusalem, the Israeli authorities demolished entire villages around Jerusalem, whole quarters in the city, mosques and schools. The Israeli authorities have also confiscated the Palestine museum, 20,000 dunums, including 600 buildings, five mosques, four schools, two markets and two Islamic centres, leaving their dwellers homeless, in order to resettle 100,000 Jews in 30,000 housing units to be built in Jerusalem so as to outnumber the 70,000 Arabs living there.

15. The sanctity of the holy places, including the Dome of the Rock and the Aqsa Mosque and a good number of other mosques and churches, was violated. The Aqsa Mosque was burnt and its structure threatens to collapse owing to excavations by Jewish fanatics searching for Solomon's temple.

B. Human resources

16. Israeli aggression caused the influx of over 414,000 evacuees from the Gaza Strip and the West Bank to East Bank.

17. Israeli authorities deported and put to exile 1,500 persons between 1967 and 1972, entirely demolished three villages, leaving 8,500 persons homeless, and destroyed 7,542 houses in refugee camps, whose dwellers became homeless for the second time in their history. Moreover, 6,000 persons were tempted to migrate. Some of them were supplied with air-tickets free of charge in order to migrate to the United States of America, Canada and Latin America.

18. The end result was that the population of the West Bank, estimated to be 1.3 million persons in 1975, was reduced to only 700,000 persons who are actually living there. Of these, 19,000 were committed to prison because they denounced Israeli occupation.

C. Employment

19. The total labour force, according to the Israeli Central Bureau of Statistics, numbered 126,400 persons in 1973 at a participation rate of 19 per cent.

20. Israeli policy was determined to utilize the maximum number of the Arab labour force available in the occupied territory, in order to achieve the following goals:

(a) To serve Israeli development in the fields of agriculture, industry and construction and thereby replace the maximum number of Jews serving their armed forces;

(b) To choke the occupied territory's resistance to occupation;

(c) To bleed the occupied territory's labour force, which resulted in the substantial reduction of the West Bank's economic growth and development potential.

IV. The impact of Israeli occupation on the Seven-Year Economic Development Plan

21. The implementation of the Seven-Year Plan was halted in the West Bank owing to Israeli military occupation and work on several vital projects in East Bank was either delayed or halted. Among these were the Yarmouk Dam, electrification of Jordan, Jerusalem airport and other projects in the various sectors of the economy. The total investment of these projects was estimated at JD 175 million (or JD 332.7 million in 1975 prices), an amount which, if it had been spent, would have expanded further Jordan's economic potential and its productive capacity.

22. In East Bank, the Government had to adopt an ad hoc development programme and launched an emergency programme in an attempt to absorb the economically active population seeking work. The Government also proceeded in implementing projects and proposals included in the Seven-Year Plan for East Bank.

Investment in the Seven-Year Plan
(1964-1970)

(in millions of Jordanian dinars)

	<u>1964</u>	<u>1965</u>	<u>1966</u>	<u>1967</u>	<u>1968</u>	<u>1969</u>	<u>1970</u>
Plan	22.2	29.1	38.9	49.5	45.8	46.7	42.3
Actual	18.8	23.2	24.9	24.3	27.4	34.2	23.2

23. Actual investment totalled JD 176 million, part of which was spent on capital projects not included in the plan. According to the evaluation report, only 40 per cent of the total number of projects and proposals were implemented.

24. Again, Israeli occupation of the West Bank stood in the way of Jordan's development drive and in the way of achieving the plan's goals.

V. The impact of Israeli occupation on the economic performance of Jordan

25. The adverse effects of Israeli occupation and its aftermath had precipitated far-reaching effects envisaged in the following:

(a) The economic performance in East Bank after the 1967 Israeli aggression was characterized by recession, which started immediately after June 1967 and continued until the end of 1968. Then a period of recovery continued until mid-1970, followed by a period of depression, a picture which reversed itself marginally in 1971, and the economy has continued to revive since then.

(b) East Jordan's economy suffered, until 1972, from excess demand, inflationary pressures, financial imbalances, sectoral deficits, rise in prices and substantial expansion in money and credit.

(c) Table 1 shows Jordan's GNP projected at 1975 prices for the period from 1967 to 1975 on the proviso that conditions and growth rates experienced prior to June 1967 remained the same. Table 2 shows actual data for East Bank's GNP for the corresponding period in 1975 prices.

(d) In comparing both tables, we find that GNP annual rate of growth dropped by 7.6 per cent, GDP at market prices dropped by 7.8 per cent, GDP at factor cost declined by 7.4 per cent, consumption declined by 7.1 per cent, investment dropped by 0.4 per cent, imports of goods and non-factor services outgrew the 1959-1966 growth rate by 1.4 per cent, exports of goods and non-factor services declined by 4.6 per cent and net factor income from abroad also dropped by 6.3 per cent.

(e) Again, by subtracting the findings in table 2 and those in table 3 (West Bank's GNP in 1975 prices according to the Central Bureau of Statistics in Israel) from table 1, we may observe the following (as shown in table 4):

(i) Jordan's accumulated loss amounted to JD 2.2 thousand million in terms of economic resources. In 1966, the West Bank contributed about 45 per cent of the total economic resources in the country;

(ii) The accumulated loss in GNP amounted to JD 1.6 thousand million and in GDP at market prices JD 1.5 thousand million.

Jordan's economic resources and uses
(1967-1975)

(in millions of Jordanian dinars)

	Projected East and West Banks 1	East Bank 2	West Bank 3	Accumulated loss (1 - 2 - 3) 4
GNP	5,379.1	2,741.2	1,009.6	1,618.2
Imports of (G+NFS)	2,078.4	1,059.1	474.5	544.8
Resources/ uses	7,457.5	3,800.3	1,484.1	2,163.0
Consumption	4,817.4	2,537.6	871.8	1,408.0
Investment	801.7	505.2	180.0	116.5
Exports of (G and S) including net factor income from abroad	1,838.3	757.5	432.3	638.5

- (iii) West Bank's economic resources as shown in the previous table did not exceed 20 per cent of Jordan's economic resources compared with 45 per cent in 1966. The drastic change can also be seen in other macro-economic variables.
- (iv) Again, Jordan's economy lost in terms of domestic demand an accumulated amount of JD 1.5 thousand million and in terms of external demand JD 0.6 thousand million.
- (v) The negative saving-investment gap widened. Otherwise, if Israeli occupation had not taken place, it would have shown positive savings:
- (a) Jordan's domestic savings, as shown in table 1, has shown a surplus since 1972 and until 1975 compared with negative domestic savings in previous years;
- (b) Jordan's net-factor income from abroad (in table 1) showed an accumulated amount of JD 561.4 million, which would have been used in supplementing national savings;
- (c) External savings in this case would have been in the range of only 30 per cent of total savings, compared with 58.1 per cent in East Bank.

(f) Again, East Bank suffered from balance-of-payments pressures, especially from 1969 through 1971. The estimated accumulated loss in exports of goods and non-factor services was JD 525 million and in net-factor income from abroad was JD 113.8 million.

(g) Domestic revenues of the government budget incurred a loss of 32 per cent of the total. Furthermore, the budget was subject to further financial pressures owing to the following:

- (i) The influx of over 414,000 evacuees, who needed food, shelter and clothing;
- (ii) Labour-market pressures;
- (iii) The need to expand and reconstruct infrastructure facilities;
- (iv) Higher budgetary allocations for defence instead of investment;
- (v) Allocations for compensation of farmers at the Ghor area and for reconstruction of the severely damaged areas in the Jordan Valley as a result of the continuous daily Israeli raids for several years after June 1967.

(h) Jordan lost half of its markets, which caused a severe shock in Jordan's economy, especially in the industry, trade and construction sectors.

(i) The unfavourable effects on business confidence, which caused reluctance in investment.

(j) The re-routing of sea-borne trade through Beirut instead of Aqaba, owing to the closure of the Suez Canal.

The economic situation of the West Bank after June 1967

26. The statistical data, presented by the Central Bureau of Statistics in Israel, on the West Bank do not reflect the true picture for several reasons, among which are:

(a) GNP figures and other macro-economic variables for the West Bank in 1971 are far below the 1966 level;

(b) Statistics for the integrated pre-war Jordanian economy showed that GNP of the West Bank reached JD 79.2 million in 1966, while GNP, as shown in Israel's own statistics (in 1975 prices), was JD 78.2 million in 1971 for the West Bank;

(c) Investment in the West Bank (in 1975 prices) was only JD 5.9 million in 1968, JD 7.7 million in 1970 and JD 9.2 million in 1971, which is far below the actual figure for 1966;

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(d) Figures quoted for 1968-1971 are far below the corresponding figures for succeeding years;

(e) Production growth rates between 1968 and 1975 for the West Bank were 34.8 per cent in GNP, 27 per cent in GDP, 25 per cent in consumption, 26 per cent in imports and 17 per cent in exports. In constant terms, taking into account the rise in consumer price index of 38.2 per cent, the rates of growth sustained at market prices will turn to be negative at a declining trend of 3.4 per cent in GNP, 11 per cent in GDP, 13 per cent in consumption, 12 per cent in imports and 21 per cent in exports.

27. Therefore these statistical peculiarities should be kept in mind in discussion throughout the report.

28. During the period from 1967 to 1975 the economic performance was below potential on account of low absorptive capacity, reflecting largely institutional and manpower constraints.

29. GNP of the West Bank in real terms rose from JD 34.2 million in 1968 to JD 117.4 million in 1975.

30. If Israeli occupation did not take place, assuming conditions remained the same, Jordan's GNP in real terms would have reached a global figure of JD 434 million. The West Bank's contribution, in this case, will be only 27 per cent in 1975 against 42.6 per cent in 1966, when the West was part of Jordan.

31. Per capita GNP in real terms in the West Bank was JD 109 in 1972 against the equivalent of JD 514 in Israel in 1972.

32. This low income accompanied by a substantial rise in prices of 38 per cent per annum, played a dominant role in determining demand and output.

33. West Bank's gross domestic expenditures in real terms is estimated to reach JD 112.8 million in 1975 against JD 418.3 million for Jordan if the Israeli occupation had not taken place.

34. Incremental capital output ratio in the West Bank was only 1:1 during the period, which denotes that most projects were labour intensive projects.

35. The deficit in the balance of trade of goods and non-factor services was JD 91 million in the West Bank in 1975 against JD 68 million for the Kingdom.

(a) Exports of goods and non-factor services in the West Bank is estimated to reach JD 52 million in 1975 against JD 234 million for Jordan.

(b) Imports of goods and non-factor services in the West Bank is estimated at JD 143 million in 1975 against JD 303 million for Jordan.

36. This left the West Bank with a negative saving-investment gap; otherwise if the economics of both Banks were still integrated, it would have shown a positive domestic savings.

37. The factors responsible for holding down growth and development in the West Bank, which continued to exert themselves throughout the period 1967-1975, are numerous, among which were:

- (a) Israeli occupation of the West Bank;
- (b) Continuous daily raids on the Jordan Valley for years after the cease-fire in 1967;
- (c) Oppression and confiscation of land and property;
- (d) Demolition of entire villages, quarters of cities, refugee camps and houses;
- (e) Bleeding the Arab labour force to serve their own development, which had adverse effects in the West Bank's development;
- (f) Committing thousands of persons to prison and deporting others outside Israel because they denounced Israeli occupation;
- (g) Shifting the economic resources of the West Bank to Israel;
- (h) The October War of 1973;
- (i) Control over the exploitation of natural and human resources by means of expropriation, imposition of high tax rates between cities and at ports of entry and on farmers so that they would leave their farms;
- (j) Slow suffocation of human rights, freedom and development.

38. The end result culminated in low productivity, which led to low income reflected by low savings and low investment, decline in output and in the productive capacity, especially in people's ability to produce more goods and services.

VI. Major sectors

39. The interlocked economic integration between the West and East Banks and intrasectoral flow of goods and services between both Banks was disintegrated and disrupted as a result of the Israeli occupation.

40. The Israeli occupation of the West Bank deprived Jordan of 40 per cent of its domestic output, or 40 per cent in the primary sector, 12.4 per cent in the secondary sector and 47.6 per cent in the tertiary sector.

41. Again, table 4 (Jordan's loss in GNP owing to Israeli occupation) shows that the accumulated loss in GDP at factor cost between 1967 and 1975 totalled JD 1.1 thousand million. To put it in a different perspective, Jordan lost (owing to the Israeli occupation) in domestic income generated out of the primary sector JD 232 million, in the secondary sector JD 171 million and in the tertiary sector JD 727 million.

A. Agriculture

42. Income generated from this sector in 1966 totalled JD 27.7 million, 40 per cent of which was contributed by the West Bank. The labour force engaged in this sector accounted for over 35 per cent of the total, of which almost one half were in the West Bank. Agricultural exports constituted 51 per cent of the total domestic exports in 1966, almost one half of which were contributed by the West Bank.

43. Unfortunately, Israeli occupation in 1967 caused the loss of 80 per cent of land planted with fruits, 45 per cent of land planted with vegetables, 25 per cent of crops and 35 per cent of total livestock.

44. Output of wheat rose by 21.2 per cent per annum between 1958-1960 and 1964 and 1966, while tomatoes production rose by 7.9 per cent per annum, other vegetables 8.1 per cent, olives 2.8 per cent, citrus 30.1 per cent and grapes by 3.7 per cent.

Output of principal agricultural products

(000 Tons)

1964-66 Average

	Kingdom	West Bank	%
1. Wheat	224.4	67.3	30
2. Tomatoes	187.1	121.6	65
3. Other vegetables	338.5	220.0	65
4. Olives	55.8	44.6	80
5. Citrus	47.1	28.3	60
6. Grapes	72.7	43.6	60

45. The West Bank's contribution in 1966 in Jordan's agricultural production was 30 per cent in terms of wheat, 65 per cent in tomatoes, 65 per cent in other vegetables, 80 per cent in olives, 60 per cent in citrus and 60 per cent in other fruits including grapes.

46. Agricultural output of the irrigated area constitutes 30 per cent of the total; in spite of the fact that only 5.6 per cent of all cultivable land is under irrigation. Therefore, the Government gave top priority to irrigation schemes, most of which were in the Jordan Valley. Unfortunately the continuous Israeli raids for several years after 1967 on the Valley severely damaged several houses, farms, roads, irrigation schemes and other installations, including the Yarmouk dam, East Ghor Canal and other canals and laterals. Consequently, agricultural produce, income and exports were hardly affected. The total estimated loss was JD 55 million, or JD 97.2 million in 1975 prices.

47. The main features of the Yarmouk project included the construction of two dams of an annual capacity of 550 MCM, main canals and a system of laterals, extending and raising the sides of the East Ghor Canal, drainage system and erecting a hydro-electric power plant of a capacity of 62 MW, at a total cost of JD 45 million. This project was to irrigate over 500,000 dunums and to increase agricultural income by JD 24 million when completed. This meant a further loss in agricultural income in the amount of JD 47.3 million, as estimated in 1975 prices, and JD 97.2 million caused also by Israeli raids on the Jordan Valley or a total of JD 139.5 million.

48. Furthermore, the sectoral deficit between East and West Bank after the 1967 Israeli aggression can be attributed to the flow of agricultural products from the West to East Bank, which had a direct effect in accumulating over JD 40 million in terms of currency held by the public in the West Bank, which would constitute a threat to the Jordanian dinar's par value if it were to be claimed by Israel.

49. Consequently, the situation of the agricultural sector in the West Bank is in no way to be envied owing to several intolerable measures which have been undertaken by the Israeli authorities:

(a) Several villages were almost demolished and farmers' houses were destroyed, leaving farmers homeless seeking refuge somewhere else;

(b) The agricultural land has been decreased substantially owing to continuous confiscation of agricultural land, which amounted to a total figure of over 190,000 dunums till 1974;

(c) The percentage of agricultural workers to the total labour force dropped from 35 per cent in 1966 to only 21 per cent owing to several types of pressures and persuasion;

(d) The farmers are suffering from the rising cost of inputs marketed mostly in Israel and from the heavy burden of taxes, which in several cases forced the farmers to leave their farms and to seek work somewhere else;

(e) Israeli authorities are endeavoring to introduce changes in the cropping pattern by discouraging production of competitive crops and favouring complementary crops to Israeli agricultural produce;

(f) These measures led to a reduction of West Bank's output, income and exports;

(g) The estimated accumulated loss in agricultural net income between 1967 and 1975 is JD 232 million (see tables 1 to 4) and, on the account of the Israeli raids on the Jordan Valley, JD 140 million, or a total of JD 372 million.

B. Mining and manufacturing

50. The role of the West Bank in this sector was significant. Income generated out of this sector was JD 17.3 million in 1966, of which JD 3.5 million (20 per cent) was the contribution of the West Bank. Total industrial employment in the West Bank was 13,850 persons or 37 per cent of the total. Industrial establishments in the West Bank were 3,308 or 48 per cent of the total establishments in both Banks.

51. A cursory analysis of industrial production during the period prior to the events of 1967, revealed that cement production had risen fivefold between 1958 and 1966, while the production of soap and brewing tripled, cigarettes more than doubled, while petroleum products doubled between 1961 and 1966.

52. Again, Israeli aggression and occupation of the West Bank caused the loss of half of Jordan's markets, which was an important outlet for East Jordan's products.

Output of principal industries

	<u>May-June</u>		Change %	<u>June-December</u>		Change %
	1966	1967		1966	1967	
1. Cement (000 tons)	140	137	-2	225	152	-35.3
2. Petroleum products (000 tons)	165	198	20	265	195	-26.4
3. Sole leather (tons)	144	133	-10	201	105	-47
4. Upper leather (tons)	177	254	44	409	168	-59

53. With the exception of phosphate production (whose exports declined owing to closure of the Suez Canal and Syrian borders), output of principal industries did not reach the 1966 level except in late 1968 and 1969. Curtailment in the rate of growth of production by leading industries as a result of the loss of the West Bank markets contributed to the sharp decline in production of 59 per cent in upper leather, 47 per cent in sole leather, 35 per cent in cement and 26 per cent in petroleum products. This sharp decline and slackening of growth resulted in a sluggishness in consumer spending, retail sales and production in other lines of industry.

54. The Israeli aggression and occupation of the West Bank caused the delay in implementing the potash project, which was scheduled to commence operation in 1968 with an initial production capacity of 500,000 tons. The total cost of the project was JD 30.5 million to be invested throughout the plan period. Jordan's exports would have increased by JD 5.4 million by 1970. Several other projects were scheduled to be implemented in the manufacturing and mining sector, but unfortunately were not implemented owing to occupation of the West Bank.

55. Again, Israel exerted their concerted efforts to integrate the activities of this sector with Israel's own activities and undertook several measures in order to isolate this sector from other sectors of the economy, among which were:

- (a) Restriction of the purchase of raw materials needed by the West Bank's industries to those produced by their own;
- (b) Imposition of direct import controls;
- (c) Creation of marketing problems in order to weaken this sector;
- (d) Maintaining the West Bank as a consumer market and an outlet for Israel's industrial production;
- (e) Prevention of the establishment of competitive industries and encouragement of industries complementary to their own.

56. Again the estimated accumulated loss in income generated out of this sector between 1967 and 1975 is JD 103 million (see tables 1 to 4).

C. Construction

57. Jordan's generated income out of construction activity in 1966 amounted to JD 9.3 million, of which JD 3.3 million (35 per cent) constituted the West Bank's contribution in this sector. The area of residential and non-residential buildings built in 1966 in Jordan totalled 314,000 square metres, of which 75,000 square metres (24 per cent) were built in the West Bank. The rate of growth between 1959 and 1966 was 10.4 per cent per annum.

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58. Unfortunately, the Israeli occupation caused severe deterioration in this activity to the extent that the volume of the area built for residential purposes in 1970 equalled only the volume of the area built in Nablus in 1965.

59. Moreover, Israeli occupation not only hindered the bolstering of this activity, but also demolished a total number of 13,000 housing units up to 1974, leaving their dwellers homeless and seeking shelter elsewhere; in many cases they were deported to East Bank.

60. The estimated loss of income generated out of this sector is 58 million between 1967 and 1975.

D. Electricity and water

61. Jordan's value added in this sector in 1966 totalled JD 2.3 million, of which JD 0.7 million (31 per cent) was contributed by the West Bank. The installed capacity of electric power in Jordan in 1961 was 29 MW, of which 9.4 MW (32 per cent) was installed in the West Bank. Electricity consumption rose from 59.6 million Kwh in 1961 to 154.1 million Kwh in 1966 or at an annual rate of growth of 21 per cent. The generated electric power in Jordan of 177 million Kwh in 1966 dropped to 96.6 million in 1967 or a drop of 45.4 per cent.

62. Assuming the same rate of growth of 21 per cent, electricity generation would have a global figure of 809 million Kwh in 1974 as against 213 million Kwh actually generated in East Bank in 1974.

63. Jordan's electrification scheme was about to be implemented. The project of JD 5.7 million involved the erection of a national grid of 132 Kv linking Zerqa, Amman, Jerusalem, Nablus and Irbid, and construction of a steam power station of 88 MW and a hydroelectric generating plant of a capacity of 30 MW.

64. Unfortunately, Israeli occupation stood in the way of implementation.

65. Currently, Israel is exerting concerted efforts to link several cities in the West Bank, especially in the Nablus area, with their own network, thus increasing the reliance of the West Bank's needs on Israel's own power and resources.

66. The total loss in income generated out of this sector is JD 10 million between 1967 and 1975.

E. Tourism

67. Jordan is endowed with some of the most interesting historical and religious sites in the world. These inexhaustible natural resources in terms of Jordan's history, geography, scenery and climate, far from depreciating with use, have yielded attractive returns to Jordan.

68. Tourist arrivals in Jordan increased substantially from 104,100 persons in 1959 to over 618,000 persons in 1966 (or at an annual rate of growth of 29 per cent). Tourism income increased accordingly from JD 2.9 million in 1959 to JD 11.3 million in 1966 (or at an annual rate of growth of 21.4 per cent).

The situation after the 1967 Israeli aggression

69. The estimated accumulated loss in tourism income is JD 453.6 million between 1967 and 1975.

70. Several hotels, touristic facilities and other development projects in the tourism sector were scheduled to be implemented, but unfortunately Israeli occupation stood in the way of development.

71. Israeli occupation prevented the preservation, consolidation and maintenance of several holy places, historical and archeological sites.

72. The sanctity of Jerusalem, Hegron and other holy places, including mosques and churches, were violated.

73. Israeli authorities demolished and destroyed several mosques and Christian holy places which are part of the inheritance of all mankind.

74. Israeli authorities confiscated the Palestine Museum, Moslem Waqf property, and a large area of land.

75. The new plan of judaization had placed 70 per cent of all Moslem properties around the great twin Moslem mosques under Israeli possession.

76. Israeli acts of oppression extended to Arab people's rights, freedom, existence and development, which are subject to slow suffocation.

F. Trade

77. Income generated out of this sector was JD 28.9 million in 1966, of which JD 13.0 million (45 per cent) represented the contribution of the West Bank. Total business concerns in the West Bank were 6,118 establishments in 1966 or 53 per cent of the total number of establishments in Jordan. The labour force engaged in this sector in the West Bank were 12,028 persons or 44 per cent of the total.

78. The West Bank accounted for 64 per cent of Jordan's exports of goods and services and one half of its imports of goods and services.

The situation after 1967 Israeli aggression

79. The estimated accumulated loss in terms of exports of goods and non-factor services is JD 525 million between 1967 and 1975 and, in terms of imports of goods and non-factor services, is JD 545 million.

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80. Jordan's loss in capital inflow is estimated at JD 639 million.

81. The estimated accumulated loss in net factor income from abroad is JD 114 million.

82. In the West Bank, the export/import ratio was 43 per cent, the imports aggregate demand ratio 38 per cent and imports total consumption 54 per cent.

83. Israel authorities undertook several measures to threaten the development of this sector by demonstrating the following policy:

(a) It subjected Arabs to Israeli laws and regulations and abrogated all Jordanian laws previously applied;

(b) It imposed heavier taxes and municipal fees causing undue hardship and additional financial burdens;

(c) It subjected inhabitants to heavier rates of income tax thus burdening them with further material losses to those already sustained in consequence of the occupation;

(d) It erected customs barriers between cities and collected excise duties on all imported goods from other cities within the West Bank;

(e) It imposed customs and duties according to Israeli laws, including goods already in stock which were imported even before June 1967, bearing in mind that per capita GNP in the West Bank is only one fifth of Israel's;

(f) It refused to recognize Jordanian licence permits and exerted further economic pressures, especially on travel offices and their agents.

84. Again the estimated accumulated loss in income generated out of this sector is JD 239 million between 1967 and 1975.

G. Transport and communications

85. The role of the West Bank in the transport sector was significant. The West Bank accounted for 50 per cent of Jordan's generated income of the transport sector, 36 per cent of the total labour force engaged in the transport sector and 65 per cent of total transport facilities.

86. Unfortunately, works on several roads had to be halted owing to the occupation of the West Bank. Among these roads were the Ramtha-Amman-Jerusalem road, the Hebron-Jerusalem-Nablus road and the Hebron-Dead Sea road. Also the work for the improvement of the Jerusalem Airport was stopped.

87. Currently, only heavy-vehicle movements under strict control can be carried out between East and West Banks through the reopened bridges. This situation led to the segregation of transport activities, which have been transformed into the Israeli economy.

88. The estimated accumulated loss in income generated out of the transport sector is JD 117.6 million between 1967 and 1975 (see tables 1 to 4).

89. In communications, the work in improving the telecommunication networks and installing the microwave system of JD 2.4 million between Jerusalem and Amman were halted. Implementation of several other projects in telecommunications, such as automatic exchanges and carrier units, had to be stopped.

90. These and several other projects were financed out of foreign loans, which had to be repaid, including interest by the Government of Jordan, thus honouring the amounts of the loans withdrawn.

VII. Summary and conclusion

91. The Israeli aggression of 1967 and the Israeli occupation of the West Bank and its aftermath have precipitated far-reaching adverse effects on Jordan's socio-economic set-up, economic development and performance.

92. The Israeli aggression resulted in massive population displacement of over 414,000 to East Bank; created pressures on the budget, labour market and urban infrastructure; caused an unfavourable effect on business confidence and the entrepreneurial climate; hampered development; suspended the implementation of the Seven-Year Plan; and caused financial imbalances and balance-of-payment pressures.

93. In violating the cease-fire orders taken by the Security Council in 1967, Israel continued its daily raids on the Jordan Valley for several years, thus causing severe damage to irrigation schemes, infrastructural facilities, farms, agricultural produce, houses and other installations and structures in the area, which culminated in a total loss of JD 140 million.

94. In the West Bank, Israeli authorities confiscated over 190,000 dunums of agricultural land, demolished over 13,000 houses, entire villages, whole quarters in the city of Jerusalem, several mosques, schools and markets. The property of absentee Arab landlords was placed under Israeli custodianship - a preliminary step towards complete confiscation.

95. Moreover, the sanctity of the holy places was violated. The Israelis violated the sanctity of the two great twin mosques (the Dome of the Rock and Al-Aqsa Mosques), the holy sepulchre, Al-Ibrahimi Mosque, the nativity and several other mosques and churches.

96. The Israeli oppression, aggression and intolerable acts extended to Arabs' rights, freedom, existence and development, and subjected them to slow suffocation. Over 1,500 persons were deported, 19,000 persons were committed to prison, over 6,000 persons were either forced or were tempted to migrate to the Western Hemisphere and several thousands were tortured, humiliated, dragged and forced to be homeless, unsheltered and without any means of survival.

97. In addition, Arab economic resources in the West Bank were shifted to Israel; the Arab labour force was bled, thus choking economic growth potentials and causing severe reduction in the agricultural and the industrial output of the West Bank.

98. Inhumane acts of aggression were envisaged in the construction of physical barriers and customs barriers between cities, which restricted passage throughout the West Bank. Israel subjected Arabs to heavy income tax, high rates of customs and excise duties, municipal fees and a host of other intolerable measures, thus causing undue hardship to farmers, landlords, real estate owners, businessmen and industrialists, who were forced to leave their farms and business concerns seeking some other means of survival.

99. It is quite clear from the above that Israel had and still is violating, ignoring and neglecting the Charter of the United Nations, the Universal Declaration of Human Rights, the basic principles of justice, the Geneva Convention, a whole series of resolutions adopted by the General Assembly and the Security Council, the stipulations of international law and international conventions governing the state of war and the treatment of civilians in occupied territories.

100. The influence of the adverse effects of the Israeli occupation on Jordan's economy can be felt in the following:

(a) The loss of the West Bank, 6.2 per cent of total area of Jordan, 25 per cent of its cultivatable area, half of its markets, 48 per cent of the industrial establishments and 53 per cent of the business concerns;

(b) Jordan was deprived of 45 per cent of its economic resources, 43 per cent of its GNP, 40 per cent of its GDP, 40 per cent of total income generated in the primary sector, 31.2 per cent in the secondary sector and 42.6 per cent in the tertiary sector;

(c) To put it in a different perspective, Jordan's material loss can be summarized as follows:

(i) The estimated loss in total economic resources is JD 2.2 thousand million, of which:

a. The loss in GNP is JD 1.6 thousand million;

b. The loss in exports of goods and non-factor services is JD 0.5 thousand million;

c. The loss in net factor income from abroad is JD 114 million.

(ii) In other words, the estimated loss in gross domestic income generated within the economy is JD 1.1 thousand million of which:

a. The loss in the primary sector, including damages sustained in the Jordan Valley, is JD 0.4 thousand million;

b. The loss in the secondary sector is JD 0.2 thousand million;

c. The loss in the tertiary sector is JD 0.7 thousand million.

Table 1
Projected gross national product of Jordan 1967-1975
 (at 1975 prices)
 (In millions of Jordanian dinars)

	1966	1967	1968	1969	1970	1971	1972	1973	1974	1975	Total	Growth rates (1959-66) per cent
1. Gross national product (MP)	185.78	416.37	451.80	500.90	533.55	574.68	632.83	690.17	753.98	824.78	5 379.06	17.2
2. Gross domestic product (MP)	170.63	380.80	411.41	455.03	481.47	515.53	565.66	613.91	667.38	726.44	4 817.63	16.8
(a) Gross domestic product	149.74	332.29	356.90	393.76	412.64	438.19	478.76	516.29	557.69	603.19	4 090.71	16.2
(b) Indirect taxes	20.89	48.51	54.51	61.27	68.83	77.34	86.90	97.62	109.69	123.25	727.92	21.8
3. Consumption	188.78	415.34	441.81	469.86	499.22	530.17	562.67	596.61	632.26	669.44	4 817.38	15.5
4. Gross capital formation	26.39	59.84	65.62	72.00	78.95	86.60	94.99	104.16	114.25	125.32	801.73	18.9
5. Resources gap	-44.52	-94.38	-96.03	-86.82	-96.70	-101.23	-92.06	-86.86	-79.14	-68.32	-801.54	12.8
(a) Imports of G and NFS	-76.60	170.18	182.87	196.56	211.21	226.99	243.96	262.13	281.73	302.78	2 078.41	16.5
(b) Exports of G and NFS	32.06	75.80	86.84	109.74	114.51	125.76	151.90	175.27	202.59	234.46	1 276.87	23.2
6. Net factor income from abroad	15.15	35.57	40.39	45.87	52.08	59.15	67.17	76.26	86.60	98.34	561.43	23.1

Source: For 1966, Department of Statistics.

Notes: 1/ 1967-1975 figures were computed by the National Planning Council according to the 1959-1966 trend plus a 7.8 per cent rise in prices and adjusted according to 1975 prices.

2/ Exports of goods and non-factor services were computed as follows:

- (a) Exports of goods were computed according to the 1959-1966 trend of 17.3 per cent plus a 7.8 per cent rise in prices and adjusted according to 1975 prices;
- (b) Travel income was computed according to the 1959-1966 trend of 21.4 per cent plus a 7.8 per cent rise in prices and adjusted according to 1975 prices;
- (c) Other services receipts were computed at the 1959-1966 trend of 9.4 per cent plus a 7.8 per cent rise in prices and adjusted according to 1975 prices.

3/ GNP and GDP figures were slightly adjusted in accordance with the findings of exports of goods and non-factor services.

4/ In all computations, 1966 figures were taken as a base year.

Table 2

Gross national product of East Bank (1967-1975) at 1975 prices

(In millions of Jordanian dinars)

	1967	1968	1969	1970	1971	1972	1973	1974	1975	Total	Growth rates actual (1967-1975) per cent
1. Gross national product (MP)	329.91	290.23	318.11	272.45	274.82	276.46	283.18	336.04	360.00	2 741.20	9.6
2. Gross domestic product (MP)	308.93	272.65	295.39	252.99	256.87	258.62	256.15	300.27	322.00	2 523.87	9.0
(a) Gross domestic product	276.51	240.99	261.31	223.05	229.25	228.04	222.07	263.41	285.00	2 229.63	8.8
(b) Indirect taxes	32.42	31.66	34.08	29.94	27.62	30.58	34.08	36.86	37.00	294.24	10.2
3. Consumption	303.21	290.24	314.86	263.47	263.77	263.72	250.28	284.01	304.00	2 537.56	8.4
4. Gross capital formation	43.86	45.73	51.94	34.43	49.72	53.51	58.75	80.22	87.00	505.16	18.5
5. Resources gap	-38.14	-63.33	-71.41	-44.91	-56.62	-58.60	-52.88	-63.96	-69.00	-518.85	
(a) Imports of G and NFS	91.54	112.58	123.35	92.81	93.91	105.74	111.63	148.51	179.00	1 059.07	17.9
(b) Exports of G and NFS	53.40	49.25	51.94	47.90	37.29	47.14	58.75	84.55	110.00	540.22	18.6
6. Net factor income from abroad	20.98	17.58	22.72	19.46	17.95	17.84	27.03	35.77	38.00	217.33	16.8

Source: Department of Statistics.

Note: Figures shown are at market prices and adjusted according to 1975 prices.

Table 3

Gross national product of the West Bank at 1975 prices (1968-1975)
(In millions of Jordanian dinars)

	1968	1969	1970	1971	1972	1973	1974	1975	Total	Growth rates (1968-1972) per cent
1. Gross national product (MP)	82.00	73.50	71.40	78.20	108.50	112.90	124.40	358.70	1 009.60	34.8
2. Gross domestic product (MP)	80.60	65.90	61.70	63.00	83.00	82.70	88.90	253.50	779.30	26.6
(a) Gross domestic product	75.00	60.50	56.20	56.90	77.10	76.50	82.20	234.20	718.60	26.6
(b) Indirect taxes	5.60	5.40	5.50	6.10	5.90	6.20	6.70	19.30	60.70	34.3
3. Consumption	96.40	81.50	78.70	75.80	95.80	92.80	95.30	255.50	871.80	25.5
4. Gross capital formation	5.90	6.70	7.70	9.20	15.90	19.60	25.90	89.10	180.00	61.0
5. Resources gap	-21.70	-22.30	-24.70	-22.00	-28.70	-29.80	-32.20	-91.10	-272.50	
(a) Imports of G and NFS	51.50	42.80	40.90	39.60	52.50	51.30	52.90	143.00	474.50	26.3
(b) Exports of G and NFS	29.80	20.50	16.20	17.60	23.80	21.50	20.70	51.90	202.00	17.5
6. Net factor income from abroad	1.40	7.60	9.70	15.20	25.50	30.20	35.50	105.20	230.30	

Source: Central Bureau of Statistics, Israel for 1968-1972.

Notes: 1/ 1973-1975 figures were computed according to the 1968-1972 trend at market prices prevailing in Israel and adjusted according to 1975 prices.

2/ Consumer price index and Israel's official exchange rates were obtained from the International Monetary Fund (International Financial Statistics, vol. 26, No. 11, November 1973; and vol. 28, No. 6, June 1975).

3/ Consumer price index of Israel for 1968-1975 were (1967 = 100): 102.0, 104.5, 110.9, 124.2, 140.2, 168.1, 235.0 and 305.6.

4/ Exchange rates of Israel's pound/JD per (1967-1970) were 10, for 1971, 1972 were 12, 1973 were 12.8 and for 1974, 1975 were 19.2 pounds per 1 Jordanian dinar.

Table 4
Jordan's loss in gross national product (due to Israeli occupation of the West Bank)
at 1975 prices between 1967-1975
 (In millions of Jordanian dinars)

	1967	1968	1969	1970	1971	1972	1973	1974	1975	Total
1. Gross national product (MP)	86.46	80.17	109.01	189.70	221.66	248.79	283.73	293.54	115.08	1 618.20
2. Gross domestic product (MP)	71.87	58.76	93.46	166.78	195.66	223.96	264.70	278.21	159.94	1 504.40
(a) Gross domestic product (FC)	55.78	41.51	71.67	133.39	152.04	173.54	207.36	212.08	92.89	1 131.42
(b) Indirect taxes	16.09	17.25	21.79	33.39	43.62	50.42	57.34	66.13	67.05	372.98
3. Consumption	112.13	55.17	73.50	257.05	190.60	197.15	253.53	252.95	109.94	1 408.02
4. Gross capital formation	15.98	13.99	14.36	36.82	27.68	25.58	26.19	8.13	51.22	116.57
5. Resources gap	-56.24	-11.00	+6.91	-27.09	-22.61	-4.76	-14.18	+17.02	+91.78	-20.19
(a) Imports of G and NFS	78.64	18.79	30.41	77.50	93.48	85.72	99.20	80.32	-19.22	544.84
(b) Exports of G and NFS	22.40	7.79	37.30	50.41	70.87	80.96	85.02	97.34	72.56	524.65
6. Net factor income from abroad	14.59	21.41	15.55	22.92	26.00	24.83	19.03	15.33	-44.86	113.80

Note: Figures shown in the table above are table 1 minus the sum total of tables 2 plus 3.

Table 5
Jordan's loss in tourism income
(In millions of Jordanian dinars)

	<u>Projected</u>		<u>Actual</u>		<u>Loss</u> 1975 prices
	<u>Market prices</u>	<u>1975 prices</u>	<u>Market prices</u>	<u>1975 prices</u>	
1967	14.55	27.47	6.79	12.95	14.52
1968	18.80	33.07	4.60	8.09	24.98
1969	24.29	39.42	4.53	7.35	32.07
1970	31.38	46.98	4.85	7.26	39.72
1971	40.54	55.99	6.35	8.77	47.22
1972	52.38	66.73	8.30	10.57	56.16
1973	67.67	79.51	10.71	12.58	66.93
1974	87.43	94.77	17.29	18.74	76.03
1975	112.96	112.96	17.00	17.00	95.96
		556.90		103.31	453.59

Source: Department of Statistics and Central Bank.

Note: 1966 considered as base year of JD 11.26 million as tourism income.

Table 6
Cost-of-living index of Amman

	Cyclical Deflator Used 1966 = 100	Spliced 1967 = 100
1967	104.1	100.0
1968	103.8	99.7
1969	111.9	107.5
1970	119.5	114.8
1971	124.6	119.7
1972	134.7	129.4
1973	148.8	142.9
1974	178.5	171.5
1975	197.2	190.1

Source: Department of Statistics.

Table 7

Israel's consumer price index and the pound's exchange rates
 (1967-1975)

	Deflator used		Exchange rates	
	1966=100	1967=100	Pound/Dollar	Pound/Jordanian Dinar
1967	101.7	100.0	3.5	10.0
1968	103.3	102.0	3.5	10.0
1969	106.3	104.5	3.5	10.0
1970	112.8	110.9	3.5	10.0
1971	126.4	134.2	4.2	12.0
1972	142.6	140.2	4.2	12.0
1973	171.0	168.1	4.2	12.8
1974	239.0	235.0	6.0	19.0
1975	310.8	305.6	6.0	19.2

Source: International Monetary Fund, International Financial Statistics,
 vol. 26, No. 11, November 1973; and vol. 28, No. 6, June 1975.

ANNEX VI

Letter dated 19 March 1975 from the Secretary-General to the heads of the United Nations Conference on Trade and Development, the United Nations Industrial Development Organization, the International Labour Organisation, the Food and Agriculture Organization of the United Nations, the United Nations Educational, Scientific and Cultural Organization and the International Bank for Reconstruction and Development

/Original: English/

I am writing to you in connexion with General Assembly resolution 3336 (XXIX), paragraph 5 of which reads as follows:

"Requests the Secretary-General, with the assistance of the relevant specialized agencies and United Nations organs, including the United Nations Conference on Trade and Development, to prepare a report on the adverse economic effects on the Arab States and peoples, resulting from repeated Israeli aggression and continued occupation of their territories, to be submitted to the General Assembly at its thirtieth session."

Since information concerning economic matters which is normally available to the United Nations Secretariat is not adequate to enable me to prepare the report requested by the General Assembly, a note verbale has been sent to the permanent representatives of Egypt, Jordan, Israel, Syrian Arab Republic and Lebanon inviting them to provide me with information available to them which they consider to be relevant to the subject matter of the report requested by the General Assembly.

In line with the above-cited paragraph of resolution 3336 (XXIX) I am inviting you to supply me with any information which you may have which is directly related to the subject matter of the report requested by the General Assembly.

I should be most grateful if you could send me any material you may have before 1 July 1975, in order that the requested report may be submitted to the General Assembly before the opening of its thirtieth session.

(Signed) Kurt WALDHEIM
Secretary-General

ANNEX VII

Letters dated 2 May and 26 August 1975 from the Director-General of the
International Labour Office addressed to the Secretary-General

A. Letter of 2 May 1975

/Original: English/

In your letter of 19 March 1975, you requested me to send you, by 1 July 1975, any information I might have which is directly related to the question of "the adverse economic effects on the Arab States and peoples, resulting from repeated Israeli aggression and continued occupation of their territories", on which you are requested, by General Assembly resolution 3336 (XXIX), to submit, with the assistance of the relevant specialized agencies, a report to the General Assembly at its thirtieth session.

As I understand the question, it relates essentially to the economic aspects of the situation, such as industrial and agricultural production, use of natural resources, international trade and allied subjects, which are not primarily within the competence of the ILO, and therefore there is no directly relevant, authoritative information available to the ILO which would be of assistance in the preparation of your report.

However, there have been, within the ILO, several developments regarding aspects of the situation referred to in General Assembly resolution 3336 (XXIX) which fall within its competence and which I should bring to your attention, if only to help you build up a complete picture of the handling of the various aspects of the situation in the components of the United Nations system.

At its fifty-ninth session in June 1974, the International Labour Conference adopted a resolution concerning the "Policy of discrimination, racism and violation of trade union freedoms and rights practised by the Israeli authorities in Palestine and in the other Arab territories", a copy of which is enclosed (see appendix III below).

At its 194th session in November 1974, the Governing Body took the following decision in regard to the resolution:

"The Governing Body instructs the Director-General:

- "(1) To communicate the resolution to the Israeli authorities;
- "(2) To ensure for the regions concerned by the resolution, as far as possible in the languages of the country, the widest dissemination of ILO documents concerning the exercise of civil liberties and trade union rights;
- "(3) To submit to the Governing Body at its next session a report and proposals concerning the implementation of the operative part of the resolution;

/...

"(4) To keep the Conference informed of the measures taken in application of the resolution."

In communicating the resolution to the Government of Israel in November 1974, I also drew the Government's attention to the operative paragraphs of the resolution. Early in 1975, I sent the Governments, international intergovernmental organizations and employers' and workers' organizations of the regions concerned, in addition to the text of the resolution, copies of a document issued in Arabic, English and French setting forth the principles and standards of the ILO on the subject of the exercise of civil liberties and trade union rights and referring in particular to the ILO standards on freedom of association, the elimination of discrimination in employment and the abolition of forced labour. A copy of this document is also attached (see appendix II below). I specified that these documents were being dispatched with a view to their dissemination in the regions referred to in the Governing Body's decision mentioned above.

Reporting to the Governing Body at its 195th session in March 1975, in accordance with point (3) in that decision, I stated that I would keep the situation under review in the light of information I might receive and would consider what action might be required. I would bear in mind the possibility of sending a representative to the area to obtain the necessary information, should such a mission appear desirable. I would report to the Governing Body at an early session. The Governing Body took note of the measures taken or contemplated and instructed me to pursue such action along the lines indicated.

I should add that, on 7 October 1974, I had received a communication from the Government of Israel requesting that a special survey of the situation of Arab workers in the territories administered by Israel as regards allegations of discrimination in the field of employment be made as rapidly as possible by an independent expert to be appointed in accordance with established procedures for conducting such survey. The document by which this request was brought to the attention of the Governing Body (GB.194/23/42) is attached (see appendix I below). At its 195th session in March 1975, the Governing Body agreed that it should be left to the Director-General and to its officers to consider what effect should be given to the request made by the Government of Israel.

I shall not fail to keep you informed of any further developments.

(Signed) Francis BLANCHARD
Director-General

INTERNATIONAL LABOUR OFFICE
BUREAU INTERNATIONAL DU TRAVAIL
OFICINA INTERNACIONAL DEL TRABAJO

GOVERNING BODY
CONSEIL D'ADMINISTRATION
CONSEJO DE ADMINISTRACION

GB.194/23/42
194th Session

Geneva,
12-15 November 1974

APPENDIX I

Twenty-third Item on the Agenda

REPORT OF THE DIRECTOR-GENERAL

Tenth Supplementary Report

Request Made by the Government of Israel for a Special
Survey to Be Carried Out in the Light of Certain Allegations
relating to Discrimination in the Field of Employment

1. On 7 October 1974 the Director-General received a communication from the Government of Israel requesting that a special survey of the situation of Arab workers in the territories administered by Israel as regards allegations of discrimination in the field of employment be made as rapidly as possible by an independent expert to be appointed in accordance with the procedure approved by the Governing Body at its 191st (November 1973) Session.
2. The Governing Body will recall that at its 188th Session (November 1972) it had given its endorsement to an innovation in the ILO's programme of practical action for the elimination of discrimination in employment, consisting of the possibility of carrying out special surveys of the situation and problems of a country, with a view to making an impartial evaluation of the facts, providing the government with technical aid to clarify uncertain or disputed situations and overcoming the difficulties encountered. Subsequently, at its 191st (November 1973) Session the Governing Body had approved a procedure for the examination of requests for the carrying out of such special surveys. The details of this procedure are set out in the Appendix to the present paper. It entrusts the Director-General with "examining the effect to be given to any request for a special survey submitted by a member State ... and to settle the arrangements for carrying it out in agreement with the government".
3. The Director-General has consulted the Officers of the Governing Body on the follow-up to be given to the request made by the Government of Israel. The Officers have considered that the survey requested falls within the framework of the system of special surveys approved by the Governing Body, that the request is receivable under the procedure laid down, and that the Director-General should, in accordance with that procedure, make the necessary arrangements for the carrying out of the survey in question.
4. The Director-General is currently considering the practical arrangements necessary for the carrying out of the special survey. The Governing Body will be kept fully informed of all further developments.

Geneva, 12 November 1974.

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APPENDIX

INTERNATIONAL LABOUR ORGANISATION

Procedure for the Examination of Requests for
"Special Surveys" on Situations Connected with
the Elimination of Discrimination in Employment

1. At its 191st Session (November 1973) the Governing Body adopted a procedure for the examination of requests for "special surveys" which governments or organisations of employers or workers may submit on questions concerning the elimination of discrimination in employment.
2. The possibility of undertaking such "special surveys" with a view to evaluating facts and seeking solutions in certain situations was provided for by the Governing Body at its 188th Session (November 1972), on the proposal of its Committee on Discrimination.
3. It was understood that such special surveys might be based on criteria such as those laid down in the Discrimination (Employment and Occupation) Convention, 1958 (No. 111). However, this possibility is more general in scope and is not limited to countries which have ratified the Convention.
4. The questions raised should concern the situation of groups of people defined, for example, according to race, religion, national extraction, social origin, membership of a minority group, sex or age, but should not deal with individual cases unrelated to broader issues of policy.
5. The Director-General was entrusted with "examining the effect to be given to any request for a special survey submitted by a member State, or a workers' or employers' organisation, on specific questions of concern to them, and, if the government concerned agreed to such a survey, to settle the arrangements for carrying it out in agreement with the government".
6. Provision is thus made for two different types of cases: those in which the request is directly submitted by the government of a member State in connection with questions arising in its own country, and those in which the request comes from an employers' or workers' organisation or another member State.

Requests Submitted by the Government
Concerned

7. The examination of the effect to be given to a request made in these circumstances raises no special procedural problems. The request may, for example, be aimed at obtaining a form of technical co-operation on questions of evaluation or method in this field. In addition, recourse to outside observers, whose action would have an objective and impartial character, can help a government to overcome difficulties arising inside the country in connection with certain questions. In other circumstances, a government may wish to clear up certain doubts to which its action in this field may have given rise at the international level. A special survey on the national situation can in particular help a government to reach more precise conclusions regarding uncertainties which may have prevented it from ratifying the Discrimination (Employment and Occupation) Convention, 1958 (No. 111). The Governing Body felt that this possibility should be drawn to the special attention of governments.

Requests Submitted by an Employers' or
Workers' Organisation or by Another Government

8. Receivability of requests. As regards requests submitted by employers' or workers' organisations, the Governing Body laid down principles similar to those which apply in regard to freedom of association: the request must come either from

a national organisation directly concerned, or from international organisations having consultative status with ILO, or from other international or regional employers' or workers' organisations, provided the questions raised directly concern organisations affiliated to them.

9. In the case of a request submitted by the government of a member State in connection with questions arising in another country, the receivability of the request is strictly governed by the condition that the request must relate to "specific questions of concern to it". This presupposes a sufficiently close link between the interests of that government and the questions raised; the Governing Body considered that this could be the case, for example, when such questions concerned the situation of its own nationals working in another country.

10. Communications with the authors of requests. The Director-General may, if necessary, ask the authors of requests to provide further details on the specific questions which they propose to raise and to communicate additional information within a specified time-limit.

11. Communications with the government of the country in regard to which the survey would be requested. The Director-General will inform the government concerned as soon as possible of any receivable and substantiated request, and will request the government to communicate within an appropriate time-limit its observations on this question and its views concerning the possibility of carrying out a special survey under the auspices of the ILO on the questions raised.

12. In cases where the government requests or accepts such a survey, the Director-General will settle the arrangements for carrying it out in agreement with the government, subject to the necessary safeguards, in particular as regards the consultation of employers' and workers' circles concerned.

13. Reports to the Governing Body Committee on Discrimination. The Director-General will report to the Committee on requests received, replies from governments, special surveys undertaken or planned and on cases in which surveys could not be organised, including cases in which they have been refused or no replies have been communicated within a reasonable time-limit. The Committee will, as necessary, be called upon regularly to make such recommendations as it deems appropriate on such questions.

14. List of experts who might be called upon to participate in special surveys. The Director-General was entrusted with examining the possibility of drawing up a list of experts and persons of acknowledged competence, selected from the different regions of the world, whose services could be called upon in appropriate cases. It was further understood that, depending on the circumstances, surveys could also be carried out directly by the International Labour Office.

15. The Governing Body considered that the guidelines set out above should be applied on an experimental basis, on the understanding that they could be re-examined or redefined at a later stage in the light of their practical application.

APPENDIX II

International Labour Organisation

**The Exercise of Civil Liberties
and Trade Union Rights**

INTERNATIONAL LABOUR ORGANISATION

The Exercise of Civil Liberties
and Trade Union Rights

1. The International Labour Organisation has adopted various instruments concerning fundamental human rights, including the exercise of civil liberties and trade union rights.

2. Certain principles relating to these matters are to be found already among the constitutional provisions of the ILO.

Constitutional Principles

3. The Constitution of the International Labour Organisation affirms that "universal and lasting peace can be established only if it is based on social justice".

4. The Declaration of Philadelphia, which is an integral part of the Constitution, affirms that "all human beings, irrespective of race, creed or sex, have the right to pursue both their material well-being and their spiritual development in conditions of freedom and dignity, of economic security and equal opportunity".

5. It proclaims:

labour is not a commodity;

freedom of expression and of association are essential to sustained progress;

poverty anywhere constitutes a danger to prosperity everywhere;

the war against want requires to be carried on with unrelenting vigour within each nation, and by continuous and concerted international effort in which the representatives of workers and employers, enjoying equal status with those of governments, join with them in free discussion and democratic decision with a view to the promotion of the common welfare.

6. It recognises the solemn obligation of the International Labour Organisation to further among the nations of the world programmes which will achieve the effective recognition of the right of collective bargaining, the co-operation of management and labour in the continuous improvement of productive efficiency, and the collaboration of workers and employers in the preparation and application of social and economic measures.

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7. The International Labour Conference has adopted various Conventions, Recommendations and resolutions aimed at giving effect to these constitutional principles.

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Freedom of Association and Civil Rights

8. The two principal instruments adopted by the International Labour Conference in the field of freedom of association are the Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87) and the Right to Organise and Collective Bargaining Convention, 1949 (No. 98). Convention No. 87 has been ratified by 80 States and Convention No. 98 by 95 States.¹

9. The Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87), provides that:

workers and employers, without distinction whatsoever, shall have the right to establish and, subject only to the rules of the organisation concerned, to join organisations of their own choosing without previous authorisation (Article 2);

workers' and employers' organisations shall have the right to draw up their constitutions and rules, to elect their representatives in full freedom, to organise their administration and activities and to formulate their programmes; the public authorities shall refrain from any interference which would restrict this right or impede the lawful exercise thereof (Article 3);

workers' and employers' organisations shall not be liable to be dissolved or suspended by administrative authority (Article 4);

workers' and employers' organisations shall have the right to establish and join federations and confederations and any such organisation, federation or confederation shall have the right to affiliate with international organisations of workers and employers (Article 5); the guarantees mentioned above (Articles 2, 3 and 4) apply also to federations and confederations (Article 6);

the acquisition of legal personality by workers' and employers' organisations, federations and confederations shall not be made subject to conditions of such a character as to restrict the application of the provisions of Articles 2, 3 and 4 of the Convention (Article 7);

in exercising the rights provided for in the Convention workers and employers and their respective organisations, like other persons or organised collectivities, shall respect the law of the land, but the law of the land shall not be such as to impair, nor shall it be so applied as to impair, the guarantees provided for in the Convention (Article 8);

the term "organisation" employed in the Convention means any organisation of workers or of employers for furthering and defending the interests of workers or of employers (Article 10).

10. The Right to Organise and Collective Bargaining Convention, 1949 (No. 98), provides that:

¹ See appended chart.

workers shall enjoy adequate protection against acts of anti-union discrimination in respect of their employment and such protection shall apply more particularly in respect of acts calculated to:

- (a) make the employment of a worker subject to the condition that he shall not join a union or shall relinquish trade union membership; and
- (b) cause the dismissal of or otherwise prejudice a worker by reason of union membership or because of participation in union activities outside working hours or, with the consent of the employer, within working hours (Article 1);

workers' and employers' organisations shall enjoy adequate protection against any acts of interference by each other or each other's agents or members in their establishment, functioning or administration (Article 2);

machinery appropriate to national conditions shall be established, where necessary, for the purpose of ensuring respect for the right to organise (Article 3);

measures appropriate to national conditions shall be taken, where necessary, to encourage and promote the full development and utilisation of machinery for voluntary negotiation between employers or employers' organisations and workers' organisations, with a view to the regulation of terms and conditions of employment by means of collective agreements (Article 4).

11. The International Labour Conference adopted in 1970 a resolution concerning trade union rights and their relation to civil liberties¹ in which it recognises that the rights conferred upon workers' and employers' organisations must be based on respect for those civil liberties which have been enunciated in particular in the Universal Declaration of Human Rights and in the International Covenants on Civil and Political Rights and that the absence of these civil liberties removes all meaning from the concept of trade union rights.

12. In this resolution the Conference places special emphasis on the following civil liberties, as defined in the Universal Declaration of Human Rights, which are essential for the normal exercise of trade union rights:

the right to freedom and security of person and freedom from arbitrary arrest and detention;

freedom of opinion and expression and in particular freedom to hold opinions without interference and to seek, receive and impart information and ideas through any media and regardless of frontiers;

¹ ILO: Record of Proceedings, International Labour Conference, 54th Session, Geneva, 1970, p. 733.

freedom of assembly;

the right to a fair trial by an independent and impartial tribunal; and

the right to protection of the property of trade union organisations.

13. In this resolution the Conference expressed its deep concern about, and condemns the repeated violations of, trade union rights and other human rights.

14. The Conference also called upon all member States which have not done so to ratify and apply the United Nations Covenants on Civil and Political Rights and on Economic, Social and Cultural Rights and invited the United Nations also to seek this.

15. The Conference also invited the Governing Body to pursue energetically the efforts of the ILO with a view to total decolonisation along the lines of the Declaration adopted on this subject by the United Nations. It furthermore invited the Governing Body to extend and expand its efforts to eliminate the discriminatory practices on the basis of race, colour, sex, religion, nationality, political and trade union opinion which still exist in several countries, including countries and territories under a colonial régime or foreign domination in any form.

16. The Conference moreover reaffirmed its belief in the principles which inspired the Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87), and the Right to Organise and Collective Bargaining Convention, 1949 (No. 98) and strongly urged that all member States which have not already done so ratify these Conventions and, pending ratification, that they ensure that the principles embodied in these Conventions are observed and that they respect the principles enshrined in these Conventions in the enactment of their national legislation.

Abolition of Forced Labour

17. The two basic texts concerning forced labour are the Forced Labour Convention, 1930 (No. 29) and the Abolition of Forced Labour Convention, 1957 (No. 105).

18. Conventions Nos. 29 and 105 have been ratified respectively by 107 and 91 States.¹

19. Convention No. 29 provides for the suppression, within the shortest possible period, of the use of forced or compulsory labour in all its forms, i.e. all work or service which is exacted from any person under the menace of any penalty and for which the said person has not offered himself voluntarily.

¹ See appended chart.

20. Convention No. 105 prohibits recourse to any form of forced labour: as a means of political coercion or education or as a punishment for holding or expressing political views or views ideologically opposed to the established political, social or economic system; as a method of mobilising and using labour for purposes of economic development; as a means of labour discipline; as a punishment for having participated in strikes; and as a means of racial, social, national or religious discrimination.

Elimination of Discrimination in Employment

21. The basic instrument concerning the elimination of discrimination in labour matters is the Discrimination (Employment and Occupation) Convention, 1958 (No. 111).

22. This Convention has been ratified by 84 States.¹

23. The objective of the Convention is the elimination, in respect of employment and occupation in general, of any discrimination based on race, colour, sex, religion, political opinion, national extraction or social origin. The Convention provides that each Member which ratifies it shall undertake to declare and pursue a national policy designed to promote, by methods appropriate to national conditions and practices, equality of opportunity and treatment in respect of employment and occupation with a view to eliminating any discrimination in respect thereof. It specifies that for this purpose the Member shall, in particular: seek the co-operation of employers' and workers' organisations and other appropriate bodies in promoting the acceptance and observance of this policy; enact such legislation and promote such educational programmes as may be calculated to secure the acceptance and observance of the policy; repeal any statutory provisions and modify any administrative instructions or practices which are inconsistent with the policy; pursue the policy in respect of employment under the direct control of a national authority; ensure observance of the policy in the activities of vocational guidance, vocational training and placement services under the direction of a national authority.

24. The Discrimination (Employment and Occupation) Recommendation, 1958 (No. 111) provides that the policy aimed at the elimination of discrimination in employment should have regard to the following principles:

- (a) the promotion of equality of opportunity and treatment in employment and occupation is a matter of public concern;
- (b) all persons should, without discrimination, enjoy equality of opportunity and treatment in respect of -

¹ See appended chart.

- (i) access to vocational guidance and placement services;
 - (ii) access to training and employment of their own choice on the basis of individual suitability for such training or employment;
 - (iii) advancement in accordance with their individual character, experience, ability and diligence;
 - (iv) security of tenure of employment;
 - (v) remuneration for work of equal value;
 - (vi) conditions of work including hours of work, rest periods, annual holidays with pay, occupational safety and occupational health measures, as well as social security measures and welfare facilities and benefits provided in connection with employment;
- (c) government agencies should apply non-discriminatory employment policies in all their activities;
- (d) employers should not practise or countenance discrimination in engaging or training any person for employment, in advancing or retaining such person in employment, or in fixing terms and conditions of employment; nor should any person or organisation obstruct or interfere, either directly or indirectly, with employers in pursuing this principle;
- (e) in collective negotiations and industrial relations the parties should respect the principle of equality of opportunity and treatment in employment and occupation, and should ensure that collective agreements contain no provisions of a discriminatory character in respect of access to, training for, advancement in or retention of employment or in respect of the terms and conditions of employment;
- (f) employers' and workers' organisations should not practise or countenance discrimination in respect of admission, retention of membership or participation in their affairs.

25. The same Recommendation also provides that appropriate agencies should be established for the purpose of promoting application of the said policy in all fields of public and private employment, and in particular:

- (a) to take all practicable measures to foster public understanding and acceptance of the principles of non-discrimination;
 - (b) to receive, examine and investigate complaints that the policy is not being observed and, if necessary by conciliation, to secure the correction of any practices regarded as in conflict with the policy; and
 - (c) to consider further any complaints which cannot be effectively settled by conciliation and to render opinions or issue decisions concerning the manner in which discriminatory practices revealed should be corrected.
-

Chart of Ratifications of ILO Conventions
relating to Fundamental Human Rights

x = ratified Convention

Country	Freedom of Association		Forced Labour		Discrimination
	Convention No. 87	Convention No. 98	Convention No. 29	Convention No. 105	Convention No. 111
Afghanistan				x	x
Albania	x	x	x		
Algeria	x	x	x	x	x
Argentina	x	x	x	x	x
Australia	x	x	x	x	x
Austria	x	x	x	x	x
Bangladesh	x	x	x	x	x
Barbados	x	x	x	x	x
Belgium	x	x	x	x	
Bolivia	x	x			
Brazil		x	x	x	x
Bulgaria	x	x	x		x
Burma	x		x		
Burundi			x	x	
Byelorussian SSR	x	x	x		x
Cameroon	x	x	x	x	
Canada	x			x	x
Central African Rep.	x	x	x	x	x
Chad	x	x	x	x	x
Chile			x		x
China ¹		x		x	x
Colombia			x	x	x
Congo	x		x		
Costa Rica	x	x	x	x	x
Cuba	x	x	x	x	x

¹ The entries in this chart relate to ratifications communicated in the name of China by the authorities representing China in the ILO at the date of communication. All these ratifications were registered after 1 October 1949 (the date on which the People's Republic of China was founded) and before 16 November 1971, the date on which the ILO Governing Body decided to recognise the Government of the People's Republic of China as the representative Government of China.

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Country	Freedom of Association		Forced Labour		Discrimination
	Convention No. 87	Convention No. 98	Convention No. 29	Convention No. 105	Convention No. 111
Cyprus	x	x	x	x	x
Czechoslovakia	x	x	x		x
Dahomey	x	x	x	x	x
Democratic Yemen (Aden)		x	x	x	
Denmark	x	x	x	x	x
Dominican Rep.	x	x	x	x	x
Ecuador	x	x	x	x	x
Egypt	x	x	x	x	x
El Salvador				x	
Ethiopia	x	x			x
Fiji		x	x	x	
Finland	x	x	x	x	x
France	x	x	x	x	
Gabon	x	x	x	x	x
German Dem. Rep.					
Germany, Federal Republic of	x	x	x	x	x
Ghana	x	x	x	x	x
Greece	x	x	x	x	
Guatemala	x	x		x	x
Guinea	x	x	x	x	x
Guyana	x	x	x	x	
Haiti		x	x	x	
Honduras	x	x	x	x	x
Hungary	x	x	x		x
Iceland	x	x	x	x	x
India			x		x
Indonesia		x	x		
Iran			x	x	x
Iraq		x	x	x	x
Ireland	x	x	x	x	
Israel	x	x	x	x	x

Country	Freedom of Association		Forced Labour		Discrimination
	Convention No. 87	Convention No. 98	Convention No. 29	Convention No. 105	Convention No. 111
Italy	x	x	x	x	x
Ivory Coast	x	x	x	x	x
Jamaica	x	x	x	x	
Japan	x	x	x		
Jordan		x	x	x	x
Kenya		x	x	x	
Khmer Republic			x		
Kuwait	x		x	x	x
Laos			x		
Lebanon					
Lesotho	x	x	x		
Liberia	x	x	x	x	x
Libyan Arab Rep.		x	x	x	x
Luxembourg	x	x	x	x	
Madagascar	x		x		x
Malawi		x			x
Malaysia		x	x	x	
Mali	x	x	x	x	x
Malta	x	x	x	x	x
Mauritania	x		x		x
Mauritius		x	x	x	
Mexico	x		x	x	x
Mongolia	x	x			x
Morocco		x	x	x	x
Nepal					x
Netherlands	x		x	x	x
New Zealand			x	x	
Nicaragua	x	x	x	x	x
Niger	x	x	x	x	x
Nigeria	x	x	x	x	
Norway	x	x	x	x	x
Pakistan	x	x	x	x	x

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Country	Freedom of Association		Forced Labour		Discrimination
	Convention No. 87	Convention No. 98	Convention No. 29	Convention No. 105	
Panama	x	x	x	x	x
Paraguay	x	x	x	x	x
Peru	x	x	x	x	x
Philippines	x	x		x	x
Poland	x	x	x	x	x
Portugal		x	x	x	x
Qatar					
Romania	x	x	x		x
Rwanda				x	
Senegal	x	x	x	x	x
Sierra Leone	x	x	x	x	x
Singapore		x	x	x	
Somalia			x	x	x
Spain			x	x	x
Sri Lanka		x	x		
Sudan		x	x	x	x
Sweden	x	x	x	x	x
Switzerland			x	x	x
Syrian Arab Rep.	x	x	x	x	x
Tanzania		x	x	x	
Thailand			x	x	
Togo	x		x		
Trinidad and Tobago	x	x	x	x	x
Tunisia	x	x	x	x	x
Turkey		x		x	x
Uganda		x	x	x	
Ukrainian SSR	x	x	x		x
USSR	x	x	x		x
United Kingdom	x	x	x	x	
United States					
Upper Volta	x	x	x		x

Country	Freedom of Association		Forced Labour		Discrimination
	Convention No. 87	Convention No. 98	Convention No. 29	Convention No. 105	Convention No. 111
Uruguay	x	x		x	
Venezuela		x	x	x	x
Rep. of Viet-Nam		x	x		x
Yemen					x
Yugoslavia	x	x	x		x
Zaire		x	x		
Zambia			x	x	
Total of ratifications	80	95	107	91	84

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APPENDIX III

Resolution concerning the Policy of Discrimination, Racism
and Violation of Trade Union Freedoms and Rights Practised
by the Israeli Authorities in Palestine and in the Other
Occupied Arab Territories
(adopted 20 June 1974)

The General Conference of the International Labour Organisation,

Considering that "universal and lasting peace can be established only if it is based upon social justice", as is proclaimed in the Constitution of the International Labour Organisation,

Considering that the Declaration of Philadelphia solemnly proclaims that "all human beings, irrespective of race, creed or sex, have the right to pursue both their material well-being and their spiritual development in conditions of freedom and dignity",

Considering that the right of work, the right to freedom of movement and the right of association are inalienable rights recognized by the Universal Declaration of Human Rights and by the international community.

Considering that it is incumbent upon the International Labour Organisation to safeguard these rights and to seek to strengthen them,

Recalling the adoption by the International Labour Conference of the Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87), and of the Discrimination (Employment and Occupation) Convention, 1958 (No. 111),

Emphasizing that the Israeli authorities have ratified those Conventions,

Recalling that the International Labour Conference, in its resolution concerning trade union rights and their relation to civil liberties, unanimously adopted at its 54th Session, clearly stated that, without independence and political liberty, no trade union right could be fully and genuinely exercised by the workers,

Recalling also that in the same resolution the International Labour Conference invited the Governing Body of the International Labour Office to extend and expand its efforts to eliminate the discriminatory practises on the basis of race, colour, sex, religion, nationality and political and trade union opinions which still exist in several countries, particularly in countries and territories under a colonial régime or foreign domination in any form,

Considering the resolutions adopted by the International Labour Conference at recent sessions concerning the racial discrimination being suffered by the indigenous populations of South Africa, Guinea-Bissau and other African territories

/...

subject to a colonial régime or foreign domination, in which the workers' conditions of life and work are similar to those of the Arab working peoples under Israeli occupation,

Recalling, moreover, resolutions 9 (XXVII), 3 (XXVIII) and 4 (XXIX), adopted on 15 March 1971, 22 March 1972, and 14 March 1973, respectively, by the Commission on Human Rights at its twenty-seventh, twenty-eighth, and twenty-ninth sessions, which condemn Israel's persistent violations of human rights in the occupied territories,

Seriously concerned at the continuing violation, by the Israeli authorities, of human rights and workers' rights in the occupied Arab territories, and deeply disturbed at the dangerous consequences of this violation,

1. Declares that any occupation of territory following aggression constitutes in itself a permanent violation of basic human rights and in particular of trade union and social rights;

2. Condemns the policy of racial discrimination and violation of trade union freedoms, impairing basic human freedoms, which the Israeli authorities are pursuing against the Arab people;

3. Invites the Governing Body of the International Labour Office and the Director-General:

(a) To use all the means at the disposal of the International Labour Organisation to put an immediate end to these violations and discriminatory practises;

(b) To take all measures capable of guaranteeing the freedom and dignity of the Arab workers in the occupied territories.

4. Requests the Director-General to submit to an early session a special report on the implementation of this resolution.

B. Letter of 26 August 1975

/Original: Arabic/English/French/

In my letter of 2 May 1975, I outlined developments which had taken place at the time in the ILO regarding some aspects of the situation referred to in General Assembly resolution 3336 (XXIX) and undertook to keep you informed of the evolution of the situation.

/...

A/10290
English
Annex VII
Page 20

I enclose herewith the progress report (GB 196/20/2) which I submitted to the 196th session of the Governing Body, held at Geneva from 30 to 31 May. The Governing Body took note of the measures mentioned in this report and instructed me to report to it on any developments in the situation.

I will keep you informed of any further action which the Governing Body may decide upon at its future sessions.

(Signed) Francis BLANCHARD
Director-General

INTERNATIONAL LABOUR OFFICE
BUREAU INTERNATIONAL DU TRAVAIL
OFICINA INTERNACIONAL DEL TRABAJO

GOVERNING BODY
CONSEIL D'ADMINISTRATION
CONSEJO DE ADMINISTRACION

GB.196/20/2
196th Session

Geneva,
30-31 May 1975

Twentieth item on the agenda

REPORT OF THE DIRECTOR-GENERAL
Second Supplementary Report

Action on the resolution concerning the policy of
discrimination, racism and violation of trade union
freedoms and rights practised by the Israeli
authorities in Palestine and in the other
occupied Arab territories

1. The Governing Body was informed at its 195th Session (March 1975) of the measures taken by the Director-General in pursuance of the decision by the Governing Body at its 194th Session (November 1974) on the resolution concerning the policy of discrimination, racism and violation of trade union freedoms and rights practised by the Israeli authorities in Palestine and in the other occupied Arab territories.¹ Following its discussion of this question the Governing Body "took note of the measures taken or contemplated, as described in paragraphs 2 to 5 of the Office paper" (reproduced as Appendix I) and "instructed the Director-General to pursue such action along the lines indicated". The action pursued since then has consisted of the following elements.

2. The text of a letter dated 6 March 1975 from Mr. Nasr (Employer member, Lebanon) and of the corresponding extract from his statement at the 195th Session of the Governing Body to which he referred (Appendices II and III) have been communicated to the Government of Israel with a view to obtaining its observations on the questions raised. The Governing Body will be informed of any reply received from the Government of Israel. Mr. Nasr's letter and the extract from his statement mentioned above have also been communicated to all the other governments and organisations of the regions concerned, as described below.

3. Following communication by the Director-General on 20 January 1975 of the resolution and of the document concerning "the exercise of civil liberties and trade union rights" to all of those governments and organisations for the purpose of dissemination in the regions concerned, one reply has been received, namely, from the Government of Syria (Appendix IV). The letter sent to that Government by the Director-General following receipt of its reply is reproduced as Appendix V.

¹ Document GB.195/2/2, reproduced as Appendix I.

4. Having received no other communication the Director-General, by letter dated 2 May 1975 (Appendix VI), again wrote to the governments, intergovernmental organisations and employers' and workers' organisations in the regions concerned by the resolution, with regard to examination of measures taken or to be taken on the resolution.

5. A further letter, dated 2 May 1975 (Appendix VII), was also sent to the Government of Israel.

6. Furthermore, the Director-General is bearing in mind the possibility of sending one or two persons to the area to obtain information, as envisaged in the document submitted to the Governing Body at its 195th Session, and he reserves the possibility of reverting to that question in due course.

7. Finally, it may be useful to note that, with regard to the application of the Discrimination (Employment and Occupation) Convention, 1958 (No. 111), in Israel - although this question is not directly related to the situation in the territories to which the above-mentioned resolution refers - the Committee of Experts on the Application of Conventions and Recommendations formulated an observation at its March 1975 session, the text of which is reproduced as Appendix VIII.

8. The Director-General will submit a detailed report as soon as possible concerning replies and information obtained on the basis of the measures indicated above and concerning any further proposals which might appear appropriate having regard to such replies and information.

9. The Governing Body may wish to take note of the measures mentioned above and to instruct the Director-General to report to it on any developments in the situation.

Geneva, 2 May 1975.

POINT FOR DECISION:

Paragraph 9.

1...

INTERNATIONAL LABOUR OFFICE
BUREAU INTERNATIONAL DU TRAVAIL
OFICINA INTERNACIONAL DEL TRABAJO

GOVERNING BODY
CONSEIL D'ADMINISTRATION
CONSEJO DE ADMINISTRACION

GB.195/2/2
195th Session

Geneva,
4-7 March 1975

APPENDIX I

Second Item on the Agenda

ACTION ON THE RESOLUTIONS ADOPTED BY THE
CONFERENCE AT ITS 59TH SESSION (JUNE 1974)

Resolution concerning the Policy of Discrimination,
Racism and Violation of Trade Union Freedoms
and Rights Practised by the Israeli
Authorities in Palestine and in the
Other Occupied Arab Territories

1. Having examined at its 194th Session (November 1974) the question of the action to be taken on the resolution concerning the policy of discrimination, racism and violation of trade union freedoms and rights practised by the Israeli authorities in Palestine and in the other occupied Arab territories, the Governing Body instructed the Director-General -

- (1) to communicate the resolution to the Israeli authorities;
- (2) to ensure for the regions concerned by the resolution, as far as possible in the languages of the country, the widest dissemination of ILO documents concerning the exercise of civil liberties and trade union rights;
- (3) to submit to the Governing Body at its next session a report and proposals concerning the implementation of the operative part of the resolution;
- (4) to keep the Conference informed of the measures taken in application of the resolution.

2. In accordance with point (1) of that decision the Director-General communicated the resolution to the Israeli Government by letter of 25 November 1974, drawing its attention to the operative part of the resolution.

3. To give effect to point (2) of the decision, a document setting out the ILO's principles and standards concerning "the exercise of civil liberties and trade union rights" was prepared in Arabic, English and French. The Director-General sent a number of copies to each government, intergovernmental organisation and employers' or workers' organisation in the regions concerned by the resolution, and at the same time drew attention to the resolution and to the Governing Body's request for the widest dissemination of the documents in the regions concerned. The governments and organisations may obtain extra copies on request.

4. As regards point (3) of the decision, which relates to the implementation of the operative part of the resolution, in operative paragraph 3 the ILO is asked to use all the means at its disposal to achieve the objectives of the resolution. These objectives can, of course, be achieved only if information is available for an assessment of the scope of the problem and how to deal with it. The Director-General has arranged for the collection of information by the Office so as to keep

the situation under review and consider what action may be required. He will make any necessary resource adjustments for the purpose. He assumes that he will receive the information required in answer to his letters to governments and organisations in the regions concerned, mentioned in paragraph 3 above. In the light of that information he will consider taking steps to make further contact with the competent authorities, should the need arise. Moreover, he will bear in mind the possibility of sending an official or some other representative to the area to obtain the information, should such a mission appear desirable, in which case he will so inform the Governing Body. The Director-General will report to the Governing Body at an early session on the action taken.

5. As regards point (4) of the decision, the Director-General's Report to the Conference at its forthcoming session will contain information on the action taken under the resolution.

6. The Governing Body may wish to take note of the measures taken or contemplated, as described in paragraphs 2 to 5 above, and to instruct the Director-General to pursue such action along the lines indicated.

Geneva, 28 January 1975.

POINT FOR DECISION:

Paragraph 6.

/...

APPENDIX II

Letter dated 6 March 1975 from Mr. Nasr to the
Director-General of the International Labour
Office

Following the statement I made in the Governing Body regarding item 2 of the agenda, please find below some further cases which require immediate ILO action in pursuance of the resolution of the 1974 Conference concerning "the policy of discrimination, racism and violation of trade union freedoms and rights practised by the Israeli authorities in Palestine and other occupied Arab territories":

(a) Mr. George Hazboun, Secretary of the Union of Shoe Workers in Bethlehem, has been detained in prison since November 1974. He and Mr. Hejazi, Mr. Abou Gharibah and Mr. Atallah Rishmaoui have been tortured and their lives are, consequently, in imminent danger.

(b) Dr. Salah-uddin Anabtaoui, Secretary of the Arab Order of Medical Doctors, has been expelled from his homeland since 1968.

The same thing was done in the following cases:

(a) Dr. Faisal Kanaan, Secretary of the Order of Dentists;

(b) Dr. Walid Kamhaoui, former Secretary of the Order of Medical Doctors, was expelled in December 1973;

(c) Dr. Alfred Tobassi, Secretary of the Order of Dentists, was expelled in November 1974;

(d) Mrs. Abdul-Hadi, Secretary of the Women's Union in Nablus, was detained, tortured and expelled in 1968;

(e) Mr. Mahmoud Kadri, teacher and Secretary of the Preparatory Committee of the Union of Teachers of the Western Bank (of Jordan), was expelled from his homeland in November 1974.

In April 1974, the following trade unionists were detained in prison and are still there (they were not brought before a court):

(a) Mr. Husni Haddad, engineer, Secretary of the Order of Engineers of the branch of Hebrun and Bethlehem;

(b) Mr. Abbas Abdul-Hakk, engineer of the Order of Engineers, the branch of Nablus;

(c) Dr. Farhan Abou El-Layl, member of the Board of the Order of Medical Doctors of Nablus;

(d) Mr. Abdul-Majid Hamdan, member of the Preparatory Committee of the Teachers' Syndicate of the Western Bank.

(Signed) Marwan NASR
Employers' Member of the
Governing Body

APPENDIX III

Extract from Mr. Nasr's statement at the one hundred and ninety-fifth session of the Governing Body, first sitting, Tuesday morning, 4 March 1975

"Arab workers in the occupied territories of Palestine are not admitted into the highly technical industries, but their employment is confined to the simpler activities. They claim that this is done to prevent them from acquiring higher know-how and the higher standard of living that goes with it. Such activities to which they are confined are agricultural hand-labour, building, simple processes in the canning industry, services in restaurants and hotels. They are denied any access to such industries as the diamond, electric, electronic and chemical industries.

"They are asked to pay up to 33 per cent of their wages in taxes for the social security system and for the war effort. You can imagine their feelings when they will be supporting the war effort of the authorities which have occupied their own territories, but still they are submitted to it. And, which is worse, when it comes to benefits from the social security system, they are not allowed benefits from the social security system for which a part of their salary is being deducted.

"Because they are confined to certain types of work and not to others, they have sometimes to travel an hour or more, one hour going and one more coming from their work, and that is extra time - it is certainly not considered part of their working hours. And then they have to go on buses, which sometimes take double the number they should and sometimes there are accidents. For example, in 1973, a bus accident between Nathania and Tel Aviv caused the injury of several workers and in the village of Assira, there was a sort of grumbling and even a threat to strike. The people who did it were persecuted, they were beaten by what is called the Police Borders Force, put on a blacklist and not given the opportunity to work in any other factory.

"In factories which employ three shifts, the first shift, which is the day shift - the easier shift - is always the exclusivism of the Jewish workers; the Arab workers are confined to only the second and the third shifts, which are the evening and the night shifts.

"Arab workers are not permitted to eat at the tables at lunch-time; they have to use the floor as a dining table.

"There is always a special security officer to deal with Arab workers if they say that their conditions of work are not happy. Thus, in the Yashin Fruit-Packing Factory in Mellis, when the Arab workers had threatened a strike, they were arrested, beaten and sent away and, when they are fired under these conditions, they cannot find work in any other factory.

"The workers, when they come from the occupied territories to work in the other territories, are denied the protection of the Arab labour unions in their home country, because they are working in factories in the other part. And, of course, they are not protected by the trade unions in the other part because they are residents of the occupied territories.

"Workers' unions in occupied Arab territories are under constant pressures and threats. Mr. Dameen Hussein Abhoud, secretary of the union of building labourers in Ramallah, was submitted to investigations and threats by the secret police because he held a meeting of the members at his union on the occasion of Labour Day in 1973. Then, in December 1973, the persecution ended by his being expelled from his own home and his country by the Israeli authorities. He was the last of three other active labour leaders in this union who have suffered at the hands of the police since 1967. The last one, Mr. Adnan Dagher, was arrested in the spring of 1975. He was the secretary of the union and he is still in prison. The union of the workers of Beira had to lose two members of its board of directors, Miss Nejmé Ayyoub and Mr. Mohammad Baghdadi. They were forced to resign under threats because they were active members of the union. Mr. Zakaria Hamdan, Secretary-General of the Federation of Arab Labour Unions on the western bank of the Jordan, was arrested and then was expelled from the country because of union activities. The same thing happened to Mr. Michel Sindaha, secretary of the drivers' union of Jersusalem, and two others, Mr. Khalil Hijazi and Mr. Mohammed Abou Garbieh, who were persecuted. They were put in prison and they are still in prison."

APPENDIX IV

Letter dated 22 March 1975 from the Minister of Social Affairs
and Labour of the Syrian Arab Republic to the Director-General
of the International Labour Office

I refer to your communication of 20 January 1975 and the documents appended to it, that is, the resolution concerning the policy of discrimination, racism and violation of trade union freedoms and rights practised by the Israeli authorities in Palestine and in the other occupied Arab territories, adopted by the International Labour Conference, and the ILO documents relating to the exercise of civil liberties and trade union rights. In this connexion, I wish to make the following observations:

1. You stated in your communication that the above-mentioned ILO documents were being sent to us with a view to their dissemination in the regions concerned with the resolution. It is, however, a practical impossibility for us to do this. The Syrian Arab Republic cannot disseminate these documents because it does not exercise effective control over the regions in question.
2. In our opinion, the dissemination of the ILO documents dealing with the exercise of civil liberties and trade union rights would not suffice to ensure the application of the above-mentioned resolution, particularly as Israel still occupies the Arab territories and continues to violate trade union and human rights in those territories.
3. The above-mentioned communication contains no indication of the measures capable of guaranteeing the freedom and dignity of the Arab workers in the occupied territories which the resolution invites the Governing Body of the ILO and the Director-General to take.

In these circumstances, and in pursuance of the resolution concerned, we hope that this question will be put before the Governing Body again with a view to the adoption of practical measures to guarantee the trade union and civil rights of the workers concerned.

APPENDIX V

Letter dated 2 May 1975 from the Director-General of the International
Labour Office to the Minister of Social Affairs and Labour of the
Syrian Arab Republic

I have the honour to acknowledge with thanks the receipt of your letter of 22 March 1975 in which, following my letter of 20 January 1975, you were good enough to give me your views concerning the action to be taken on the resolution concerning "the policy of discrimination, racism and violation of trade union freedoms and rights practised by the Israeli authorities in Palestine and in the other occupied Arab territories" adopted by the International Labour Conference at its 59th session (June 1974). The information contained in your letter of 22 March will be brought to the attention of the Governing Body in the report on this matter, which I propose to submit to it at its next session.

I have the honour to transmit to you herewith a copy of a letter dated 6 March 1975, which I have received from Mr. Nasr, Employer member of the Governing Body, together with the corresponding part of the statement he made at the 195th session of the Governing Body, to which his letter refers. Mr. Nasr's letter and his statement have been communicated to the Government of Israel with a request for any observations it might have concerning the questions raised.

(Signed) Francis BLANCHARD
Director-General

APPENDIX VI

Letter dated 2 May 1975 from the Director-General of the International Labour Office to the Governments, intergovernmental organizations and employers' and workers' organizations of the regions concerned

By my letter of 20 January 1975, I had the honour to communicate to you a copy of the resolution concerning "the policy of discrimination, racism and violation of trade union freedoms and rights practised by the Israeli authorities in Palestine and in the other occupied Arab territories" adopted by the International Labour Conference at its fifty-ninth session in June 1974, together with copies of a document entitled The Exercise of Civil Liberties and Trade Union Rights, with a view to their distribution in the regions concerned with the resolution. These steps were taken in accordance with the decisions on the subject adopted by the Governing Body at its one hundred and ninety-fourth session in November 1974 and referred to in my letter of 20 January.

At its one hundred and ninety-fifth session in March 1975, the Governing Body instructed me to pursue the action described in the document I had submitted to it on this matter (GE.195/2/2), a copy of which is enclosed herewith (see appendix I above) and in which I expressed my intention to report to the Governing Body at an early session on the action taken.

With a view to the preparation of such a report, I would be obliged if you would send me information concerning any action you may have taken along the lines indicated by the decision taken by the Governing Body at its one hundred and ninety-fourth session to which I referred in my letter of 20 January.

I also have the honour to transmit to you herewith a copy of a letter dated 6 March 1975, which I received from Mr. Nasr, Employer member of the Governing Body, together with the corresponding part of the statement he made at the 195th session of the Governing Body (see appendices II and III above, to which his letter refers. Mr. Nasr's letter and his statement have been communicated to the Government of Israel with a request for any observations it might have concerning the questions raised in it.

(Signed) Francis BLANCHARD
Director-General

APPENDIX VII

Letter dated 2 May 1975 from the Director-General of the International
Labour Office to the Minister of Labour of Israel

By my letter of 20 January 1975, I had the honour to communicate to you copies of a document entitled The Exercise of Civil Liberties and Trade Union Rights with a view to their distribution in the regions covered by the decision which the Governing Body took at its one hundred and ninety-fourth session, in November 1974 on the action to be taken in pursuance of the resolution concerning "the policy of discrimination, racism and violation of trade union freedoms and rights by the Israeli authorities in Palestine and in the other occupied Arab territories", adopted by the International Labour Conference at its fifty-ninth session in June 1974.

The Governing Body, at its one hundred and ninety-fifth session in March 1975, instructed me to pursue the action described in the paper I submitted to it on this matter (GB.195/2/2), a copy of which is enclosed herewith (see appendix I above), in which I expressed my intention to report to the Governing Body at an early session on the action taken.

With a view to the preparation of such a report, I would be obliged if you would send me information concerning any action you may have taken along the lines of the decision adopted by the Governing Body at its one hundred and ninety-fourth session, to which I referred in my letter of 20 January.

In order that consideration may be given to possible additional steps as contemplated in paragraph 4 of my paper to the Governing Body mentioned above, I would be most grateful for whatever information you could send me concerning developments affecting the matters and territories to which the Conference resolution relates.

Finally, I have noted that, by his letter of 8 April 1975, your Government's Permanent Representative at Geneva informed me that he will forward to me immediately any reply received from the Government concerning the letter I received from Mr. Nasr, Employer member of the Governing Body, and the latter's statement to the Governing Body, which I sent to him on 1 April 1975.

(Signed) Francis BLANCHARD
Director-General

APPENDIX VIII

Extract from the report of the Committee of Experts on
the Application of Conventions and Recommendations
(March 1975 session)

Convention No. 111: Discrimination
(Employment and Occupation), 1958

Israel (ratification: 1959)

The Committee has noted the information supplied by the Government in response to its previous observation. It hopes that the Government will be able to give, in its next report, specific information on trends in the participation rates for members of the different ethnic and religious groups of the population in higher-grade posts, in the private and public sectors. In particular, it requests the Government to indicate what action has been taken on the recommendations of the Inter-Ministry Committee set up in 1974 (which the report indicates as having been approved by the Government) and for increasing the recruitment of members of the Arab population to skilled positions in the civil service and other public services.

In addition, the Committee notes that - as the Government points out - the Employment Service Act, 1959, prohibits discrimination in the placement operations to which it applies (sect. 42) and provides for a grievances procedure (sect. 43). However, since these provisions do not relate to admissions to certain categories of posts (particularly posts at the higher level referred to in sect. 32 (b)) or to other aspects of employment (such as promotion), the Committee draws the Government's attention to the fact that it would be useful to adopt supplementary provisions on the prevention of discriminatory practices in respect of employment and occupation in general, including specific methods for examining and dealing with any case of alleged discriminatory practices (article 3 (b) of the Convention).

ANNEX VIII

Letter dated 8 July 1975 from the Director-General of the
United Nations Educational, Scientific and Cultural
Organization to the Secretary-General

On behalf of the Director-General, I wish to acknowledge receipt of your letter dated 19 March 1975, in which you quote paragraph 5 of General Assembly resolution 3336 (XXIX) and request any information which we may have directly related to the subject of "adverse economic effects on the Arab States and peoples, resulting from the repeated Israeli aggression and continued occupation of their territories".

Aside from the UNESCO/UNRWA Department of Education and the organization of the Tawjihi examinations in the Gaza Strip, UNESCO's only activity of relevance to this problem is the report, prepared for the eighteenth session of the General Conference, on the situation of the national education and the cultural life of peoples in the occupied Arab territories. Within the framework of this report, which was prepared in accordance with resolution 10.1, part III, paragraph 19, adopted by the General Conference at its seventeenth session, certain information relevant to the economic situation in the occupied territories was supplied to UNESCO. While this information is not entirely of direct concern to the subject of the economic effects of aggression and occupation on the Arab States and peoples, copies of the report (document 18 C/16) and of the resolution subsequently adopted by the General Conference (18 C/Res.13.1) are enclosed for reference. Details concerning economic or financial matters are to be found in document 18 C/16 in paragraphs 20, 24, 25, 26, 27, 36, 37, 38, 41, 57, 58, 59, 60, 73, 74, 95, 96, 105, 108, 111, 119, 125, 131 and 141 (see appendix II below).

I regret that we are unable to provide any further information relating to the subject matter of the report requested in General Assembly resolution 3336 (XXIX).

(Signed) John E. FOBES
Deputy Director-General
for the Director-General

APPENDIX I

UNESCO General Conference resolution 18 C/Res.13.1 adopted at the
forty-seventh plenary meeting on 23 November 1974

13. Access by the populations of the occupied Arab territories to national education and culture

13.1 The General Conference,

Recognizing that access to national education and culture is one of the fundamental human rights affirmed by the Charter of the United Nations and the UNESCO Constitution,

Recalling that military occupation of territories by foreign forces constitutes a constant danger to peace and human rights, including the inalienable right to national education and cultural life,

Noting with anxiety that, as is apparent from the report by the Director-General (document 18C/16), the populations in the occupied Arab territories are not enjoying their inalienable and inviolable rights to national education and cultural life,

1. Invites the Director-General to exercise full supervision of the operation of educational and cultural institutions in the occupied Arab territories, and to co-operate with the Arab States concerned and with the Palestine Liberation Organization with a view to providing the populations in the occupied Arab territories with every means of enjoying their rights to education and culture so as to preserve their national identity;
2. Urgently appeals to Israel to refrain from any act that has the effect of hindering the populations of the occupied Arab territories in the exercise of their rights to national education and cultural life, and invites it to allow the Director-General of UNESCO to carry out the task referred to in the foregoing paragraph;
3. Invites the Director-General to report to the Executive Board on the implementation of this resolution.

APPENDIX II

Extracts from the report by the Director-General on the
situation of the national education and the cultural
life of peoples in the occupied Arab territories

/document 18 C/16/

...

"II. THE GAZA STRIP AND NORTHERN SINAI

...

"A. National education

...

"Numerical data

...

"20. According to official Egyptian sources, the education budget for the Gaza zone represented one quarter of the general budget for the zone. This budget amounted to:

£(E)3,514,000 (Egyptian pounds) in 1964-1965
£(E)4,658,000 in 1965-1966
£(E)5,130,000 in 1966-1967

"The government also assisted students going to Egyptian universities and institutes.

In 1964-1965, the education budget amounted to £(E)1,500,000, plus the sum of £(E)105,000 for aid to students.

In 1965-1966, the education budget amounted to £(E)1,800,000 plus the sum of £(E)180,000 for aid to students.

In 1966-1967, the education budget was £(E)2,500,000 but aid to students fell to £(E)20,000.

...

"24. Fifty per cent of the education budget is covered by the Israeli authorities; a/ in 1974-1972, education represented 18 per cent of the total

a/ Haifa report, p. 5.

/...

budget for the Gaza Strip. b/ It amounted to £(I)10,839,924, to which should be added £(I)386,327 for the building of schools. The remaining 50 per cent of the budget was provided by the municipalities for the government schools.

"25. At the beginning of the occupation, the UNRWA/UNESCO programme had to cope with a substantial increase in the costs of education. Between 1967 and 1970, recurrent expenditure in the education budget rose from \$9,800,000 to \$15,200,000 for UNRWA/UNESCO education services as a whole. The share of the budget allocated to education at present represents 47 per cent, whereas 13 per cent goes to health services. The following table shows the importance of education in the UNRWA budget. Since about 21 per cent of the refugee population receiving education are in the Gaza Strip, it may be taken that approximately one fifth of this budget is used for the Gaza Strip.

b/ Ministry of Defense, The Administered Territories 1971-1972, p. 275.

	(In thousands of United States dollars)		
	1974	1973	1972
	<u>budget</u> <u>estimates</u>	<u>adjusted</u> <u>budget</u> <u>estimates</u>	<u>actual</u> <u>expenditure</u>
<u>Education services</u>			
General education	24,506	21,925	17,752
Vocational and professional training	4,649	4,529	3,661
Share of common costs from Part IV	3,807	3,464	2,894
Total, education	<u>32,962</u>	<u>29,918</u>	<u>24,307</u>
Grand total	<u>70,291</u>	<u>62,676</u>	<u>52,126</u>
Percentage of grand total used for education	47%	48%	47%

Source: Report of the Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East, 1 July 1972-30 June 1973 (Official Records of the General Assembly, Twenty-eighth Session, Supplement No. 13 (A/9013), p. 59, table C.

"26. Besides their contribution to the UNRWA budget, certain Governments make an additional direct contribution to the refugees. Direct contributions for educational services in 1972-1973 are shown below.

Direct contribution to refugees a/ b/ for the year ended 30 June 1973

(In United States dollars)

Governments	Education services	Totals
Egypt	7,095,000	9,022,475
Israel	2,312,619	7,902,665
Jordan	1,672,512	10,074,976
Lebanon	60,970	1,341,493
Syrian Arab Republic	1,342,146	3,530,975

a/ All data shown in this table are provided by the Governments concerned and are expressed in United States dollars computed by applying the agency's accounting rates of exchange.

b/ These contributions direct to the refugees are in addition to contributions made by these Governments.

Source: Report of the Commissioner-General of UNRWA, 1972-1973, Official Records of the General Assembly, Twenty-eighth Session, Supplement No. 13 (A/9013), p. 102, table 21.

"27. In addition to the contributions to the Regular Budget and the government contributions detailed above, the UNRWA/UNESCO schools receive special donations, particularly from the following countries: United States of America, Germany (Federal Republic of), Sweden and Switzerland.

...

"Teacher training

...

"36. It will be seen that a large number of teachers hold only the secondary school certificate (980 out of a total of 1,416, or over two thirds), as against 264 university graduates. Only two teachers have a university degree in English and none holds a degree in mathematics. This seems to have adverse effects on the standard of teaching in these subjects. The relatively few teachers (172 out of a total of 1,416) with a two-year post-secondary training will also be noted. All the institutes providing such training are situated on the West Bank of the Jordan and access to them was consequently very difficult for inhabitants of the Gaza Strip until after the hostilities of June 1967. A further point is that UNRWA, on which three of the four such institutes depend, has difficulty in finding teaching posts for graduates from the Gaza Strip. The Israeli authorities, however, report 700 teachers having taken advanced courses in the Gaza Strip and Israel in 1971. c/ Another point is that the salaries payable to teachers make it more tempting to seek work in Israel or sometimes to emigrate.

"Higher education

"37. The table below shows the number of students admitted to the universities and higher institutes of Egypt.

Number of students from the Gaza Strip admitted to the universities and higher institutes of Egypt, 1964-1973

	<u>1964</u>	<u>1965</u>	<u>1966</u>	<u>1967</u>	<u>1968</u>	<u>1969</u>	<u>1970</u>	<u>1971</u>	<u>1972</u>	<u>1973</u>
Universities and higher institutes	728	1,323	nil	nil	nil	1,195	1,030 ^{a/}	961 ^{a/}	732 ^{a/}	1,031 ^{a/}

a/ The figures from 1970 onwards represent the number of those passing the tawjihi examination who crossed the Suez Canal for the purpose of pursuing higher studies in Egypt.

Source: Ministry of Education, ARE and UNRWA Office, Beirut.

c/ Ministry of Defence, The Administered Territories 1971-1972, p. 276.

/...

"Egypt provides students from the Gaza Strip with financial assistance amounting to £(E)2 million a year for educational costs and £(E)120,000 a year in direct assistance. The Egyptian authorities intend to restrict the number of such students to 1,000, apparently owing to the massive rise in the number of students at the universities of Cairo.

"38. In addition, a number of students continue their studies at foreign universities, often with the assistance of fellowships administered by UNRWA/UNESCO. The number of UNRWA fellowship-holders was 384 in 1968-1969, but fell to 82 in 1972-1973 owing to the running-out of one source of finance. d/ Israeli sources indicate that very few students from Gaza continue their studies in Israeli universities. e/ The main difficulties appear to be attributable to a generally inadequate standard of secondary education, and the opportunities of work in Israel.

...

"B. Cultural life

"Cultural life prior to 1967

...

"41. According to a special report submitted to the Director-General by the Arab Educational, Cultural and Scientific Organization (ALECSO), prior to 1967 the region had six tourist offices, six sports clubs, three cultural centres, two public libraries, 10 bookshops and eight cinemas (including four indoor cinemas). The ALECSO report also states that the Egyptian Government spent £(E)40,000 on the maintenance of these establishments.

...

"III. THE WEST BANK, INCLUDING EAST JERUSALEM

"General observations

...

"57. Israeli sources show that the annual rate of natural increase in the population of the West Bank was apparently rising until 1971 (2.8 per cent) and then went down to the 1968 rate (2.3 per cent), which is similar to the trend noted in the Gaza Strip. f/ There is, on the other hand, a net emigration from the occupied territories. In the 1950s, there was noticeable

d/ UNRWA/UNESCO Department of Education Statistical Yearbook, 1972-1973, pp. 7 and 96.

e/ Haifa report, p. 9.

f/ Ministry of Defence, op. cit., pp. 17-215.

/...

emigration from the West Bank to the East Bank of the Jordan and to foreign countries where economic opportunities were better. g/ In the months following the war of 1967, an estimated 200,000 fled from the West Bank to the East Bank. h/ Since 1971, however, the rate of net emigration seems to be decreasing for reasons attributed by Israeli sources to employment opportunities mainly in Israel. i/

"58. Like the Gaza Strip, the West Bank economy is predominantly agricultural. The region is, however, much more developed and produces a greater variety of items, including olives, deciduous fruits, citrus and bananas, field crops, vegetables, as well as animals. j/ In spite of certain improvements, the techniques used are rudimentary by comparison to those used in Israel. Industry has not been able to develop in the West Bank since the beginning of occupation. Several reasons are given. There is virtually no investment in the region by outside sources, Arab or other. Jordanian banks have been closed and the local population is not inclined to deposit in or borrow from Israeli banks. Furthermore, nearly half of the West Bank hired workers in industry (6,500 out of a total of 13,900 in 1972) work in industry in Israel. k/

"59. In general, there is a tendency among West Bankers to be attracted by higher wages in Israel. If one examines the monthly figures of West Bankers seeking work through Israeli employment offices in 1971-1972, one finds an average of 21,833 per month, of which almost all were employed in Israel (20,452 or 94 per cent). l/ Another 10,000 obtained employment without going through the employment offices. Whether they go through the employment offices or not, the attraction of employment in Israel appears to prevail over fears arising from the unstable and precarious nature of such work. The October 1973 war, for example, cut many West Bank workers off from their main source of income, yet little by little they returned to Israel in their day-by-day search for better material living conditions for themselves and their families.

g/ See, for example, "Palestinian emigration and Israeli land expropriation in the occupied territories", Journal of Palestine Studies, vol. III, 1973, pp. 106-108.

h/ Report of the Commissioner-General of UNRWA, 1 July 1966-30 June 1967, Official Records of the General Assembly, Twenty-second Session, Supplement No. 13 (A/6713), para. 32; and ibid., Twenty-third Session, Supplement No. 13 (A/7213), paras. 9 and 10.

i/ Ministry of Defence, op. cit., pp. 2, 98-100.

j/ Ibid., p. 30

k/ Ibid., p. 31.

l/ Ministry of Defence, op. cit., p. 99.

"60. The effects of these trends on the economy of the West Bank are considerable. Industry and the population have been adjusting to meet the demands of the Israeli economy. The occupying Power, the local population and the States whose territory is occupied agree on this point. This situation obviously affects both the education and cultural life of the Arab population of the West Bank.

"A. National education

...

"Numerical data

...

"73. As regards the budget spent on education in the West Bank, the Israeli authorities had an educational budget for the West Bank of £(I)20 million for 1972. m/ It should be noted that approximately 70 per cent of the schools in the area are run by the Government. The authorities encourage building of schools by offering to pay 50 per cent of the cost. The difficulty seems to be that the authorities will not allow the levying of additional taxes through the municipalities from the local population for this purpose, because of the policy of non-interference in local affairs, although they do enforce other forms of taxation. The result is that schoolrooms have to be rented in different parts of the towns and villages and are often overcrowded.

"74. As already mentioned (see para. 25 above), the total expenditures in 1972 for education services of UNRWA/UNESCO amounted to \$24,307,000 and the budget estimates for 1974 were \$32,962,000. Since nearly 16 per cent of the refugee pupils receiving education are in the West Bank, the amount of UNRWA/UNESCO education funds for the West Bank education services may be roughly calculated at \$4 million for 1972.

...

"Higher education

...

"95. In the report submitted by Jordan, n/ it is stressed that "the occupation has affected directly or indirectly higher education". The Ministry of Education regrets that it has no reliable statistics available, and enumerates several consequences of the occupation, including the

m/ Haifa report, p. 35. The Ministry of Defence, op. cit., p. 139, indicates the higher amount of £(I)35,573,363 in actual expenditures for education in 1971-1972.

n/ Ministry of Education, Effect of Occupation on Education and Culture in the West Bank of Jordan (a special report prepared for UNESCO), p. 10.

/...

:

:

difficulties students have in leaving the occupied territories West of the Jordan, and the petty annoyances suffered by those who do leave when they come home to their parents on holiday; the problems they encounter when trying to find employment benefiting their qualifications; and the extreme difficulty of gaining admission to the Israeli universities. The report also mentions the closing down of the Beit-Hanina Institute of Business Administration.

"96. On the other hand, it is stated in the Haifa report o/ that things are going on much as before, although students who used to go to Arab universities in other countries now tend to go rather to the United States of America and Europe. It is also stated that the Israeli universities are open to students from the occupied territories, but that very few actually go to them. Another point to note is that the Israeli authorities authorize the purchase of foreign currency by students who wish to study abroad.

...

"B. Cultural life

...

"105. Two features mark the Right Bank of the Jordan from the cultural standpoint: firstly, the distinctive character of the large towns, each of which has its own quite individual past, history, élites and trends of development; and, secondly - a feature connected with long-standing and exceptional urban development - the great disparity between the standard of living and way of life in the towns and in the countryside, the latter remaining particularly poor.

"Cultural life prior to 1967

...

"108. The Jordanian Ministry of Education, in its report to UNESCO p/ stressed the fact that the West Bank was an important market for the books, magazines and newspapers of the Arab world. Furthermore, a law of 1964 provided for the administration and maintenance of the holy places by the Ministry of Waqfs, Islamic Affairs and Shrines. q/

o/ See Haifa report, pp. 40-41.

p/ Minister of Education, Effects of Occupation on Education and Culture in the West Bank of Jordan (a special report prepared for UNESCO), p. 17.

q/ Ibid., p. 19.

"Cultural life since 1967

...

"111. For information about the Moslems, the officials of the Secretariat visited the Ministry of Waqfs in Amman, where they were told that religious instruction in the West Bank schools was going on as before, as were the prayers in the mosques, and that the Ministry was continuing to see to the maintenance of the buildings and to administer the community's property, the income being used either for helping the needy or for preserving religious buildings etc. The Israeli authorities also provide assistance for this purpose and have contributed to the restoration of various Moslem mosques and cemeteries. Furthermore, they broadcast the major Moslem ceremonies - as, indeed, those of other religions - on radio and television. r/

...

"119. The problem of books and periodicals in Arabic also impinges on cultural life. It is no doubt theoretically possible to obtain any book or periodical in Arabic provided that it contains no incitement to racial hatred or anti-Semitic statement. In fact, however, the situation is not as simple as this, and the circulation of periodicals in particular is extremely difficult. An import licence is required in order to obtain books or periodicals from Arab countries, and they have to go through a slow, cumbersome and complicated commercial circuit. In addition, high customs duties are levied on such publications. Although a large number of English-language publications freely expressing all shades of opinion may be available in Jerusalem, Ramallah and elsewhere, the language barrier restricts their readership considerably.

...

"125. The increase in the number of television sets and in the flow of workers from the occupied territories to Israel have brought about a change in habits and attitudes of mind. Contact with Israeli society has led to a partial splitting up of families. Not only the father but often also the mother may go to work in Israel, with the result that the cultivation of the land and the education of the children are frequently left in the hands of the grandparents, who are not always up to the task. Moreover, the workers who are attracted by this new working environment - far more advantageous, it is true, but very different from the point of view of dietary habits, mores and life style - are ill prepared for the cultural shock involved. The complaint is made that the wages earned are spent in Israel itself on doubtful forms of entertainment. The Jordanian Government also mentions the breaking down of parental authority. The dangers to young girls' honour, so carefully guarded in Islam, are very keenly felt. It is feared that they may, against the wishes of their families, marry

r/ Haifa report, p. 47.

/...

Arab boy-friends they have met in Israel while working there. The result of this is that, on the one hand, they are married off by their parents at an increasingly early age and, on the other, certain municipalities and associations are trying to create occupations and jobs for girls and women in the territories themselves. Whatever may be said, however, values remain extremely traditional.

...

"IV. THE GOLAN HEIGHTS

...

"A. National education

"Numerical data

"131. The educational system has been financed since the occupation s/ by the Government of Israel. The pay, however, was considered to be too low according to one teacher, who informed members of the Secretariat that it amounted to £(I)800 per month as compared to a worker's salary of £(I)1,200 per month. The Secretariat also heard reports of students being attracted by wages offered for manual labour in Israeli settlements in occupied Golan, where they could earn up to £(I)50 per day.

...

"B. Cultural life

...

"141. The other activities mentioned in the Haifa report seem to be related to the development of ties with Israel, as for example the sports clubs which compete in an Israeli football league, the coffee houses catering to visitors, and the handicrafts and home industries aimed at the tourist market. t/

...

s/ Haifa report, p. 68.

t/ Ibid., p. 72.



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REPORT OF THE ECONOMIC AND SOCIAL COUNCIL

Permanent sovereignty over national resources in the
 occupied Arab territories

Report of the Secretary-General

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I. INTRODUCTION

1. The present report is submitted in pursuance of General Assembly resolution 31/186 of 21 December 1976, in paragraph 3 of which the Assembly requested the Secretary-General to take immediately all the measures necessary to secure the submission to the General Assembly at its thirty-second session of his final substantive comprehensive report.
2. This report is concerned solely with an assessment of an objective situation, namely the economic effects of the 1967 conflict and its aftermath upon the Arab States and peoples.
3. For reasons discussed in section II, it is impossible, in relation to most income effects, to disentangle adverse effects alone. This is essentially because many of the available data inevitably reflect the combined interaction of negative and positive effects on the economic situation of the countries and individuals concerned.
4. The study was originally defined to relate to the economic effects of the Arab-Israeli conflict of June 1967 and its aftermath on Egypt, the Syrian Arab Republic, Lebanon and Jordan and on the Arab peoples encompassed in the boundaries of those States in the relevant period. In the absence of response on the part of Lebanon to the Secretary-General's approaches and because of subsequent events in that country, it has not been possible to include Lebanon in this study. Furthermore, in the absence of facilities to visit the occupied areas, there was no opportunity for a first-hand study of the economic conditions in those areas.
5. No reliable information is available to the Arab countries themselves concerning the magnitude of many of the losses and disabilities suffered in the occupied territories, nor is there any possibility of this material becoming available in the near future. Nor is such information presently available to the United Nations Conference on Trade and Development, the Economic Commission for Western Asia, or the specialized agencies, beyond what has already been prepared for the use of the Governing Body of the International Labour Organisation, the General Conference of the United Nations Educational, Scientific and Cultural Organization, the Executive Board of the World Health Organization, the World Health Assembly, etc., in the course of the past several years. ^{1/} The Palestine Liberation Organization was invited to provide documentation, but none has been made available.

^{1/} These reports include, inter alia: International Labour Office, "Report of the Director-General, Progress report on the study on the situation of workers of the territories occupied by Israel" (GB 199/20/11), Geneva, March 1976; United Nations Educational, Scientific and Cultural Organization, "Report by the Director-General on the situation of the national education and the cultural life of peoples in the occupied Arab territories" (18 C/16), September 1974, and "Report of the Director-General on the implementation of 18 C/Resolution 13 concerning educational and cultural institutions in the occupied Arab territories" (19 C/73, annex I), April 1976.

6. With respect to the effects of the conflict on the occupied territories, therefore, the preparation of the report relies, perforce, for the most part, on statistics and other data published by Israeli sources. This material is mainly of a macro-economic nature and relates, inter alia, to income and production. Information on capital damages is not available.
7. It should furthermore be noted that, in the course of preparing this report, it was not possible in the time available to undertake any visits to the scene of the damages, except to Quneitra. Nor was it possible to scrutinize any of the primary accounting data on the basis of which the general statements were prepared by the countries concerned. Essentially, the report has been prepared on the basis of the country estimates, which in a number of instances have been modified or revised in the light of suggestions made in the course of discussions. These submissions have been supplemented in several aspects by material produced in response to inquiries specially made on behalf of the Secretary-General by the various agencies and organs. The submissions and specially prepared materials are listed in the annex to the present report, and are available for consultation in the Secretariat. 2/
8. It should finally be noted that, although information on direct capital losses in territories not occupied is procurable and verifiable, the position with respect to indirect capital and income losses, etc., is less clear, and the basis on which the calculations should be made is more arguable.
9. For these and other reasons, it must be recognized that many of the quantitative estimates contained in the report are to be regarded with reserve and can be taken only as providing an indication of orders of magnitude. If for any purpose an accurate independent financial statement of physical losses were required, this would necessitate a lengthy physical assessment and valuation requiring many man-years. 3/ Any estimate of indirect capital and income losses, moreover, in any event would necessarily involve conjectural elements, although such estimates are not, for that reason alone, to be regarded as without value.

2/ It should be noted that for Egypt this report is based on the first draft of the report prepared by the Institute of National Planning. The final version was not available until late August. An attempt has been made to take account of any changes in the report, but in the time available, a full scrutiny has not been possible.

3/ In this connexion, the work involved in the Quneitra City valuation referred to in section V, subsection D, will be noted.

II. SUMMARY AND CONCLUSIONS

10. The report outlines and evaluates estimates of the economic effects of the war and its aftermath on the Arab States and peoples concerned. Consideration is mainly confined to capital and income losses, including personal, corporate and public. Other proximate economic effects are deducible from these magnitudes but are not generally directly discussed.

11. With respect to actual physical capital losses, these have been estimated by the authorities of the countries in question by two main methods. For unoccupied territories, the basis is normally a physical appraisal. The costs of damage have been related to 1975 prices. For the occupied territories, dependable data are generally lacking (except for instance for oil) and the estimates are not generally based on a cadastral survey.

12. With respect to income losses, two approaches have been followed by the national authorities. Firstly, a macro-economic approach has been used in an attempt to ascertain what levels of national income might have been attained each year from 1967-1975 in the absence of war. For the Syrian Arab Republic and Jordan, the method used has involved basically an extrapolation from planned growth rates. In the case of Egypt, however, the macro-economic estimate of income losses is based on a simple statistically estimated model.

13. In the case of Syria and Egypt, but only to a limited extent for Jordan, macro-economic estimates of losses have been supported by directly evaluated estimates of income losses on a sector-by-sector basis. These estimates are usually based on income, profits and employment in the sectors concerned, extrapolated and converted to 1975 prices. For the occupied areas, such as Quneitra Governorate in Syria, the estimates of lost income have been arrived at on the basis of the areas under different kinds of crops and normal yields.

14. The evaluation of physical capital losses in unoccupied territories is capable of objective ascertainment where records exist, although the valuation to be placed on those losses is a matter to which there is no unambiguous answer. There is, however, a variety of plausible means by which such problems of valuation of capital losses are customarily dealt with and they can be applied to the losses in question arising from the war.

15. The estimation of income losses is more difficult because, whether a macro or a micro-estimate is involved, it requires implicitly or explicitly a comparison with a hypothetical alternative; the reasonableness of which can only be a matter for judgement.

A. Egypt

16. Capital losses are estimated by the Egyptian authorities at £E 4,650 million, 4/ in 1975 prices. One half of these are so-called indirect and

4/ In 1975 the exchange rate was \$US 1 = £E 0.39.

represent, for the most part, a financial adjustment to take account of inflation in the cost of projects whose implementation has been delayed on account of the war. Of the direct capital losses which are estimated at £E 2,280 million, the bulk is represented by the estimated costs of replacing destroyed or damaged capital assets. Of this, some £E 918 million is the estimated value, at 1975 prices of oil extracted from the Sinai wells by Israel. A further £E 112 million is accounted for by the cost of restoring the Suez Canal. Thus at least one half of the category of direct damages is attributable to two well-documented elements.

17. As to the income losses, these are claimed by Egypt to be of the order of £8,708 million, a figure derived from the macro-economic model. The estimated income losses arrived at by direct evaluation amount to £E 4,433 million. This excludes losses in Sinai and the Gaza Strip. Of this total, some £E 1,500 million or 40 per cent has been independently evaluated by UNCTAD. The bulk of this amount is represented by foregone Canal dues during the period of closure.

18. It is noted that the sectoral estimates themselves imply an annual growth rate for the whole of the period of 5.5 per cent. It is concluded that an aggregated income loss for the whole period of the order of £E 4,000 million would not appear to be at all improbable. An estimate of income losses of nearly £E 9,000 million, while not beyond the bounds of probability, would seem to require much more to support it than the predictions of the macro-economic model employed.

B. Jordan

19. The difficulties of estimating capital and income losses for Jordan are very considerable since a substantial part of the country is under occupation. Capital losses for the West Bank can only be indicated partially and notionally. Records are not available and a physical assessment is not possible and will become more difficult as fresh physical developments occur. As to the income effects of the war and its aftermath, any assessment which includes the West Bank must rely, so far as systematic data are concerned, on information produced by Israel. Such information excludes East Jerusalem.

20. Jordanian estimates of capital losses are partial only. The costs of housing losses in the West Bank, based on an estimated number of units and assumed replacement costs, are put at JD 146 million. ^{5/} Capital losses in the East Bank during 1967-1969 in respect of irrigation schemes, roads, houses and farms are estimated by Jordan at JD 97 million in 1975 prices, arrived at indirectly by imputing a capital loss from the putative decline in agricultural output.

21. Income losses in Jordan have been estimated by the authorities mainly on a macro-economic basis by statistical extrapolation, supplemented however by specific ad hoc estimates, for instance, of tourist income. These calculations suggest a loss of gross domestic product at factor cost over the period 1967-1975 of JD 1,131 million at 1975 prices.

^{5/} In 1975 the exchange rate was \$US 1 = 0.31 Jordanian dinars.

22. It should be noted that this estimate of income losses is consistent with a real growth rate for Jordan as a whole from 1966 to 1975 in the absence of war of approximately 8 per cent per annum. The estimate utilizes the estimates of national product for the reduced West Bank produced by the Israeli sources. It is noted that there are considerable problems involved in making comparisons between the East and West Banks with respect to the rates of exchange which should be used, and price adjustments. These problems, together with others already mentioned, counsel caution in using these estimates as anything but the broadest of indications of possible orders of magnitude.

C. Syrian Arab Republic

23. The Syrian authorities have directly appraised capital losses in unoccupied Syria arising principally from the 1973 war. An appraisal of the capital losses involved in the destruction of Quneitra City has been undertaken by an independent expert on behalf of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Population of the Occupied Territories. Using similar methods, but not based on a physical survey, the Syrian authorities have themselves estimated capital losses in the Quneitra countryside.

24. For income losses, the Syrian authorities have attempted first to provide an estimate on the basis of simple aggregative projections. The outcome is a suggested loss in 1975 prices, excluding Quneitra, of £S 6,956 million ^{6/} for the period 1967-1973. This estimate appears to be much too high in part because it attributes the whole of the difference in actual and planned rates of growth in 1973 to the effects of the war. Drought, causing a decline of 30 per cent in agricultural production, could be expected to account for much of the difference between recorded and planned rates of growth for that year.

25. On a disaggregated basis, total capital losses are assessed by the Syrian authorities at £S 4,342 million and income losses at £S 7,684 million. Of these disaggregated losses a substantial proportion relates to Quneitra - 69 per cent of the income losses and 73 per cent of the capital losses.

26. From the information available, the income losses relating to Quneitra appear to be greatly overestimated. The capital losses for Quneitra City were estimated by Mr. Gruner and can be accepted. Those for the Quneitra countryside have been estimated by the Syrian authorities using methods similar to those followed by Gruner. However the estimates for the countryside could not because of occupation be based on a direct physical appraisal and depend for their validity on the assumptions made about population, family size and average size of house of different types.

D. The occupied territories

27. The population of the occupied territories belonging to Syria has largely fled or been expelled. The majority of the peoples belonging to the Arab countries who now reside in occupied territories are located in the West Bank and the Gaza Strip and northern Sinai.

^{6/} In 1975 the exchange rate was \$US 1 = £S 3.70.

28. According to Israeli sources, there has been a substantial growth of real product in the West Bank and the stated real growth rate for the area has been higher than that for the East Bank. Income per capita in the West Bank before the war was substantially lower than the East Bank. Recent differences in the rates of growth in the two areas and, in particular, the population changes which have occurred, will have operated to narrow the gap.

29. Any direct comparisons of aggregate product and living standards between the East and West Bank must, however, be speculative for a number of reasons noted in the report. Direct comparisons between the territories on the basis of the available data can hardly be justified.

30. Judgements which can be made about economic development in the Gaza Strip are limited, but it seems clear that relatively high rates of economic growth have been experienced. Israeli data suggest that the level of living standards in the Gaza Strip is about three quarters that of the West Bank - much as before the war.

31. Both the West Bank and the Gaza Strip have become highly dependent upon Israel for the maintenance of income and employment, and in that sense are vulnerable.

III. APPROACHES TO THE EVALUATION OF THE ECONOMIC EFFECTS
OF THE ARAB-ISRAELI CONFLICT AND ITS AFTERMATH

A. Introduction

32. The 1967 war and its aftermath have had many economic effects on the countries concerned and on their inhabitants.

33. The principal economic effects include income and capital losses, employment effects, effects on the structure of production, and effects on the balance of payments and on income distribution. Not all of these effects, even if they can be verified, lend themselves to measurement, which makes it difficult to take them into account systematically or in a wholly satisfactory way.

34. The conflict and its aftermath have also given rise to many consequences of a political, social and cultural nature. In many cases, these are inextricably linked with the economic effects and in some cases may be a direct consequence of them. Although these consequences are crucial in any general appraisal of the welfare of the inhabitants of the areas affected, their impact and significance fall outside the scope of the present report and, consequently, little or no reference will be made to those aspects.

35. Generally speaking, the precise method which it is convenient to employ in any economic inquiry is conditioned by the purpose to which that inquiry is to be put. In the absence of any precise indication of requirements from this point of view, this report has been prepared so as to provide, in a balanced way, the fullest possible information on a variety of economic consequences of the conflict and its aftermath. Necessarily, this means that the report may not fully meet the needs of any particular user.

36. Broadly speaking, there are two main approaches which may be employed for the analysis of the economic effects of the conflict and its aftermath, namely (a) a micro-economic approach; and (b) a macro-economic approach.

B. Micro-economic evaluations of the effects of the conflict

37. A micro-economic approach attempts to build up an estimate of effects by aggregating direct estimates of capital losses incurred by individuals, enterprises and the State, and estimates of the income losses which are deemed to be a direct consequence of those capital losses or which occur independently. Such an approach, which can in principle rest in part on firm accounting data and documentation, would be an essential element of any solidly based exercise directed towards the requirements of a financial settlement. Documentation in the form of accounting information, property registers, taxation and other data should in principle be available in connexion with valuations of capital which provide a solid foundation for estimating losses. Even so, many problems have to be resolved in the estimation of capital losses. Book values will not be adequate. Written-down values, even if revalued at current prices, will often underestimate the true value of the capital loss. A proportion of the cost of a new asset,

/...

based on the remaining years of life of the destroyed asset, might suggest itself as an acceptable base. However, new assets will rarely be identical with the old, but will embody the results of improved technology. There is a variety of plausible means by which such problems of capital valuation are customarily dealt with. Ultimately, however, the treatment of issues such as these presents problems to which there is no unique solution. Nevertheless, where data exist, it would be possible to give effect to whatever practice was thought to be appropriate.

38. The estimation of income losses presents its own difficulties. For the owner of destroyed capital equipment, recently earned profits perhaps adjusted for trend may provide an acceptable indicator for a short time period around the time of destruction. However, as the time of destruction recedes into the past, any such basis would become increasingly unsatisfactory.

39. Similar problems arise in respect of estimates of loss of income from employment. If, as a result of the war, workers have been put out of a job and cannot find another, the net loss of income to them would provide a suitable impact indicator, but again, this measure becomes progressively less satisfactory as time goes on. Moreover, if workers are able to find alternative employment, then only the difference between their earnings in the two employments would be relevant.

40. All such estimates of income losses will require a comparison, even if only implicit, with an alternative situation which can be reasonably assumed to have obtained in the absence of conflict.

41. Indirect effects may also have to be considered. The loss of income and capital in one industry or sector will affect income and employment in other sectors. Revenues of the State may be affected as well, and, as a consequence, the possibilities of growth-promoting activities on its part.

42. A micro-economic approach to the questions at issue has the merit already noted that it can be based on fairly firm foundations, but it is not free from difficulties. Apart from the problems of double counting which may easily arise in the process of aggregating individual estimates, there is also the problem that only proximate effects can readily be taken into account. Consequently many important indirect effects on the economy may not be brought out at all on this approach. The alternative macro-economic approach, which will be briefly considered below, has the merit that it may, in principle, be able to capture many or most of these effects, but it is exposed to other limitations.

C. Macro-economic approach to the evaluation of the effect of the conflict

43. Macro-economic approaches follow an aggregative approach in an attempt to estimate the effects on macro-economic magnitudes, such as national income and output, and growth rates, of the events in question. There are evidently many effects apart from income losses which might be considered under this heading. These include: loss of employment opportunities, effects on earnings of foreign exchange, effects on government revenue, losses of production, effects on income

distribution, etc. All of these are certainly relevant to an over-all evaluation. They are not, however, additional effects, but aspects of the proximate effects, which are the capital and income changes. Given these effects, the other effects follow, although to estimate them it would be necessary to have information on the structural aspects of the aggregate changes. With this, and a knowledge of input-output relations, effects on the trade balance, government revenue and other consequential effects can in principle be estimated. To undertake such a task, however, would require a detailed and comprehensive analysis of the economies which are the subject of this report. Since this is out of the question in the present instance, it is felt that the central issues with which General Assembly resolution 3336 (XXIX) is concerned can best be illuminated by concentrating attention on capital and income effects, supplemented, where this is convenient and appropriate, by an ad hoc consideration of other relevant aspects. The social benefit/tax balance would be an important element to consider, particularly in relation to the occupied territories, but information on this aspect is lacking.

44. At the outset, it should be stressed that macro-economic methods, or indeed any method of estimating the effects of any economic occurrence, call for a comparison between the actual level of the magnitude one is interested in - gross domestic product, etc., and their development over a period of time - on which acceptable statistical data exist - and those which would have been registered in the absence of the conflict. Framing the exercise in these terms makes clear the crucial nature of the hypothetical alternative state of affairs or development to the evaluation of the effects themselves.

45. The choice of the alternative, whatever it is, clearly provides room for justifiable differences of opinion concerning the effects, which cannot be resolved merely by an appeal to the facts. Considerations of judgement will be paramount in relation to the specification of the alternative path for the economies in the absence of conflict.

46. Apart from the problem that different estimates of the macro-economic effects may be derived from different estimates of the alternative state of affairs, there is the further difficulty that the economic implications of agreed observable changes may, quite justifiably, be differently evaluated. For instance, it is conceivable that the level of per capita income in the West Bank under Israeli occupation is higher than it might otherwise have been in its absence. At the same time, in the absence of the war, the continuation of previous trends might well have resulted in a more balanced, less vulnerable economy, and one, moreover, in which income distribution would have been less uneven. If balance, resistance to vulnerability and an even income distribution are highly valued, then it may be justifiable to conclude that the consequences of occupation have been detrimental, even to the reduced population of the area, in spite of the possibility that per capita income may be relatively higher.

47. In general, where a variety of economic effects is in operation and they affect different variables and are pulling in different directions, it is possible only to enumerate them. It is for those directly affected to weigh them against each other and to consider whether, and if so to what extent, the over-all effect is detrimental.

48. Bearing these considerations in mind, two main alternative approaches to the estimation of the macro-effects of the conflict may be distinguished.

49. The residual method normally proceeds on the basis of extrapolating previous trends observed in highly aggregated time series - for instance, of income, employment, growth rates, etc., with adjustments to take account of the operation of any other factors the effects of which may be readily ascertainable. The difference between the actual development of the countries in question as revealed by their statistics, and the expected "normal level" arrived at by extrapolation, is then taken to denote the macro-economic effects of the conflict. This approach has the great merit that it requires little data and does not call for elaborate econometric analysis. It is, however, open to the difficulty that the actual development of the economy will reflect a variety of influences unconnected with the conflict, and for this reason the effects of the latter may be over- or under-rated, even if the estimates of the alternative development path are well founded.

50. The second approach is to estimate the alternative development of the economy by building up a detailed model of the economy and estimating the magnitudes of the key functional relationships, such as savings functions, import propensities, capital-output ratios, etc. There are many difficulties with such estimates, even in advanced countries. In countries such as Egypt, the Syrian Arab Republic and Jordan, where data problems are much greater, these problems are magnified. The possibility of using such models has been investigated in the countries in question, and for Egypt a statistically estimated model has been employed by the Institute of National Planning (IPN) as a basis for estimating the path of the economy in the absence of conflict.

51. Despite the evident limitations of macro-economic methods, which should be used with extreme caution, they may, at the very least, provide a useful cross-check on the credibility of estimates of micro-effects, and in any event provide a useful background against which the significance of the micro-analysis may more readily be evaluated. In themselves, however, these approaches are unlikely to be acceptable as providing more than a broad indication of the economic impact of the conflict.

52. Moreover, it must be stressed once more that, except for the estimation of the direct partial effects of the conflict on capital, all estimates of losses rest on a comparison with an assumed alternative situation on path, arrived at by methods of varying degrees of crudity or sophistication. This is not a difficulty which confronts this particular exercise alone. It is one which confronts any economic evaluation, or indeed, any historical interpretation which goes beyond mere description and narrative.

D. Scope of the inquiry

53. In the light of the foregoing discussion, it is necessary to turn briefly to the question of the scope of the inquiry, and in particular, to the reference in General Assembly resolution 3336 (XXIX) to "adverse economic effects". One

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interpretation which may be placed upon the inclusion of the word "adverse" is that it is intended merely to emphasize that the effects of war and occupation on the affected countries have been, as they undoubtedly have been, adverse. However, it has also been suggested that the terms of the resolution have been chosen so as to embrace only adverse economic effects, to the exclusion of any partly offsetting favourable effects which may also have operated simultaneously. Although this is a possible interpretation, it must be pointed out that it is scarcely an operational one, for it is virtually impossible to arrive at any credible estimates of the relevant magnitudes. Consider, for instance, the question of the income losses imposed on the affected countries. In order to estimate income losses resulting from the conflict, an analysis would normally proceed, as indicated above, by comparing the actual development of the economy with a hypothetical alternative which could have been expected in the absence of conflict. The difference between the two would then be attributed, under certain circumstances, to the effects of the conflict. This is, indeed, the approach resorted to by Jordan, the Syrian Arab Republic and Egypt in their submissions. Even if there can be agreement on the hypothetical alternative path of development of the economy in the absence of conflict, it is inevitable that the actual situation and its development over a period of time are necessarily affected by a variety of effects, only some of which will be ascribable to the conflict. Some of these effects will be unfavourable - indeed most will be - and the over-all balance in any case will almost inevitably be detrimental, in income and capital terms. There is, however, no possibility of disengaging these favourable and unfavourable effects in an income estimate.

54. For instance, many sectors in the economy of the West Bank will have been affected indirectly by expenditures made out of income earned by West Bank workers in Israel. It is inappropriate to disregard the earnings of those workers, or any excess of their earnings over what they might otherwise have earned, and at the same time to utilize the actual output figures for the West Bank (which are necessarily affected by expenditures out of these incomes) as a basis of estimating macro-effects. In the same way, the actual development of the East Bank has been affected by a variety of war-related factors, some of which, in isolation, may have resulted in higher incomes for individuals or groups. No doubt the over-all effect is markedly deleterious, but the over-all effect is nevertheless a net effect, which also reflects any favourable effects on individuals or sectors.

55. The only way to avoid the difficulties mentioned here would be to attempt to make a comparison between, not the actual situation and a hypothetical alternative, but rather between two hypothetical situations. Any such approach leads rapidly into a world of total speculation and fantasy.

56. It is significant that none of the country submissions has attempted to proceed in this way. For the purposes of the present report, which necessarily relies heavily upon material prepared by Governments, it was not felt possible to do more than that.

57. Consequently, in what follows, a comparison will ordinarily be made between the actual situation as it is affected by all operative factors, and alternatives which might represent a reasonable estimate of the development path of the affected economies in the absence of conflict.

IV. ECONOMIC EFFECTS ON EGYPT

A. Recent economic developments

58. The analysis of recent economic developments in macro-economic terms is hampered by inadequate data, though less so for Egypt than for the other two countries of the study. It is possible to quantify growth and other national accounts aggregates for Egypt with some degree of accuracy, for the years preceding and immediately following the 1967 war, but for more recent periods, including that spanning the 1973 war and subsequently, there are a number of statistical problems. Discontinuities were introduced when in 1972 the estimates were shifted from a fiscal year (1 July-30 June) to a calendar year basis. The current price series suffer from inconsistencies relating to the valuation of certain imputed services and the coverage of certain sectors. Finally there are difficulties with the constant price series resulting from the lack of adequate price-adjustment indices. The published national accounts for the past five years are under revision. They are believed to over-estimate the growth of the national economy.

59. Disregarding questions concerning the reliability of the estimates, the present section outlines briefly some of the salient features of the macro-economic development of the Egyptian economy from the period immediately prior to the 1967 war to the present time.

60. After a period of high growth from 1960-1965, Egypt experienced two years of stagnant gross national product and declining per capita income. The economic stagnation initially experienced resulted from inadequate economic policies which were pursued during the first half of the 1960s, and which were accompanied by inflationary pressures and instability. For 1967, however, the principal factor was evidently the impact of the 1967 war. Growth was resumed thereafter, though rates were influenced by crop fluctuations. On balance, recorded growth was rather lower than previously for several years after the war, and it is only from 1974 that growth rates have begun to approximate those which were experienced prior to the 1967 war (table 1).

61. As a result of the 1967 war, Egypt may have lost immediately up to a year's economic growth. More importantly, future growth prospects were impaired for two main reasons: first, there was a substantial increase in the level of defence expenditure which was largely induced by the war and its aftermath. The increase in locally borne defence expenditure was accompanied by, and in a sense "financed" by, a fall in the share of national income devoted to capital formation. That reduced level was inadequate for several years to sustain growth rates of the previous order in the longer run. The second reason for the impairment of Egypt's growth prospects results from the capital losses stemming from military action. As a result of the conflict, a substantial part (up to 80 per cent) of the Canal cities was destroyed and has to be made good. In addition to this, there were important income losses both direct and indirect. Large revenue losses representing foreign exchange earnings were also incurred by government in lost

dues resulting from the closure of the Canal. 7/ Further substantial revenues were suffered from the loss of oil wells in the Sinai.

62. Relevant statistics are set out in table 2. It can be seen that defence expenditure increased from 7.4 per cent (average for 1960-1961 to 1964-1965) to 13 per cent of the GNP in 1970, and during the following three years the ratio rose to as much as 20 per cent. Over the same period, expenditure on gross capital formation fell from 18 per cent in 1960 to 13 per cent in 1969. It fluctuated around 12 to 14 per cent until 1974, when its recorded share began to increase substantially and showed signs of approaching pre-war rates.

Table 1
Recent growth rates in Egypt

(percentages)

1960-65 average	6.0 +
1965-66	5.0
1966-67	0.5
1967-68	-3.2
1968-69	6.1
1969-70	7.1
1970-71	4.8
1971-72	5.2
1973	4.7
1974	3.2
1975	9.8

Sources and notes:

Data for 1973 and later on calendar year basis; prior to that, for budget year beginning 1 July.

Sources: Ministry of Planning, Cairo; United Nations, Yearbook of National Accounts Statistics; International Bank for Reconstruction and Development.

7/ Although transfer receipts from Arab countries appear to have been sufficient to offset these losses.

Table 2

	<u>Defence expenditure, gross capital formation as shares in gross domestic product</u>				
	<u>1960-1961/1964-1965</u>	<u>1969-1970</u>	<u>1973</u>	<u>1974</u>	<u>1975</u>
Defence	7.4	13.0	19.0	20.0	15.0
Capital formation	18.2	13.0	12.0	14.0	15.0
Foreign deficit					
Goods and services	4.6	4.1	7.1	16.6	22.0

Sources: International Monetary Fund, Balance of Payments Yearbook; and Central Bank of Egypt.

B. Macro-level estimates of the losses caused by the war to the Egyptian economy

63. An attempt has been made by the Institute of National Planning (INP) to make a macro-economic estimate of the losses occasioned by the war and its aftermath for the Egyptian economy. ^{8/} For this purpose a model is employed to estimate the probable rate of growth of the economy in the absence of war. The rate of growth is estimated from an equation which relates the rate of growth of GDP to a number of variables which appear relevant to the determination of its course over a long period of time. These are labour, capital and the lagged effect on consumption of changes in the standard of living. The equation is part of a four-equation equation model originally formulated to investigate the interaction between economic development and population growth. It was estimated on the basis of data for the period 1952-1971. ^{9/}

^{8/} Table 3 below shows the actual and projected GDP for the period 1966-1967 to 1975 computed on this basis, with the relevant rates of growth. On this basis, war-related income losses during the period 1966-1967 to 1975 would amount to £E 8,708 million in terms of 1975 prices. (Institute of National Planning, Adverse Economic Effects Resulting from Israeli Aggressions and Continued Occupation of Egyptian Territories (A Preliminary Evaluation), July 1977, chap. III, p. 38 and table 11, p. 39.)

^{9/} The model was developed by I. El-Issawy and is more fully described in "Population, employment and productivity in Egyptian agriculture, a final report on the FAO/INP research project conducted at the Institute of National Planning in 1974" (Institute of National Planning, Cairo, December 1974), chap. 2.

64. On the assumption that the explanatory variables behave in a manner similar but not necessarily identical to that observed in the period of the first year plan, it was found that the projected rate of GDP growth tends to increase very rapidly to unreasonable levels. Accordingly, a ceiling of 8 per cent was placed on the projected rates of growth obtained from this equation as an upper limit.

Table 3

Actual and projected growth rates of gross domestic product
in Egypt, 1965/66-1975

(1970 prices)

Year	Actual a/	Per cent	Projected INP Model	Per cent
1965/66	2,410.60		(2,410.60)	
1966/67	2,421.8	0.46	2,578.86	6.98
1967/68	2,345.5	-3.15	2,769.18	7.38
1968/69	2,487.9	6.07	2,984.62	7.78
1969/70	2,664.0	7.08	3,223.39	8.00
1970/71	2,790.90	4.76	3,481.26	8.00
1971/72	2,937.00	5.23	3,759.76	8.00
1973	3,075.30	4.71	4,060.54	8.00
1974	3,172.60	3.16	4,385.39	8.00
1975	3,484.50	9.83	4,736.22	8.00

Source: GDP, Ministry of Planning.

a/ The calculations are performed in terms of 1970 prices. The total income differences referred to in the report are converted to 1975 prices by using the official estimate of price changes during the period, which is 32 per cent.

65. Appendix 3:1 of the INP study presents three additional alternative macro-estimates of income losses. Alternative 1 involves simply a projection of the growth rates stated to have been achieved during the First Five-Year Plan. Alternative 2 focuses on one determinant of income growth, namely investment. Alternative 3 involves a multiequation, multisectoral model. Although theoretically preferable to the single-equation aggregate model which is adopted in the report, lack of reliable information led to its rejection.

66. In the accompanying table 4, the results of these alternative estimates are summarized in lines 1-4. As already noted, the estimate adopted in the INP report is that contained in line 1. Lines 5 and 6 present a calculation of the income losses on two further bases. Line 5 indicates what income losses would be if, in

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the absence of war, income had grown at a rate of 5 1/2 per cent, which is the rate actually achieved during the period 1960-1967. Line 6 performs the same calculation with a rate of 6.7 per cent, which is the rate stated to have been achieved in the First Five-Year Plan period, and which is utilized in line 2, alternative 1. In line 6, however, this rate is applied, not to the years 1965/66 and 1966/67 when actual growth, for reasons substantially unconnected with the war of 1967 was very low, but only to the period from 1 July 1967 to 1975. These calculations will be referred to in the following section.

Table 4

Alternative macro-estimates of war-related
income losses

(1975 prices)

	<u>£E million</u>
1. 1966/67-1975 - Alternative growth path projected on basis of model employed in the main INP report	8,700
2. Alternative 1. Appendix 3.1	6,663
3. Alternative 2. Appendix 3.1	6,237
4. Alternative 3. Appendix 3.1	5,219
5. 1966/67-1975 - Alternative growth path projected at 5 1/2 per cent	4,288
6. 1967/68-1975 - Alternative growth path projected at 6.7 per cent	4,315

Note: Details of the alternative models, taken from the INP report, are set out in appendix 3.1 of that report.

C. Sectoral estimates of economic losses suffered by
Egypt as a result of the war of 1967 and its
aftermath

67. An alternative approach to the estimation of war losses is to build up from accounting data relating to the individual economic units affected. In their original submission to the Secretary-General, the Egyptian authorities provided partial estimates on such a basis. Subsequently, following discussions with representatives of the Department of Economic and Social Affairs of the Secretariat, the Egyptian authorities commenced a detailed re-evaluation of the losses suffered. This study was carried out by an interministerial working group

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under the auspices of the Institute of National Planning, and its results form the basis of much of the following discussion (see Adverse Economic Effects Resulting from Israeli Aggressions and Continued Occupation of Egyptian Territories - A Preliminary Evaluation, Arab Republic of Egypt, Institute of National Planning, August 1977).

68. Full details of the methodology employed will be found in pages 36-43 of that study. Briefly, however, the study attempts to estimate losses under three main heads:

(a) Capital losses, divided into direct and indirect losses. Direct capital losses relate to losses and damage of fixed assets and stocks. Indirect losses are the capital costs resulting principally from the transfer of production units from the areas affected together with the increase in costs involved in the delay in the execution of investment projects attributable to the war.

(b) Income losses

This category includes (i) income estimated to have been lost as a result of the stoppage of activity of unutilized productive capacity; and (ii) increases in the cost of production due to, for instance, increased freight costs, use of substitute inputs, etc.

(c) Lost opportunities

This related to income which has not been realized on account of delays in the execution of investment projects, and the loss of income due to the curtailed investment which would otherwise have been made out of retained profits in production units.

69. The outcome of these sectoral evaluations is summarized in the accompanying table 5. At the prices used in the sectoral calculations, capital losses are estimated at £E 4,464 million, of which roughly one half represents direct, and one half indirect, capital losses. Of the indirect capital losses, the bulk (some 90 per cent) represents financial costs involved in the delay in the execution of investment projects. This item is calculated as the difference between the calculated costs of the project according to the prices of the planned year of execution and the actual cost of execution, or if this has not yet been effected, the estimated cost based on 1975 prices. Income losses due to lost production and increased costs of existing production units are estimated at £E 2,732 million. Lost income due to delays in the execution of investment projects and reduced investment resulting from reduced income is put at £E 597 million. After the price adjustments mentioned above, these amounts become at 1975 prices, capital losses, £E 4,650 million; income losses, £E 3,836 million; lost opportunities, £E 597 million.

70. Different methods of evaluation were used for these various types of losses and accordingly the INP study makes certain price adjustments to the totals to place them on a uniform base (INP report, pp. 57-59), as shown in table 6 below:

Table 5

Economic losses in Egypt during the period from 5 June 1967 to 31 December 1975
 (In thousands of Egyptian pounds)

Subsector	Capital losses			Losses in income	Lost opportunities	Total
	Direct	Indirect	Total			
Agriculture, irrigation and drainage	21 749	682 203	703 952	13 301	150 165	867 418
Mining and quarrying	1 031 165	325 516	1 356 681	41 288	23 899	1 421 868
Manufacturing	76 752	138 817	215 569	381 230	132 700	729 499
Electricity, gas and water	104 033	159 982	264 015	133 408	27 760	425 183
Construction	544 741	381 275	926 016	94 244	116 271	1 136 531
Commerce	50 081	30 755	80 836	563 048	24 182	668 066
Transport, storage and communication	304 882	229 768	534 650	1 396 768	121 245	2 052 663
Financial institutions and business services	3 933	660	4 593	9 101	-	13 694
Services	142 262	235 857	378 119	99 238	946	478 303
TOTAL	2 279 598	2 184 833	4 464 431	2 731 626	597 168	7 793 225
TOTAL AT 1975 PRICES			4 650 000	3 836 000	597 000	9 083 000

Table 6

Capital and income losses, 1967-1975

(In millions of Egyptian pounds)

	Evaluated costs per sectoral estimates (£E millions)	Percentage of total	Costs adjusted to 1975 prices (£E millions)	Percentage of total
1. Capital losses	4,464	57	4,650	51
2. Proximate income losses - established production units	2,732	35	3,836	42
3. Indirect income losses	<u>597</u>	<u>8</u>	<u>597</u>	<u>7</u>
	7,793	100	9,083	100

D. Conclusions - Income and capital loss estimates

71. This section contains brief comments on the results of the study previously summarized.

Income losses

72. The INP macro-model embodied in the report represents a highly meritorious attempt to project on the basis of a simple analytical model the national income which might be expected to have been achieved in the absence of war. Nevertheless, for a variety of reasons, the results must be regarded with considerable reserve. In the first place, the estimates of most of the coefficients of the model appear to lack statistical significance. Secondly, as noted, the predicted growth rates which are implied in the model rapidly become unreasonably high. The ceiling growth rate employed of 8 per cent is itself high in comparison with Egypt's experienced growth record. A growth rate in excess of 6 per cent was achieved during the First Five-Year Plan period, but for the period 1960-1967 as a whole the rate was 5 1/2 per cent. This was also the rate achieved during the first half of the decade of the 1970s. The official growth rates for the 1970s are thought, in any case, to overstate real rates of growth, but on the other hand they will have been residually affected adversely by the aftermath of the war.

73. Turning next to the sectoral estimates of loss, these as noted, amount to £E 4,433 million.

74. There appears in general to be justification for attempting to take into

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account, on the bases employed, most of the enumerated components of loss for the purpose of arriving at an over-all estimate of the income impact of the war on the Egyptian economy. Nevertheless, it is plain that some of these components are of necessity less firmly grounded than others. For instance, the indirect income losses resulting from the loss of opportunity to invest unrealized savings can only be notionally estimated, but these represent a relatively small component of the total calculated losses. In addition, the estimates of the proximate income losses resulting from lost production in existing enterprises assumes - as may be reasonable - that the factors of production displaced had no alternative product. For these and other reasons the inclusion of certain items and the magnitude of others may be debatable. However, the Egyptian study provides full statements of the losses incurred for each item and subsector under each head, and on their basis it is possible to compute alternative measures of aggregate losses corresponding to alternative definitions. It will be noted, in any case, as pointed out in the Egyptian study, that because of lack of information, the estimates of losses in the occupied territories are incomplete. Effectively, they take into account principally the estimated loss involved in the sale by the Israelis of petroleum production and do not include, for instance, losses in northern Sinai, and in particular, to El Arish, except to the extent that support payments are involved.

75. With respect to the income loss estimates which have been arrived at on the basis of a sectoral estimate, it will be noted that some £E 1,500 million or 40 per cent of the total has been independently estimated by UNCTAD. The bulk of this amount is accounted for by foregone Canal dues.

76. As noted elsewhere, the INP study expresses the view that the sectoral estimates of income losses should be regarded as indicators of orders of magnitude to be utilized as a check on the macro-estimates in the sense that the sectoral estimate sets a floor to the macro-estimates. In support of this view several cogent reasons are given for regarding the sectoral approaches as insufficiently inclusive.

77. Although this is undoubtedly the case, it remains true that the model employed has many limitations, which might rather argue for placing the greatest weight upon properly authenticated sectoral estimates. It can be seen that these sectoral estimates themselves imply an annual growth rate in the absence of conflict for the whole of the period of 5 1/2 per cent. It is also to be observed that the macro-estimate incorporates predicted rates for 1965/66 and 1966/67 of 6.98 and 7.38 per cent, respectively, whereas the actual growth rates for those years, which were for the most part unaffected by the 1967 war, were respectively 5 per cent and 0.5 per cent. If, for the period from the commencement of the war to date, namely, 1967-1975, one projects income at the most favourable rates experienced during the early 1960s - about 6.7 per cent - then the indicated aggregated income losses would amount to some £E 4,315 million.

78. In the light of these considerations and of previous experience, and taking into account the indications of the sectoral calculations, an estimate for the aggregated income loss for the whole period of the order of £E 4,000 million would not appear to be at all improbable. On the other hand, an estimate for such losses

of nearly £E 9,000 million, while not beyond the bounds of probability, would seem to require much more to support it than the predictions of the model employed.

Capital loss estimates

79. As noted already, capital loss estimates are derived solely from sectoral estimates. From the sectoral studies, capital loss estimates amount to £E 4,464 million at the prices evaluated in the sectoral studies or £E 4,650 million, at 1975 prices. As noted above, one half of the capital losses are so-called indirect, and of these, by far the largest part (some 90 per cent) represents not physical damages, but financial adjustment to take account of the inflation in the cost of projects whose implementation has been delayed on account of the war and its aftermath.

80. Of the direct capital losses which are estimated at £E 2,280 million, the bulk is represented by the estimated costs of replacing destroyed or damaged capital assets. Of this, some £E 918 million is represented by the value of oil extraction from the Sinai wells by Israel. A further £E 112 million is accounted for by the cost of restoring the Suez Canal. Thus approximately one half of the category of direct damages has been evaluated unequivocally.

81. Any claim for compensation would clearly have to be supported by adequate documentation and confirmation of the valuations on which the figures are based. As a result of the monumental study undertaken by INP, this documentation has now been collected and is available to support any such exercise. Given the logic of the calculations, and recognizing that a substantial part of the proximate damages on both income and capital accounts represents items which can be or have been independently assessed, it may be noted that it would require overstatements of the remaining categories of a very large order significantly to affect the orders of magnitude suggested by the sectoral studies.

E. Special issues

1. The Suez Canal

82. One of the principal adverse economic effects of the 1967 war for Egypt was the closure of the Suez Canal, which resulted in a loss of substantial revenues for the period of the closure, and increased inward and outward freight costs. Furthermore, costs of rehabilitation had to be incurred before the Canal could be reopened. Losses in this sector represent a substantial proportion of the total costs imposed upon Egypt as a result of the hostilities. This subsection is devoted to a review of those costs and the provision of estimates. The problems involved in evaluating these losses are discussed and illustrate for this specific case the problems already discussed in general terms in subsection C above.

83. The economic consequences of the closure of the Suez Canal have previously been investigated by the secretariat of UNCTAD following a resolution of the Trade

and Development Board at its eleventh session. 10/ The resulting report, entitled The Economic Effects of the Closure of the Suez Canal, was published in 1973. 11/ The report was principally concerned with estimating the increased shipping costs involved in the closure together with trade losses or transfers for the period 1967-1971. 12/ The total world costs resulting from these and other quantifiable economic consequences were estimated at \$7,000 million for the period from mid-1967 to 1971. These economic dislocations were estimated to continue at an annual rate of \$1,700 million. No attempt was made in the report to allocate the increased shipping and other costs to particular countries, and by the nature of the inquiry a number of adverse consequences of particular concern to Egypt found no place in the inquiry.

84. In view of these considerations, the Secretary-General decided to seek the assistance of UNCTAD to supplement its earlier study of shipping costs and, more particularly, to provide an allocation of costs, based on trade patterns, for the three countries which form the subject of the present study. An attempt was also made by UNCTAD to estimate certain other costs and losses. Other relevant material drawn on included the IBRD/IDA report (No. 578-EGT) entitled "Appraisal of the rehabilitation of the Suez Canal, Arab Republic of Egypt" dated 19 November 1974. Material was also provided by the Egyptian Government. The following discussion utilizes all of this material.

85. The Suez Canal was closed from June 1967 until June 1975. Of the Arab countries covered by this report, Egypt was the country most seriously affected by the closure. In the first place, it suffered, indisputably, a large loss of revenue from Canal dues. Secondly, the cost of rehabilitating the Canal had to be met. In addition, together with Syria and Jordan, Egypt suffered from the effects of increased transport costs in respect of its foreign trade, together with certain other losses arising from the impact of closure on port operations and associated activities and on foreign trade. By far the principal loss is attributable to the aggregated loss of revenues over the period. Next in importance are the costs of rehabilitation. The additional shipping costs imposed represent a burden of a comparatively modest order, though far from negligible.

Loss of transit revenues

86. The calculation of the loss of transit revenues essentially involves making an appraisal of likely levels of incomes which might be expected to have been earned, after adjusting for a variety of factors which could be expected to have operated.

87. The years preceding the closure of the Canal showed a steady increase in the number and tonnage of vessels passing through the Canal. Between 1964 and 1966,

10/ See Official Records of the General Assembly, Twenty-sixth Session, Supplement No. 15 (A/8415/Rev.1), part three, paras. 262-275.

11/ United Nations publication, Sales No. E.73.II.D.13.

12/ Ibid., p. 2.

the last full year of operation, the total tonnage of vessels using the Canal increased by 9.8 per cent per annum. Resulting revenues amounted to \$US 185 million in 1964; \$US 200 million in 1965 and \$US 220 million in 1966. In the first six months of 1967 revenues amounted to \$US 130 million. Assuming that dues per net registered ton would have increased on average by 9 per cent per annum (based on the level reached after reopening), that the average rates of increase in Canal transits would decline slightly, in line with other indications, and that the permissible draft would have remained at 40 ft for the whole period, gross revenues foregone over the period would have amounted to approximately \$US 3,450 million, as follows:

1967	\$US 125 million
1968	284
1969	323
1970	364
1971	398
1972	434
1973	479
1974	528
1975	515

\$US 3,450 million (£E 1,380 million) 13/

88. These figures are gross and do not allow for operating costs which, during the period 1965-1968, ranged from 14 to 11 per cent of gross revenues. Much of this cost, however, would represent local incomes generated by the operation of the Canal. In this connexion, it may be noted that the Egyptian Government has continued to pay wages, etc., throughout the period of closure. With this qualification, this figure represents the magnitude of public revenues foregone.

89. Had further plans been developed and implemented to deepen the Canal during the eight-year period, revenues would have been higher, but no allowance has been made for this in the above estimates.

90. A second element of the losses imposed on Egypt by the closure is represented by the cost of rehabilitation. This was estimated by the Egyptian Government in 1974 at \$US 288 million and this figure was accepted by the International Bank for Reconstruction and Development.

91. The foreign exchange cost of the project was originally put at about \$US 181 million or 63 per cent of the total cost of rehabilitation.

13/ This compares with £E 1,100.4 million as estimated on different but reasonable assumptions in the INP study. This figure, however, is not of operating costs. Allowing for this, the estimates are very close.

/...

92. A third element in the costs imposed on Egypt by the closure of the Canal takes the form of increased shipping costs. There are insufficient data to permit an assessment of the portion of these increased transport costs which may have been borne by partner trading countries. For the purpose of arriving at an estimate of the burden of these costs it has been assumed, in the absence of evidence to the contrary, that Egypt (and the other two countries concerned) bore the entire impact of the increased transport costs which resulted from the closure of the Canal in the form of lower f.o.b. returns for exports and higher c.i.f. prices for imports. ^{14/} On this assumption, detailed analysis, based upon freight rates and surcharges, suggests that the additional shipping costs falling upon Egypt during the period 1968-1974 at the prices prevailing in each year would amount to \$US 31 million.

93. A further loss arises from curtailed production in a number of activities which stemmed from the Canal traffic. This includes ship-repairing activities, sales of goods to passengers and crew and expenditures by crew and passengers in Egyptian ports. The special UNCTAD inquiry puts this lost revenue at \$US 168 million for the whole period of closure. This assumes the import content of these activities to be negligible, which the evidence suggests to be the case. It also implicitly assumes that the resources displaced were unable to find employment in other sectors of the economy. A judgement on the reasonableness of this assumption has to be made in the light of the over-all development of the economy for the period in question.

94. Summarizing, the proximate costs suffered by Egypt as a result of the closure of the Suez Canal are estimated as follows:

^{14/} It should be noted that this assumption differs from that normally made in freight rate studies which assume that with certain exceptions the impact of increases in shipping rates is borne by exporters of primary products and by importers of manufactured goods. See, for instance, Level and Structure of Freight Rates, Conference Practices and Adequacy of Shipping Services (United Nations publication, Sales No. E.69.II.D.13), chap. VII entitled "Incidence of the cost of transport".

Table 7

<u>Capital</u>	<u>UNCTAD estimate</u>		<u>INP estimate</u>	
	<u>\$US million</u>	<u>£E million</u>	<u>\$US million</u>	<u>£E million</u>
Cost of rehabilitation	288	112.32	320	124.8
<u>Income</u>				
Gross revenue from Canal activities (1968-1975)	3,450	1,345.5	2,821.6	1,100.4
Loss of gross revenue from related activities	168	65.5		
Additional shipping costs	31	12.1		
	<u>3,937</u>	<u>1,535.4</u>		

Notes

1. The above excludes the loss from the foregone sales of bunker fuel estimated by UNCTAD at \$US 36 million gross.
 2. The INP estimate of lost revenues from Canal dues is made after allowing for operating costs. These previously were of the order of 15 per cent. Deducting this proportion produces a close approximation to the two estimates although the assumptions made in arriving at them - in each case reasonable - were different.
95. The principal difference between the aggregated losses for the Suez Canal sector as calculated by INP and the UNCTAD estimate is that the latter includes the costs of increased shipping whereas the INP allocates these instead to the relevant production sector. On the other hand, the INP estimate includes \$US 278 million (£E 111.2 million) for indirect capital losses due to the increase in costs on the Canal development project, and income lost due to the delay in the execution of the first stage in the Canal development project estimated at £E 33 million and lost income due to unrealized investment of potential retained earnings estimated at £E 82 million.
2. Oil resources in occupied Arab territories
96. As a result of the June 1967 Arab-Israeli war, several oil fields on the west coast of the Sinai Peninsula fell under the effective control of the Israeli authorities. These include Abu Rudais, Belayim onshore and offshore, Sidri, Feiran and Ekma, which lie some 150 km south of Suez, and which were operated in 1967 by the Compagnie Orientale des Pétroles d'Egypte (COPE) - a 50/50 joint venture between the Italian Government-controlled firm ENI and the State-owned

Egyptian General Petroleum Company - and the 'Asl, Matarma and Sudr fields, which lie some 40 km south of Suez, and which are wholly owned by EGPC.

97. In July 1967, the Israeli authorities announced that Israel would begin exploiting oil from the Egyptian wells in the Sinai in order to help to meet Israel's needs. In 1966, these fields produced an average of 87,156 barrels daily. Since then, the Israelis have in some years increased production up to 120,000 barrels a day. In 1975 production was running at about 92,000 b/d, at which level about 65 per cent of Israel's demand was covered. 15/

98. Following the Egyptian-Israeli Agreement on disengagement of forces, signed in Geneva on 4 September 1975, these oil fields were returned to Egypt, although other oil rich areas in southern Sinai remain under Israeli control. In addition to exploiting oil from the Egyptian oil fields, there has been a considerable amount of prospecting for oil in the Sinai and Gaza regions and Israeli prospecting is also under way in the West Bank of Jordan.

99. On several occasions the General Assembly has concerned itself with the question of the status of national resources in the occupied territories. In resolution 3092 B (XXVIII) of 7 December 1973, the Assembly expressed grave concern over "the illegal exploitation of the natural wealth, resources and population of the occupied territories".

100. An occupying Power's rights over property in occupied territory are defined by articles 23(g), 46, 52, 53 and 55 of the Hague Regulations annexed to the Hague Convention IV of 1907. 16/ The provisions of the fourth Geneva Convention of 1949 17/ are also relevant.

101. Two basic principles underlie the protection of property rights in occupied territories: first, that private property may not be taken without compensation; secondly, that an occupied territory as a whole needs to pay only for the actual cost of the occupation. Property interests are not to be exploited to enrich the occupying State, nor is property from the occupied territory to be exported to fulfil the needs of the occupant's home economy.

102. It has thus been contended, in the light of interpretations by national and international tribunals, that the Hague Regulations do not permit Israel to take oil from wells which are in production without compensation and then to exploit the oil commercially in its home country. It has furthermore been contended that Israel can have no legal right, under the law of belligerent occupation, to establish oil wells in that part of Sinai under its control (such as El Tur) or in the West Bank if oil is discovered there.

15/ Petroleum Economist (October 1975), p. 375.

16/ See Carnegie Endowment for International Peace, The Hague Conventions and Declarations of 1899 and 1907 (New York, Oxford University Press, 1915).

17/ United Nations, Treaty Series, vol. 75, No. 973, p. 287.

103. This report is not primarily concerned with the legality or illegality of the exploitation of natural resources in the occupied territories, ^{18/} but it is clearly advantageous to distinguish losses in connexion with which claims for compensation on this basis might be lodged by Egypt and Ente Nazionale Idrocarburi (ENI) from other losses, and the losses arising from the exploitation of the oil reserves are the principal of these.

104. Irrespective of whether the exploitation of oil in Sinai has been illegal, and if so to what extent, and how far the taking of income from this source could be justified by the obligation placed upon the occupying Power by international law to provide public and social services, the indisputable fact is that the loss of the Sinai oil fields has meant, for the Egyptian State, accurately calculable economic losses of a very substantial order. These arise proximately from two sources:

(a) The loss of output during the period of occupation;

(b) The reduction in exploitable reserves due to the high rate of output during the period of occupation.

105. Egyptian estimates put the value of crude oil extracted by Israel at some £E 4,919 million, arrived at as follows:

Crude oil extracted from the oil wells

<u>Company</u>	<u>Quantity</u> (million barrels)	<u>Value</u> Egyptian pounds (thousands)
Eastern petroleum	224,100	4,874,000
General petroleum	5,695	22,211
Mobil Oil	5,723	22,384
Total	235,518	4,918,595

In this calculation the crude oil is valued at 1975 prices at \$10 a barrel (\$1 = £E 0.39).

106. The rationale of valuing the losses at this figure is that the oil should have been left in the ground. In that event, Egypt would have been in a position to sell it at the prices prevailing at the time of the Israeli withdrawal.

107. In addition, the value of the crude oil taken from the oil storage tanks belonging to the General Petroleum Company is estimated as follows:

^{18/} This matter is fully discussed in the article by Edward B. Cummings, "Oil Resources in Occupied Arab Territories Under the Law of Belligerent Occupation", The Journal of International Law and Economics, vol. 9, 1974, pp. 533-593. It should be noted that this article is generally based on the assumption that the oil fields are private property for the purpose of the Hague Regulations.

In Sinai	28,575 barrels at \$10 x £E 0.39 = £E 111,000
In Eastern Desert	<u>15,880 barrels at \$10 x £E 0.39 = £E 62,000</u>
	44,455 barrels £E 173,000

108. No estimates are available of the loss involved in the reduction in exploitable reserves due to high rates of exploitation of the wells during the period of occupation.

109. In addition to the direct costs outlined here, other losses have been incurred in the petroleum sector. These include the reduction in export prices f.o.b. due to the increase in the cost of transportation around the Cape, compensation paid to drilling companies for idleness of equipment, cost involved in moving certain units from Suez to Musterod, an increase in the cost of certain investment projects due to delays in execution and income losses due to a cessation of sales activities. These losses are aggregated with the loss from the expropriation of the oil and are presented together in table 8 below. However, it should be noted that some of these items - e.g., the increased shipping costs attributable to the closure of Suez - are dealt with elsewhere.

Table 8

Economic losses, 1967-1975

Petroleum sector

(In thousands of Egyptian pounds)

ISIC	Subsector	Capital losses			Losses in income	Lost opportunities	Total
		Direct	Indirect	Total			
13	Production	943 961	259	944 220	9 275	23 899	977 394
321	Refining	47 464	29 071	76 535	107 364	23 344	207 243
612	Distribution	14 227	9 567	23 794	90 375	3 955	118 124
719	Transport	2 967	24	2 991	4 286	-	7 277
TOTAL		1 008 619	38 921	1 047 540	211 300	51 198	1 310 058

V. ECONOMIC EFFECTS ON THE SYRIAN ARAB REPUBLIC

A. Recent economic developments

110. In considering the over-all performance of the Syrian economy as a background to a discussion of the effects of the 1967 and 1973 wars, it must be noted that typically large annual variations in aggregate output occur, on account of the dependence of the economy on rainfed agriculture and the frequent incidence of drought conditions. This must be borne in mind particularly in assessing the impact of the 1973 war, which coincided with a severe drought.

111. During the period 1965-1967, immediately prior to the 1967 war, the Syrian economy experienced no significant economic growth, although over the period 1960-1967 satisfactory growth rates of between 4 and 7 per cent were recorded.

112. The following table displays the movement in estimated actual net product of the Syrian Arab Republic at 1963 prices for the period from 1966 to 1975.

Table 9

<u>Year</u>	<u>Actual net domestic product</u> (in millions of Syrian pounds)	<u>Growth rate</u> <u>percentage</u>
1966	4,126.8	
1967	4,342.3	5.2
1968	4,528.6	4.3
1969	5,253.6	16.0
1970	5,363.8	2.1
1971	5,908.8	10.2
1972	6,521.0	10.4
1973	6,613.3	1.4
1974	7,890.4	19.3
1975	9,933.9	25.9

Source: Central Bureau of Statistics.

B. The effects of the wars

113. Since the reorientation of economic policies in 1970 and as the policy measures began to take effect, substantial rates of economic growth have been achieved. Real per capita income increased, at 1963 prices, by over 6 per cent annually between 1970 and 1974. Economic growth has nevertheless certainly been impaired by the effects of the June 1967 and October 1973 wars, although the precise magnitude of these effects must remain in doubt.

114. For Syria, the principal effect of the 1967 war was the loss of the Golan Heights and the Quneitra District. This resulted in substantial losses of agricultural production in the areas affected.

115. The economic damage sustained as a result of the war of 1973 included serious damage to Latakia port, the Banias and Tartous oil terminals and to the Homs refinery, which at that time met 40 per cent of the country's requirements. These dislocations, coupled with the drought, interrupted the rising trend in output. Quneitra town itself, subsequently returned to Syria, suffered physical devastation. The economy proved, nevertheless, to be remarkably resilient, and by 1974 appeared to have largely recovered from the dislocations of the war, though some capital installations were still under repair at that time. Recovery was assisted by large support payments from other Arab States received in compensation for war damage.

116. The adverse developmental impact of the war upon Syria can be summed up as: (a) the high burden of defence costs; (b) the costs of reconstruction of capital installations destroyed or damaged in the industrial and agricultural sectors; and (c) the losses of income consequential upon the loss of plant, land and fixed equipment.

C. An aggregative view of national income losses
in the Syrian Arab Republic attributable to
the 1967 and 1973 wars

117. No usable statistically estimated model was available for the Syrian economy which could usefully be adapted for the purpose of making a macro-economic estimate of the losses occasioned by the wars and their aftermath to the Syrian economy, and it was not possible in the time available to develop one.

118. The Syrian authorities have, however, attempted to provide an estimate of the impact of the war on national income on the basis of simple aggregative projections of various growth rates.

119. The method employed compares the actual development of national income as recorded in table 9 with an estimate of the course which might have been expected in the absence of conflict. For this purpose, starting in 1966, the planned rate of growth specified in the Second Five-Year Plan (1966-1970) has been used to calculate "normal" income in 1970. From this point on, two different rates of growth have been employed. First, to project normal income up to and including 1973, the planned rates of growth of the Third Five-Year Plan (1971-1975) are

/...

used. For the remainder of the period, that is, for the years 1974 and 1975, an average of the growth rates calculated to have been actually achieved has been employed. The comparison is set out in the following table:

Table 10
Effects of the war on the national product of the
Syrian Arab Republic
 (in millions of Syrian pounds)

Year	Normal product 1	Actual product 2	Difference at 1963 prices 3 = 1-2	Difference at 1975 prices 4
1966	4,126.8	4,126.8	-	-
1967	4,423.9	4,342.3	81.6	161.5
1968	4,742.4	4,528.6	213.8	423.3
1969	5,083.9	5,253.6		
1970	5,449.9	5,363.8	86.1	170.5
1971	6,015.7	5,908.8	106.9	211.7
1972	6,641.3	6,521.0	120.3	238.2
1973	7,331.9	6,613.3	718.6	1,422.9
1974	8,988.9	7,890.4	1,098.5	2,175.0
1975	11,020.4	9,933.9	1,086.5	2,153.4
			3,512.3	6,956.5

Source: Estimate made by the Central Bureau of Statistics.

120. According to these figures, no significant income loss is suggested to have occurred up to 1972. (The estimates exclude Quneitra.) For the remainder of the period the results are plainly mainly dependent on the assumptions made about the effects of the 1973 war. For 1973 the planned rate of growth was 10 per cent but the actually recorded rate of growth was less than 2 per cent. No doubt some part of the difference was due to the effects of the war, but it is not reasonable to ascribe the whole of the difference to that source. As noted already, 1973 was a year of drought in which agricultural production fell by about 30 per cent, for reasons unconnected with the conflict. The size and importance of the agricultural sector warrant the supposition that this drop in itself could be expected to explain much of the difference between actual and projected growth rates for that year. If an achievable rate of growth of 5 per cent is assumed for 1973 in the absence of war, and the rate of 22.6 per cent is retained for projecting income in 1974 and 1975, losses in terms of 1963 prices would be calculated at some £S 2,000 million, or £S 4,000 million in terms of 1975 prices.

121. It will be noted, however, that, excluding the losses in Quneitra, which are not taken into account in the aggregative estimate, the sectoral estimates of income losses arrived at by the Syrian authorities, and which are discussed below, amount to only £S 2,357 million. Although, as noted in section III, sectoral estimates are prone, other things equal, to understate losses due to neglect of indirect effects (including the multiplier effect), given the likely low value of the multiplier, the very large disparity between the estimates arrived at by the two different approaches may be thought to throw considerable doubt on the value of the macro-economic estimate, which in any case is based on somewhat crude and ad hoc extrapolation.

122. A refined estimate would have to be based on a direct estimate of income losses for 1973 for the relevant sectors of the economy, relating this to production losses. Such estimates underlie the Syrian data but they have not been made available in a sufficiently disaggregated form to make such an estimate possible here.

D. Estimates of capital and income losses by area and type, 1967-1975

123. Apart from attempting a macro-economic appraisal of the losses occasioned by the 1967 war and its aftermath, the Syrian Government has also prepared estimates of income and capital losses of agricultural, industrial and infrastructure damages. These are summarized in table 11 below.

124. It will be seen that total capital losses are assessed at £S 4,342 million and income losses at £S 7,684 million.

125. Of these losses, a substantial proportion - 69 per cent of the income losses and 73 per cent of the capital losses - relate to the losses estimated to have occurred in Quneitra Governorate since its occupation by Israeli forces in 1967. At that time, the population of the Governorate was of the order of 100,000. Upon occupation, most of its population fled or was evacuated. An Israeli census of 1967 put the numbers remaining at about 7,000, presumably mainly Druzes in the north.

126. In resolution 3240 C (XXIX) of 29 November 1974, the General Assembly requested the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Population of the Occupied Territories to undertake, with the assistance of experts, a survey of the destruction of Quneitra (City) and to assess the nature, extent and value of the damage caused by such destruction. Subsequently Mr. Edward Gruner was requested to undertake the survey. His report was transmitted as annex III of the report of the Special Committee to the General Assembly dated 1 October 1976 (A/31/218). The substantive survey was made by a team of four experts, assisted by six local labourers from April until July 1976. The survey comprised an investigation in the field, with measurements on the map edition of 1964. An estimate was made of structures built during the period 1964/67. This survey forms the basis of the estimate of capital losses in Quneitra City in the accompanying table. The estimate of capital losses (for

Table 11
Summary of income and capital loss assessments
(In thousands of Syrian pounds (1975))

I. <u>Quneitra City (First Gruner report) a/ June 1976 prices</u>	463 134
II. <u>Quneitra countryside (Buildings)</u>	1 927 229
III. <u>Quneitra countryside (Agricultural damage)</u>	5 326 675
(a) Income losses (1967-1975 inclusive) - Crops and fisheries output (e)	133 672
(b) Capital losses	523 500
- (i) Cattle, poultry, bees, etc.	95 176
- (ii) Destruction of fruit trees	7 465
- (iii) Cost of land reclamation	
- (iv) Agricultural equipment	
IV. <u>Dara'a Governorate</u>	660 349
(a) Agricultural income losses June 1967-December 1975 (e)	149 930
(b) 1975 war damages	74 513
- (i) Agricultural income losses	
- (ii) Capital losses	
V. <u>Damascus Governorate</u>	203 571
(a) Income losses, 1973-1975 (e)	41 840
(b) Capital losses	
VI. <u>Public sector losses (except Quneitra Governorate during the 1967 and 1973 wars and aftermath to end of 1976 - revised)</u>	1 001 673
(a) Income losses (e)	537 355
(b) Capital equipment losses	
VII. <u>Public sector losses during the 1967 and 1973 wars and aftermath to end of 1976 in Quneitra Governorate (excluding Quneitra City) - revised</u>	341 653
(a) Income losses (e)	537 974
(b) Capital equipment	
TOTALS	4 341 858
<u>Capital losses</u>	7 683 851
<u>Income losses</u>	15 12 025 709
<u>Grand total b/</u>	\$US 3 250 191 621*

(e) Estimate.

* Converted at the rate \$US 1.00 = LS 3.7.

a/ A further study by Mr. Gruner, undertaken on behalf of the United Nations, into deliberate damages to additional structures, furniture, stocks, sacred goods and other items has been completed. It is understood that this will result in an increase in this estimate of some LS 225 million.

b/ In addition, welfare expenditures in the amount of LS 365 850 000 were incurred in support of displaced persons in the period 1967-1976 inclusive. To the extent that those expenditures were for capital installations which will eventually be evacuated and which have no alternative economic use, such additional capital costs should also be added to the totals.

houses, etc.) in the Quneitra countryside has been made by the Syrian authorities (see Syrian Arab Republic, Ministry of Public Works and Water Resources, Directorate of Tourist Project Execution, Technical Report on Damages inflicted on the countryside of Quneitra Governorate, excluding agriculture and cattle, April 1977).

127. The estimates of income and capital damages in agriculture are derived from a further technical report (April 1977) in which the output of the area has been estimated on the basis of the areas under different kinds of cultivation and the gross output per hectare which could be expected from the different categories. The estimate of annual output in value terms which is so arrived at is then multiplied by the number of years of occupation. A separate estimate on the same basis is provided for that part of the Governorate which was affected only for the two-year period 1973/74, i.e., that part occupied and restored in the October 1973 war.

E. Conclusions on capital and income losses

128. No detailed information has been provided concerning the basis on which income and capital losses have been estimated, apart from those relating to the Quneitra area. As already noted, the losses for that area account for, respectively, 69 per cent of the computed income losses and 73 per cent of the capital losses. The following detailed comments are mainly confined to those categories.

Capital losses - Quneitra

129. The estimates for Quneitra City have been based on the results of an independent physical survey. Assuming that the valuation of construction costs per cubic metre is reasonable, this component can be taken as a dependable estimate. From the information provided, moreover, it is also a simple matter to recompute the estimates for other assumed costs.

130. The estimates for Quneitra countryside have been undertaken by the Syrian authorities on the basis of the methods developed in the Gruner report. However, as the area is under occupation, no records of buildings are available and the estimates of housing, etc., have been built up on the basis of population estimates and assumed average number of persons per family, and an assumed figure for the ground area of a typical family house, etc. The estimate could be materially affected by the accuracy of the population estimates employed. For the Quneitra countryside from which the inhabitants were expelled, this is estimated officially to have totalled 89,533 excluding Quneitra City and excluding also the population of several villages, namely, Massada, Ghajar, Majdal, Shams, Bakkama and Ein-Kouniah, whose inhabitants have remained. Similarly, the estimate could be affected by the assumed family size and area of house. Consequently, the estimate cannot be regarded as of the same order of reliability as that for Quneitra City.

Income losses

131. The estimates of income losses in agriculture are more problematical. Estimates of Syrian agricultural output as a whole have to be interpreted with caution. In general, agricultural production (except cotton) has been calculated on the basis of estimated yields multiplied by estimated acreage under cultivation, the estimates being made by local inspectors. This procedure is likely to be associated with great errors in recorded output.

132. In the case of the Quneitra estimates there appears to be reason to conclude that a substantial overstatement of losses may have occurred. As has been noted, the estimate of annual income lost in 1975 prices is of the order of £S 575 million (\$US 155 million). In 1975 value added in agriculture in the rest of the country was estimated at £S 1,602 million (\$US 433 million). On this basis, the share of Quneitra in total output is being put at about 25 per cent. The accompanying tables of areas, outputs and yields in the various governorates in 1966 suggest this estimate to be too high. An alternative approach leads to the same conclusion. In 1974 value added per worker in agriculture was estimated at £S 1,868.5 (\$US 505). If Quneitra is representative of the country as a whole, this would suggest an output of not more than £S 100-200 million. Moreover, the estimates of income for Quneitra imply a per capita income of about £S 5,750. In 1975 income in the country as a whole was, according to table 10, approximately £S 20,000 million ^{19/} and population was of the order of 7 million. These figures yield a per capita product of £S 3,000. Making due allowance for the fact that Quneitra includes some of the richest and most fertile of Syrian agricultural land, these and other indications nevertheless suggest that the losses for Quneitra may be greatly overstated.

Comparison with 1975 submission

133. It may be noted that the current Syrian estimate, totalling approximately \$US 3,659 million, is reduced to nearly one half of the approximately \$US 7,000 million in the original submission (A/10290, annex III). This reduction is explained by the following circumstances:

(a) The amount of damage related to the destruction of Quneitra has been reduced by about \$US 500 million as a consequence of the field investigation conducted by Mr. Edward Gruner;

(b) Damages to buildings in the Quneitra District, other than in the city proper, and in other country districts, have been reassessed in accord with the principles developed in the first Gruner report;

(c) The damages suffered by State bodies and the public sector have been thoroughly re-examined and reassessed by the Syrian authorities, and reduced by about \$US 1,600 million;

^{19/} I.e., £S 9,933.9 million in terms of 1963 prices.

Table 12

Areas of land used by Mohafaza in 1966
(In thousands of hectares)

Mohafazas	Uncultivable lands					Cultivable lands						
	Total area	Total	Miscella- neous	Pas- tures	Forests	Total	Unculti- vated	Cultivated lands				
								Total	Fallow	Under crops		
							Non-irri- gated	Irri- gated	Total	Non-irri- gated	Irri- gated	
Total	18 551	9 814	3 926	5 412	476	8 737	2 607	6 130	3 003	3 127	2 620	507
Damascus	1 815	1 271	312	933	26	544	276	268	111	158	94	64
Homs	4 221	3 528	1 166	2 240	122	693	258	435	149	285	253	32
Hama	941	264	43	81	140	677	212	465	262	202	150	52
Latakia	436	192	118	9	65	244	39	205	46	155	135	24
Idleb	656	148	126	8	14	508	29	479	227	252	237	15
Aleppo	1 614	196	142	32	22	1 418	281	1 137	359	778	665	113
Al-Rakka	2 200	1 050	450	600	0	1 150	488	662	371	291	216	75
Hasakeh	2 250	263	48	170	45	1 987	363	1 624	1 024	601	557	44
Deir-ez-Zor	3 306	2 506	1 207	1 297	2	800	636	1 64	78	86	8	78
Sweida	555	262	234	16	12	293	25	268	188	80	80	-
Der'a	380	64	55	9	0	316	-	316	120	196	188	8
Quneitra	177	70	25	17	28	107	0	107	68	39	37	2

Source: Directorate of Agricultural Economy and Statistics.

Table 13

Area, production and yield of cultivated lands by groups of crops and Mohafazat, 1966

Area (1 000 ha.) Production (1 000 T.)

Mohafazat	Fruits			Crops industrial			Vegetables			Dry leguminous			Cereals			
	Yield Kg/Tree	Production	No. of trees		Area	Yield T/ha.	Production	Area	Yield T/ha.	Production	Area	Yield T/ha.	Production	Area		
			Fruit bearing (1 000)	1 000 Total												
Total	6.2	456	73 232	94 275	252	2.0	581	285	34	209	34	0.5	74	152	787	1 226
Damascus	4.5	54	11 899	13 290	27	8.6	62	7	3	34	6	1.0	6	46	41	46
Homs	2.3	51	22 041	22 840	19	10.7	135	13	3	17	24	0.3	6	86	45	86
Hama	1.9	26	1 351	7 382	11	1.8	71	40	1	12	21	0.3	5	72	45	72
Alleppo	5.5	62	11 246	16 154	63	1.3	66	49	3	15	42	0.5	21	241	92	241
Idleb	9.4	92	9 750	11 544	58	0.8	12	14	4	23	20	0.6	12	58	52	58
Latakia	9.7	66	6 832	9 211	55	0.6	12	21	16	63	12	0.6	8	46	26	46
Deir-ez-Zor	1.1	2	180	246	0	1.4	65	47	1	7	1	0.8	0	27	32	27
Al-Rakka	-	-	28	140	0	1.6	101	64	0	6	0	0.0	0	41	20	41
Hasakeh	6.6	4	606	721	0	1.9	57	30	1	11	5	1.0	5	492	367	492
Dar'a	2.4	6	246	446	1	0.7	0	0	1	16	4	0.7	3	62	34	62
Sweida	10.0	71	7 106	9 628	14	1.2	0	0	0	0	6	0.1	0	36	17	36
Quneitra	11.3	22	1 952	2 673	4	0.7	0	0	1	5	11	0.7	8	19	16	19

Source: Concluded from the figures of the Ministry of Agriculture and Agrarian Reform.

(d) Direct capital losses suffered by the private sector (table 2 of the 1975 submission) have been reduced, resulting in a further reduction of about \$US 317 million;

(e) The claim relating to expenditures in support of refugees from the war zone has been reduced by about \$US 245 million;

(f) The original claim of \$US 1,000 million, relating to the loss of antiquities, has been deleted as being non-assessable in monetary terms. This is not to say that a future claim for damages would not be made in the event that these antiquities are not restored.

F. Effects of the closure of the Suez Canal

134. The proximate costs imposed on Syria by the closure of the Canal have been independently estimated. Syria was less severely affected by the closure of the Suez Canal than Egypt or Jordan because Syrian foreign trade is primarily directed towards countries west of Suez and its traditional sea routes were not cut off by the closure of the Canal. However, to the extent that the closure reduced the supply of tonnage and increased general freight rates, Syria had to bear increased maritime transport costs to and from countries west of Suez.

135. On the basis of a detailed analysis of trade patterns and freight rates, it is estimated that the additional cost of maritime transport from and to Syria caused by the closure of the Suez Canal and by residual effects is as follows:

Additional cost borne by export trade	\$US 2,72 million
Additional cost borne by import trade	\$US 4,78 million
Total additional cost of maritime transport . .	<u>\$US 7,5 million</u>

136. The qualifications made elsewhere in this report should once more be borne in mind in relation to this estimate. The figure gives merely an approximate estimate of those losses which lend themselves to calculation. No allowance is made for possible loss of trade resulting from the closure of the Canal, since the question of what trade Syria might have developed, especially with countries east of Suez, had the Canal remained open, can only be a matter for speculation.

VI. ECONOMIC EFFECTS ON JORDAN

A. Introduction

137. Prior to the Arab-Israeli conflict of 1967, Jordan enjoyed high annual average rates of growth of gross domestic product and its rate of price inflation was low. Between 1961 and 1966 the real growth rate was about 8 per cent per annum, reflecting high levels of public and private investment and foreign support, and improved infrastructure. Per capita income grew, over the same period, from about \$US 200 to some \$US 260.

138. These favourable trends were interrupted and to some extent reversed by the 1967 Arab-Israeli war and for this and other reasons, the past decade has been a period of extreme difficulty for Jordan.

139. The 1967 war caused a severe dislocation of economic activities, principally as a result of the occupation of the West Bank (which at that time accounted for some 35 to 40 per cent of domestic production), the closure of the Suez Canal, and a large influx of displaced persons to the East Bank.

140. Some impression of the immediate economic impact of the June 1967 war can be obtained by comparing key indicators for the last seven months of 1967 with those for the same period in 1966:

Table 14

Impact of the June 1967 war

	<u>Units</u>	<u>January - May</u>			<u>June - December</u>		
		<u>1966</u>	<u>1967</u>	<u>Change</u> (per cent)	<u>1966</u>	<u>1967</u>	<u>Change</u> (per cent)
Government revenues	JD million	12.5	13.4	6.8	18.5	12.6	-32.0
Imports	JD million	26.1	29.0	11.0	42.1	26.4	-37.2
Income from tourism	JD million	4.5	5.0	12.3	6.8	1.6	-76.9
Remittances from abroad	JD million	3.2	3.8	20.3	7.4	2.7	-63.3
Cement production	thousand tons	140	137	-2.0	235	152	-35.3
Petroleum refining capacity	thousand tons	165	198	20.0	265	195	-26.4

Source: Central Bank of Jordan, Annual Report, 1967.

141. The influx of refugees from the West Bank during the 1967 war also created a severe immediate strain on social and urban infrastructure facilities. An extremely serious budgetary and balance-of-payments situation was only prevented by the provision of financial assistance from Libya, Kuwait and Saudi Arabia, under the Khartoum Agreement of August 1967. 20/

142. The years following the war of 1967 were affected by severe fighting with Israel in the Jordan Valley, the internal disturbances of 1970 and 1971, the closure of the Suez Canal from 1967 to 1975 and of Syrian and Iraqi borders from July 1971 until December 1972, and the severe droughts of 1968, 1970, 1973 and 1975. The disruption caused by the war of 1973, however, affected Jordan less than the earlier war inasmuch as Jordanian territory was not directly involved. As a result of the impact of the 1973 war, as well as of bad harvests, economic growth during the Three-Year Plan period of 1973-1975 was relatively low, at around 13 per cent. Over the same period, inflation is thought to have exceeded 14 per cent on average, having averaged about 5 per cent per year during 1967-1972, and under 2 per cent a year for a decade prior to that.

143. For 1975, Jordan's East Bank GNP per capita was estimated at some \$US 630, which in real terms is estimated to be somewhat lower than it had been in 1966, when more than a decade of stable economic growth was interrupted by the 1967 war and the occupation of the West Bank. 21/ Taking into account the immense burden represented by the influx of refugees and displaced persons into the East Bank in 1967, and the loss of some 35 to 40 per cent of domestic output of the West Bank, Jordan's ability to prevent a substantial decline in real per capita income during the past decade is a witness to the resilience of the East Bank economy and the effectiveness of the public economic policies pursued.

B. Effects of the 1967 war and its aftermath on Jordan

144. The difficulties of evaluating the effects of the wars and their aftermath upon the economies of Egypt and Syria are considerable, but for Jordan the problems are even greater. Apart from sharing with Syria a great variability in growth rates resulting from climatically determined variations in agricultural output, the following additional problems present themselves:

- (a) There are no adequate series of real national product;
- (b) Since 1967, the Jordanians have not been responsible for the administration of the West Bank and have not been able to collect and to prepare

20/ Under this agreement, annual budget support of JD 37 million was made available until the consequences of the war were eliminated.

21/ Systematic analysis of Jordan's economic development is hampered by the lack of reliable national accounts, particularly in real terms. Some estimates of recent GNP figures in constant prices are available, but there is a lack of dependable price indices.

statistics relating to its development. Consequently, analysis of developments in that area must lean heavily on Israeli data. However reliable they may be, the statistics are prepared in a situation in which, in effect, the West Bank is in a customs and monetary union with Israel. Thus there must be a large conjectural element in many of the items in the accounts, particularly those relating to the balance of payments; 22/

(c) The Israeli statistics do not, in any case, include East Jerusalem. In 1966, this may have accounted for as much as 20 per cent of the GDP of the West Bank;

(d) Statistics for the West Bank may include the activities of Israeli settlers;

(e) Jordan has no access to property records and valuations in the West Bank, and data relating to the impact of the war on personal property and real estate, arising from confiscation, damage due to demolitions, etc., are recognized as being inadequate.

145. Faced with these difficulties, the Jordanian authorities, in their own evaluations, have mainly attempted to arrive at a measure of the macro-economic impact of the war on income by statistical extrapolation, supplemented by specific ad hoc estimates of losses of tourist income and of capital losses in the East and West Banks, in particular of industrial property and infrastructure installations.

146. The basic procedure employed for estimating income losses is a macro-economic one and may be briefly described as follows. Based on the 1966 national product estimates for the whole of Jordan, a projection has been made of what income in each year over the period 1967-1975 would have been if 1959-1966 growth rates had been experienced. The product of each year is then revalued in 1975 prices and a figure for the aggregate projected product of the period is arrived at. This is taken as a measure of what would have been achieved in the absence of war.

147. From these totals are then deducted corresponding figures of actual national product in the East and West Banks. For the East Bank, Jordanian official estimates of national product have been used. For the West Bank, Israeli calculations have been used. In each case, the estimates have been expressed in 1975 prices.

148. The difference between the two aggregates for the various national income totals is then taken to be a measure of the aggregate impact of the Israeli occupation and its aftermath on the economic performance of Jordan.

149. The following table summarizes the results of the calculations. As can be

22/ The methods of computation and their limitations are set out, for instance, in the Statistical Abstract (Israel, 1976), chap. XXVII.

seen, the table suggests a loss of gross domestic product at factor cost of JD 1,131 million ^{23/} over the period, at 1975 prices. The estimated reduction in gross capital formation is JD 116.57 million.

Table 15

Impact of the Arab-Israeli war on resources and uses
in Jordan, 1967-1975

(In millions of Jordanian dinars a/ at 1975 prices)

	<u>Projected East and West Banks</u>	<u>East Bank</u>	<u>West Bank</u>	<u>Aggregate loss</u>
	1	2	3	(1-2-3)
GNP	5,379.1	2,741.2	1,009.6	1,628.2
Imports	2,078.4	1,059.1	474.5	544.8
Resources/use	7,457.5	3,800.3	1,484.1	2,173.0
Consumption	4,817.4	2,537.6	871.8	1,408.0
Investment	801.7	505.2	180.0	116.5
Exports including net factor income from abroad	1,838.3	757.5	432.3	638.5

Source: Jordanian official estimates. Submission of 1 September 1975
(see A/10290, annex V, p. 24).

a/ In 1975 the exchange rate was \$US 1 = 0.31 Jordanian dinars.

150. In evaluating this estimate, it should be noted that the projected gross domestic product for Jordan as a whole, estimated in this calculation, is consistent with a real growth rate from 1966 of approximately 8 per cent per annum, and a price rise over the period of 100 per cent, the latter being in accordance with the cost-of-living index of Amman as calculated by the Department of Statistics.

151. Estimates of sectoral losses in the primary, secondary and tertiary sectors have also been made by the Jordanian Government, distinguishing the principal

23/ In 1975 the exchange rate was \$US 1 = 0.31 Jordanian dinars.

components, namely, agriculture, mining and manufacturing, construction, electricity and water, and tourism. These are based on the relative contribution of the different sectors to income in 1966 and their assumed growth rates over the period in the absence of war, and are thus both consistent with and, in general, derived from the macro-economic data just discussed.

152. The principal sectoral income losses for Jordan over the period 1967-1975 are computed as follows: agriculture, JD 232 million; mining and manufacturing, JD 103 million; construction, JD 58 million; tourism, JD 453 million; transport, JD 117.6 million; trade, JD 239 million; electricity and water, JD 10 million.

153. In the case of Jordan no firmly based micro-economic estimates have been produced by the Government with respect to the general effects of the war and its aftermath. Post-war data on industrial production indicate that immediately after the war there was a decline, followed by a revival beginning with the second quarter of 1968. In the main, the industrial plants were located wholly or principally in the East Bank. Thus the decline can be attributed mainly to the loss of markets in the West Bank. For instance, the Central Bank of Jordan notes that in the last seven months of 1967, cement production declined by 35 per cent compared with the same period in 1966, and petroleum refineries saw a reduction of 26 per cent. The only industries which showed increases were phosphates, which are independent of the domestic market, and cigarettes, which found export markets, and increased production by 20 per cent. A marked revival took place in 1968, however, and declines continued only in leather and some smaller industries.

154. Agricultural production in the Jordan Valley was undoubtedly affected by the continued Israeli raids, especially over the period 1967-1969, but it is difficult to put a dependable figure on the amount. Production fell considerably in 1968, but it is difficult to ascertain the extent to which this can be attributed to the war. By comparing actual output in 1967 with an estimate extrapolated from 1967, and assuming a growth rate of 20 per cent, the Jordanian authorities have put the specific losses in the East Bank on this account, over the period 1967-1969, at JD 16.7 million. This figure, however, can hardly be taken as more than an indicator of a possible order of magnitude.

155. Jordan was, of course, also severely affected by the closure of the Suez Canal because of its geographical location and the fact that its traditional sea-borne trade was with countries located west of the Canal. Phosphate exports in particular were affected, and extra costs were incurred as a result of the diversion of the trade from Akaba, and other factors.

156. For the purpose of this report, the impact upon Jordan of the closure of the Suez Canal on costs of exporting and of importing, and the correlative loss of port revenues, has been estimated by UNCTAD. In so far as it is possible to calculate the losses suffered by Jordan resulting from the closure of the Suez Canal and the continued Israeli presence close to that waterway, it would appear that between 1967 and 1975 Jordan lost in the neighbourhood of \$US 34 million, as follows:

Additional cost of exports	\$US 4.68 million
Additional cost of imports	26.60
Losses of port revenues	<u>2.72</u>
Total	\$US 34.00 million

157. This figure does not take into account trade lost by Jordan either in absolute terms or as a result of having to divert export tonnage, in some cases to less profitable markets. There are no data on the basis of which a dependable estimate could be made on this aspect, since the trade patterns which would have developed if the Canal had remained open can only be a matter for speculation.

158. It will, of course, be noted that this estimate of \$US 34 million is not additional to the losses suggested by the macro-economic calculations of the Jordanian Government, but represents an attempt to arrive, by direct evaluation, at one of the components of that over-all loss.

159. The foregoing estimates relate to income losses. Little information is available concerning the magnitude of the capital losses suffered by the inhabitants of the East and West Banks and by the public authorities as a result of the war and its aftermath. In Jordan's original submission of 1 September 1975 (see "The adverse effects of Israeli occupation of the West Bank on Jordan's economy", A/10290, annex V), it was suggested that capital losses in the East Bank in respect of irrigation schemes, roads, houses, farms, etc., during 1967-1969 amounted to JD 55 million or JD 97.2 million in 1975 prices. This estimate is not based on direct appraisal, but is arrived at by imputing a capital loss from the putative decline in agricultural output attributable to bombardment.

160. Apart from these losses in the East Bank, the Jordanian Government also made estimates of some of the capital losses in the West Bank resulting from the demolition of dwellings in refugee camps and the demolition of entire villages and individual housing units. These estimates are based on an assumed housing area of units outside camps of 150 m², and a replacement cost of JD 50 per m², and corresponding figures for units inside camps of 100 m² and JD 40 per m². The estimated losses on this basis are as follows:

13,000 housing units	JD 100 million
Three villages (2,000 housing units)	JD 15.8 million
Housing in refugee camps	<u>JD 30.2 million</u>
	JD 146.0 million

161. Apart from the demolitions, there have also been confiscations of agricultural land (estimated at 190,000 dunums) and of housing units in Arab Jerusalem and elsewhere, by the Israeli authorities. No capital losses are involved as yet in these confiscations, but costs of alternative accommodation, etc., may fall on their former occupants and owners. No direct estimates can be provided of these costs.

VII. ECONOMIC EFFECTS ON THE OCCUPIED TERRITORIES

A. Introduction

162. In 1967 Israel occupied the West Bank of Jordan, including East Jerusalem, the Gaza Strip, Sinai and the Golan Heights. The following section discusses in more detail the developments in some of these areas, in particular the West Bank, the Gaza Strip and northern Sinai, with a view to placing in a more adequate perspective the impact of the war upon Jordan and Egypt, and also to provide more detailed assessments relating to these areas and their peoples. 24/

163. It should be emphasized that the discussion is based almost entirely on data published by Israeli sources. No published information is available concerning southern Sinai or the Golan Heights, which have been under Israeli military government. Furthermore, data for East Jerusalem are now incorporated into the statistics for the State of Israel and are not available separately. The Palestine Liberation Organization was invited to provide detailed information, inter alia, on capital damages and confiscations in the West Bank, but was unable to produce this material in time for the preparation of this report.

B. The West Bank

164. Of the two occupied territories for which information is available, the West Bank is by far the larger and more important in economic terms. On the eve of the 1967 war, its estimated population was 900,000. It had benefited to an extent from the high rate of growth experienced by Jordan's economy during the period 1961-1966. Although it lacked mineral resources, there had occurred some growth of industry in the towns. The economy was based largely on agriculture, of which 95 per cent was unirrigated. A substantial part of agricultural output was accounted for by a single crop, olives, which was subject to sharp yield cycles. There was a high rate of unemployment and it had not been possible to absorb the refugees from Israel into the agricultural sector.

165. Since the West Bank was a part of Jordan, most data were published on a unified basis, and did not distinguish the separate contributions of the two regions to the national product or the interregional economic and financial links between them. However, Jordanian official estimates suggest that the West Bank's domestic product at factor cost in 1966, including East Jerusalem, was JD 60 million, which would put its contribution to the GDP of Jordan at about 40 per cent.

166. In 1967, an economic survey of the territory using available Jordanian data suggested a GDP of JD 54.5 million in 1965, representing a West Bank contribution to Jordan's total product of 36 per cent. 25/

24/ The occupied area of Quneitra Governorate has already been discussed separately in sect. V.

25/ See M. Barnea, Estimated Resources Uses and Branch Interdependence on the West Bank (Bank of Israel, August 1967).

167. The 1967 war produced severe dislocation in the West Bank. Some 200,000 Palestinians - nearly a quarter of the population - fled to the East Bank, which adversely affected many sectors of the economy. In the summer of 1967, the Government of Israel decided to apply Israeli law, jurisdiction and administration to the Jordanian area of Jerusalem, then the West Bank's most important commercial centre. Since then, economic data on East Jerusalem have been included in Israel's statistics and are not separately identifiable. It is impossible to estimate the effects of this loss for the income of the West Bank and for Jordan as a whole. ^{26/} This difficulty applies also to the evaluation of capital losses in East Jerusalem on account of expropriation of property.

168. Soon after the war, the Israeli authorities decided to permit trade, on a selective basis, and mainly of agricultural products, over the bridges between the West and East Banks. The Jordanian authorities also permitted trade, subject to restrictions on the importation of industrial products from the West Bank which are not of local origin. This interconnexion in trade between the East and West Banks has resulted in the maintenance of complex economic and monetary links between the two areas.

169. The principal influence on economic development in the West Bank, in the period since the war, however, has resulted from the decision of the Israeli authorities after 1967 to promote a variety of economic links between the West Bank and Israel. There is a modified de facto customs union between Israel and the West Bank. Some of the West Bank's products are allowed into Israel while the markets of the West Bank are entirely open to the sale of Israeli products. Overseas imports reaching the West Bank are subject to the Israeli import tariff, although some East Bank produce, mainly agricultural, is allowed in duty free. Apart from these trade links, steps were taken in 1968 to link up the infrastructure systems of the West Bank with those of Israel. Also from 1968, Palestinians from the West Bank were allowed to commute to Israel to work. Finally, Israeli enterprises were permitted to place subcontracting work with firms and individuals in the West Bank.

170. The result of all these measures has been that the position of the West Bank has been transformed rapidly and dramatically from one in which its economy was isolated from Israel to one in which its major economic links are now with that country.

171. In the following section, the principal interregional linkages among the West Bank, Israel and Jordan proper are discussed and evaluated, namely, the growth of a market for the labour of the occupied territories in Israel and the growth of a market for Israeli products in the territories. In the succeeding section, the macro-economic development of the West Bank's economy will be reviewed and the economic effects of the war and its aftermath appraised.

^{26/} B. van Arkadie, in Benefits and Burdens: A report on the West Bank and the Gaza Strip Economics since 1967 (Carnegie Endowment for International Peace, New York and Washington, 1977), suggests that East Jerusalem might have accounted for one fifth of the product of the West Bank.

Labour and employment

172. One of the most dramatic changes to occur in the West Bank's economy after 1969 was the great increase in the employment of workers from the West Bank in Israel. From 9,000 in 1968-1969 the numbers rose to 42,000 in 1974-1975. 27/ The growth of employment began to trail off in 1974, and in 1975, with recession in Israel, there was an actual reduction. At 1974-1975 levels, employment in Israel accounted for about 31 per cent of total West Bank employment and an even higher proportion of wage employment. For the same years, income from employment in Israel amounted to about 25 per cent of the West Bank's GNP.

173. The availability of employment opportunities in Israel has reduced unemployment in the West Bank and has provided a major source of income to the residents of the territory. The wages paid are much higher than those which could be earned at home but, at the same time, the average wages paid to Israelis are much higher still than the average wages paid to West Bank workers employed in Israel. The gap stood at 50 per cent in 1972. 28/ It is not possible from the information available to state whether this gap is due to discrimination or to the fact that area residents are concentrated in lower-paid forms of employment. The concentration of West Bank workers in construction (55 per cent in 1975) suggests, however, that to a significant extent the difference may result from a different distribution of employment, with a greater weight to be assigned to relatively low-paid employment. 29/

174. Moreover, the higher wages to be earned in Israel have pulled up wages in the West Bank rapidly and the gap between wages earned by area residents in the two countries has been narrowing. Whereas the ratio of area resident wages to those of area residents working in Israel was 50 per cent in 1969, it had risen to 81 per cent by 1975. In that year, daily wages of area residents working in Israel averaged £I 43 as against £I 35 earned in the areas. 30/

27/ This refers to workers with permits. A substantial number of area residents are believed to work illegally in Israel - put at 10-15,000 by some observers.

28/ A. Bregman, Economic Growth in the Administered Areas, 1968-73, p. 84.

29/ Bregman comments as follows: "employers are supposed to pay Arab labourers from the areas the same wages normally paid in Israel for a given job. It is impossible to tell to what extent this rule is being applied in practice ... No data are available that can account for this discrepancy (in average wages paid). It is reasonable to assume that lower training and skill levels provide part of the explanation in most branches. The difference expresses the areas' excess supply of unskilled workers prepared to work for lower wages, whereas Israeli wage-earners have a wider choice of jobs, including more responsible positions within the same branch"; Economic Growth in the Administered Areas, 1968-73, pp. 37 and 38.

30/ Bregman, The Economy of the Administered Areas, 1974-1975, (Jerusalem: Bank of Israel Research Department), p. 35.

175. The principal source of the substantial transfer of labour to Israel appears to have been the high initial levels of unemployment and underemployment in the territories (denoted by low participation rates) and the growth of the work force through natural population increase. There is little evidence to suggest that the transfer has occasioned any significant reduction of employment, and therefore output, in the territories themselves, although it appears to have had an impact on wages in the territories as a result of labour shortages which have been created, particularly in construction, agriculture and industry.

Impact of the war and its aftermath on trade patterns and its implications

176. Immediately after the 1967 war, a single tariff barrier was created around Israel and the so-called administered areas, thus creating a customs union. This exposed the West Bank to wholesale competition from Israel, but also provided selective opportunities for export to Israel. At the same time, the "open bridges" policy made possible some continuation of trade links between the East and West Banks subject on the one hand to security requirements with respect to imports on the part of Israel, and on the other hand to limitations imposed by the Jordanian Government, in conformity with the Arab boycott of Israeli products, on the importation from the West Bank of industrial goods, the origin of which could not be properly authenticated.

177. The outstanding features of the West Bank's foreign trade since 1967 have been: (a) a considerable expansion in its imports and exports; and (b) marked changes in the destination of goods and services traded.

178. Prior to the 1967 war, the West Bank had a large deficit in visible trade. Industrial products accounted for a high proportion of imports. Exports, mainly of processed and unprocessed agricultural products, were at a low level. High incomes were earned from tourism, however, and these incomes financed about two thirds of the imports of goods.

179. Since 1968, the value of imports and exports has risen markedly in current prices, as shown by table 16. No calculations are available in real terms, but deflating by the rise in the consumer price index ^{31/} would suggest that total trade increased by 300 per cent between 1968 and 1975. Imports increased more rapidly than exports, and a large balance of trade deficit is estimated for the whole period.

180. Prior to the war, income from tourism, as noted, financed a large part of the West Bank's putative import surplus. Since the war, income from tourism has dropped markedly as much of the tourist traffic is Israeli or Jordan-based and utilizes services in those countries. But offsetting this decline has been the income from the export of labour services, which in fact has covered much of the current account deficit from trade in the post-war period - some 95 per cent in 1972, and 70 per cent in 1975. With respect to the direction of trade, the most notable factor is the West Bank's increasing trade dependence upon Israel. Whereas prior to 1967 the area had been virtually isolated from Israel, by 1975 exports to

^{31/} See Statistical Abstract, Israel, 1976, p. 696.

Table 16

West Bank trade, 1968-1975

(In millions of Israeli pounds)

	<u>1968</u>	<u>1975</u>
<u>Exports</u>		
Overseas	1	10
Jordan	49	221
Israel	47	442
Total	97	673
<u>Imports</u>		
Overseas	20	130
Jordan	17	36
Israel	139	1,297
Total	176	1,463
<u>Import surplus</u>		
Overseas	19	120
Jordan	-32	-185
Israel	92	855
Total	79	790

Source: A. Bregman, Economic Growth in the Administered Areas, 1968-73, p. 84; and The Economy of the Administered Areas, 1974-1975, p. 50 (Jerusalem: Bank of Israel Research Department).

Israel were 66 per cent of total exports, and import dependence was even higher at 89 per cent. As for trade with Jordan, the statistics reveal that imports from Jordan have become quite insignificant and in real terms are probably lower in 1975 than in 1968. Export dependence is somewhat less marked and it appears that the "open bridge" policy has made it possible for exports to Jordan to be maintained and even somewhat increased, but export trade with Jordan, although obviously very important to the West Bank economy in the years immediately following the 1967 war, has nevertheless since that time declined considerably in relative importance.

181. Concerning the composition of trade, Israeli statistics suggest that there has been a considerable growth of industrial exports from the West Bank to Israel, rising from nothing in 1968 to \$I 536 million in 1975, when they represented about 80 per cent of total exports to Israel. A large proportion of these exports is stated by Bregman 32/ to be goods manufactured under subcontract for Israeli firms, and destined for the food, textile and building material sectors. 33/

Monetary and fiscal aspects

182. The war and its aftermath resulted in a disruption of banking activity. Jordanian banks were closed and Israeli banks have replaced them only to a limited extent. Very little use is made of the banking system at present. Bregman suggests that, at the end of 1975, deposits amounted to only 4 per cent of the area's product, compared to 29 per cent before the war. This low ratio must be attributed to both a general lack of confidence in the economic and political situation in the territory and, in particular, to the unwillingness of residents to utilize Israeli banks. Both the Israeli pound and the Jordanian dinar are legal tender. Of the credit extended by the Israeli banks, two thirds goes to public authorities and public services.

183. Estimates suggest that, since the war, there has been a sizable increase in private savings out of disposable income, from 10 per cent in 1968 to more than 20 per cent by 1974. 34/

184. A high proportion of these savings is in the form of cash, held in the areas themselves (in Israeli pounds and Jordanian dinars) and in cash and deposits outside. In this connexion, balance-of-payments indicators suggest a rising trend in savings through the accumulation of cash reserves in foreign currency held by area residents either in the areas or abroad.

185. Investment in the West Bank was relatively low for most of the period but increased markedly towards the end of the period, mainly on account of an increase in private investment in buildings and vehicles. During the period 1974-1975 it reached about 15 per cent.

32/ The Economy of the Administered Areas, 1974-1975, p. 51.

33/ Bregman states that "The effect of Israel demand of industrial development in the administered areas has been felt mainly in the field of traditional goods which can generally be produced by labour-intensive methods, e.g. carpets, shoes, furniture and wicker-work furniture." (The Economy of the Administered Areas, 1973-1974, p. 11).

34/ Clearly these and other estimates must be treated with reserve, as Bregman himself recognizes. Moreover, the closer the economic links between the West Bank and Israel become the less reliable are foreign trade data, in particular, but also other data on capital movements and savings. This impairs the significance of the analysis of activity in each economy separately.

186. Despite the official policy of encouragement, very little Israeli entrepreneurship and capital has been invested in the industry of the area, because of constraints stemming from both the political situation and the economic risks involved. 35/ It appears in any event that the Law Encouraging Israeli Investment in the Occupied Territories is for the purpose of encouraging Israeli investment in the new Israeli settlements in the occupied areas, and is not aimed at encouraging investment otherwise in existing or potential industrial projects in the occupied areas.

Fiscal arrangements

187. Within the occupied territories the Israeli authorities retained the pre-war system of direct taxation. 36/ However, the residents of East Jerusalem have been subjected to Israeli levels of taxation. In addition, workers in Israel have been subject to payroll deductions. Those for income tax are lower than those for Israeli residents on daily wages up to £I 25, but these tax deductions are relatively unimportant. The principal deductions are for National Insurance, which are identical for Israeli and area residents. 37/ Consumers in the West Bank are also subject to Israeli duties on their consumption of goods imported through Israel.

Economic growth in the West Bank, 1967-1975

188. Available statistics suggest that the growth rate of the West Bank since the 1967 war has been high. Gross national product (table 17) is estimated to have grown at 14 per cent annually over the period 1968-1975 and GNP per capita at a rate of 12 per cent. 38/ Growth was even higher over the period to 1973 (17 per cent) but decelerated in the following two years to an average of 8 per cent, reflecting a variety of factors, including a slackening of growth in Israel, a concomitant reduction in the number of workers employed from the West Bank, and the virtual elimination of unemployment and underemployment. Over the period 1968-1975, about 30 per cent of the increase in GNP was accounted for by incomes from employment in Israel, on the assumption that the bulk of factor incomes from abroad is represented by this category. This should indirectly give rise to

35/ Bregman, op. cit., 1975, p. 14.

36/ The system of taxation in the occupied territories is outlined in an article by Dov Shefi, "Taxation in the Administered Territories", Israel Yearbook on Human Rights, vol. 1, 1971, pp. 290-294, published under the auspices of the Faculty of Law, Tel Aviv University. According to this, the substantive laws relating to taxes and fees remained generally unaltered in the occupied territories. Changes were, however, made in the administration of the collection of taxes and in the rates of indirect taxes, so that the same charges are imposed on goods in Israel and in the occupied territories. In the Golan Heights, however, an income tax was imposed which was based on the principles and rules of the Israel Income Tax Law. New fees for services have been imposed to a limited extent only.

37/ Bregman, op. cit., 1973-1974, p. 38.

38/ It is not clear from the sources of the data how Israeli settlements and military establishments in the occupied territories have been dealt with, i.e., whether they are included in the Israeli or occupied territory GNP.

Table 17

Indicators of economic activity in the occupied areas, 1968-1975

	Judea and Samaria				Gaza Strip					
	Average		Per cent average annual increase		Average		Per cent average annual increase			
	1968/69	1972/73	1974/75	1972/73-1974/75	1968-75	1972/73	1974/75	1972/73-1974/75		
Resources and uses (1974 prices)										
Gross national product (IL million) ^{a/}	1 040	1 963	2 296	8	14	438	873	985	6	14
GNP per capita (IL)	1 772	3 061	3 401	6	12	1 213	2 221	2 345	3	12
Gross domestic product (IL million at factor cost)	908	1 414	1 710	10	11	422	631	684	4	8
GDP per employed (IL at factor cost)	9 870	15 888	18 388	8	11	8 612	13 717	14 553	3	9

Source: A. Bregman, The Economy of the Administered Areas, 1974-1975 (Jerusalem: Bank of Israel Research Department), p. 50.

^{a/} In 1975 the exchange rate was \$US 1 = IL 6.

further incomes, although the extent to which this has come about will have been limited by the high propensity to import from Israel, and any drop in production which may have accompanied the transfer of labour. The available indications suggest, however, that any such drop will have been small.

189. Some part of this growth represents merely a recovery of the economy from the dislocation caused by war and occupation, but it is not possible to estimate to what extent. Data on the pre-war situation are limited and, moreover, East Jerusalem is not included in the West Bank. If it is assumed that the West Bank represented 40 per cent of Jordan's GNP in 1966, this would suggest a GNP at market prices in that year of JD 60 million or JD 55 million at factor cost. The Israelis estimated GNP for the West Bank in 1968, at current prices and at factor cost, as the equivalent of 33 million dinars. If it is assumed that East Jerusalem's product represented one fifth of the West Bank's total product (it accounted for most of the commercial activity), then the reduced West Bank output in 1966 may be put at JD 44 million. Since prices rose very little over 1966-1968, this suggests that the West Bank's capacity output in 1968 would have been at least 50 million dinars. It may be concluded that, in 1968, the output of the reduced West Bank was one third below pre-war levels, which means that at growth rates of 17 per cent, it would have been 1971 before output in the West Bank exceeded its pre-war level. 39/

190. To go on from these estimates of growth to attempt to evaluate the effects of the war and its aftermath requires a hypothesis about the path of development which would have occurred in their absence. If pre-war rates of growth for the whole Jordan economy are extrapolated, then by 1975, GNP in real terms for the larger West Bank, assuming a 10 per cent growth rate would be 175 to 200 million Jordanian dinars. Assuming, instead, a growth rate of 8 per cent and allowing for the loss of East Jerusalem, GNP in 1975 in 1966 prices might be expected to be within the range JD 112 to 129 million. This is of the same order of magnitude as the figure of JD 117.4 million quoted by the Jordanians in paragraph 29 of their submission (A/10290, annex V), and is roughly equivalent to the estimated GNP in table 4, reduced to constant prices. These figures imply a real growth rate, over the period 1968-1975, of more than 17 per cent.

191. This product is received by fewer people. The outcome, therefore, is that it is possible that the GNP per capita on the West Bank, which before the war was substantially lower than that of the East Bank, is now higher. However, any comparisons of aggregate product and living standards between the territories must be extremely speculative for a number of reasons. These include the precarious nature of the estimates for the West Bank; lack of knowledge of the previous breakdown of the Jordan GNP between the East and West Bank; the large and disparate price movements in the two areas since 1967 (the cost of living increased in Amman by 100 per cent between 1966 and 1975 and by 200 per cent over the same period in Israel); and by changes in the exchange rate of the pound for the dinar. Direct comparisons between the territories on the basis of the available data can hardly be justified. 40/

39/ The Jordanian estimates of losses include the product attributable to East Jerusalem.

40/ A direct comparison of tables 17 and 18 would suggest that per capita GNP in the West Bank is more than twice as high as in the East Bank, which is clearly misleading.

192. Nevertheless, as far as the West Bank itself is concerned, it seems not unreasonable to conclude that its aggregate product for the reduced area was, by 1975, about what it might have been in the absence of war, assuming that Jordan's economy had maintained its previous very high growth rate, and that a balanced regional development programme had ensured that the fruits of this growth were evenly distributed between the East and West Banks.

193. This does not warrant the conclusion that the war has had no adverse effects on the economy of the West Bank. On the contrary, a review of the developments which have underlain the West Bank's growth would justify the conclusion that little real development has taken place in the West Bank since 1967. An economy has grown up whose growth is extremely vulnerable to changes in the activity of the Israel economy - as was seen in 1975 - and whose relative prosperity would be particularly vulnerable, in the short run, to a changed political relationship with that economy. This arises chiefly because of the dependence of income levels and recent rates of growth in employment on the economy of Israel.

194. Within the West Bank itself, moreover, investment remained low throughout most of the period, despite high savings, and though there was some increase towards the end of the period, this was largely in housing. Israeli sources themselves admit that "hardly any of the heavy infrastructure investments required for the accelerated development of industry in the administered area have been made by the government or by an other public authority". 41/ The growth that did take place occurred in the absence not only of sizable investments, but also of local entrepreneurship, capital markets or institutional infrastructure. 42/

195. Industry expanded in real terms at an annual average rate of 10 per cent but its share of total output is low - less than 10 per cent. Much of its product is produced in small- and medium-scale workshops and a substantial proportion of the growth in output has been destined for the Israeli market and is based on subcontracting. 43/

196. More rapid development has been hindered by lack of entrepreneurs and physical capital, absence of a banking system, competition from Israel's more developed industry and uncertainty as to the area's political future. Israeli capital and entrepreneurship were not invested in the area on a significant scale. Competition from Israel deters local investors. There is no independent central authority in the areas capable of initiating financing investments in infrastructure and large-scale industrial investments. 44/

41/ Bregman, *op. cit.*, 1973, p. 66.

42/ *Ibid.*, p. 7.

43/ The utility of data on these branches is very limited. See Bregman, *op. cit.*, 1975, p. 44. Bregman notes that the direction in which industry expands is governed by directed credit (guaranteed by the Government of Israel), export incentives and subcontracting.

44/ Apart from "open bridges", Israeli "normalization" policy is one of non-presence and non-interference.

197. It is true that some improvements have been observed in agricultural methods since 1967 and industry has expanded. Over-all, however, it is difficult to find evidence of a solid basis for economic development having been created or even being in the process of creation. The West Bank exhibits in marked degree the phenomenon of growth without development, the detrimental effects of which will surely make themselves felt in the long run. The basis of self-sustained growth has not been established and there is no sign that it is in the process of being established.

C. The Gaza Strip

198. On the eve of the war of 1967, the population of the Gaza Strip numbered some 400,000. Industry was even less developed than in the West Bank. The principal source of income was agriculture, but this was far less dependent on natural conditions than that of the West Bank. This circumstance has resulted in a more stable development. Nearly one half of the cultivated area is irrigated and the principal crop is citrus. Unlike the West Bank, population density was high, a substantial proportion of the population in urban settlements, and the bulk of the population engaged in agriculture was in wage employment. Unemployment and underemployment were high. There was no customs union with Egypt and customs rates were much lower than in Egypt. A large entrepôt and smuggling trade developed and this, together with the activities of the United Nations Relief and Works Agency for Palestine Refugees in the Near East, etc., resulted in a large contribution by the service sector to GNP - second only to agriculture, according to Israeli estimates. The balance of payments was characterized by a deficit in the current account, which was financed by unilateral transfers by individuals and UNRWA.

199. The war of 1967 brought severe damage and dislocation to the Gaza Strip. There was much damage in Gaza City. More serious were the dislocations resulting from the changed political situation. Incomes from servicing Egyptian and United Nations forces ceased. The lucrative smuggling trade with Egypt came to an end. The effect of reduced demand brought about a sharp decline in trade, commerce, employment and construction. There was some emigration but not as large as from the West Bank.

200. In the succeeding years, the economic development of the Gaza Strip has been influenced by the same factors as those discussed in relation to Jordan, and the same dramatic transformation has occurred from an economy isolated from Israel to one whose principal linkages are with Israel - more so even than in the case of the West Bank. In the following section the principal interregional linkages will be discussed and the growth of the area evaluated. Attention will be drawn particularly to aspects in which the experience of the Gaza Strip has been different from that of the West Bank. All of the qualifications concerning the limitations of the statistical information which were made for the West Bank apply even more strongly to the case of the Gaza Strip.

201. Employment of workers from the Gaza Strip in Israel increased from 1,000 in 1968-1969 to 26,000 in 1974-1975. Income from employment in Israel was a rather higher proportion of GNP than in the West Bank, one third as against one quarter. Unemployment by 1974-1975 was less than 1 per cent.

202. As can be seen from table 18, the trade of the Gaza Strip has grown markedly in current prices - more rapidly than in the West Bank, although it should be remembered that price movements have not been identical in the two areas. A substantial trade deficit has continued throughout the period. As can be seen, the Gaza Strip has become even more dependent on trade with Israel than is the West Bank. In 1975, Israel accounted for 64 per cent of exports and 94 per cent of imports.

Table 18

Gaza Strip and northern Sinai trade, 1968-1975

(In millions of Israeli pounds) a/

	<u>1968</u>	<u>1975</u>
<u>Exports</u>		
Overseas	15	85
Jordan	5	105
Israel	8	336
TOTAL	28	526
<u>Imports</u>		
Overseas	19	61
Jordan	1	1
Israel	50	1,054
TOTAL	70	1,116
<u>Import surplus</u>		
Overseas	4	-24
Jordan	-4	-104
Israel	42	718
TOTAL	42	590

Source: A. Bregman, Economic Growth in the Administered Areas 1968-73, p. 84; and The Economy of the Administered Areas, 1974-1975, p. 50 (Jerusalem: Bank of Israel Research Department).

a/ In 1975 the exchange rate was \$US 1 = £I 6.

203. As in the West Bank, there has been some considerable expansion of industrial exports to Israel - particularly marked, for Gaza, in 1975. This is stated by Bregman (1975) to be apparently due to the new subcontracting work performed in Gaza for Israeli firms, and the development or expansion of small plants there, such as factories producing standard electric components, which are less sensitive to economic fluctuations in Israel. The growth in manufacturing is mainly tied to the development of the industrial zone in Erez. The plants there are owned and managed by Israelis and produce both for Israel and for export.

204. The over-all picture which emerges is of an economy even more dependent on Israel than that of the West Bank, which is able to maintain many of its links with Jordan. 45/ This partly explains the greater slackening in its rate of growth in the year 1974-1975, with recession in the Israeli economy.

205. Israeli statistics suggest that, as in the West Bank, the growth rate of the Gaza Strip since the 1967 war has been high - 14 per cent over the period 1968-1975, but slackening in the last two years to about 6 per cent.

206. Again, some part of this growth represents merely a recovery of the economy from the dislocation of war and occupation. In this case, it is even more difficult to arrive at an estimate of how much. Furthermore, there is again the problem of a change in the scope of the statistics resulting from the inclusion of northern Sinai. Israeli estimates, however, have put the GNP of the Gaza Strip at some JD 9.6 million in 1966. 46/

207. The solidly based judgements which can be made about the Gaza Strip on the basis of the available evidence are even more limited than for the West Bank, and the alternative development path which might be assumed is similarly much less clear. Israeli sources suggest (Bregman, 1973) that the difference in standards of living which existed prior to the war, as between the West Bank and the Gaza Strip, has remained unchanged, at about three quarters that of the West Bank. It seems improbable that the necessary conditions to ensure self-sustained growth have been created in the area.

45/ Only the Israeli pound is legal tender in the Gaza Strip.

46/ Source: Economic Structure and Development Prospects of the West Bank and the Gaza Strip (Rand Corporation, Santa Monica, 1971), pp. 26-31.

ANNEX

Official reports and submissions

Egypt:

Adverse Economic Effects Resulting from Israeli Aggressions and Continued Occupation of Egyptian Territories (A Preliminary Evaluation)
Institute of National Planning, Cairo, August 1977, pp. 1-72, with a separate volume of appendices

Jordan:

"The adverse effects of Israeli occupation of the West Bank on Jordan's economy." Annex V of the report of the Secretary-General dated 3 November 1975 on permanent sovereignty over natural resources in the occupied Arab territories (A/10290)

Syrian Arab Republic:

Technical Report - Damages Caused to Buildings in Quneitra Countryside, Ministry of Public Works and Water Resources, April 1977

Report of Agricultural Damages in Quneitra Governorate, 1967-1977

Types and Values of Direct and Indirect Economic Losses in Government Bodies and the Public Sector during the 1967 and 1973 Wars in Quneitra Governorate (except the City)

Types and Value of Direct and Indirect Economic Losses in Government Bodies and Public Sector during the 1967 and 1973 Wars in the Syrian Arab Republic (except Quneitra Governorate)

Agricultural Losses, Dara'a Governorate, 1967 and 1973 Wars

Agricultural Losses, Damascus Governorate (not including the City)

Central Bureau of Statistics, Damascus, April 1977

United Nations Conference on Trade and Development:

The Impact of the Suez Canal Closure on Egypt, Jordan and Syria (Geneva, May 1977)



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REPORT OF THE ECONOMIC AND SOCIAL COUNCIL

Permanent sovereignty over national resources in the occupied Arab territories

Report of the Secretary-General

1. The present report is submitted in pursuance of General Assembly resolutions 34/136 of 14 December 1979 and 35/110 of 5 December 1980, in which the Assembly requested the Secretary-General to prepare and submit to it a report concerning permanent sovereignty over national resources in the occupied Arab territories. In resolution 34/136 the Assembly specifically requested that the report should take into consideration the provisions of paragraph 2 of resolution 32/161 of 19 December 1977, namely,

"(a) The adverse economic effects extending beyond the year 1975;

"(b) Losses in the Arab territories still under Israeli occupation;

"(c) Human and military losses;

"(d) The losses of and damage to items of the national, religious and cultural heritage;

"(e) Losses in the traditional sectors, including the retail trading, small industries and farming sectors;

"(f) The full impact on the development process of the Arab States, territories and peoples subjected to Israeli aggression and occupation".

2. In connexion with the same subject and in response to General Assembly resolution 3336 (XXIX) of 17 December 1974, the Secretary-General submitted a report to the thirty-second session of the Assembly (A/32/204). That report focused primarily on the adverse economic effects of the Israeli occupation on the

neighbouring Arab States. The present report, as requested by the Assembly, emphasizes the effects of Israeli occupation on the occupied territories themselves in the context of the provisions of paragraph 2 of resolution 32/161, although the last of those provisions refers to the full impact of the occupation on the development process of the neighbouring Arab States.

3. Significant aspects of the topics dealt with in the present report have been examined in the recent reports of the Security Council Commission established under its resolution 446 (1979) to investigate the situation relating to the establishment of Israeli settlements in the occupied territories, including Jerusalem, since 1967 (S/13450 and Add.1, S/13679 and S/14268), the reports of the Secretary-General on living conditions of the Palestinian people in the occupied Arab territories (A/35/533 and Corr.1 and A/36/260 and Add.1-3), the reports of the Committee on the Exercise of the Inalienable Rights of the Palestinian People 1/ and the report of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Population of the Occupied Territories (A/34/631).

4. With a view to facilitating the preparation of the present report and making it as comprehensive as possible, the Secretary-General addressed notes verbales to the Permanent Representatives of Egypt, Jordan, Lebanon and the Syrian Arab Republic and to the Permanent Observer of the Palestine Liberation Organization to the United Nations, drawing their attention to the relevant General Assembly resolutions and specifically to paragraph 2 of resolution 32/161. He advised them of his intention to send a mission to gather factual information to ensure a balanced and objective view and requested that the Governments should make available to the mission the relevant information and any other information that the mission might require. A similar note was addressed to the Permanent Representative of Israel to the United Nations with a further request that the mission should be permitted to visit the occupied territories in order to make an on-the-spot assessment of the situation. The Governments of Egypt, Jordan, Lebanon and the Syrian Arab Republic, as well as the Permanent Observer of the Palestine Liberation Organization expressed their willingness to co-operate fully in the work of the mission. The Government of Israel replied that it could not associate itself with the actions called for by the Assembly in resolutions 34/136 and 35/110, citing the fact that Israel had voted against them in the General Assembly (see appendix VII).

5. The heads of the Food and Agricultural Organization of the United Nations (FAO), the United Nations Educational, Scientific and Cultural Organizations (UNESCO), the World Health Organization (WHO), the United Nations Conference on Trade and Development (UNCTAD), the International Labour Organisation (ILO), the United Nations Industrial Development Organization (UNIDO) and the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA) were also contacted concerning the visit of the mission to their headquarters and were requested to make available any relevant information.

1/ United Nations publications, Sales Nos. E.78.I.19, E.78.I.20, E.78.I.21 and E.78.I.22 and Corr.

6. Two consultants were engaged to prepare the report. In order to obtain up-to-date information on conditions in the occupied territories, a mission was undertaken in August 1981 consisting of a staff member of the Department of Technical Co-operation for Development assisted by staff members from the Economic Commission for West Asia (ECWA). The mission visited Geneva for discussions with ILO, WHO, UNCTAD and the Division of Human Rights (secretariat for the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Population of the Occupied Territories). In Beirut, discussions were held with officials of the Government of Lebanon, ECWA, UNDP, the United Nations Children's Fund (UNICEF), the Palestine Liberation Organization and the Institute of Palestine Studies. In Cairo, the mission met with officials of the Normalization Department of the Foreign Ministry of the Government of Egypt and the UNDP office there. In Amman, discussions were held with officials of the Ministry of Occupied Territories of the Government of Jordan, the Palestine Liberation Organization office there, the UNDP office and with several residents of the West Bank who were in Amman at the time, including the mayors of Halhul and Hebron who had been expelled from the occupied territories. In Damascus, the mission met with officials of the Foreign Ministry of the Government of Syria and the UNDP office. In Vienna, the mission met with officials of UNIDO and UNRWA and in Paris with officials of UNESCO. The information gathered by the mission has been included in the report prepared by the consultants.

ANNEX

Report of the consultants on the national resources in the
 occupied Arab territories and the impact of the occupation
 on the development process in the Arab States, the occupied
 territories and on the people living there

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I. INTRODUCTION

1. The consultants have interpreted national resources to comprise resources in the natural, human, economic, infrastructural and cultural fields. These have been examined in the context of the effects of the occupation on their development, conservation and use for the benefit and welfare of the people living in the occupied territories. Losses have been computed in numerical terms to the extent that statistical data from various sources were available. At other times losses as well as constraints to the development and use of the resources have been derived from information contained in various reports and documents that were available to the consultants and the information gathered in the course of the mission to the neighbouring Arab States, ECWA and other concerned agencies of the United Nations system. Information received up to 30 September 1981 has been taken into account in the preparation of the report.

2. Section II of the report attempts to identify the occupied Arab Territories and their main characteristics, and sections III and IV contain an analysis of the national resources and the impact of the occupation on the development process in the Arab States, occupied territories and on the people living there. It should be noted that no statistical data were available for East Jerusalem and the Golan Heights, in contrast to the data for the West Bank and the Gaza Strip and Northern Sinai as published in the statistical series issued by the Government of Israel. Economic and social data and information in respect of East Jerusalem and the Golan Heights have, therefore, been gathered from secondary sources. Data on the Sinai have been taken into account only to the extent that they are included in the Israeli statistical series under "Administered Territories".

3. Full co-operation was extended in the preparation of this report by the Governments of Egypt, Jordan, Lebanon and the Syrian Arab Republic as well as the Palestine Liberation Organization. Full co-operation was also received from the heads of the specialized agencies contacted and the organs and units of the United Nations concerned with the Palestinian question. The refusal of the Government of Israel to permit the mission to visit the occupied territories has, however, deprived the mission of a primary source of information. It has, therefore, been necessary to rely on information and data supplied by the Governments of the neighbouring Arab States; the Palestine Liberation Organization; intergovernmental bodies and organs and specialized agencies of the United Nations system; research organizations, specifically the Institute of Palestine Studies, and on material published by Israel and in books, periodicals, journals, the press and other publications dealing with the situation in the Middle East and in the occupied territories.

4. The consultants have made extensive use of the information in the reports of the Security Council Commission established under resolution 446 (1979), of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Population of the Occupied Territories, publications of ECWA and reports of UNRWA, UNESCO, ILO, WHO, UNIDO, UNCTAD and UNDP. The consultants have also used the reports submitted by the Government of Syria and the Palestine Liberation Organization.

II. THE OCCUPIED TERRITORIES

5. The Arab territories under occupation by Israel after the hostilities of June 1967 comprised the following areas:

- (a) The West Bank of the river Jordan, including East Jerusalem;
- (b) The Gaza Strip;
- (c) The Sinai;
- (d) The Golan Heights.

6. The West Bank is an area approximately 5,540 square kilometers lying to the west of the Jordan River. Although it is predominantly rural, it contains distinct urban concentrations, such as Ramallah, Nablus, Hebron, Tulkarm and Bethlehem, each of which had populations of over 10,000 at the time of the Israeli occupation in 1967. East Jerusalem, including the Old City, housed around 100,000 Arab residents, among others. Since 14 August 1967, the Government of Israel has applied Israeli law, jurisdiction and administration to the area and has equalized municipal and social services in it with those of the rest of Jerusalem. On 30 July 1980, the Knesset adopted the "Jerusalem Basic Law" which declared that "Integral and United Jerusalem is the Capital of Israel".

7. The Gaza Strip is an area of about 367 square kilometers forming part of the Mediterranean coastal plain and extending southward toward more arid areas of the Sinai Peninsula. It includes one major city, Gaza, the large town of Khan-Yunis and several large refugee camps. The Strip was administered by Egypt from the time of the cease-fire in 1949 until the Israeli occupation in June 1967.

8. A part of the Sinai has been returned to Egypt, and the remainder is to be handed back to Egypt by April 1982 under the terms of the peace treaty between Egypt and Israel signed in April 1979. In view of these developments, conditions in the Sinai are not discussed in detail in this report.

9. The Golan Heights comprise the extreme southwestern part of Syria overlooking Lake Tiberias (Sea of Galilee) and the upper Jordan River Valley. The area occupied in 1967 included the city of Quneitra. A part of this area, including Quneitra, has since been returned to Syrian civil administration, under the terms of the 1974 Agreement on Disengagement Between Israeli and Syrian Forces (S/11302/Add.1, annex I). The rest of the area remains under Israeli occupation.

III. NATIONAL RESOURCES OF THE OCCUPIED ARAB TERRITORIES

A. Natural resources

1. Land

10. The basic natural resource of the occupied territories is land. The total area of the West Bank, as noted earlier, is 5,440 square kilometers. The West Bank is generally mountainous with a relatively high level of rainfall. The total length from north to south is 127 kilometers, and the average width is about 40 kilometers. In the West Bank as a whole, roughly half the total land area, or approximately 2.8 million dunums, is suitable for some type of agricultural use. Of this, only about one million dunums can be considered high-quality agricultural land, while the remainder is in mountainous areas suitable primarily for extensive cultivation of olive trees and vineyards and for use as pasture. a/

11. Actual land use in the West Bank appears to have undergone a significant change since the Israeli occupation. Compared to a total of 2.8 million dunums under cultivation in 1967, b/ only 2.1 million dunums, or about 75 per cent of the pre-occupation total, was under cultivation by the mid-1970s. c/ It appears that three main factors have contributed to the loss in the cultivated area, namely,

(a) Large areas have been "closed" by the Israeli authorities for security reasons and put out of production;

(b) Large areas, more than 300,000 dunums by the end of 1980, d/ have been appropriated by the Israeli authorities for the establishment of new Jewish settlements;

(c) Various difficulties and impediments have made it difficult or impossible for farmers to continue to cultivate their land.

12. In addition to the reduction in the amount of land under cultivation in the West Bank, substantial additional areas of land have also been removed from the jurisdiction of the Arab inhabitants and the municipal authorities since 1967. In

a/ E. H. Tuma and H. Darin-Drabkin, The Economic Case for Palestine, (New York, St. Martin's Press, 1978), p. 55.

b/ Statistical Abstract of Israel, 1969 (Jerusalem, Central Bureau of Statistics, 1969), p. 640.

c/ H. M. Amartani, West Bank Agriculture: A New Look (Nablus, 1978), p. 9, and B. van Arkadie, Benefits and Burdens: A report on the West Bank and Gaza Strip Economies since 1967 (New York, Carnegie Endowment, 1977), p. 129.

d/ Calculated from the report of the Security Council commission established under resolution 446 (1979) (S/14268, annex II).

the West Bank and Gaza Strip together, a total of at least 1.5 million dunums, or roughly 25 per cent of the total land area, was requisitioned, confiscated or otherwise appropriated by the occupying authorities between 1967 and 1978 (A/34/631, para. 105). The process of land requisition has continued since 1978, although precise information as to the area involved is not yet available.

13. Of the total area of 367 square kilometers in the Gaza Strip, approximately 55 per cent, or roughly 200,000 dunums, is suitable for agricultural use. Nearly half of this agricultural land is irrigated. An additional 60 square kilometers is at present used for settlements, including refugee camps, and for roads. The remaining 100 square kilometers consists primarily of sand dunes. As in the West Bank, Israeli settlements have taken a significant proportion of available agricultural land. As at the end of 1980, roughly 20,000 dunums, or 10 per cent of the total agricultural land in the Gaza Strip, had been appropriated by the Israeli authorities for settlements (S/14268, annex II, p. 18).

14. Precise information on land use in the Golan Heights is not available, as this area is under direct Israeli military control. At the time of the occupation, virtually all the Syrian population of the occupied area, as well as some 16,000 Palestinian refugees then living in the Golan Heights, were forced to leave. Since that time Israel has established at least 30 settlements in the area, although it is not possible to calculate the total land area involved. In very general terms, roughly 40 per cent of the Qunietra district is considered to be suitable for agricultural use (A/32/204, table 12).

2. Water

15. Together with land, water is a basic natural resource for the inhabitants of the occupied Arab territories. Where the land is basically arid and water sources are limited, as in Israel and the occupied territories, the question of control of water resources can become a major source of conflict. The region comprising Israel and the occupied territories is, for all practical purposes, a single water-resource area. There are two basic sources of water: (a) the Jordan river and its tributary system, which can supply water for approximately 1.5 million dunums of irrigated agricultural land and (b) a subterranean aquifer system, which is currently supplying some 500 million cubic meters annually to Israel and 100 million cubic meters to the West Bank. In the Gaza Strip, an over-exploited subterranean aquifer provides roughly 100 million cubic meters annually for agricultural use. e/

16. The Jordan river basin forms a single hydrological unit, with branches of the river system extending into Lebanon, the Syrian Arab Republic, Jordan, (both East and West Banks) and Israel. Moreover, Israel and the West Bank constitute a single natural and geological region for the exploitation of underground water in the aquifer system and for the collection of surface run-off water. In such a

e/ V. Bull, The West Bank - Is It Viable? (Lexington Books, 1975).

situation, the State controlling the source of water supply and its subsequent use has a powerful means of determining the level of economic activity of the area as a whole. The water resource situation of the West Bank, therefore, cannot be understood without reference to the water situation in Israel.

17. Current water use in the West Bank is estimated at 100 million cubic meters (MCM) annually of which 90 per cent is used for agriculture. f/ In contrast, Israel uses 1,600 to 1,700 MCM annually. Details of Israeli water consumption are shown in appendix I, table 1. As the table indicates, water consumption per capita is considerably higher in Israel than in the West Bank. Appendix I, table 2 highlights these differences.

18. The data also indicate that current Israeli water use is dangerously close to the maximum sustainable capacity of the Jordan river and the underground aquifer systems. Since 1970, Israel has been using more than 83 per cent of its proved renewable water reserves, and average use in the past few years is close to 90 per cent of estimated capacity. In view of the substantial annual variation in rainfall, which can deviate as much as 23 per cent from the norm in any given year, the data suggest that the water balance in the region is in a precarious position. Appendix I, table 3, presents estimates of Israel's sustainable water use capacity.

19. The pressure on water resources available to the Arab inhabitants of the West Bank is further increased as a result of use of water by the Israeli settlements in the area. It is reported that these settlements currently use 15 MCM of water per year (about 5 MCM for agriculture) and that future agricultural developments of settlements may imply water use of as much as 50 MCM annually (see S/14268, foot-note 31). It also appears likely that use of water within Israel will be difficult to maintain at levels of less than 2,000 MCM by the mid-1980s. Unless substantial advances are made in the re-use of water, it appears inevitable that Israel itself will exert further pressure on the already very limited amounts of water being used by the Arab inhabitants of the West Bank. In fact, as a result of Israeli actions already taken, the economic activity of a number of Arab inhabitants has already been reduced to a near-subsistence level, as water which was available to them as of 1967 has been reallocated by the Israeli authorities for the use of new Jewish settlements or for Israel's own use (see S/14268, para. 198).

20. As mentioned earlier, the coastal zone aquifer in the Gaza Strip area has a potential sustainable production of about 100 MCM annually. The high population density even before 1967 had imposed severe strains on water supply in the area. In the light of new Israeli settlements established in the Gaza Strip, which are granted preferential access to water by the Israeli authorities, the water remaining for the use of the Arab inhabitants is even less, on a per capita basis, than before the occupation. Increased use of water by the settlements would reduce water available to Arab inhabitants to dangerously low levels.

f/ Palestine National Fund, "Water Resources and Policies in the West Bank", (n.d.), p. 4.

21. With respect to the Golan Heights, prior to Israeli occupation in 1967, water consumption was in the order of 12.5 MCM, according to Syrian authorities, for a population of approximately 140,000. Most of the Arab population fled the area in 1967, and the current population, roughly evenly balanced between the remaining Arab inhabitants and Jewish settlers, is between 8,000 and 12,000. Current Israeli plans call for an increase in the number of settlers in the area to 10,000 by the end of 1981 and possibly to 50,000 by 1985. In order to meet the water requirements of these new settlements (some 20,000 of the 50,000 prospective settlers will be engaged in agriculture) it is estimated that water consumption by 1985 may reach 46 MCM annually, nearly four times the pre-occupation level (see S/14268, foot-note 27). Such intensive use of water would clearly place pressure on the supplies available.

3. Mineral resources

22. The principal mineral resources of the occupied territories are (a) building and construction materials that have traditionally been used for local construction, and (b) the rich resources of potassium and related minerals in the Dead Sea. Regarding the construction-industry minerals, the local quarrying industry in the West Bank has been significantly affected by the delays in approval of building permits on the part of the Israeli authorities, by restrictions on the export of construction materials to other Middle East areas and by fiscal measures. Regarding the Dead Sea resources, Jordan is undertaking an investment of \$US 450 million at Safi at the southern end of the Dead Sea for production of 1.2 million tonnes of potash per annum. The issue of the planned Mediterranean-Dead Sea canal project, recently approved by the Israeli Cabinet, and its impact on the area has led to a request for the inclusion of an item on this matter in the agenda of the thirty-sixth session of the General Assembly (see A/36/2413). g/

B. Human Resources

23. No authoritative population figures are available for East Jerusalem and the Golan Heights. The figures in appendix II, table 1, refer to the population in the West Bank, the Gaza Strip and Northern Sinai as given in the Israeli Statistical Abstract, 1980, based on the census taken after occupation in 1967. The total

g/ For further information on the subject, see the letter dated 13 April 1981 from the Permanent Representative of Egypt to the United Nations addressed to the Secretary-General (A/36/187-S/14439) and the letter dated 2 October 1981 from the Permanent Representative of Israel to the United Nations addressed to the Secretary-General (A/36/575-S/14715).

population in those territories, at the end of 1979, has been estimated at 1,132,200, divided almost equally between females and males and made up of the following age groups: h/

<u>Age group</u>	<u>Percentage</u>	<u>Percentage</u>	
		<u>Females</u>	<u>Males</u>
0 - 14 years	45.6	43.3	47.9
14 - 29 "	28.9	27.8	30.0
30 - 44 "	11.8	14.1	9.5
45 - 64 "	10.2	11.3	9.2
65 and over	3.5	3.5	3.4
	100.0	100.0	100.0

24. It would appear that close to half of the population was in the non-production age group, while more than another quarter was in only a preliminary stage of contributing to the economy. Less than a quarter of the population, in which females predominated, had to provide the main support for the rest of the population. Considering that the participation of females in the labour force is low by custom and tradition as well as due to the lack of productive opportunities in the occupied territories, the main burden of earning a living, providing for the dependents and contributing to the economy has fallen on a very small proportion of the male population in the territories.

25. Of the employed persons, 35 per cent worked in Israel, i/ indicating a potential loss of manpower resources for the development of the occupied territories. Most of the work in Israel was in unskilled and semi-skilled jobs in construction, industry and agriculture. While these jobs did enable the workers to earn an income, very little was available for investment purposes. For example, at 1968 prices, the gross national product per capita in 1979 has been estimated in the Gaza Strip and Northern Sinai at 1,077 Israeli pounds, while private consumption per capita has been estimated at 920 Israeli pounds. The figures for the West Bank are 1,632 and 1,341 Israeli pounds respectively. j/

26. A significant characteristic of the employment pattern in the occupied territories is the progressive decrease among those who normally provide leadership and dynamism to development, namely, scientific and academic workers, other professional, technical and related workers, and administrators and managers.

h/ Statistical Abstract of Israel, 1980, No. 31 (Central Bureau of Statistics, Jerusalem), p. 678.

i/ Ibid., p. 696.

j/ Ibid., p. 681.

Their numbers and percentage among the employees (wage and salary earners) and employed (wage and salary earners and all self-employed) are given in appendix II, table 2. In the Gaza Strip and Northern Sinai, the proportion of those employed in the scientific and professional categories fell from 8.8 per cent in 1972 to 6.6 per cent in 1979. In the West Bank, it fell from 8.7 per cent to 8.3 per cent during the same period. Lack of facilities in the occupied territories for advanced study in these fields and lack of job opportunities there are, no doubt, two of the main contributory factors to this progressive decrease. Because of the lack of employment opportunities, those who go abroad for further study do not usually return.

27. The proportion of those employed in clerical, sales and service categories has not registered any significant increase over the years except in 1977, as indicated in appendix II, table 3. It has remained around 20 per cent of the total employed. Lack of a proportionate increase in these categories in the total number of persons employed reflects the effect of a stagnant economy, restrictions to expanding wholesale and retail trading because of a licensing system for traders in the occupied territories to market the produce in Israel, and a significant decrease in the tourist trade which has fallen from a high of 84,590 bed-nights in 1970 to 45,540 in 1979. k/

28. As appendix II, table 4 indicates, the proportion of those employed as agricultural, skilled, semi-skilled and unskilled workers has shown a consistent increase in the Gaza Strip and Northern Sinai, reaching close to three quarters of the employed persons by 1979. In the West Bank, the proportion has ranged between a high of 74.4 per cent in 1974 and 71 per cent in 1977, with 1979 showing an increase of 1.4 per cent over 1977. Within this group, the proportion of agricultural workers has been falling, while employment among skilled and unskilled labour has shown slight increases, much of it attributable to expanding employment in Israel where in construction and industry it rose from 66.6 per cent to 71.6 per cent of those employed in Israel between 1972 and 1974 and from 66.6 per cent to 69.0 per cent between 1977 and 1979. l/ It is of interest to note that employment of the people of the occupied territories in these categories and agriculture and other employment fields has fluctuated with the Israeli economy, and additions to the labour force of the occupied territories due to demographic causes have been largely absorbed by the Israeli economy. As will be seen from appendix III, those employed in Israel increased from 52,400 in 1972 to 74,100 in 1979, while those employed in the occupied territories increased from 136,300 to 138,000 during the same period. This is another indication of a stagnant economy in the occupied territories.

k/ Ibid., p. 712, table XXVII.34.

l/ Ibid., pp. 698 and 699 and Statistical Abstract of Israel, 1975, pp. 708 and 709.

29. Housing, health and education as aspects of human resource development in the occupied Arab territories were examined in considerable detail in the report of the Group of Experts on the Living Conditions of the Palestinian People in the Occupied Territories submitted to the thirty-fifth and thirty-sixth sessions of the General Assembly (A/35/533 and Corr.1 and A/36/260 and Add.1-3).

30. A significant loss of manpower resources to the occupied territories has been those who fled the territories or were displaced following the armed conflicts of 1948 and 1967 and who have sought refuge in the neighbouring Arab countries. The number of refugees registered with the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA) at the end of December 1979 living in Jordan, Lebanon and the Syrian Arab Republic was 1,136,140 with a further 685,793 living in the West Bank and Gaza Strip. m/ Further losses of manpower, mostly of the technical and professional types, are incurred by the occupied territories as a result of the annual emigration of many Palestinians of working age in search of gainful employment in the neighbouring Arab States and beyond, because of the lack of jobs in the territories and in Israel commensurate with their education and training. This emigration has been estimated at an average of 20,000 persons per year. n/ Many persons who have had to leave have been debarred from returning under various regulations imposed by the occupying power. Young people in search of higher education have also left, the majority of them not returning to the territories. These also constitute losses in terms of manpower.

31. To the losses of Palestinian population incurred by the West Bank and the Gaza Strip as well as East Jerusalem should be added the Syrian population which fled the Golan Heights and the Quneitra district during and after the 1967 hostilities. The population prior to the hostilities has been estimated at 140,000 (S/14628, para. 208), and the present estimated population varies from 12,500 provided by Israel to the ILO mission to Israel and the occupied territories in March 1981 o/ and 8,000 mentioned in the report of the Security Council commission.

C. Economic resources

32. The occupation has had profound effects on the development process of the occupied territories in terms of their agricultural and industrial production, pattern and terms of trade, foreign exchange resources and investment. Many of these effects have been mentioned in the report of the group of experts on the living conditions of the Palestinian people in the occupied territories (A/35/533, annex I, paras. 22-28).

m/ UNRWA, Registration Statistical Bulletin for the fourth quarter 1979, (February 1980), table 1.

n/ Report of the Director-General, International Labour Conference, sixty-sixth session (Geneva, International Labour Office, 1980), appendix III, para. 84.

o/ Ibid., para. 24.

33. The available data from Israeli sources show an aggregate increase in agricultural output, including output of the Israeli settlements. The increases in output in quantitative terms are given in appendix IV. It would appear that the most conspicuous increases occurred during the early years of occupation. This can be attributed to the new technologies introduced by the occupying authorities in the form of new equipment, more intensive use of fertilizer, more effective methods of irrigation, new methods of production, better seed and wider use of pesticides and insecticides. There has not been much change in output during the period 1976-1977 and 1978-1979.

34. Information available from various sources indicates that there has been considerable change in the mix of agricultural products. The changes have been directed towards eliminating those items which compete with Israeli products of a similar kind and introducing new items which would provide raw material for the Israeli processing and manufacturing industries. Cases in point are the fall off in the production of melons and pumpkins in the occupied territories which compete with those from the Negev and the introduction of tobacco and sesame as field crops as well as selected varieties of vegetables for processing in Israel. A consequence of the modernization of the agricultural sector by the occupying authorities is the market that has been created for the Israeli industries which have a monopoly in the supply of the inputs, namely, machinery and other equipment, fertilizer, pesticides, etc. (see A/35/533, annex I, para. 38).

35. As regards industry, there is no evidence of any significant structural changes during the occupation that would make the sector a dynamic contributor to the development process of the occupied territories. Appendix V gives the structure of industry as it existed in 1979. It would appear that in the West Bank, 91.6 per cent of the industries employed less than 8 persons with the maximum number in the category employing 2 to 3 persons. In the Gaza Strip and Northern Sinai, 88 per cent of the industries employed less than 8 persons with the maximum number in the category employing 2 to 3 persons. In the West Bank, industrial establishments not engaging employees constituted 43.1 per cent, while in the Gaza Strip and Northern Sinai it was 46.5 per cent.

36. The industrial establishments in the occupied territories have had to function in the face of keen competition of similar products from more sophisticated and technologically advanced establishments in Israel, which have an open market in the territories. There is evidence to indicate that more and more of the small establishments in the territories are able to function only because of the jobbing orders they receive from Israeli industrial enterprises, particularly for such products as garments and other textile products, construction materials and metal and plastic fabrications.

37. A recent phenomenon which could have adverse consequences for the growth of the industrial sector of the occupied territories is the establishment of industrial plants and complexes in the Israeli settlements in the West Bank, the Gaza Strip and the Golan Heights. According to Dr. Bassam Sakat, Director of the Economics Department of the Royal Scientific Society, Jordan, the Arab enterprises had been financially hurt as a result of the closing of all Arab banks in the

occupied territories. The Israeli Government lent continuous support to Israeli industrial enterprises, making Arab industries less competitive and eroding their ability to survive (see S/14628, paras. 67 and 225). The industrial establishments in the Israeli settlements are assured of government support, provided with incentives; they can command financing from Israeli banks and are able to commence operations with more modern technology, advantages which are not available to the Palestinian entrepreneur.

38. The occupied territories have witnessed a dramatic change in their pattern and direction of trade as well as in its terms. Whereas prior to 1967 the West Bank and the Gaza Strip had no trade relations whatsoever with Israel, the latter has become the main trading partner, accounting in 1979 for 64.1 per cent of the total value of exports from the occupied territories and 88.0 per cent of that of imports.

39. Exports comprise not only those intended for Israel but also for other countries having trade relations with Israel to which the West Bank and Gaza Strip producers and their organizations are debarred from exporting directly. Exports are permitted to Jordan and through it to other Arab countries, subject to a requirement by the importing countries of a certificate as to the origin of the product, namely, the West Bank or the Gaza Strip. The Gaza Strip has been able to export directly to certain East European countries not having trade relations with Israel. Exports to and through Jordan to other Arab countries are a valuable source of convertible foreign exchange earnings for Israel. In 1979, they earned the equivalent of 2,185.1 million Israeli pounds. Exports to other countries, mainly from the Gaza Strip, were valued at 251.3 million Israeli pounds. Exports to Israel were valued at 4,367.2 million Israeli pounds.

40. Imports into the occupied territories from Israel comprise not only products of Israeli origin but also those from other countries having trade relations with Israel. These are subject to Israeli import duties. In 1979, imports from and through Israel were valued at 12,331.3 million Israeli pounds; imports from Jordan were valued at 127.3 million Israeli pounds; and from other countries at 1,553.0 million Israeli pounds. For 1979, trade with Israel registered a deficit of 7,963.6 million Israeli pounds. Trade with Jordan had a surplus of 2,057.8 million Israeli pounds, and with other countries a deficit of 1,301.8 million Israeli pounds. p/

41. Two pertinent observations can be made on the basis of the above analysis. The first is that much of the wages earned by workers of the occupied territories employed in Israel is returned to the Israeli economy through the purchase of goods and services originating in Israel. The second is that foreign exchange to the value of 2,057.8 million Israeli pounds accrued to the Israeli economy in 1979, which, if not for the occupation, would be available to the producers of the

p/ Data in paragraphs 48, 49 and 50 have been computed from the Statistical Abstract of Israel, 1980, p. 685.

occupied territories. This, together with transfers to private persons from abroad amounting to 2,036.0 million Israeli pounds in 1979, q/ constituted a considerable addition to the foreign exchange resources at the disposal of the Israeli authorities.

42. Given the option to use these foreign exchange earnings and remittances from abroad at their discretion, the people in the occupied territories would have had a wider range of technologies and services for improving their agriculture, industry and living conditions. Under the prevailing conditions of occupation, however, they have no choice but to rely on what can be provided through Israeli sources. The uncertain conditions under which they live, the restrictions imposed on the use of their resources, the disincentives to improving their economy in terms of its contribution to a viable and dynamic society and the absence of any kind of involvement in the development process, all these have led to a situation where disposable resources after meeting consumption needs are expended mostly in private residential building rather than income-producing activities.

D. Infrastructure resources

43. In broad terms, infrastructure for development includes basic transportation and power-supply systems and such prerequisites for development as housing. After the Israeli occupation in 1967, housing construction activity in the West Bank fell drastically, creating a severe shortage and leading to high rents and overcrowding. At present, more than 50 per cent of the West Bank Arab population live in conditions where the density is more than three to a room.

44. A report prepared for the Economic Commission for Western Asia (ECWA) also notes that dilapidation of existing housing supplies in the West Bank has created further problems. r/

45. The housing situation is aggravated by the general problems of provision of infrastructure. Most villages still lack adequate connexions to water supplies, electricity, and to highway transportation networks, as indicated in appendix VI.

E. Cultural resources and values

46. The most severe impact of the occupation in cultural terms has fallen on the Arab population of East Jerusalem. Fragmentation of the Arab community living there has taken place physically by the establishment of Jewish residential quarters and settlements in the areas appropriated by the Israeli authorities. The

q/ Ibid., p. 683, table XXVII/9.

r/ B. Abu-Kishk, "Human Settlements: problems and social dimensions in the West Bank and Gaza" (ECWA, Beirut, 1981).

educational system has been changed from the prevailing Jordanian to the Israeli system, and the Israeli curriculum and textbooks have been substituted. Social, cultural and sports activities among the Arab residents have been discouraged. The circulation of a large number of books has been prohibited, and entry has frequently been refused for books and publications dealing with Arab culture and history. The authorities have renamed streets and sites in East Jerusalem which are of great religious and historic interest to the Arab and Moslem peoples. These and other instances affecting cultural values and the heritage of the Palestinian people have been documented in the report dated May 1979 submitted by the Hashemite Kingdom of Jordan to the Security Council commission established under Council resolution 446 (1979).

47. Conflicts have occurred between the Palestinians, on the one hand, and the Jewish community and the Israeli authorities, on the other, over the property of and rights to Al-Haram Al-Sharif containing Islamic sanctuaries and excavations in and around these sanctuaries; the application of Israeli law to Muslim religious affairs in East Jerusalem; and over the use of the Ibrahim Mosque in Hebron (see S/13450, Add.1, paras. 63-76, 89-93 and 112 and S/14268, annex I, paras. 5 and 16).

48. Instances have been cited in various contexts of attempts on the part of the occupying authorities to restrain the development of cultural values and resources of the Palestinian people living in the occupied territories and their transmission to the younger generation through the press and the educational media. In November 1980, the Bir Zeit University was closed for a week after the students began a "Palestinian Week" s/ celebration on campus without obtaining permission from the authorities. In another case, the Secretary-General of the Union of Palestinian Artists and Painters addressed a statement to the twenty-first General Conference of UNESCO, convened in Belgrade in 1980, in which he had mentioned a law enacted by the occupying Power to the effect that any Palestinian found singing a national hymn would be arrested and imprisoned for five years or fined a sum of 20,000 Israeli pounds. He had also cited cases where exhibitions of paintings had been raided, some paintings confiscated, and the closure of the 79 Gallery, an institution sponsored by the local Palestinian artists and painters for developing their art and culture.

49. The Jerusalem Post of 2 February 1981 reported that the Military Administration had banned the distribution in the West Bank of a number of books recently published in Lebanon, Jordan and Egypt. Libraries, bookstores and schools were warned to neither sell nor use those books. Moreover, according to information provided to the mission, the police raided several public libraries as well as libraries in schools and institutions in the West Bank, confiscating the books which were said to contain "insulting passages towards the State of Israel

s/ Middle East Journal, Spring 1981, vol. 35, No. 2, Chronology of Events, pp. 209 et seq.

and the Jewish people and others that constitute incitement". According to further information provided to the mission, Israeli forces conducted a raid and search of the Al-Njah University library. The Jerusalem Post of 2 February 1981 also reported that the municipalities of Ramallah and El-Bireh had been ordered to remove cloth maps of Palestine that hung in the mayors' chambers. Refusal to do so would result in prosecution, the authorities had said. Removal of the maps was ordered, it was reported, because they lacked the title of "State of Israel".

50. The report of the Director-General of UNESCO (20 C/113), on a fact-finding mission which visited the occupied territories in November-December 1977 mentions, regarding cultural and educational aspects in the occupied territories, that books are censored by the deletion of poetry or prose deemed to be patriotic by Palestinians. In many books the indication of the place of origin (Jordanian Ministry of Education, for example) is replaced by "West Bank Military Command" in Hebrew and Arabic. As regards books on history and geography, there were incomplete maps, biased views towards events relating to the region or to the neighbouring Arab countries, and the almost systematic replacement of "Palestine" by "Israel". The Israeli authorities did not permit the establishment or reopening of arts centres and cultural clubs which were too readily considered to be "hotbeds of rebellion". The censorship manages to reject certain works of fundamental importance to Arab culture ranging from poets and prose writers of the second and third centuries of the Hegira, to the works of Arab poets of the early twentieth century on the grounds that they constitute incitations to violence.

51. The report further states that festivals and exhibitions require the prior authorization of the military authorities and are sometimes forbidden at the last moment even when an authorization has been obtained. Folklore is also censored for security reasons invoked by the Israeli authorities. In a general conclusion the report mentions, inter alia, that the censorship, as practised at the time (1977), restricted the prospects of young Palestinians in the occupied territories by giving them a distorted image of their cultural heritage and making it difficult for them to have reasonable access to the Arab world of today or the contemporary world in general.

52. Further constraints to the acquisition by young Palestinians of a sense of cultural values and of their heritage relate to the deletion of material in textbooks which would engender patriotic and national feeling, banning geographical atlases in which the name and maps of Palestine appear, and adoption of methods of control over the contents of curriculum courses in academic institutions. Many textbooks of Arabic history, culture or politics are banned on "security" grounds. t/

t/ "Measures taken by the Israeli Occupation Authorities to Change School Curricula", The Committee for the Defense of Palestinian Human Rights under Israeli Occupation, Beirut, Lebanon, 1979 (mimeo), p. 3.

IV. IMPACT OF THE OCCUPATION ON THE DEVELOPMENT PROCESS IN THE ARAB STATES, THE OCCUPIED TERRITORIES AND ON THE PEOPLE LIVING THERE

53. The Palestinian refugee and displaced population living in Jordan, Lebanon and the Syrian Arab Republic, numbering 1,136,140 at the end of 1979, has necessitated the deployment of resources by the Governments of those countries to supplement the resources provided by UNRWA, which were mainly in the areas of shelter, education, training and health and in the distribution of dry food rations. For example, the Government of Jordan has provided the camp sites with water and bears the cost of providing it to them. It has also had to increase the budgets of such ministries as Education, Health, Social Affairs, Labour and Development and Reconstruction to help meet the needs of the refugees and displaced persons. The Government of the Syrian Arab Republic has had to make provision for the rehabilitation of its population that fled the Golan Heights and Quneitra district. The Government of Lebanon has had the continuous problem of coping with the needs of the Palestinian groups and its own citizens affected by violence in the area and by Israeli action. It is difficult to estimate the quantum of resources so deployed by each of the concerned Governments, as data directly attributable to the alleviation of the conditions of the refugees and displaced persons in each of the countries are not readily available. However, it can be assumed that they are considerable because of the increase in the population of refugees and displaced persons and the inadequacy of UNRWA resources to meet all the needs. It is clear that the developmental prospects of each of these countries has been adversely affected by the inability to reach a just and equitable solution in the area.

54. The impact of the occupation on the development process in Egypt has been examined in considerable detail, in terms of adverse economic effects, in the Secretary-General's report (A/32/204, paras. 58-109). Since then, Egypt has regained control over the oil fields at Abu Rudeis and over a part of the Sinai including the capital and human resources of the town of El Arish as well as water and other natural resources in the area. In the area under occupation, there are some 28 water wells. According to the Egyptian authorities, the condition of these wells as well as those returned earlier has yet to be assessed, particularly in terms of the effect of Israeli occupation and establishment of settlements.

55. The impact of the occupation on the development process in Jordan has also been examined in the Secretary-General's report (A/32/204, paras. 137-161). There is no reason to believe that income and production losses incurred by Jordan through the loss of control over the West Bank and East Jerusalem, which accounted for some 35 to 40 per cent of domestic production before the June 1967 war, have in any way since diminished. Under the regional development policies of the Government of Jordan prior to June 1967, the West Bank was being developed as the main source of agricultural production in the Kingdom. Since the war, although the "open bridges" policy of the occupying power has enabled Jordan to import agricultural products from the West Bank and Gaza, it has had to do so under the constraints of selected items allowed to be exported and the taxes imposed on them.

56. The Syrian Arab Republic has continued to incur losses to her national economy caused by the Israeli occupation of the Golan Heights which, prior to the June 1967 war, was reported to have produced between 9 and 11 per cent of the total production of Syria (S/13450/Add.1). The capital and income losses incurred by Syria resulting from the 1967 and 1973 wars are extensively examined in the Secretary-General's report (A/32/204, paras. 110-136). In a recent report submitted by the Government of the Syrian Arab Republic in connexion with the preparation of this report, it is indicated that the continued occupation of the Golan Heights has resulted in revenue and investment losses estimated at an annual average of 235 million Syrian lira and a cumulative loss of approximately 3,525 million Syrian lira up to the end of 1981. The cost of reconstructing and refurbishing the mosques and religious properties in Quneitra has cost 10 million Syrian lira. Damages to mosques and religious properties in the 150 villages in the Quneitra district have been estimated at 75 million Syrian lira. Cultural losses are represented by the destruction of the Cultural Center in Quneitra and monuments and historic buildings of the Roman, Byzantine and Ottoman periods in such places as Massarah, Bania and the historical hills around Quneitra. Income losses from the museums destroyed during the 1967 and 1973 wars have been estimated at \$12 million per annum.

57. In Lebanon, the situation that has developed cannot be separated from the wider developments in the area, including the occupation of adjoining Arab territories since 1967. The destruction caused to the Lebanese economy, not least in the south, and the need to relocate and rehabilitate the affected population, has adversely affected the development process in that country.

58. To assess the impact of the occupation on the development process in the occupied territories is to recount the adverse circumstances that have occurred in the lives and work of the people there in terms of loss of control over their resources and developmental options, the practice of their religion and development of their culture, and restrictions on the freedom of association, of expression and of movement. These have been commented upon in the preceding part of this report.

59. In addition to the above-mentioned circumstances hindering the development process in the occupied territories, a few other consequences need to be mentioned.

Foreign aid as a stimulus for development

60. In the circumstances in which the occupied territories find themselves, the infusion of outside resources to improve the economy and living conditions of the people is of paramount importance. At the Baghdad Summit of 1978, the Arab States established a special fund to channel resources to development projects in the occupied territories, and it was to be administered through a joint Jordanian-Palestinian committee. The flow of these funds has been progressively curtailed by the occupying Power through various administrative measures and policy directives. These have been documented in other reports submitted in response to General Assembly and Security Council resolutions and those of the governing bodies of other United Nations organs and the specialized agencies. According to Palestine Liberation Organization sources, \$US 150 million was to be transferred in

1981 for development projects in the occupied territories. In the past, approval of the Israeli Military Administration had on occasion been granted, although often after considerable delay, on satisfying certain conditions such as the consultants, the site, the specifications and the purposes for which the foreign resources would be used. Since August 1981, the transfer of these funds has been prohibited, as reported in Al-Fajar of 7 August 1981. While the occupying power asserts that the restrictions imposed are to ensure that the funds are used for the specific development project and not for subversive activities, the Palestinians in the occupied territories view these restrictions as part of a strategy to erode the economic, industrial, educational and infrastructural base of the territories and thereby provide a further reason for Arab emigration from the area.

61. Outside resources have also been made available through multinational channels. For example, under the mandate of General Assembly resolution 34/133, the United Nations Development Programme was to initiate a wide range of development activities in co-operation with other organs and agencies of the United Nations system. Eighteen projects at an estimated cost of \$US 3.5 million were approved by the Governing Council by its decision 79/18 and endorsed by the General Assembly. Agreement in principle with all interested parties had been reached for a more precise identification and formulation of 11 of the 18 projects, 10 of which were to be in the West Bank and Gaza and 1 in the Syrian Arab Republic. As of May 1981, three of the projects were under implementation and two were to commence implementation by 1 July 1981 (see DP/514).

62. The Governing Board of the United Nations Industrial Development Organization approved at its twelfth and fourteenth sessions the following projects in the industrial field as assistance to the Palestinian people:

- (a) Survey of the manufacturing industry in the West Bank and Gaza;
- (b) Training in industrial development;
- (c) Feasibility study for a cement plant in the West Bank;
- (d) Feasibility study for a canning plant for citrus fruits;
- (e) Assistance to the plastics industry;
- (f) Assistance to the pharmaceutical industry;
- (g) Assistance to small-scale industries and workshops.

Except for the project on training in industrial development, no progress had been made, as at February 1981, in the others, which are non-training projects, as access to the West Bank and Gaza had been denied by the occupying Power. u/

u/ See UNIDO document ID/B/C.3/97 submitted to the fourteenth session of the Permanent Committee of the Industrial Board and document ID/B/255 submitted to the fifteenth session of the Industrial Board.

63. There are a number of international non-governmental organizations working to alleviate the economic and social conditions of the people in the occupied territories, for example, Catholic Charities, American Near East Refugee Aid (ANERA) and Community Development Foundation (CDF). They constitute another source for channeling much needed foreign aid to small projects directly benefiting families and communities in the territories. It would appear that new rules have been issued restricting the implementation of such projects where the active participation of West Bank inhabitants is required and prompted (Community Development projects) while such restrictions do not apply to such projects where West Bank inhabitants serve essentially as consumers of supplies and services delivered to them. However, upon request from the Industrial Development Board, UNIDO is actively involved in identifying new projects which may be implemented to assist the Palestinian people.

Economic and financial constraints to development

64. The interdependence that is being progressively created between the economies of the occupied territories and Israel is having irrevocable effects on the development process in the former. While agriculture has benefited in terms of productivity and product mix, specialization of production has been directed towards supplementing agricultural production in Israel and the needs of Israeli agro-industries. Various persons knowledgeable of conditions in the occupied territories mentioned to the mission that agricultural research is discouraged in the West Bank and Gaza. What has been established there are demonstration centres to propagate results of research carried out in Israel. Under the present circumstances, in which the agricultural sector in the occupied territories is unable to respond to market conditions in production and distribution in which agricultural programming and the establishment of priorities and marketing of produce are in the hands of the Military Administration and in which farmers have to rely entirely on Israeli sources for the inputs, there is inadequate incentive to develop an agricultural base that will meet the needs of the people in the territories and of markets abroad.

65. The present circumstances are not conducive for the development of a viable industrial base. Activity in the industrial sector has, for the most part, come to rely on orders placed by Israeli enterprises on sub-contract or to supply materials to them. Because of the free entry of Israeli manufactured goods into the occupied territories, there is little incentive for the local industrialist to improve his product or expand production. He is further hampered by the lack of sources to finance research and development and modernize his plant.

66. Two other constraints to the agricultural and industrial development in the occupied territories are the establishment of new Israeli settlements and the lack of long-term and short-term development planning. As regards the former, the settlements are engaged in agricultural and industrial activities. They are in a preferential position. Their products compete with those of the local producers in the occupied territories who do not have comparable advantages in the form of subsidies, incentives, credit facilities and land, water and energy use. The lack of long-term development planning to give focus and direction for the development of the occupied territories is a principal cause of the stagnation of the economy.

It has impaired the systematic development of the economy, including financing, investment in productive activities and manpower planning, which would be viable and self-generating for the benefit of the people in the occupied territories.

67. A serious impediment to development impulses in the territories is the absence of a financial infrastructure to mobilize savings and provide for investment capital. After the occupation in 1967, major Arab banks were closed, and significant assets and liabilities were transferred out of the area. The Military Government administering the area permitted Israeli banks to open branches. These banks have not commanded the same measure of confidence of the savers and investors in the territories. Operations have been minimal and restricted to transactions involving the settling of accounts through Israeli banks, such as transactions made with Israeli or foreign firms. The more vital functions of providing services for development have been severely limited. Credit obtained from the banks, which is limited and high cost, is usually obtained for operating expenses. Little is used for capital investment, which is usually financed from current earnings of the enterprises or remittances from abroad.

68. Because of the instability of the Israeli monetary unit as a result of recent high rates of inflation, there is little inclination on the part of the residents of the occupied territories to accumulate assets in that currency. Most of it is spent on current transactions and for purchase of consumption goods. Wherever possible assets are accumulated, even for purposes of hoarding, in Jordanian dinars which are convertible and which are available in the territories where they are allowed to circulate alongside the Israeli currency. Where any returns on transactions are available in Jordanian dinars, there is a preference among the recipients in the territories to invest in developments in Jordan. Firms operating in the occupied territories and having interests elsewhere, such as in Jordan, tend to keep their operations in the territories to a minimum. v/

Sovereignty over national resources as an aspect of development

69. Sovereignty over national resources is generally interpreted as the prerogative of the people to determine how resources will be developed, how they will be used, conserved and preserved. These choices are normally made through political institutions. According to the mayors of Halhul and Hebron interviewed by the mission in Amman, Palestine Liberation Organization officials and representatives and residents of the West Bank who met with the mission, the highest form of representative government in the occupied territories is the municipality, which is responsible for local affairs, except police functions, within its area of jurisdiction. The municipalities, however, have been subordinated to the over-all authority of the Military Administration, which has tended to control and limit their decision-making powers and use of their resources. Municipal elections were held in 1972 and again in 1976 under the provisions of Jordanian law prevailing

v/ See UNCTAD report submitted to the twenty-third session of the Trade and Development Board (TD/B/870).

before the occupation. Those of 1976 brought to the forefront of municipal politics representatives, including mayors, from the National Front which supports the Palestinian Liberation Organization. Since then, the powers and rights of the municipalities have been severely impaired by decisions of the Military Administration. The characteristics of Israeli policies have generally been to reduce the self-financing capacities of municipalities, to use financial grants from the Military Administration to exercise political pressure on Arab mayors and, in particular, to withhold funds from municipalities governed by mayors considered unsympathetic towards Israel and its policies.

70. Information provided to the mission indicates that the military authorities had reduced the income from fuel taxes which are an important source of revenue, and in some cases withheld them, as in the case of Nablus where the military authorities had taken over the collection for the last two years. The military authorities had eliminated the share of the customs duties that used to accrue to the municipalities prior to the occupation in June 1967. Instead, a new 12 per cent excise tax was imposed, which is not shared with the municipalities. The military authorities also took over the granting of building licenses. This has resulted in the elimination of the license fee income accruing to the municipalities. At the same time, this action has given the power to the authorities to stop new building activity in the municipalities. The municipal elections which should have been held in 1980 under the law have been postponed indefinitely. It would appear that the decision-making powers of the people even at the level of the municipality are being curtailed further eroding their control over the national resources in their territories.

APPENDIX I

Table 1

Water consumption in Israel

Year	Total (millions of cubic metres)	Domestic (millions of cubic metres)	Industrial (millions of cubic metres)	Population (thousands)	Per capita domestic and industrial water (litres per day)
1958	1 274	196	46	2 000	332
1960	1 338	197	54	2 117	325
1965	1 329	199	55	2 563	272
1969	1 537	231	70	2 884	286
1970	1 564	240	75	2 974	290
1971	1 659	254	86	3 069	304
1972	1 565	268	87	3 173	307
1974	1 565	288	97	3 377	312
1975	1 596	295	94	3 455	310
1976	1 728	306	95	3 533	311
1977	1 670	308	91	3 613	303
1978	1 673	348	94	3 737	293
1979	1 790	367	96	3 836	306
Average 1970-1979					

Source: Statistical Abstract of Israel, 1973, 1978 and 1980 editions, (Israel, Central Bureau of Statistics).

Table 2

Water consumption in the West Bank and Israel

(Millions of cubic meters)

	<u>West Bank</u>	<u>Israel</u>
Agriculture	90	1 325
Industry	)	95
House consumption	) 10	300
)	
Total	100	1 720
Consumption <u>per capita</u> (over-all)	0.142	0.537
Domestic consumption <u>per capita</u>	0.013	0.086

Source: For West Bank: Palestine National Fund, "Water Resources and Policies in the West Bank" (n.d.), p. 4; For Israel: KIDMA: Israel Journal of Development, No. 10 (1977).

Table 3

Israel's available water supplies
(Millions of cubic meters per annum)

Jordan River water	450
Return flows, Jordan Basin	50
Springs in eastern watershed	150
Springs in western watershed (including Yarkon springs)	350
Ground water	450
Flood flows	100
Return flow from irrigation	100
Re-use of domestic and industrial water	<u>150</u>
Total	1 800
Less: domestic and industrial use	<u>300</u>
Available for irrigation	1 500

Source: Tabal (Water Planning for Israel, Ltd.), "The Master Plan for Israel Development of Irrigation" (Tel Aviv, 1956), p. 4.

APPENDIX II

Table 1

Population of the West Bank and the Gaza Strip
 and Northern Sinai
 (In thousands)

<u>Year</u>	<u>Yearly rate of increase (decrease)</u>	<u>Natural increase</u>	<u>Population at end of the year</u>	<u>Increase (decrease)</u>
<u>The West Bank</u>				
1967	(1.7)	3.0	585.7	-
1968	(0.7)	11.7	581.7	(4.0)
1969	2.3	12.3	595.2	13.5
1970	1.5	13.7	603.9	8.7
1972	1.9	16.8	629.0	25.1
1974	2.4	18.1	661.6	32.6
1975	0.5	18.6	665.1	3.5
1976	0.9	20.3	670.9	5.8
1977	1.5	20.5	681.2	10.3
1978	1.4	18.6	690.4	9.2
1979	1.3	20.9	699.6	9.2
<u>The Gaza Strip and Northern Sinai</u>				
1967	(2.3)	3.3	380.9	-
1968	(6.6)	7.4	355.9	(25.0)
1969	1.8	9.2	362.2	6.3
1970	1.5	8.8	367.7	5.5
1972	2.0	11.5	383.5	15.8
1974	2.8	13.2	408.5	25.0
1975	2.4	13.8	418.5	10.0
1976	2.5	14.8	429.0	10.5
1977	2.9	15.3	441.3	12.3
1978	2.0	14.1	450.2	8.9
1979*	2.9	16.1	432.6	(17.0)

Source: Extracted from Statistical Abstract of Israel, 1980, No. 31,
 (Central Bureau of Statistics, Jerusalem), p. 677, table XXVII/1.

* Less the population of El Arish.

Table 2

Employment of professional, academic and administrative workers

	<u>1972</u>	<u>1974</u>	<u>1977</u>	<u>1979</u>
<u>Gaza Strip and Northern Sinai</u>				
<u>Employees a/</u>				
Total (thousands)	5.1	5.4	5.6	4.8
Percentage of total employees	11.9	11.2	10.9	9.2
<u>Employed</u>				
Total (thousands)	5.6	5.8	5.7	5.2
Percentage of total employed	8.8	8.0	7.4	6.6
<u>West Bank</u>				
<u>Employees</u>				
Total (thousands)	9.8	10.2	10.1	9.9
Percentage of total employees	13.7	12.8	13.7	12.6
<u>Employed</u>				
Total (thousands)	10.8	11.8	11.2	11.0
Percentage of total employed	8.7	8.6	8.8	8.3

a/ In this and the following tables, the term "employees" refers to wage and salary earners. The term "employed" refers to wage and salary earners and all self-employed.

Table 3

Employment of clerical, sales and service workers

	<u>1972</u>	<u>1974</u>	<u>1977</u>	<u>1979</u>
<u>Gaza Strip and Northern Sinai</u>				
<u>Employees</u>				
Total (thousands)	6.3	6.7	7.8	7.2
Percentage of total employees	14.7	13.9	15.0	13.8
<u>Employed</u>				
Total (thousands)	15.5	17.0	18.2	15.8
Percentage of total employed	24.4	23.3	23.7	19.9
<u>West Bank</u>				
<u>Employees</u>				
Total (thousands)	10.1	11.0	12.4	12.3
Percentage of total employees	14.2	13.8	16.7	15.6
<u>Employed</u>				
Total (thousands)	22.5	23.4	25.7	25.6
Percentage of total employed	18.0	17.0	20.2	19.3

Source: S/14268.

Table 4

Employment of agricultural, skilled, semi-skilled and
 unskilled workers

	<u>1972</u>	<u>1974</u>	<u>1977</u>	<u>1979</u>
<u>Gaza Strip and Northern Sinai</u>				
<u>Employees</u>				
Total (thousands)	31.5	36.6	37.9	40.3
Percentage of total employees	73.4	74.8	73.1	77.0
<u>Employed</u>				
Total (thousands)	42.5	50.2	52.7	58.3
Percentage of total employed	66.8	68.7	68.3	73.2
<u>West Bank</u>				
<u>Employees</u>				
Total (thousands)	51.8	58.9	51.5	56.4
Percentage of total employees	72.1	73.6	69.6	71.8
<u>Employed</u>				
Total (thousands)	91.7	102.5	90.4	96.1
Percentage of total employed	73.3	74.4	71.0	72.4

Source: S/14268.

APPENDIX III

Table

Employed persons, by selected economic branch and place of work
 (Percentage)

Year	Worked in Israel				Worked in the occupied territories				Total Thous- ands	
	Other	Constr- uction	Indus- tries	Agricul- ture	Other	Constr- uction	Indus- tries	Agricul- ture		Percent- age
1972	10.3	49.5	17.1	23.1	46.4	6.2	13.9	33.5	100	136.3
1974	10.9	52.5	17.5	19.1	46.0	6.2	14.0	33.8	100	141.7
1977	17.2	45.3	21.3	16.2	46.2	9.1	14.2	30.5	100	141.4
1979	16.2	46.2	22.8	14.8	45.1	10.1	16.8	28.0	100	138.0

Source: Statistical Abstract of Israel, 1980, No. 31, p. 696.

APPENDIX IV

Table

Agricultural output in the West Bank and Gaza Strip

	Quantity (Thousand tons)					
	1967-1968	1972-1973	1973-1974	1976-1977	1977-1978	1978-1979
<u>West Bank</u>						
Field crops	23.5	43.3	63.9	41.8	46.0	41.2
Vegetables and potatoes	60.0	93.4	136.3	149.4	156.3	141.3
Melons and pumpkins	36.0	3.3	4.2	8.9	11.4	8.0
Olives	28.0	21.0	110.0	17.0	85.0	21.1
Citrus	30.0	58.0	61.5	85.5	80.8	79.1
Other fruit	47.9	61.8	69.0	78.8	95.4	87.0
Meat	10.3	20.2	20.0	20.5	19.8	23.5
Milk	30.3	44.3	44.7	39.6	39.9	39.4
Eggs (million)	25.0	38.0	38.0	40.0	44.5	44.5
<u>Gaza Strip and Northern Sinai</u>						
Field crops	x	x	x	x	x	x
Vegetables and potatoes	31.8	40.5	38.1	50.8	53.4	51.4
Melons and pumpkins	12.5	5.0	6.1	2.9	2.8	3.6
Citrus	91.0	205.2	211.9	232.3	180.6	189.3
Other fruit	19.0	21.4	26.4	21.1	24.8	19.5
Meat	1.7	3.5	3.4	4.3	4.8	5.1
Milk	2.8	10.2	11.7	12.0	14.8	16.2
Fish	3.7	4.6	3.5	5.1	4.5	3.5
Eggs (million)	10.0	30.0	30.0	35.0	40.0	47.5

Source: Statistical Abstracts of Israel, 1975, p. 710 and 1980, p. 701.

APPENDIX V

Table

Structure of industry in the West Bank and Gaza Strip
 (1979)

Number of persons employed	Number of establishments
<u>West Bank</u>	
1	585
2 - 3	920
4 - 7	518
8 - 10	71
11 - 20	77
21 or more	37
Total	2 208
<u>Gaza Strip and Northern Sinai</u>	
1	407
2 - 3	423
4 - 7	344
8 - 10	68
11 - 20	62
21 or more	30
Total	1 334
<u>West Bank</u>	
Establishments engaging employees	1 256
Establishments not engaging employees	951
Total	2 208
<u>Gaza Strip and Northern Sinai</u>	
Establishments engaging employees	714
Establishments not engaging employees	620
Total	1 334

Source: Statistical Abstract of Israel, 1980, p. 707.

APPENDIX VI

Table

Distribution of village infrastructure

District	Total Villages	Villages without electricity	Villages without a water system	Villages with poor connexion to highway			
		Percentage	Percentage	Percentage			
East Jerusalem	32	15	47	21	66	9	28
Ramallah	70	48	61	38	54	6	4
Bethlehem	32	27	84	22	69	21	66
Hebron	60	39	65	40	67	19	32
Nablus	124	106	85	114	92	37	30
Tulkaum	46	32	70	23	50	7	15
Jerim	64	50	78	53	83	16	25
West Bank	428	312	73	311	75	115	27
Gaza Strip	21	5	24	4	19	4	19
Total	449	317	70	325	72	119	26

Source: Data collected by the Secretary of the International Council of Churches, February 1980.

APPENDIX VII

Reply dated 3 August 1981 from the Permanent Representative of Israel
to the United Nations to a note verbale of the Secretary-General
dated 22 June 1981

The Permanent Representative of Israel to the United Nations presents his compliments to the Secretary-General of the United Nations and has the honour to refer to the Secretary-General's Note PO/230 of 22 June 1981 on permanent sovereignty over national resources in the territories administered by Israel.

The General Assembly resolutions pertaining to the above subject are motivated by blatant political hostility towards Israel. Therefore, the Government of Israel regrets that it cannot associate itself with the actions called for by those resolutions.

The above-mentioned resolutions are distorted and biased against Israel and they ignore many productive activities and achievements. As a result, Israel voted against them.

Concerning the involvement of staff members and consultants of the Economic Commission for Western Asia (ECWA) in the preparation of the proposed report, the Permanent Representative of Israel wishes to recall that the establishment of ECWA in 1973 was a flagrant violation of the principles of the United Nations Charter which pertain to the sovereign equality of all States. Since the Commission's inception, Israel, a Member State of the United Nations situated within the geographical region of the Commission, was deliberately excluded from membership in the Commission.

The defect inherent in the very existence of ECWA was compounded by the admission of the terrorist PLO to full membership status in ECWA, in violation of the norms governing membership in such regional commissions.

Furthermore, the "balanced and objective expert view" mentioned in the Secretary-General's note cannot be attained by an investigation limited to "pertinent losses" as indicated in resolution 32/161. On the contrary, to be balanced and objective, the expert view should include a report on the outstanding achievements attained in the administered territories, such as the substantial improvement in the standard of living of the local population, the full employment there, the important achievements in building and construction, the increase in agricultural output, the modernized methods introduced in all economic fields and the significant rise in the GNP.

Consequently, Israel can hardly be expected to allow ECWA consultants and staff members to take part in a mission to territories administered by Israel.

The Permanent Representative of Israel to the United Nations avails himself of this opportunity to renew to the Secretary-General of the United Nations the assurances of his highest consideration.

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REPORT OF THE ECONOMIC AND SOCIAL COUNCIL

Permanent sovereignty over national resources in the
occupied Arab territoriesReport of the Secretary-General

1. The question of sovereignty over national resources in the occupied Arab territories has been engaging the attention of the General Assembly since its twenty-seventh session (resolution 3005 (XXVII)), and at its twenty-ninth session it adopted resolution 3336 (XXIX) of 17 December 1974, in which it requested the Secretary-General to "prepare a report on the adverse economic effects on the Arab States and peoples, resulting from repeated Israeli aggression and continued occupation of their territories, to be submitted to its thirtieth session". At its thirty-second session, the General Assembly considered the report of the Secretary-General (A/32/204) submitted in response to resolution 31/186 of 21 December 1976, and adopted resolution 32/161, in which it noted that the report did not cover all pertinent losses which it proceeded to outline in paragraph 2 of that resolution. The question was taken up again by the General Assembly at its thirty-fourth session when, in resolution 34/136 of 14 December 1979, it requested the Secretary-General to prepare and submit to its thirty-fifth session a report which took into consideration the provisions of paragraph 2 of resolution 32/161. The request was repeated in resolution 35/110 of 5 December 1980.
2. At its thirty-sixth session, the General Assembly, having considered the report of the Secretary-General (A/36/648), adopted resolution 36/173 of 17 December 1981, in which it requested the Secretary-General, among other things, to submit to the Assembly at its thirty-seventh session a comprehensive report on permanent sovereignty over national resources in the occupied Palestinian and other Arab territories and proposals for follow-up and implementation.
3. With a view to gathering the information required for the above report, a note verbale was addressed to the Permanent Missions of Egypt, Israel, Jordan, Lebanon

and the Syrian Arab Republic, as well as the Permanent Observer of the Palestine Liberation Organization. Relevant information was requested by 31 August 1982 at the latest. Letters were also addressed to the specialized agencies and organs and units of the United Nations which could provide relevant information on this subject.

4. A reply, dated 8 September 1982, has been received from the Permanent Representative of Israel who stated that his Government's position on the resolutions pertaining to the subject of permanent sovereignty over national resources in the occupied Arab territories had been outlined in his note verbale of 3 August 1981 (see A/36/648, appendix VII).

5. Replies have been received from the Syrian Arab Republic dated 17 September 1981 and 8 October 1982. Both letters address themselves to the overall results of the occupation of the Golan Heights. The latter, in particular, contains, *inter alia*, the following information with regard to the financial effects of the Israeli occupation of the Golan (subparagraph 2 (c) of the Mission's note of 17 September 1981)

"the financial losses to the State budget totalled LS 3,525 million, on the average, for the period from 1967 to mid-1981, an average of LS 235 million a year. To this should be added the amount of LS 235 million for the past year from mid-1981 to mid-1982, making an overall total of LS 3,760 million".

6. The United Nations Development Programme referred to the decisions of its Governing Council, 79/18 of June 1979 and 82/13 of June 1982, which provided for the initiation and later continuation of a new Programme of Assistance to the Palestinian People, designed to help meet their economic and social needs through a series of development projects implemented largely in the occupied territories. The United Nations Children's Fund furnished information on assistance being provided to Palestinian mothers and children in Jordan, Lebanon, the Syrian Arab Republic, and the West Bank and the Gaza Strip as part of the programme approved by its Executive Board at its 1980 session. The United Nations Relief and Works Agency for Palestinian Refugees in the Near East, while referring to the services it is providing in the fields of education, health and relief, stated that its mandate did not give UNRWA authority to deal with the question of permanent sovereignty over national resources in the occupied territories. The Food and Agriculture Organization of the United Nations provided information on assistance that is being given to the Palestinian people in pursuance of the Economic and Social Council resolutions 2026 (LXI) and 2100 (LXIII) as part of the programme of technical assistance approved by the Governing Council of UNDP. The United Nations Educational, Scientific and Cultural Organization provided information on actions taken by it for the protection of cultural property in Jerusalem.

7. In addition to the above, certain data concerning the occupied Arab territories are also published in various official documents. However, the information available proved insufficient for the preparation of a comprehensive report which would add appreciably to the information contained in the report on the subject submitted to the General Assembly at its thirty-sixth session (A/36/648) and the relevant sections of the report contained in document A/37/238.

In particular, the lack of access to the territories prevented the collection of information regarding the effects of developments that took place there during the last 12 months. These developments included the extension of Israeli law to the occupied Syrian Golan Heights and certain administrative measures taken in the West Bank and the Gaza Strip.

8. In these circumstances, the Secretary-General has not been in a position to complete the comprehensive report requested by the General Assembly. Every effort will be made to prepare such a report in time for submission to the Assembly at its thirty-eighth session, together with the report on "the implications, under international law of the United Nations resolutions on permanent sovereignty over natural resources, on the occupied Palestinian and other Arab territories, and on the obligations of Israel concerning its conduct in these territories" called for in paragraph 8 of General Assembly resolution 36/173.



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REPORT OF THE ECONOMIC AND SOCIAL COUNCIL

ECONOMIC AND SOCIAL COUNCIL
Second regular session of 1983
Item 5 of the provisional
agenda**
PERMANENT SOVEREIGNTY OVER
NATIONAL RESOURCES IN THE
OCCUPIED PALESTINIAN AND
OTHER ARAB TERRITORIES

Implications, under international law, of the United Nations
resolutions on permanent sovereignty over natural resources,
on the occupied Palestinian and other Arab territories and
on the obligations of Israel concerning its conduct in these
territories

Report of the Secretary-General

1. The General Assembly, by resolution 36/173 of 17 December 1981, requested the Secretary-General to prepare a report "on the implications, under international law, of the United Nations resolutions on permanent sovereignty over natural resources, on the occupied Palestinian and other Arab territories and on the obligations of Israel concerning its conduct in these territories". By its resolution 37/135 of 17 December 1982, the General Assembly requested the Secretary-General to submit the report to it at its thirty-eighth session, through the Economic and Social Council.

2. In implementation of the request of the General Assembly, a legal expert, Mr. Blaine Sloan, was engaged to prepare a detailed study on the subject. Mr. Sloan is Professor of International Law and Organization at Pace University School of Law, White Plains, New York, and a former Director of the General Legal Division and Deputy to the Under-Secretary-General, Office of Legal Affairs of the United Nations Secretariat. The study prepared by Mr. Sloan is annexed to the present report.

* A/38/50/Rev. 1.

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Annex

STUDY OF THE IMPLICATIONS, UNDER INTERNATIONAL LAW, OF THE UNITED NATIONS RESOLUTIONS ON PERMANENT SOVEREIGNTY OVER NATURAL RESOURCES, ON THE OCCUPIED PALESTINIAN AND OTHER ARAB TERRITORIES AND ON THE OBLIGATIONS OF ISRAEL CONCERNING ITS CONDUCT IN THESE TERRITORIES*

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* Prepared by Mr. Blaine Sloan, Professor of International Law and Organization, Pace University School of Law, White Plains, New York, and former Director of the General Legal Division and Deputy to the Under-Secretary-General, Office of Legal Affairs of the United Nations Secretariat. The bibliography accompanying this study was prepared by Messrs. Adeno Addis (Ethiopia), George C. Chaponda (Zambia), Kevin J. Madders (United Kingdom of Great Britain and Northern Ireland), Keith D. Nunes (Austria), Stanislaw E. Saalborn (Poland) and Seigfried Wiessner (Federal Republic of Germany) affiliated with Yale Law School, who were also associated in the research. Appreciation for assistance in research is likewise due to Raymond Gregory and, most particularly, Andrew Bilinski, Pace law students.

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INTRODUCTION

1. The General Assembly, by resolution 36/173 of 17 December 1981, requested the Secretary-General to prepare:

"a report on the implications, under international law, of the United Nations resolutions on permanent sovereignty over natural resources, on the occupied Palestinian and other Arab territories and on the obligations of Israel concerning its conduct in these territories". 1/

The Secretary-General was requested to submit the report to the Assembly at its thirty-eighth session, through the Economic and Social Council. 2/

2. The present study, which has been prepared in connection with this request, is directed towards a legal analysis of the implications which the United Nations resolutions on permanent sovereignty may have with respect to the exercise of rights over natural resources in the occupied territories and with respect to the obligations of Israel concerning its conduct in those territories. The study will first examine the development of the principle of permanent sovereignty over natural resources. It will then consider the United Nations resolutions, in particular as they apply to occupied territories. It will also consider the relevant law of belligerent occupation and the implications of the United Nations resolutions as they may affect the obligations of an occupying Power. Finally, the study will consider implications with respect to the occupied Palestinian and other Arab territories and the obligations of Israel concerning conduct in those territories.

I. THE PRINCIPLE OF PERMANENT SOVEREIGNTY OF PEOPLES AND NATIONS OVER THEIR NATURAL RESOURCES.

3. The principle of permanent sovereignty over natural resources found its first expression in the United Nations during the early 1950s in the parallel fields of economic development and human rights. 3/ On the economic side, the General Assembly, acting on reports of its Second Committee, adopted resolution 523 (VI) of 12 January 1952 and, more particularly, resolution 626 (VII) of 21 December 1952, in which the Assembly remembered "that the right of peoples freely to use and exploit their natural wealth and resources is inherent in their sovereignty and is in accordance with the Purposes and Principles of the Charter of the United Nations". This resolution almost immediately found some reference in State practice, being referred to both by Guatemala and by the United States of America in connection with the former's nationalization of the United Fruit Company. 4/ More significantly, it was cited by Italian 5/ and Japanese 6/ courts in upholding the validity of the Oil Nationalization Laws of Iran of 1951. 7/

4. At almost the same time, the principle of permanent sovereignty emerged in discussions in the Commission on Human Rights and in the Third Committee of the General Assembly as an essential element in the right of self-determination. 8/ The General Assembly had determined that an article relating to the right of

peoples to self-determination should be included in the International Covenants on Human Rights 9/ and, in 1954, requested the Commission on Human Rights to complete its recommendations on that article "including recommendations concerning their permanent sovereignty over their natural wealth and resources ...". 10/ Extensive work in the Commission on Human Rights and in the Third Committee at the tenth session of the Assembly in 1955, resulted in the approval of a text which, with only a minor drafting change, was to become article 1 of both the International Covenant on Economic, Social and Cultural Rights and the International Covenant on Civil and Political Rights. 11/ Paragraph 2 of the Article reads as follows:

"All peoples may, for their own ends, freely dispose of their natural wealth and resources without prejudice to any obligations arising out of international economic co-operation, based upon the principle of mutual benefit, and international law. In no case may a people be deprived of its own means of subsistence." 12/

5. These two threads ran together in 1958 with the establishment by the General Assembly of a Commission on Permanent Sovereignty over Natural Resources. 13/ Acting on a report of the Third Committee, the General Assembly, having noted that the right of peoples and nations to self-determination as affirmed in the two draft covenants completed by the Commission on Human Rights includes "permanent sovereignty over their natural wealth and resources", established the Commission on Permanent Sovereignty "to conduct a full survey of the status of this basic constituent of the right to self-determination". 14/ The work of the Commission, supported by extensive studies by the Secretariat, 15/ resulted in the adoption of the declaration on permanent sovereignty over natural resources (General Assembly resolution 1803 (XVII) of 14 December 1962). This resolution, adopted on the recommendation of the Second Committee by 87 votes to 2, with 12 abstentions, represented a carefully worked out compromise between the developing States on the one hand and the western market economy States on the other, particularly on questions concerning expropriation. The right of nationalization, expropriation or requisitioning on grounds of public utility, security or the national interest was recognized, with appropriate compensation to be paid in accordance with the rules in force in the State taking such measures in the exercise of its sovereignty and in accordance with international law. 16/ The socialist States of Eastern Europe, some of whose key amendments had been rejected in close votes, abstained in the final vote on the resolution. 17/

6. In paragraph 1 of the declaration, the General Assembly states that "the right of peoples and nations to permanent sovereignty over their natural wealth and resources must be exercised in the interest of their national development and of the well-being of the people of the State concerned". In paragraph 7, the Assembly declares that "violation of the rights of peoples and nations to sovereignty over their natural wealth and resources is contrary to the spirit and principles of the Charter of the United Nations and hinders the development of international co-operation and the maintenance of peace".

7. The declaration (resolution 1803 (XVII)) has been cited in international arbitrations, 18/ national court decisions, 19/ Government decrees and diplomatic protests. 20/

8. Since the adoption of the declaration in 1962, the General Assembly has adopted a number of resolutions reaffirming an inalienable right to permanent sovereignty and linking the principle of development programmes. 21/ These culminated in 1974 in resolutions 3201 (S-VI) and 3203 (S-VI) of 1 May 1974 on the establishment of a new international economic order and resolution 3281 (XXIX) of 12 December 1974, containing the Charter of Economic Rights and Duties of States. 22/ Permanent sovereignty over natural resources is a pillar of both the new international economic order and the Charter of Economic Rights and Duties of States. 23/
9. In addition to United Nations resolutions dealing with permanent sovereignty generally, from 1972 onwards a series of General Assembly resolutions 24/ have dealt specifically with permanent sovereignty over natural resources in the occupied Palestinian and other Arab territories. These will be dealt with in more detail later in the present study. 25/
10. Permanent sovereignty has become a pervasive principle appearing in many different contexts. As previously noted, 26/ it appears in article 1 of both International Covenants on Human Rights. On 26 May 1983, 78 States had ratified or acceded to the International Covenant on Economic, Social and Cultural Rights and 75 to the International Covenant on Civil and Political Rights. No reservations relating to permanent sovereignty have been made by any of the signatories or parties. 27/ The principle of permanent sovereignty also appears in other treaties and international agreements. The General Assembly, in adopting resolution 1803 (XVII), had reserved its position with respect to succession of States which, it noted, was being examined by the International Law Commission. The Commission did not include a provision on permanent sovereignty in its draft articles on succession of States in respect of treaties. However, at the resumed session of the Vienna Conference in August 1978, article 13 was added providing that:
- "Nothing in the present Convention shall affect the principles of international law affirming the permanent sovereignty of every people and every State over its natural wealth and resources." 28/
- In its draft articles on succession of States in respect of State property, archives and debts, the Commission did give prominent, although controversial, place to the principle of permanent sovereignty in the articles dealing with newly independent States. 29/ Those articles were adopted virtually unchanged by the Conference by 52 votes to 21 (art. 15) and 55 votes to 21, with 1 abstention (art. 38). The articles, relating, respectively, to State property and to State debts, provide that agreements between predecessor and newly independent States "shall not infringe the principle of the permanent sovereignty of every people over its wealth and natural resources". Another treaty, the Banjul Charter on Human and Peoples' Rights, drawn up by the Organization of African Unity, also contains an article (art. 21) setting forth in some detail the right to permanent sovereignty of all peoples over their wealth and natural resources. 30/
11. The Lima Declaration and Plan of Action on Industrial Development and Co-operation, endorsed by the General Assembly in its resolution 3362 (S-VII) of 16 September 1975, has important provisions on permanent sovereignty. 31/ The

proposed Code of Conduct on Transnational Corporations, likewise contains a draft article on permanent sovereignty. 32/ Proposals for provisions on permanent sovereignty have been made in such diverse organs as the Special Committee on the Charter of the United Nations and on the Strengthening of the Role of the Organization 33/ and the Legal Sub-Committee of the Committee on the Peaceful Uses of Outer Space. 34/ The principle of permanent sovereignty is also the subject of very extensive literature although much of this has centred on questions concerning expropriation of foreign owned properties and is not directly relevant to the present study. 35/

12. It may be concluded that the permanent sovereignty over natural resources is a generally accepted principle of international law. The controversies which rage over the subject concern its precise content and its relationship to other principles of international law. The existence of the principle itself at least as a generic norm is no longer open to question. States have generally accepted the principle of permanent sovereignty in one form or another, either as in resolution 1803 (XVII) or as in the resolutions on the new international economic order, as well as in the International Covenants on Human Rights. It is considered at the same time a basic constituent of the right of self-determination and an essential and inherent element of State sovereignty. It may be defined as the prerogative of peoples to determine how their resources will be developed, used, conserved and preserved 36/ and the "inalienable" right of each State to full exercise of authority over its natural wealth with the correlative right to dispose of its resources fully and freely. 37/

13. While there remains little doubt that the right of States and peoples to permanent sovereignty over natural resources is an established principle of international law, it would seem that a substantial majority of States would go further and assert that it is an imperative norm having the character of jus cogens. 38/ A smaller, but economically influential group of States would appear to feel strongly to the contrary. 39/ On the one hand a number of States would point out that the principle had not acquired independently the recognition "by the international community of States as a whole" required by article 53 of the Vienna Convention on the Law of Treaties to make it an imperative norm. On the other hand, it may be maintained by other States that as a constitutive element of sovereignty and self-determination the principle had already an inherent status approaching jus cogens.

II. UNITED NATIONS RESOLUTIONS ON PERMANENT SOVEREIGNTY OVER NATURAL RESOURCES

14. For the purposes of the present study the United Nations resolutions on permanent sovereignty over natural resources may be grouped in three categories: first, those resolutions which deal with permanent sovereignty generally; secondly, General Assembly resolutions dealing with permanent sovereignty over national resources 40/ in the occupied Palestinian and other Arab territories; and, thirdly, Security Council resolutions concerning the occupied territories. While resolutions in this third category do not expressly refer to permanent sovereignty, they contain provisions which are relevant to natural resources in the occupied territories.

A. Resolutions dealing with permanent sovereignty generally

15. General Assembly resolutions dealing with permanent sovereignty over natural resources generally were surveyed in section I of the present study, in showing the development of the principle of permanent sovereignty. Particular points in those resolutions which may be relevant to the situation in the occupied territories would include the following:

(a) The right to permanent sovereignty is a right to freely use, control and dispose of natural resources. It is permanent and inalienable, inherent in sovereignty and a basic constituent of the right to self-determination.

(b) The right to permanent sovereignty is a right of both States and peoples. While there may be some confusion in certain passages, this conclusion clearly emerges from the resolutions as a whole. It also necessarily follows from the status of permanent sovereignty as a basic constituent of the right of peoples to self-determination. In resolutions 837 (IX), 1314 (XIII), 1803 (XVII) and 2692 (XXV), the General Assembly refers to "peoples and nations".

(c) The right to permanent sovereignty should be respected in conformity with the rights and duties of States under international law (resolution 1515 (XV)). Its violation is contrary to the spirit and principles of the Charter of the United Nations (resolution 1803 (XVII)). Any measure or pressure directed against any State exercising the right is a flagrant violation of the principles of self-determination of peoples and non-intervention, as set forth in the Charter, which, if pursued, could constitute a threat to international peace and security (resolution 2993 (XXVII)). No State may be subjected to economic, political or any other type of coercion to prevent the free and full exercise of this inalienable right (resolution 3201 (S-VI)).

(d) The right to permanent sovereignty includes the right of peoples to regain effective control over their natural resources. In resolution 3171 (XXVIII), the General Assembly: "Supports resolutely the efforts of the developing countries and of the peoples of the territories under colonial and racial domination and foreign occupation in their struggle to regain effective control over their natural resources."

(e) The right to permanent sovereignty also includes, in case of violation, the right to restitution and full compensation. In resolution 3201 (S-VI), paragraph 4 (f), the General Assembly includes the following principle: "The right of all States, territories and peoples under foreign occupation, alien and colonial domination or apartheid to restitution and full compensation for the exploitation and depletion of, and damages to, the natural resources and all other resources of those States, territories and peoples." (See to the same effect article 16 of resolution 3281 (XXIX) and paragraph 33 of the Lima Declaration endorsed by the General Assembly in resolution 3362 (S-VII)). 41/

(f) The last-mentioned resolutions add the duty of all States to extend assistance and in paragraph 2 of article 16 of resolution 3281 (XXIX), the General Assembly declares that: "No State has the right to promote or encourage investments that may constitute an obstacle to the liberation of a territory occupied by force."

B. General Assembly resolutions on permanent sovereignty over natural resources in the occupied Palestinian and other Arab territories

16. The General Assembly, at its twenty-seventh session in 1972, acting on the report of the Special Political Committee, affirmed "the principle of the sovereignty of the population of the occupied territories over their national wealth and resources" (resolution 3005 (XXVII), para. 4). In the following sessions the Assembly, acting on reports of the Second Committee, adopted a series of resolutions dealing specifically with permanent sovereignty over national resources 42/ in the occupied Palestinian and other Arab territories (resolutions 3175 (XXVIII), 3336 (XXIX), 3516 (XXX), 31/186, 32/161, 34/136, 35/110, 36/173 and 37/135). 43/ In addition to the resolutions expressly referring to permanent sovereignty, a large number of other resolutions are directly relevant, to confirming the application of the Geneva Convention relative to the Protection of Civilian Persons in Time of War of 12 August 1949 (hereinafter referred to as the Fourth Geneva Convention) to all of the Arab territories occupied by Israel since 1967 44/ and in considering violations of the convention. In particular, in many of those resolutions the General Assembly condemns, *inter alia*, confiscation and expropriation of private and public Arab property and other transactions for the acquisition of land and illegal exploitation of the natural wealth, resources and population of the occupied territories. 45/

17. In its resolutions on permanent sovereignty in the occupied territories, the General Assembly, by preambular reference, recognizes the pertinence of (a) relevant provisions of international law and the provisions of the international conventions and regulations, in particular Hague Convention No. IV of 18 October 1907 and the Fourth Geneva Convention of 12 August 1949, concerning the obligations and responsibilities of the occupying Power; (b) previous resolutions on permanent sovereignty over natural resources, particularly their provisions supporting resolutely the efforts of the developing countries and the peoples of the territories under colonial and racial domination and foreign occupation in their struggle to regain effective control over their natural and all other resources, wealth and economic activities; and (c) the pertinent provisions of the resolutions on the new international economic order (3201 (S-VI) and 3202 (S-VI)) and on the Charter of Economic Rights and Duties of States (3281 (XXIX)). The following points are made in those resolutions:

(a) The General Assembly emphasizes the right of the Arab States and peoples to full and effective permanent sovereignty and control over their natural and other resources, wealth and economic activities (resolutions 37/135, 36/173, 35/110, 34/136 and 32/161 and, with variations, resolutions 31/186, 3336 (XXIX), 3175 (XXVIII) and 3005 (XXVII)).

(b) The right of permanent sovereignty over natural resources belongs to the Arab States and peoples whose territories are under Israeli occupation. In all but one of the resolutions, the General Assembly refers to Arab States and peoples, while in resolution 37/135 the Assembly refers to the right of the Palestinian and other Arab peoples whose territories are under Israeli occupation.

(c) The General Assembly reaffirms that all measures undertaken by Israel to exploit the human, natural and all other resources, wealth and economic activities in the occupied territories are illegal and calls upon Israel to desist immediately from such measures (resolutions 37/135, 36/173, 35/110, 34/136 and 32/161 and, with variations, 3336 (XXIX) and 3175 (XXVIII)).

(d) Resolution 31/186 reaffirms the right of the Arab States and peoples to regain full and effective control over their natural and all other resources and economic activities.

(e) The General Assembly reaffirms the right to the restitution of, and full compensation for, the exploitation, depletion, and loss of and damage to, their natural, human and all other resources, wealth and economic activities, and calls upon Israel to meet their just claims (resolutions 37/135, 36/173, 35/110, 34/136, 32/161 and, with variations, 31/186 and 3336 (XXIX)). Resolution 3175 (XXVIII) refers to restitution of and full compensation for the exploitation and looting of, and damages to, the natural resources, as well as the exploitation and manipulation of the human resources of the occupied territories.

(f) The General Assembly calls upon all States to support the exercise of the foregoing rights (resolutions 37/135, 36/173, 35/110, 34/136 and 32/161) and calls upon all States, international organizations, specialized agencies, business corporations and all other institutions not to recognize, co-operate with or assist in any manner in any measures undertaken by Israel to exploit the natural resources of the occupied territories or to effect any changes in the demographic composition, the character and form of use of their natural resources or the institutional structure of those territories (resolutions 37/135 and 36/173 and, with variations, 35/110, 34/136, 32/161 and 3005 (XXVII)).

(g) In its latest resolution (37/135), the General Assembly condemns Israel for its exploitation of the natural resources of the occupied Palestinian and other Arab territories. 46/

18. In resolutions 3336 (XXIX) and 3175 (XXVIII), the General Assembly declares that the principles of permanent sovereignty and restitution apply to all States, territories and peoples under foreign occupation, colonial rule, or apartheid; in resolution 3336 (XXIX) the Assembly adds "alien domination ... or subjected to foreign aggression".

C. Security Council resolutions relating to the occupied territories

19. Although there are no Security Council resolutions expressly referring to permanent sovereignty over natural resources, a number of resolutions relating to the occupied territories are relevant to the subject. Among the most directly pertinent provisions is paragraph 8 of resolution 465 (1980), adopted by the Security Council on 1 March 1980. The Security Council requested the commission established under resolution 446 (1979) to continue to examine the situation relating to settlements in the Arab territories occupied since 1967, including Jerusalem, and "to investigate the reported serious depletion of natural resources, particularly the water resources, with a view to ensuring the protection of those important natural resources of the territories under occupation".

20. The following points are contained in Security Council resolutions:

(a) The Security Council recognizes that the Fourth Geneva Convention is applicable to all the Arab territories occupied by Israel since 1967 (resolutions 484 (1980), 471 (1980), 465 (1980), 446 (1979), and consensus statements of 26 May 1976 and 11 November 1976; see also resolutions 497 (1981), 478 (1980), 476 (1980), 469 (1980), 452 (1979), 271 (1969) and 237 (1967)).

(b) The Security Council has called upon Israel scrupulously to observe the provisions of the Geneva Conventions and international law governing military occupation (resolution 271 (1969)); to abide scrupulously by the Fourth Geneva Convention (resolution 446 (1979)); to comply strictly with the provisions of that Convention and to refrain from (consensus statement of 11 November 1976) and rescind (consensus statement of 26 May 1976) any measures which violate them; to respect and comply with the provisions of the Convention (resolution 471 (1980)); and to adhere to them (resolution 484 (1980)).

(c) The Security Council has determined "that the policy and practice of Israel in establishing settlements in the Palestinian and other Arab territories occupied since 1967 have no legal validity and constitute a serious obstruction to achieving a comprehensive, just and lasting peace in the Middle East (resolution 446 (1979)). In resolution 452 (1979), the Security Council considered that the policy in establishing settlements has no legal validity and constitutes a violation of the Fourth Geneva Convention and called upon the Government and people of Israel to cease, on an urgent basis, the establishment, construction and planning of settlements in the Arab territories occupied since 1967, including Jerusalem. In resolution 465 (1980), the Security Council determined that the policy and practice of Israel of settling parts of its population and new immigrants in those territories constitute a flagrant violation of the Fourth Geneva Convention and also constitute a serious obstruction to achieving a comprehensive, just and lasting peace in the Middle East. It called on Israel to rescind those measures, to dismantle existing settlements and, in particular, to cease, on an urgent basis, the establishment, construction and planning of new settlements. It also called upon all States not to provide Israel with any assistance to be used specifically in connection with settlements in the occupied territories 47/ (see also resolution 471 (1980) and consensus statements of 26 May 1976 and 11 November 1976). 48/

(d) The Security Council has also confirmed that all legislative and administrative measures and actions taken by Israel which purport to alter the status of Jerusalem, including expropriation of land and properties thereon, are invalid and cannot change that status (emphasis added). It urgently called upon Israel to rescind all such measures (resolutions 252 (1968), 267 (1969), 298 (1971) and consensus statement of 11 November 1976; see also resolutions 478 (1980) and 497 (1981)).

21. In the preamble to its resolution 242 (1967), the Security Council emphasized "the inadmissibility of the acquisition of territory by war and the need to work for a just and lasting peace in which every State in the area can live in security". 49/ The Security Council reaffirmed the principle that acquisition of territory by military conquest is inadmissible in resolutions 252 (1968),

271 (1969) 298 (1971), 476 (1980), 478 (1980) and 497 (1981). In the last of those resolutions the Security Council reaffirmed "that the acquisition of territory by force is inadmissible, in accordance with the United Nations Charter, the principles of international law, and relevant Security Council resolutions". Resolutions of the General Assembly have even more strongly emphasized this principle (resolutions 37/88 E, 37/123, 36/147 E, 35/122 E, 34/70, 33/29, 32/20, 3414 (XXX), 2949 (XXVII), 2799 (XXVI), 2628 (XXV) and particularly 2625 (XXV)).

22. Finally, it is relevant to note the reports of the Security Council commission established under resolution 446 (1979) to examine the situation relating to settlements in the Arab territories occupied since 1967, including Jerusalem, 50/ and the Security Council resolution approving the recommendations of the commission (resolution 465 (1980)). Provisions from the operative paragraphs of this resolution have already been examined in preceding paragraphs, but it should also be observed that the Security Council in a preambular paragraph took into account "the need to consider measures for the impartial protection of private and public land and property, and water resources". As already described in paragraph 19 above, the Council also requested the commission to investigate the reported serious depletion of natural resources, particularly the water resources, with a view to ensuring the protection of those important natural resources of the territories under occupation.

III. THE LAW OF BELLIGERENT OCCUPATION

23. The law of belligerent occupation is of relatively recent origin. 51/ Originally, as stated by Oppenheim, "enemy territory occupied by a belligerent was in every point considered his State property, so that he could do what he liked with it and its inhabitants". 52/ During the second half of the eighteenth and early nineteenth centuries 53/ there was a shift away from wartime annexation towards the concept of belligerent occupation as a temporary status not involving a change in sovereignty. 54/

24. Detailed rules were developed in the latter part of the nineteenth and early twentieth centuries with the Lieber code issued to Union Forces during the American Civil War, the unratified Brussels Declaration of 1874, the Hague Conventions of 1899 and 1907 and the Geneva Conventions of 1949, as well as various military manuals. These rules have been recently confirmed and strengthened with the adoption of the 1977 Protocols to the Geneva Conventions. In particular, section III (arts. 42-56) of the Regulations Respecting the Laws and Customs of War on Land, annexed to Hague Convention No. IV of 18 October 1907, is a universally accepted codification of international law on belligerent occupation. That section, which is entitled "Military Authority Over the Territory of the Hostile State" is reproduced in appendix I to the present study. Articles of the Fourth Geneva Convention and of the 1977 Protocols of particular relevance are reproduced in appendices II and III, respectively.

25. The primary principle on which the law of belligerent occupation rests is that the occupation does not bring about any acquisition or transfer of sovereignty. Sovereignty remains where it was before the occupation although its exercise may be suspended when it conflicts with the rights of the occupant. The occupant gains no rights of sovereignty but only those military rights expressly permitted by the law of belligerent occupation. His authority is limited to transitional and temporary powers of a purely military and administrative nature. 55/ He is to take all the measures in his power to restore and ensure, as far as possible, public order and safety, while respecting, unless absolutely prevented, the laws in force in the country (art. 43 of the Hague Regulations).

26. The rights and obligations of the occupant with respect to property are spelt out in articles 46 and 52 to 56 of the Hague Regulations. In addition, article 47 forbids pillage, article 50 forbids general penalties, while articles 48, 49 and 51 regulate the collection of taxes, levies and contributions. Distinctions are made with respect to private and public property and with respect to movable and immovable property. Private property must be respected and cannot be confiscated (art. 46). Requisitions in kind and services can only be demanded from municipalities or inhabitants for the needs of the army of occupation. They must be in proportion to the resources of the country, and of such a nature as not to involve the inhabitants in military operations against their own country. They must either be paid for in cash or a receipt given and payment made as soon as possible (art. 52). The second paragraph of article 53 also permits the seizure of private property generally described as ammunition or munitions of war (munitions de guerre), as well as transport and communication facilities, but these must be restored and compensation fixed when peace is made. While the scope of the term munitions de guerre has been subject to much discussion it is narrowly interpreted even in the face of total war situations. 56/ The property of municipalities and that of institutions dedicated to religion, charity, education, and the arts and sciences, is treated as private property and all seizure or destruction is forbidden (art. 56).

27. The general rule with respect to private property is that it cannot be confiscated. Requisitions may be made only for the needs of the army of occupation. In this connection it may be noted that the Supreme Court of Israel has held that the requisitioning of private land in the occupied territories for the establishment of settlements not required for security reasons was contrary to article 52 of the Hague Regulations. 57/

28. Public property is covered by the first paragraph of article 53 and by article 55 of the Hague Regulations. Under article 53 an army of occupation can only take possession of cash funds, and realizable securities which are strictly the property of the State, depots of arms, means of transport, stores and supplies and, generally, all movable property belonging to the State which may be used for military operations. As already noted, property of municipalities and of cultural and humanitarian institutions even if State owned is excluded. Immovable property is dealt with under article 55 which reads as follows:

"The occupying State shall be regarded only as administrator and usufructuary of public buildings, real estate, forests, and agricultural estates belonging

to the hostile State, and situated in the occupied country. It must safeguard the capital of these properties and administer them in accordance with the rules of usufruct."

It is this article of the Hague Regulations which is most directly relevant to the question of land and other natural resources in occupied territories and will therefore be examined in some detail. It has been the subject of learned discussion in recent years, in connection with Israel's exploration for oil in the Gulf of Suez 58/ and while the particular dispute may now be moot, considerable light has been thrown on the interpretation of article 55 and a number of issues illuminated.

29. The occupying State is not placed in the position of an owner but is only an "administrator and usufructuary" of public lands and other immovable property. In principle a usufructuary may use the property but without detriment to its substance. He is entitled to the fruits but not the capital. The property that is the subject of the usufruct is not to be consumed. This interpretation is expressly confirmed by the second sentence of article 55 which stipulates that the occupying State "must safeguard the capital of these properties". The principle is readily applicable to crops and other renewable resources, but its application to minerals and other non-renewable resources is controversial. Extraction of minerals is in fact a depletion of capital and a detriment to the substance. However, this was not well understood by the Roman jurists who developed the principle of usufruct. They apparently believed that minerals were self-renewing or at least inexhaustible and permitted their extraction by a usufructuary. 59/

30. The first issue, therefore, has concerned mineral extraction. Article 55 has generally been interpreted to permit the "working of mines". 60/ The controversy has been over the question whether new mines might be opened. One view seems to be that an occupant may "work" existing mines at the rate they were being worked prior to the occupation but that it may not open new mines. 61/ When the text of what is now article 55 of the Hague Regulations was first drafted at the Brussels Conference in 1874, there was a near consensus in municipal law systems that a usufructuary could not open new mines. This was the position of the French Civil Code of 1804 which had been widely copied in civil law countries. The same principle also applied to a life tenant in common law whose position is closely analogous to the usufructuary in civil law. 62/ There was thus a well-established meaning for the term when it was inserted into the text of the article.

31. Another view is that article 55 only prohibits wanton dissipation or destruction or abusive exploitation of public resources. Or in a less extreme form that it only prohibits waste and negligent development. Article 55 does not expressly prohibit the opening of new mines and authorities interpreting the article have not made a distinction between existing mines and opening new mines. Moreover, it has been argued that municipal law concepts such as usufruct should not be transposed into international law. 63/

32. If the interpretation of article 55 is not to be guided by the meaning of usufructuary in municipal law, a third view would be to re-examine article 55 in accordance with the ordinary meaning of the terms (art. 31 of the Vienna Convention

on the Law of Treaties). From such examination it might be concluded that to "safeguard the capital" any exploitation of mineral resources should be prohibited. If in 1874 or 1907 these resources were still considered inexhaustible that is certainly not the case today. 64/

33. Whether article 55 is understood to permit the working of old mines, the opening of new mines or no depletion of minerals whatsoever, there is general agreement that it prohibits waste and spoliation. On this point all authorities are agreed although there may be differences of opinion as to what constitutes waste. 65/ McDougal and Feliciano, 66/ stated that "the occupant may not wantonly dissipate or destroy the public resources and may not permanently alienate them (salva rerum substanta)". "Spoliation" was dealt with in a number of cases following the Second World War. 67/ Article 147 of the Fourth Geneva Convention provides that "grave breaches", if committed against persons or property protected by the Convention, include "extensive destruction and appropriation of property, not justified by military necessity and carried out unlawfully and wantonly".

34. Another issue on which opinions have differed is whether the proceeds taken under article 55 may be used for the economy of the occupant generally or only for purposes of the occupation itself. 68/ On the one hand article 55, unlike articles 48, 49 and 52, has no express provision concerning the use of the property involved and it has been stated that authorities apparently have not referred directly to any restrictions on the use of usufructus. On the other hand, it was clarified during and after the Second World War that the economy of an occupied country can only be required to bear the expenses of the occupation and that this principle applied to property under article 55 as well as under other articles of the Hague Regulations. A resolution of the London International Law Conference of 1943 stated:

"The rights of the occupant do not include any rights to dispose of property, rights or interests for purposes other than the maintenance of public order and safety in the occupied territory. In particular, the occupant is not, in international law, vested with any power to transfer a title which will be valid outside that territory to any property rights or interests which he purports to acquire or create or dispose of; this applies whether such property, rights or interests are those of the State or of private persons or bodies. This status of the occupant is not changed by the fact that he annexes by unilateral action the territory occupied by him." 69/

35. The point is made even more explicit in the Judgment by the International Military Tribunal established after the Second World War:

"Article 49 of the Hague Convention provides that an occupying power may levy a contribution of money from the occupied territory to pay for needs of the army of occupation, and for the administration of the territory in question. Article 52 of the Hague Convention provides that an occupying power may make requisitions in kind only for the needs of the army of occupation, and that these requisitions shall be in proportion to the resources of the country. These Articles, together with Article 48, dealing with the expenditure of money collected in taxes, and Articles 53, 55 and 56 dealing with public

property, make it clear that under the rules of war, the economy of an occupied country can only be required to bear the expenses of the occupation, and these should not be greater than the economy of the country can reasonably be expected to bear." 70/

36. A further issue under discussion with respect to article 55 is whether an occupant is entitled to grant a commercial concession to exploit mineral rights. 71/ The matter seems to remain an open question, but in any event the occupant could not grant a concession for something he could not do himself or for a period beyond that of the occupation. It would also seem that the granting of concessions would also be subject to legislation applicable in the occupied territory which normally is that of the occupied Power. 72/

37. Although not expressly relating to property, article 49 of the Fourth Geneva Convention is directly relevant to questions of land and other natural resources. The last paragraph of article 49 provides that:

"The Occupying Power shall not deport or transfer parts of its own civilian population in the territory it occupies." 73/

38. Acquisition or use of land or other resources for the purposes of such deportation or transfer of civilian population is therefore unjustified and illegal. 74/, 75/ Moreover, any permanent settlement would be in direct conflict with the temporary character of an occupation under general international law. 76/

IV. PERMANENT SOVEREIGNTY AND THE LAW OF BELLIGERENT OCCUPATION

39. Permanent sovereignty over natural resources, now established as a right of nations and peoples under international law, has important implications for the law of belligerent occupation. As has been noted in section III of the present study, rights of sovereignty do not belong to the occupant but remain where they were before the occupation with the States and peoples of the occupied territories. Both the principle of permanent sovereignty and the law of belligerent occupation have as an important purpose the protection of sovereign rights in land and other natural resources. The application of the principle of permanent sovereignty would lead to a narrower interpretation of powers of the occupying State and would strengthen the rights of the occupied States and peoples to the protection of their property. 77/ Where the meaning of a rule is unclear or has been subject to controversy, differences would be resolved in favour of that interpretation which best protects the rights of the occupied States and peoples over their natural resources. For example, the principle of permanent sovereignty might give impetus to a new look at the rights of a usufructuary under article 55 of the Hague Regulations and might lead to an interpretation consistent with the requirement of that article that an occupying State "must safeguard the capital" of properties subject to usufruct.

40. Another point of contact between the principle of permanent sovereignty and the law of belligerent occupation concerns State responsibility for internationally illegal acts. 78/ Wanton plunder or destruction of natural resources by an

occupying State is a crime under the law of belligerent occupation and would give rise to international criminal responsibility. Illegal use or taking of property or depletion of resources contrary to the Hague Regulations and the Fourth Geneva Convention, even if not amounting to the crime of spoliation, gives rise to States responsibility and its consequences. The Permanent Court of International Justice, in the well-known Chorzow Factory case, observed that:

"... it is a principle of international law, and even a general conception of law, that any breach of an engagement involves an obligation to make reparations". 79/

A breach of the obligations of an occupying State with respect to natural resources in occupied territories consequently involves a duty to make reparations. Reparation is a "corollary" and "indispensable complement" of the failure to comply with international obligations. 80/ The Permanent Court, in the Chorzow Factory case, went on to declare that:

"The essential principle contained in the actual notion of an illegal act - a principle which seems to be established by international practice and in particular by the decisions of arbitral tribunals - is that reparation must, as far as possible, wipe out all the consequences of the illegal act and re-establish the situation which would, in all probability, have existed if that act had not been committed. Restitution in kind, or, if this is not possible, payment of a sum corresponding to the value which a restitution in kind would bear; the award, if need be, of damages for loss sustained which would not be covered by restitution in kind or payment in place of it - such are the principles which should serve to determine the amount of compensation due for an act contrary to international law." 81/

41. The obligation to make reparation is reinforced by that element of the principle of permanent sovereignty calling for restitution and full compensation for the exploitation and depletion of, and damages to, the natural resources of territories and peoples under foreign occupation. 82/ The right to restitutio in integrum or equivalent compensation is a principle applicable both to the law of belligerent occupation and to the law of permanent sovereignty where the rights of nations and peoples have been violated.

V. IMPLICATIONS OF UNITED NATIONS RESOLUTIONS ON PERMANENT SOVEREIGNTY FOR THE OCCUPIED TERRITORIES AND THE OBLIGATIONS OF ISRAEL THEREIN

A. Effect of United Nations resolutions

42. The General Assembly has asked for the implications, under international law, of United Nations resolutions on permanent sovereignty. In considering "implications under international law" one must have in mind the question of the legal effect of resolutions generally. It is not the intention to attempt a definitive answer, even if such answer could be given, to this complex and widely discussed question. 83/ As far as the General Assembly is concerned one starts from the proposition that resolutions are normally hortatory or recommendatory. 84/

Nevertheless, the International Court of Justice has said "it would not be correct to assume that, because the General Assembly is in principle vested with recommendatory powers, it is debarred from adopting in specific cases within the framework of its competence resolutions which make determinations or have operative design." 85/ This statement, it will be recalled, was made with respect to General Assembly decisions relating to another territory (Namibia, formerly South-West Africa) which had been a mandate under the League of Nations. In a perhaps less relevant situation the Court also stated that:

"... the functions and powers conferred by the Charter on the General Assembly are not confined to discussion, consideration, the initiation of studies and the making of recommendations; they are not merely hortatory. Article 18 deals with 'decisions' of the General Assembly 'on important questions'. These 'decisions' do indeed include certain recommendations, but others had dispositive force and effect." 86/

The Court has also relied on General Assembly resolutions as a source of law. 87/

43. While many would view repetition of resolutions as significant, 88/ many would not consider it in and of itself sufficient. 89/ The effect of individual resolutions would also be weighed in the light of such factors as their terms and intent, voting patterns, community expectations and, perhaps most important for some, acceptance in State practice. 90/ The role of a particular resolution in interpreting provisions of the Charter of the United Nations in declaring existing customary international law, in enunciating general principles of law or in providing subsidiary evidence of rules of law might also be relevant to its evaluation. 91/

44. There is a vast literature concerning the legal effect of General Assembly resolutions and their status as a source of international law. 92/ Opinions and nuances are almost as varied and as numerous as the writers themselves. The writers run the gamut from Judge Elias 93/ who considers resolutions adopted in accordance with Article 18 of the Charter of the United Nations to be binding to Professor Arangio-Ruiz 94/ who would dismiss nearly all resolutions as merely recommendatory.

45. The situation with respect to Security Council decisions on the other hand is clear. Article 25 of the Charter states that:

"The Members of the United Nations agree to accept and carry out the decisions of the Security Council in accordance with the present Charter."

Thus decisions of the Security Council are legally binding on the Members of the United Nations and under paragraph 6 of Article 2 may be enforced not only with respect to Members but also with respect to States that are not Members of the United Nations. There has, however, been a view expressed that Article 25 applies only to decisions on enforcement measures under Chapter VII of the Charter. The International Court of Justice has rejected this view:

"It is not possible to find in the Charter any support for this view. Article 25 is not confined to decisions in regard to enforcement action but applies to 'the decisions of the Security Council' adopted in accordance with the Charter. Moreover, that Article is placed, not in Chapter VII, but immediately after Article 24 in that part of the Charter which deals with the functions and powers of the Security Council. If Article 25 had reference solely to decisions of the Security Council concerning enforcement action under Articles 41 and 42 of the Charter, that is to say, if it were only such decisions which had binding effect, then Article 25 would be superfluous, since this effect is secured by Articles 48 and 49 of the Charter." 95/

The Court consequently held that decisions of the Security Council taken in accordance with its general powers under Article 24 of the Charter were legally binding and that States were under an obligation to accept and carry them out. 96/ The principal question with respect to Security Council resolutions is whether the Council adopted them as decisions, in which case they are binding, or merely as recommendations.

46. It is of course for Member States, the General Assembly and the Security Council and, if requested, the International Court of Justice to determine the effect of particular United Nations resolutions.

B. Applicability of the law of belligerent occupation

47. Section IV of the present study examined generally the relationship between the principle of permanent sovereignty over natural resources and the law of belligerent occupation. In effect they would strengthen and reinforce one another. In Section V.C below, the study will examine specifically the implications of the United Nations resolutions on permanent sovereignty on the occupied Palestinian and other Arab territories and on the obligations of Israel concerning its conduct in those territories. Before doing this, however, the applicability of the law of belligerent occupation to the occupied territories should be noted.

48. Basically the law of belligerent occupation includes (a) the rules of general international law as codified in the Hague Regulations and (b) the Fourth Geneva Convention to which Israel and the Arab States concerned are parties. Territory is considered occupied when it is actually placed under the authority of the hostile army (art. 42 of the Hague Regulations). The applicability of the law of belligerent occupation and particularly the Fourth Geneva Convention to the occupied Palestinian and other Arab territories has been recognized in numerous resolutions of the Security Council and the General Assembly as well as in statements of Foreign Offices. 97/ It is true that Israel has questioned the applicability of the Geneva Conventions and the Hague Regulations partly on the ground that it does not recognize the sovereignty of the Arab States in the territories 98/ and partly on the ground that the rules apply only up to the time that active hostilities have ceased. 99/ Neither ground justifies the relaxation of the rules for the protection of occupied territories.

49. With respect to the former ground "international law knows only two categories of occupation by a conquering state: belligerent occupation properly so called and assumption of sovereignty over the conquered areas". 100/ A State cannot escape from its obligations as an occupant merely by asserting a controversy as to sovereignty in the occupied territories. With respect to the second ground, it is clear that rules protecting occupied territories continue to apply as long as the occupying Power continues to exercise governmental functions in such territories. 101/ This is made explicit by article 6 of the Fourth Geneva Convention which specifically provides that the Convention should continue to bind the occupying Power "for the duration of the occupation, to the extent that such Power exercises the functions of government in such territory" with respect to enumerated articles including the important article 49.

C. Implications of United Nations resolutions

50. As far as existing law is concerned one starts therefore with the law of belligerent occupation reinforced by the principle of permanent sovereignty over natural resources. Admittedly the law of belligerent occupation is not altogether adequate to deal with situations of prolonged occupation following the close of active military operations since a speedy end to an occupation was envisaged. But the alternative de lege ferenda for a long-term occupation where it does continue would be towards a status which would provide greater rights and protections for the occupied territories. 102/ With the exigencies of an active military operation removed, the rationale for the special powers of the occupant are reduced while the humanitarian considerations are if anything enhanced by prolonged occupation. 103/ The principle of permanent sovereignty over natural resources would strengthen any trend in this direction.

51. In the light of the foregoing, the following are some of the implications of United Nations resolutions on permanent sovereignty over natural resources on the occupied Palestinian and other Arab territories and on the obligations of Israel concerning its conduct in those territories which might be considered:

(a) The primary right of peoples and nations to permanent sovereignty over their natural resources is a right freely to use, control and dispose of such resources. The full exercise of this right can only take place with the restoration of control over the occupied territories to the States and peoples concerned. Such restoration is the first implication of the resolutions on permanent sovereignty over natural resources.

(b) A second implication derived directly from the primary right would be that in any interim pending full implementation of the foregoing, control over land, water and other natural resources should be restored to the local population. This would include allowing municipalities and other local Palestinian and Arab authorities to control the natural resources for which they had had responsibility prior to the occupation. 104/

(c) A third implication would be that the occupying Power is under an obligation not to interfere with the exercise of permanent sovereignty by the local population.

(d) A fourth implication of the United Nations resolutions on permanent sovereignty over natural resources would be the strengthening of the protection of the natural resources of the occupied territories afforded by the law of belligerent occupation. In any event such resources could not be used by the occupying Power beyond the limits imposed by the Hague Regulations and the Fourth Geneva Convention. Land and other resources may not be taken for settlements or permanently acquired for any purposes. Privately owned land and other resources may, if at all, only be requisitioned for the needs of the army of occupation and must be paid for. Public land cannot be used beyond usufruct and the proceeds must then be used only in connection with the occupation. While there is a practice of working existing mines, if any, the text of article 55 of the Hague Regulations requires the occupying Power to "safeguard the capital" of properties subject to usufruct. The principle of permanent sovereignty would imply that no depletion of natural resources should be permitted and would emphasize the provision in article 55 on safeguarding the capital. A further requirement of the Hague Regulations is that property of municipalities should be treated as private property. Land held for the benefit of municipalities and similar local groups, even if registered in the name of the State or central authorities, should be protected as private. The principle of permanent sovereignty of peoples over their natural resources suggests the strengthening of this provision as well as the other limitations placed by the law of belligerent occupation on an occupant's use of natural resources.

(e) A fifth implication of permanent sovereignty would be to reinforce a right under international law to reparation for any loss or damage to natural resources suffered as a result of violations of the rules of belligerent occupation.

VI. CONCLUSION

52. The right of peoples and nations to permanent sovereignty over their natural resources has been accepted as a principle of international law although its exact content and relation to other principles of international law have yet to be fully developed and defined. The principle of permanent sovereignty has been specifically applied by the General Assembly to the occupied Palestinian and other Arab territories, and Security Council resolutions have also dealt with the protection of property rights in those territories. Moreover, both the General Assembly and the Security Council have recognized the applicability of the law of belligerent occupation to the occupied territories. The law of belligerent occupation gives some protection to the principle of permanent sovereignty while the principle of permanent sovereignty enhances and reinforces the law of belligerent occupation. The law of belligerent occupation should be interpreted and applied to protect to the greatest extent possible the principle of permanent sovereignty. Implications of the United Nations resolutions on permanent sovereignty over natural resources as they apply to the occupied Palestinian and other Arab territories and to the obligations of Israel therein have been set forth in paragraph 51 of the present study.

53. While normally General Assembly resolutions are recommendatory, there may be legal effects depending on a number of variables. Decisions in Security Council

resolutions are binding. It is for Member States, the General Assembly and the Security Council and, if requested, the International Court of Justice to assess in each case the legal effect of a particular resolution.

Notes

1/ Paragraph 8 of resolution 36/173. The French text, which is more precise than the English, reads as follows:

"... un rapport sur les incidences, en droit international, des résolutions de l'Organisation des Nations Unies relatives à la souveraineté permanente sur les ressources naturelles, aux territoires palestiniens et autres territoires arabes occupés et aux obligations d'Israël quant à son comportement dans ces territoires."

2/ Resolutions 36/173 of 17 December 1981 and 37/135 of 17 December 1982.

3/ For a more detailed history and discussion of the progressive development of the principle of permanent sovereignty over natural resources in the United Nations system, see United Nations Institute for Training and Research, Progressive Development of the Principles and Norms of International Law Relating to the New International Economic Order, (UNITAR/DS/5, 15 August 1982), pp. 291-377, particularly at pp. 327-363. For a collection of texts, see UNITAR, A New International Economic Order, Selected Documents 1945-1975, vols. I and II, compiled by Alfred George Moss and Harry N. M. Winton, and Selected Documents, 1976 and 1977, compiled by Hideko Makiyama. See also Ian Brownlie, "Legal status of natural resources in international law", Recueil des Cours (1979-I), pp. 255-271; and Kamal Hossain, ed., Legal Aspects of the New International Economic Order (1980), pp. 33-35.

4/ Department of State Bulletin, vol. 29 (September 1953), pp. 357-360. See UNITAR/DS/5 supra (note 3), at p. 329; James N. Hyde, "Permanent sovereignty over natural wealth and resources", American Journal of International Law, vol. 50 (1956), p. 854. See also Karol N. Gess, "Permanent sovereignty over natural resources", The International and Comparative Law Quarterly, vol. 13 (1964), p. 408; and Edward D. Re, "Nationalization and the investment of capital abroad", Georgetown Law Journal, vol. 42 (1953-1954), p. 44 at pp. 51-54.

5/ Anglo-Iranian Oil Company v. S.U.P.O.R. Company (Unione Petrolifera per l'Oriente, S.P.A.), Civil Court of Rome, 13 September 1954, International Law Reports, vol. 22 (1955), p. 23 at pp. 40-41. The Court stated:

"It is evident that the decision of the United Nations ... taking into consideration the date when it was taken and the international situation to which it related, constitutes a clear recognition of the international lawfulness of the Persian Nationalization Laws".

6/ Anglo-Iranian Oil Company v. Idemitsu Kosan Kabushiki Kaisha, High Court of Tokyo 1953, International Law Reports, vol. 20 (1953), p. 305 at p. 313. The Court considered that:

"The Oil Nationalization Law was enacted ... in accordance with the resolution of the General Assembly of the United Nations relating to the exploitation of the natural resources of the various countries."

7/ Contra. Anglo-Iranian Oil Co., Ltd. v. Jaffrate and others (The Rose Mary) Aden, Supreme Court, 9 January 1953. International Law Reports, vol. 20 (1953), p. 316.

8/ See Repertory of Practice of United Nations Organs, vol. III (1956), pp. 95-96; Antonio Cassese, "The self-determination of peoples", in Henkin, ed., The International Bill of Rights, 1981, pp. 92-113; Hyde, supra (note 4) at pp. 856-860.

9/ See resolutions 421 (V) of 4 December 1950, sect. D, and 545 (VI) of 5 February 1952; A. P. Movchan, "The human rights problems in present day international law", in Tunkin, ed., Contemporary International Law (1969), at pp. 247-248.

10/ Resolution 837 (IX) of 14 December 1954.

11/ Report of the Third Committee (A/3077, 8 December 1955); annotations prepared by the Secretary-General (A/2929, 1 July 1955). For the texts of the Covenants, see resolution 2200 (XXI) of 16 December 1966, annex. See Hyde, supra (note 4) at p. 856, and Schwelb, American Journal of International Law, vol. 64 (1970) p. 361.

12/ In addition, article 25 of the International Covenant on Economic, Social and Cultural Rights and article 47 of the International Covenant on Civil and Political Rights provides:

"Nothing in the present Covenant shall be interpreted as impairing the inherent right of all peoples to enjoy and utilize fully and freely their natural wealth and resources."

See Theodor C. van Boven, "Distinguishing criteria of human rights", in Karel Vasak, general ed., The International Dimensions of Human Rights, vol. 1, at p. 159; David J. Halpern, "Human rights and natural resources", William and Mary Law Review, vol. 9 (1967-1968), pp. 770-787.

13/ Resolution 1314 (XIII) of 12 December 1958. See also resolution 1720 (XVI) of 19 December 1961.

14/ The General Assembly also asked the Commission to make recommendations, where necessary, for its strengthening, and decided that due regard should be paid to the rights and duties of States under international law and to the importance of encouraging international co-operation in the economic development of underdeveloped countries (resolution 1314 (XIII), para.1). See also resolution 1515 (XV) of 15 December 1960.

15/ Documents A/AC.97/5/Rev.2, E/3511 and A/AC.97/13 (1962). For subsequent Secretariat reports on permanent sovereignty, see documents E/3840 of 14 November 1963; A/7268 of 11 October 1968; A/8058 of 14 September 1970; E/5170 of 7 June 1972; A/9716 of 20 September 1974; E/C.7/53 of 31 January 1975; E/C.7/66 of 17 March 1977; E/C.7/99 of 14 March 1979; and E/C.7/119 of 7 May 1981. For reports on permanent sovereignty over national resources in the occupied Arab territories, see A/32/204 of 11 October 1977 and A/36/648 of 10 November 1981.

16/ Paragraph 1 of the Declaration contained in resolution 1803 (XVII). See Karol N. Gess, "Permanent sovereignty over natural resources", The International and Comparative Law Quarterly, vol. 13 (1964), pp. 398-449; Stephen M. Schwebel, "The story of the United Nations declaration on permanent sovereignty over natural resources", American Bar Association Journal, vol. 49 (1963), pp. 463-469.

17/ See Official Records of the General Assembly, Seventeenth Session, Plenary Meetings, 1194th plenary meeting, p. 1134. Critics of the Declaration referred to it as "a charter for foreign investment". See Hossain, supra (note 3), p. 37.

18/ See in particular Professor René-Jean Dupuy's award in "Texaco overseas petroleum company/California Asiatic Oil Company and the Government of the Libyan Arab Republic", International Legal Materials, vol. 17 (1978), p. 1 at pp. 27-30. For the original French text, see Journal du droit international, vol. 104, No. 2 (April, May, June 1977), p. 350 ff.; and Dr. Sobhi Mahmassani's award in "Libyan American Oil Company (LIAMCO) and the Government of the Libyan Arab Republic", International Legal Materials, vol. 20 (1981), p. 1 at pp. 100-103.

19/ Banco Nacional de Cuba v. Chase Manhattan Bank, 658 F. 2d 875 (1981) at pp. 889-892; ... Sociedad Minera el Teniente S.A. v. Aktiengesellschaft Norddeutsche Affinerie, 19 Aussenwirtschaftsdienst des Betriebs-Beraters [AWD] 163 (1963). See Andreas F. Lowenfeld, International Private Investment, International Economic Law series, vol. II (1976), pp. 130-133.

20/ See Chilean Decree Concerning Excess Profits of Copper Companies, 28 September 1971, para. 5; Lowenfeld, supra (note 19), at pp. 322-323; Francisco Orrego Vicuna, "Some international law problems posed by the nationalization of the copper industry by Chile", American Journal of International Law, vol. 67 (1973), pp. 711-727.

21/ Resolutions 2158 (XXI) of 25 November 1966; 2386 (XXIII) of 19 November 1969; 2542 (XXIV) of 11 December 1969; 2626 (XXV) of 24 October 1970; 2692 (XXV) of 11 December 1970; 3016 (XXVII) of 18 December 1972; 3041 (XXVII) of 19 December 1972, endorsing Trade and Development Board resolution 88 (XII); and 3171 (XXVIII) of 17 December 1973. In addition, resolution 2993 (XXVII) of 15 December 1972 on the implementation of the Declaration on the Strengthening of International Security, adopted on the report of the First Committee, reaffirmed (para. 4):

"that any measure or pressure directed against any State while exercising its sovereign right freely to dispose of its natural resources constitutes a

flagrant violation of the principles of self-determination of peoples and non-intervention, as set forth in the Charter, which, if pursued, could constitute a threat to international peace and security."

22/ Resolution 3201 (S-VI) provides (para. 4 (e)) that:

"The new international economic order should be founded on full respect for the following principles: ...

"(e) Full permanent sovereignty of every State over its natural resources and all economic activities. In order to safeguard these resources, each State is entitled to exercise effective control over them and their exploitation with means suitable to its own situation, including the right to nationalization or transfer of ownership to its nationals, this right being an expression of the full permanent sovereignty of the State. No State may be subjected to economic, political or any other type of coercion to prevent the free and full exercise of this inalienable right."

See also article 2, para. 2 (c), of the Charter of Economic Rights and Duties of States (resolution 3281 (XXIX)).

Paragraph 4 (f) of resolution 3201 (S-VI) added:

"The right of all States, territories and peoples under foreign occupation, alien and colonial domination or apartheid to restitution and full compensation for the exploitation and depletion of, and damages to, the natural resources and all other resources of those States, territories and peoples."

See also article 16 of resolution 3281 (XXIX).

Following a request of the General Assembly at its thirty-second session (resolution 32/145 of 16 December 1977; see also resolution 33/92 of 16 December 1978) to take into account relevant provisions of the resolutions adopted at its sixth and seventh special sessions, the United Nations Commission on International Trade Law (UNCITRAL) included in its proposed work programme an item entitled "Legal implications of the new international economic order." At its thirty-fourth session, the General Assembly requested the Secretary-General, in collaboration with the United Nations Institute for Training and Research (UNITAR) and in co-ordination with UNCITRAL, to study the question of the consolidation and progressive development of the principles and norms of international economic law relating in particular to the legal aspects of the new international economic order" (resolution 34/150 of 17 December 1979; see also resolutions 35/166, 36/107 and 37/103). For the UNITAR study dealing with permanent sovereignty, see note 3 supra. The International Law Association has established an International Committee on the Legal Aspects of a New International Economic Order and has considered reports of the Committee at its Fifty-ninth Conference (Belgrade 1980), pp. 1-2 and 263-311, and at its Sixtieth Conference (Montreal 1982), pp. 3 and 183-238.

23/ See Samuel K. B. Asante, "Restructuring transnational mineral agreements", American Journal of International Law, vol. 73 (1979), p. 340; Karen Hudes, "Towards a new international economic order", Yale Studies in World Public Order, vol. 2 (1975), pp. 121-122; Ria Kemper, "The concept of permanent sovereignty and its impact on mineral contracts", Legal and Institutional Arrangements in Minerals Development (1982), p. 32.; Ernst U. Petersman, "The new international economic order: principles, politics and international law", in Macdonald, Johnston and Morris, eds., The International Law and Policy of Human Welfare (1978), pp. 463-464. Professor Dupuy in the TEXACO case considered that while resolution 1803 (XVII) represented a consensus the later resolutions did not (supra, note 18, at p. 30). Dr. Mahmassani in the LIAMCO case on the other hand concluded that the said resolutions, including 1803 (XVIII) and 3281 (XXIX), "if not a unanimous source of law, are evidence of the recent dominant trend of international opinion concerning the sovereign right of States over their natural resources ..." (supra, note 18, at 103). See S. Roy Chowdhury in International Law Association, Sixtieth Conference (Montreal) (1982), p. 219.

24/ Resolutions 3005 (XXVII) of 15 December 1972; 3175 (XXVIII) of 17 December 1973; 3336 (XXIX) of 17 December 1974; 3516 (XXX) of 15 December 1975; 31/186 of 21 December 1976; 32/161 of 19 December 1977; 34/136 of 14 December 1979; 35/110 of 5 December 1980; 36/173 of 17 December 1981 and 37/135 of 17 December 1982.

25/ See para. 17 below.

26/ Para. 4 above.

27/ The United Kingdom made a declaration to the effect that, in case of conflict between obligations under article 1 of the Covenants and obligations under the United Nations Charter, obligations under the Charter shall prevail. India made a declaration to the effect that "self-determination" applies only to peoples under foreign domination. France objected to India's statement as a condition not provided for by the United Nations Charter. Israel signed both Covenants without reservation on 19 December 1966 but has not ratified either.

28/ For discussion at the Conference, see Official Records of the United Nations Conference on Succession of States in Respect of Treaties, vol. I, First Session, Vienna, 4 April-6 May 1977; ibid., vol. II, Resumed Session, Vienna, 31 July-23 August 1978, pp. 20, 21, 23, 26, 28 and 131-140; and ibid., vol. III, Documents of the Conference, Report of the Committee of the Whole (resumed session), paras. 49-52.

29/ See the report of the International Law Commission on the work of its thirty-third session (Official Records of the General Assembly, Thirty-sixth Session, Supplement No. 10 (A/36/10 and Corr.1)), pp. 72-88 and 206-242, for draft articles 14 and 36 and commentary thereto. See also the report of the Commission on the work of its twenty-ninth session, in Yearbook of the International Law Commission, 1977, vol. II, part two, pp. 91-92. For discussion and comments, see materials cited under articles 14 and 36 in the guide for the draft articles on succession of States in respect of state property prepared for the 1983 Vienna

Conference by the Codification Division, Office of Legal Affairs (ST/LEG/14, 8 February 1983), pp. 49-51 and 87-90.

30/ International Legal Materials, vol. 21 (1982), p. 58 at 62.

31/ A/10112, chap. IV, paras. 32 and 33 of the Declaration and Plan of Action.

32/ E/C.10/1982/6 (5 June 1982), para. 6. See also E/C.10/1983/S/2 (4 January 1983), para. 36; E/C.10/1983/S/4, p. 5; and E/C.10/62 (9 June 1980), paras. 46-48. See also CTC Reporter, No. 12 (Summer 1982) for special issue on the Code, particularly pp. 3 and 6.

33/ For proposal by Romania to include the principle of permanent sovereignty in the Charter of the United Nations, see A/AC.182/WG.56 (21 April 1983) and report of the Special Committee (Official Records of the General Assembly, Thirty-second Session, Supplement No. 33 (A/32/33)), p. 176, and A/C.6/437. For a proposal in the context of the Manila declaration on the peaceful settlement of international disputes see report of the Special Committee (Official Records of the General Assembly, Thirty-fifth Session, Supplement No. 33 (A/35/33)), pp. 70 and 76.

34/ For the text of proposed principle XVI of the draft principles on remote sensing of the earth from space, which refers to "full and permanent sovereignty of all States and peoples over their wealth and natural resources" see report of the Legal Sub-Committee of the Committee on the Peaceful Uses of Outer Space (A/AC.105/320, 13 April 1983), p. 20. See also the discussion in the Working Group on Remote Sensing at previous sessions of the Legal Sub-Committee (A/AC.105/305 (1982), annex 1, p. 6; A/AC.105/288 (1981), annex 1 p. 5; A/AC.105/240 (1979), annex 1, p. 5).

35/ For discussion of permanent sovereignty, see UNITAR study, supra (note 3) and the following books and articles: Samuel K. B. Asante, "Restructuring transnational mineral agreements", American Journal of International Law, vol. 73 (1979), pp. 335-371; Hans W. Baade, "Permanent sovereignty over natural wealth and resources", in Miller and Stanger, eds., Essays on Expropriation (1967); S. K. Banerjee, "The concept of permanent sovereignty over natural resources: an analysis", Indian Journal of International Law, vol. 8 (1968), pp. 515-546; Charles N. Brower and John B. Tepe, Jr., "The Charter of Economic Rights and Duties of States: a reflection or rejection of international law", International Lawyer, vol. 9 (1975), pp. 295-318; Ian Brownlie, "Legal status of natural resources in international law", Recueil des Cours, vol. 162, (1979-I), pp. 255-271; and Principles of Public International Law, pp. 512-515 and 540-545 (3rd ed., 1979); Antonio Cassese, "The self-determination of peoples", in Henkin, ed., The International Bill of Rights, (1981), pp. 92-113; Rudolph Dolzer, "New foundations of the law of expropriation of alien property", American Journal of International Law, vol. 75 (1981), pp. 553-589; A. A. Fatouros, "International law and the internationalized contract", American Journal of International Law, vol. 74 (1980), pp. 134-141; G. Fischer, "La souveraineté sur les ressources naturelles", Annuaire français de droit international, vol. 7 (1962), p. 516; Wolfgang Friedmann, The Changing Structure of International Law (1964), pp. 320-321; Karol N. Gess, "Permanent sovereignty over natural resources", The International and Comparative

Law Quarterly, vol. 13 (1964), pp. 398-449; G. W. Haight, "Principles of international law on friendly relations", International Lawyer, vol. 1 (1966), pp. 101-104; and "The new international economic order and the Charter of Economic Rights and Duties of States", International Lawyer, vol. 9 (1975), pp. 591-604; Rosalyn Higgins, "The development of international law by the political organs of the United Nations", Proceedings of the American Society of International Law, Fifty-ninth Annual Meeting (1965), pp. 116-124 at pp. 121-122; Kamal Hossain, ed., Legal Aspects of the New International Economic Order (1980), pp. 1, 4-7, 32-44; Karen Hudes, "Towards a new international economic order", Yale Studies in World Public Order, vol. 2 (1975), pp. 88-181; James N. Hyde, "Permanent sovereignty over natural wealth and resources", American Journal of International Law, vol. 50 (1956), pp. 854-867; Eduardo Jimenez de Arechaga, "International law in the past third of a century", Recueil des Cours, vol. 159 (1978-I), pp. 285-310; and "State responsibility for the nationalization of foreign-owned property", Journal of International Law and Politics, vol. 11 (1978), pp. 179-195; Ria Kemper, "The concept of permanent sovereignty and its impact on mineral contracts", in Legal and Institutional Arrangements in Minerals Development, Mining Journal Books (1982), pp. 29-36; and Nationale Verfügung über nativliche Ressourcen und die Neue Weltwirtschaftsordnung der Vereinten Nationen (1976); Henry Landau, "Protection of private foreign investments in less developed countries - its reality and effectiveness", William and Mary Law Review, vol. 9 (1967-1968), pp. 804-823 at pp. 811 and 813; Robert F. Meagher, An International Redistribution of Wealth and Power - A Study of the Charter of Economic Rights and Duties of States (1979), pp. 50-54, 81-83; Robert von Mehren and R. Nicholas Kourides, "International arbitrations between States and foreign private parties: the Libyan nationalization cases", American Journal of International Law, vol. 75 (1981), pp. 476-529; Maarten H. Muller, "Compensation for nationalization: A North-South dialogue", Columbia Journal of Transnational Law, vol. 19 (1981), pp. 35-78, particularly pp. 73-78; Muhamad A. Mughraby, Permanent Sovereignty over Oil Resources: A Study of Middle East Oil Concessions and Legal Change (1966); P. J. O'Keefe, "The United Nations and permanent sovereignty over natural resources", Journal of World Trade Law, vol. 8 (1974), pp. 239-282; Ernst U. Petersmann, "The new international economic order: principles, politics and international law", in Macdonald, Johnston and Morris, eds., The International Law and Policy of Human Welfare (1978), pp. 449-469, particularly pp. 462-469; Edward D. Re, "Nationalization and the investment of capital abroad", Georgetown Law Journal, vol. 42 (1953-1954), p. 44 at pp. 51-53; Andres Rozental, "The Charter of Economic Rights and Duties of States and the new international economic order", Virginia Journal of International Law, vol. 16 (1975-76), pp. 309-322; Oscar Schachter, "The evolving international law of development", Columbia Journal of Transnational Law, vol. 15 (1976) pp. 1-16; and Sharing the World's Resources (1977), pp. 20-23 and 124-135; Stephen M. Schwebel, "The story of the United Nations declaration on permanent sovereignty over natural resources", American Bar Association Journal, vol. 49 (1963), pp. 463-469; I. Seidl-Hohenveldern, "The social function of property and property protection in present-day international law", in Kelshoven, Kuyper and Lammers, eds., Essays on the Development of the International Legal Order in Memory of Haro F. van Panhuys (1980), pp. 77 and 91-92; and "International economic 'soft law'", Recueil des Cours, vol. 163 (1979-II), pp. 165-246; S. Prakash Sinha, New Nations and the Law of Nations (1967), p. 96; V. I. Sopochnikov, "Sovereignty over natural resources",

1964-65 Soviet Yearbook of International Law, p. 76 (in Russian, summary in English); Steiner and Vagts, Transnational Legal Problems (1976), pp. 462-471; Francisco Orrego Vicuna, "Some international law problems posed by the nationalization of the copper industry by Chile", American Journal of International Law, vol. 67 (1973), pp. 711-727; P. J. I. M. de Waart, "Permanent sovereignty over natural resources as a cornerstone for international economic rights and duties", in Meijors and Vierdag, eds., Essays on International Law and Relations in Honour of A. J. P. Tammes (1977), pp. 304-322; Thomas W. Walde, "Permanent sovereignty over natural resources: recent developments in the mineral sector", Natural Resources Forum (July 1983); Burns H. Weston, "International law and the deprivation of foreign wealth: a framework for future inquiry", in Falk and Black, eds., The Future of the International Legal Order, vol. II (1970), pp. 36-37, 142 and 159-166; and "The Charter of Economic Rights and Duties of States and the deprivation of foreign-owned wealth", American Journal of International Law, vol. 75 (1981), pp. 437-475; Robin C. A. White, "A new international economic order", The International and Comparative Law Quarterly, vol. 24 (1975), pp. 542-552; and "Expropriation of the Libyan oil concessions - two conflicting international arbitrations", The International and Comparative Law Quarterly, vol. 30 (1981), pp. 1 and 11-13; Gillian White, "A new international economic order", Virginia Journal of International Law, vol. 16 (1976), pp. 323-345; Hasan S. Zakariya, "Sovereignty over natural resources and the search for a new international economic order", in Hossain, ed., Legal Aspects of the New International Economic Order (1980), pp. 208-219.

36/ A/36/648, annex, para. 69 (consultants' report annexed to the report of the Secretary-General, 10 November 1981).

37/ Oscar Schachter, Sharing the World's Resources (1977) at p. 124, citing resolutions 1803 (XVII); 3016 (XXVII); 2692 (XXV); 3201 (S-VI), para. 4 (e); and 3202 (S-VI), sect. VIII.

38/ See articles 15 and 38 of the Vienna Convention on Succession of States in Respect of State Property, Archives and Debts and the discussion of these articles in the International Law Commission, the Sixth Committee and the Vienna Conference. See particularly statements made at the Conference by India, A/CONF.117/C.1/SR.13, p. 5; Brazil, p. 12; Hungary, p. 13; Senegal, SR.14, p. 4; Thailand, p. 6; Syrian Arab Republic, p. 6; Egypt, SR.36, p. 2; Morocco, p. 12. For references to jus cogens in relation to permanent sovereignty, see Brownlie, Principles of Public International Law, supra (note 35), at p. 513; supra (note 3), pp. 269-270; S. Roy Chowdhury, International Law Association, Sixtieth Conference (Montreal) (1982), p. 219; Muller, supra (note 35), at pp. 77-78, footnote 159.

39/ See discussion and voting at the Vienna conference. For the roll-call vote on the Convention, which was adopted by 54 votes to 11, with 11 abstentions, see Journal of the conference, No. 27, 88(?) April 1983, p. 7. The vote on paragraph 4 of article 15 was 49-21-4 and on article 38, 55-21-1. See particularly statements made at the Conference by Switzerland, A/CONF.117/C.1/SR.14, pp. 4-5; United States of America, SR.15, p. 5; Netherlands, p. 8; Federal Republic of Germany, SR.36, p. 7; Canada, SR.37, p. 6. See also statements of Greece, SR.37, p. 4, and Sweden, p. 6.

40/ The term "national resources" covers "natural and all other resources, wealth and economic activities".

41/ For collection of texts of provisions relating to restitution see UNITAR/DS/5, supra (note 3), pp. 440-442. See also UNITAR/DS/5, pp. 351-354 and 373; Meagher, supra (note 35), pp. 82-83; Schachter, Sharing the World's Resources, pp. 21-23; Gillian White, supra (note 35), p. 338; Brower and Tepe, supra (note 35), p. 316.

42/ The term "national resources" covers "natural and all other resources, wealth and economic activities".

43/ For the consideration of these resolutions in the Second Committee see Official Records of the General Assembly, Twenty-eighth Session, Second Committee, 1578th meeting, p. 441; 1579th meeting, pp. 445-449; 1580th meeting, pp. 449-450; 1581st meeting, pp. 473-474; Twenty-ninth Session, 1630th meeting, pp. 335-336; 1635th meeting, pp. 359-364; Thirtieth Session, 1708th meeting, p. 357; 1712th meeting, pp. 373-377; Thirty-first Session, 62nd meeting, pp. 2-5; Thirty-second Session, 56th meeting, pp. 4-10; Thirty-fourth Session, 42nd meeting, p. 3, 53rd meeting, pp. 3-5; Thirty-fifth Session, 17th meeting, pp. 3-6; Thirty-sixth Session, 45th meeting, pp. 4-6; 46th meeting, pp. 13-15; Thirty-seventh Session, 36th meeting, p. 2; 40th meeting, pp. 2-9; 41st meeting, pp. 6-8; 42nd meeting, pp. 2-3.

44/ Resolutions 37/88, 37/122, 37/123, 36/15, 36/147, 36/150, 36/226 B, 35/122, 34/90, 33/113, 32/91, 31/106, 3525 (XXX), 3240 (XXIX), 3092 (XXVIII), 2252 (ES-V). See also 2851 (XXVII), 2727 (XXV), 2546 (XXIV) and 2443 (XXIII). Resolutions and decisions of the General Assembly and of the Security Council relating to the question of Palestine, 1947-1982, are collected in documents A/AC.183/L.2 and Add.1-3.

45/ Resolutions 37/88 C, 36/147 C, 35/122 C, 34/90 A, 33/113 C, 32/91 C, 31/106 C, 3525 (XXX) A, 3240 (XXIX) A and 3092 (XXVIII) B.

46/ Resolutions adopted by the General Assembly on the report of the Special Political Committee have contained similar condemnations of "illegal exploitation of the natural wealth, resources and population of the occupied territories". See resolutions cited in note 45.

47/ The International Court of Justice (I.C.J. Reports 1971, p. 54) has stated:

"A binding determination made by a competent organ of the United Nations to the effect that a situation is illegal cannot remain without consequence. Once the Court is faced with such a situation, it would be failing in the discharge of its judicial functions if it did not declare that there is an obligation, especially upon Members of the United Nations, to bring that situation to an end. As this Court has held, referring to one of its decisions declaring a situation as contrary to a rule of international law: 'This decision entails a legal consequence, namely that of putting an end to an illegal situation.' (I.C.J. Reports 1951, p. 82)".

48/ See also resolutions of the General Assembly, in particular 37/88 C, paras. 7-9 and 11; 36/147 C, paras. 7-9 and 11; 35/122 C, paras. 5-8; 34/90 A, paras. 5-8; 33/113 C, paras. 5-8; 32/91 C, paras. 5-8; 31/106 C, paras. 5-8; 3525 A (XXX), paras. 5-10; 3240 A (XXIX), paras. 3-8 and 3092 B (XXVIII), paras. 3-8.

49/ Resolution 242 (1967) also:

"Affirms that the fulfilment of Charter principles requires the establishment of a just and lasting peace in the Middle East which should include the application of both the following principles:

- "(i) Withdrawal of Israel armed forces from territories occupied in the recent conflict;
- "(ii) Termination of all claims or states of belligerency and respect for and acknowledgement of the sovereignty, territorial integrity and political independence of every State in the area and their right to live in peace within secure and recognized boundaries free from threats or acts of force."

50/ Documents S/13450 and Corr.1 and Add.1; S/13679; S/14268.

51/ For discussion of the law of belligerent occupation see Castren, The Present Law of War and Neutrality (1959); E. Feilchenfeld, The International Economic Law of Belligerent Occupation (1942); Greenspan, The Modern Law of Land Warfare (1959); Hyde, International Law Chiefly as Interpreted by the United States (2nd ed., 1945), vol. 3, pp. 1876-1912; M. McDougal and F. Feliciano, Law and Minimum World Public Order (1961), pp. 732-832; L. Oppenheim, International Law (H. Lauterpacht, ed., 7th ed., 1948-1952), vol. 2, pp. 430-456; G. Schwarzenberger, International Law, vol. 2 (1968), pp. 161-358; J. Stone, Legal Controls of International Conflict (2nd impress. rev., w. supp. 1953-1958, 1959), pp. 693-732; G. von Glahn, The Occupation of Enemy Territory: A Commentary on the Law and Practice of Belligerent Occupation (1957). See also materials collected in Hackworth, Digest of International Law, vol. 1 (1940), pp. 144-159; vol 6 (1943), pp. 386-415; and Whiteman, Digest of International Law, vol. 1 (1963), pp. 946-966, and vol. 10 (1968), pp. 540-598.

52/ International Law, vol. 2, p. 432 (H. Lauterpacht, ed., 7th ed., 1948-1952).

53/ A convenient transition point is found in the United States Supreme Court opinion by Chief Justice John Marshall in American Insurance Company v. Canter (1 Peters 542 (1828)):

"the usage of the world is, if a nation be not entirely subdued, to consider the holding of conquered territory as a mere military occupation, until its fate shall be determined at a treaty of peace".

54/ Schwarzenberger, International Law, vol. 2 (1968), p. 166; Oppenheim, supra (note 51); von Glahn, The Occupation of Enemy Territory (1957), p. 7.

55/ Oppenheim, supra (note 51), pp. 433-434; von Glahn, supra (note 51), pp. 31-33; Schwarzenberger, supra (note 51), pp. 172-173; K. Skubiszewski in Sorensen, Manual of Public International Law, p. 833 (1968); Feilchenfeld, supra (note 51), p. 817; P. Fauchille, Traité de droit international public (1921), pp. 215-216; Capotorti, L'Occupazione nel Diritto di Guerra (1949), United States, p. 57; Department of State, Memorandum of Law, 1 October 1976, reproduced in International Legal Materials, vol. 16 (1977), pp. 734-735; and other authorities cited in footnote 1 of the Memorandum.

56/ Does crude oil in situ constitute munitions de guerre? In Bataafsche (N. V. de Bataafsche Petroleum Maatschappij and Others v. The War Damage Commission, International Law Reports, p. 810 (1956)), C. J. Whyatt held the seizure and subsequent extraction and refining of crude petroleum was economic plunder and that such crude oil was not munitions de guerre. Focus was on amenability to direct military use. Due to the need for "elaborate installations" (p. 823) to extract and refine it, the oil failed to qualify as "arms or ammunition which could be used against the enemy in fighting" (ibid.). In counterpoint, J. Whitton dissenting, noted the shift from reliance on horse and steam engine in 1907 to the dependence on petroleum-based transport. Given this shift, he saw an apparent inconsistency in allowing seizure of refined petroleum but not crude stocks in situ (p. 847).

Although some writers - Oppenheim, vol. 2, p. 404; Smith, "Booty of war", British Yearbook of International Law, vol. 13 (1946), pp. 227 and 228; and Feilchenfeld, para. 161, pp. 39-40 - have defined munitions de guerre in broad terms, e.g., "all movable articles for which a modern army can find any normal use" (Smith, loc. cit.), E. Lauterpacht, "The Hague Regulations and the seizure of munitions de guerre", British Yearbook of International Law, vol. 32 (1955-56), pp. 218-243, offers a narrow interpretation based on the factors of "direct use" and the likelihood of prolonging conflict (p. 234). Lauterpacht also relies on the intent of the drafters of the Brussels Declaration and the Hague Regulations as seen in contradistinction to prior practice of unrestricted seizure. This interpretation accords with the use of the term munitions de guerre "as being a term of art descriptive in a general way of weapons and other movable objects which could readily be employed in battle ..." (p. 226).

57/ Supreme Court Judgement with regard to the Elon Moreh Settlement, unofficial English translation in International Legal Materials, vol. 19 (1980), p. 148 ff.

58/ Edward R. Cummings, "Oil resources in occupied Arab territories under the law of belligerent occupation", Journal of International Law and Economics, vol. 9 (1974), pp. 533-593; Antonio Crivellaro, "Oil operations by a belligerent occupant: the Israel-Egypt dispute", The Italian Yearbook of International Law, vol. 3 (1977), pp. 171-187; Allan Gerson, "Off-shore oil exploration by a belligerent occupant: the Gulf of Suez dispute", American Journal of International Law, vol. 71 (1977), pp. 725-733; Brice M. Clagett and O. Thomas Johnson, Jr., "May Israel as a belligerent occupant lawfully exploit previously unexploited oil resources of the Gulf of Suez?", American Journal of International Law, vol. 72 (1978), pp. 558-585; Panel of American Society of International Law (Edward R. Cummings, Brice M. Clagett, William D. Rogers and Allan Gerson, and

remarks by David Small), Proceedings of the Seventy-second Annual Meeting, April 27-29, 1978, pp. 118-142; Monroe Leigh, United States Department of State Memorandum of Law on Israel's right to develop new oil fields in Sinai and the Gulf of Suez, International Legal Materials, vol. 16 (1977), pp. 733-753; Israel: Ministry of Foreign Affairs Memorandum of Law on the right to develop new oil fields in Sinai and the Gulf of Suez, International Legal Materials, vol. 17 (1978), pp. 432-444; Letter of David H. Small, Assistant Legal Adviser, Department of State, Digest of United States Practice in International Law 1977, pp. 920-922.

59/ See examples given by Clagett and Johnson, supra (note 58), at p. 568. One amusing exception from Justinian's Digest: "... marble is not included in the fruits of the estate, unless it grows on the estate, as happens in some quarries in Gaul and Asia."

60/ United States Army Field Manual (F. M. 27-10) para. 402; United Kingdom Manual of Military Law, para. 610; Stone, Legal Controls of International Conflict (1954), p. 714.

61/ Cummings, Crivellaro, Clagett and Johnson and Department of State Memorandum; contra Gerson, Rogers and Israel Ministry of Foreign Affairs Memorandum (supra, note 58). For a point-by-point analysis and rejection of the Israeli argument see the Crivellaro and Clagett and Johnson articles cited in note 58 supra.

62/ Blackstone, Commentaries on the Laws of England (1766), p. 282.

63/ Israel, Ministry of Foreign Affairs Memorandum of Law, supra (note 58).

64/ The Arbitration Tribunal in the ARAMCO case (Saudi Arabia v. Arabian American Oil Company (1958)), International Law Reports, vol. 27 (1963), p. 117 at 157) stated:

"An oil concession is a mining concession. It possesses the characteristic feature of the latter concession, i.e., its operation destroys the very substance of the concession. The products of the enterprise are not, therefore, fruits or income, but a part of the capital. This is aptly expressed by Planiol:

"What is extracted from a mine or from a quarry is not a product of the soil; it is the soil itself which is being extracted; the "exploitation" inevitably results in the exhaustion of the mine. (Traité élémentaire de droit civil, vol. I, 3rd ed., No. 3590, p. 1,173; translation)."

Clagett and Johnson (note 58 at p. 574), in arguing that article 55 at the very least prohibits the opening of new mines, conclude, "Finally, and most importantly, by separately requiring that occupants 'safeguard the capital' of public property, the drafters of article 55 clearly stated their intention that occupants be held to the traditional obligation of usufructuaries to 'preserve the substance' of the property - and obligation that logically prohibits any exploitation of minerals." They also quote (p. 570) 6 F. Laurent, Principes de droit civil, pp. 563-564 (4th ed., 1887): "To be sure, the usufructuary enjoys like the proprietor, but he

enjoys the fruits and not the capital. The products of mines and quarries are certainly not a fruit but a part of the ground. It is therefore the substance of the thing which the exploiter successively depletes; how can the usufructuary have the right to exploit the mines and quarries when he must conserve the substance?"

65/ The French Court of Cassation, in reversing a lower court decision, held article 55 to require a belligerent occupant to observe regulations limiting the rate at which forests could be exploited to that which existed prior to the occupation. "Administration of Waters and Forests v. Falck, 1927", Annual Digest and Reports of International Law Cases, vol. 4 (1927-1928), p. 563.

66/ Supra (note 51) at pp. 812-813. See Gerson, supra (note 58), at p. 730.

67/ In re Krupp and others (Annual Digest and Reports of International Law Cases, Year 1948, case No. 214, p. 622 ff.); In re Krauch and others (I. G. Farben trial) (ibid., case No. 218, pp. 672-678); and In re Flick and others (Annual Digest ..., Year 1947, case No. 122, p. 266).

68/ The United States Department of State Memorandum of Law (supra, note 58) at pp. 742-746 takes the latter position that the property can only be used for purposes of the occupation while the Israel Ministry of Foreign Affairs Memorandum of Law (supra, note 58) at pp. 436-437 considers that there are no restrictions of this kind with respect to article 55.

69/ The full text of the resolution is reproduced in von Glahn, The Occupation of Enemy Territory (1957), pp. 194-195, "In view of its importance, according to the belief of the writer ...", von Glahn adds that it represents "the latest word on the problem [of transfer of title to property beyond the occupied Territory], comprising as it did the considered opinion of scores of outstanding jurists".

70/ Trial of the Major War Criminals before the International Military Tribunal, vol. 1 (1974), pp. 238-239, 6 F. R. D. 69, 120. Annual Digest and Reports of International Law Cases, vol. 13 (1946), p. 203 at pp. 214-215. See also Clagett and Johnson (supra, note 58, pp. 580-582) and authorities cited therein. Schwarzenberger refers to this as "a justifiable generalization" (supra, note 51, p. 251) and Stone broadly summarizes the occupant's powers "within the limits of what is required for the army of occupation and the needs of the local population" (supra, note 51, p. 697).

71/ See United States Department of State and Israel Ministry of Foreign Affairs Memoranda of Law (supra, note 47) at pp. 746-748 and 437-441, respectively.

72/ Article 43 of the Hague Regulations requires the occupant to respect "unless absolutely prevented, the laws in force in the country".

73/ The official commentary, p. 283 (Jean S. Pictet, ed.), to this paragraph of article 49 of the Fourth Geneva Convention states:

"It is intended to prevent a practice adopted during the Second World War by certain Powers, which transferred portions of their own population to occupied territory for political and racial reasons or in order, as they claimed, to colonize those territories. Such transfers worsened the economic situation of the native population and endangered their separate existence as a race."

74/ Protocol I to the Geneva Conventions, adopted on 8 June 1977 by the Diplomatic Conference on the Reaffirmation and Development of International Humanitarian Law Applicable in Armed Conflicts (see A/32/144 of 15 August 1977, reproduced in International Legal Materials, vol. 16 (1977), p. 1,391 at p. 1,428), adds special emphasis to this provision by making the transfer of civilian population into occupied territory a grave breach of the Protocol. Article 85, paragraph 4, provides:

"In addition to the grave breaches defined in the preceding paragraphs and in the Conventions, the following shall be regarded as grave breaches of this Protocol, when committed wilfully and in violation of the Conventions or the Protocol:

"(a) The transfer by the occupying Power of parts of its own civilian population into the territory it occupies, or the deportation or transfer of all or part of the population of the occupied territory within or outside this territory, in violation of Article 49 of the Fourth Convention; ..."

75/ Michael Bothe, Karl Joseph Partsch and Waldemar A. Solf, New Rules for Victims of Armed Conflicts (1982), p. 518, in the commentary on this provision of article 85, para. 4 state:

"Subparagraph (a) does not relate to a provision of the Protocol but to article 49 of the Fourth Convention. This is an exceptional case. It is also remarkable that the main case envisaged in subparagraph (a) - the transfer by the occupying power of parts of its own civilian population into the territory it occupies - appears in article 49 of the Fourth Convention only in paragraph 6 at the end. The reason for this inversion is a practical experience in a specific case: the settlement of Israelis on the Golan Heights and on the West Bank of Jordan, while article 49 was influenced by experiences during World War II, when a great number of inhabitants of occupied territories in Eastern Europe had been transferred to other regions."

See also Gerhard von Glahn, Law among Nations (4th ed., (1981)), pp. 678-679.

76/ See Digest of United States Practice in International Law 1977, pp. 922-924. Alfred L. Atherton, Assistant Secretary for Near Eastern and South East Asia Affairs, testifying before a House of Representatives Subcommittee said, "... we see the Israeli settlements as inconsistent with international law. (citing the Fourth Geneva Convention, article 49) ... In addition, we believe that under international law generally a belligerent occupant is not the sovereign power and does not have the right to treat occupied territory as its own or to make changes in the territory except those necessitated by the immediate needs of the

occupation. In general an occupant may only use the resources of the territory, including public lands, to meet the expenses of administering the territory and the military needs of the army of occupation and for the direct benefit of the indigenous inhabitants". See also Letter of the Legal Adviser of the Department of State, International Legal Materials, vol. 17 (1978), pp. 777-779; American Journal of International Law, vol. 72 (1978), pp. 908-911. The Supreme Court of Israel in the Elon Moreh Settlement case (International Legal Materials, vol. 19 (1980), pp. 176-177) asks "how is it possible to establish a permanent settlement on land which has been seized only for temporary use?" and replies that such establishment "encounters a legal obstacle which is unsurmountable." Alan Gerson, Israel, the West Bank and International Law (1978), p. 161, states "Such use [civilian settlement] is in contravention of article 55 of the Hague Regulations requiring the occupant to act as administrator and usufructuary of enemy public property."

77/ Antonio Crivellaro (supra, note 58), pp. 184-185; Clagett and Johnson (supra, note 58), p. 577. Professor Crivellaro, referring to the principle of permanent sovereignty, states:

"The point just made unquestionably strengthens the Egyptian position and confirms the unlawful nature of Israel's conduct. The rights of a sovereign State (albeit occupied) over its public property are already safeguarded and the powers of the occupying State respectively restricted by the customary law of warfare. The same public property, such as natural resources, becomes all the more and especially protected in that the international community has deemed it necessary to categorically ascribe such property to the sole power of the lawful owner State." (p. 185)

78/ See the reports of the International Law Commission dealing with state responsibility. The latest report is in Official Records of the General Assembly, Thirty-seventh Session, Supplement No. 10 (A/37/10).

79/ Permanent Court of International Justice, Judgement No. 13 (Indemnity), 13 September 1928, in Manley O. Hudson, World Court Reports, vol. I, p. 664.

80/ World Court Reports, pp. 662 and 664.

81/ Ibid., pp. 677-678; see also p. 694.

82/ Paragraphs 15 (e) and 17 (e) above.

83/ For some views on the legal effect of General Assembly resolutions see Michael Akehurst, "Custom as a source of international law", British Yearbook of International Law 1974-1975, vol. 47, p. 1-53, particularly pp. 5-8; Gaetano Arangio-Ruiz, "The normative role of the General Assembly of the United Nations and the Declaration of Principles of Friendly Relations", Recueil des Cours, vol. 137 (1972-III), p. 419 at pp. 431-518; Obed Asamoah, "The legal effect of resolutions of the General Assembly", Columbia Journal of Transnational Law, vol. 3 (1964-1965), pp. 210-230; and The Legal Significance of the Declarations of the General Assembly of the United Nations (1966); Sir Kenneth Bailey, "Making international law in the United Nations", Proceedings of the American Society of

International Law, Sixty-first Annual Meeting (1967), pp. 233-239; Suzanne Bastid, "Observations sur une 'etape' dans le developpement progressif et la codification des principes du droit international" in Recueil d'études de droit international en hommage à Paul Guggenheim (1968), pp. 132-145; Adam Basak, Decisions of the United Nations Organs in the Judgments and Opinions of the International Court of Justice (1969); Rudolf L. Bindschedler, "La délimitation des compétences des Nations Unies", Recueil des Cours, vol. 108 (1963-I), pp. 344-366; Samuel A. Bleicher, "The legal significance of re-citation of General Assembly resolutions", American Journal of International Law, vol. 63 (1969), pp. 444-478; Hanna Bokar-Szego, The Role of the United Nations in International Legislation (1978); D. W. Bowett, The Law of International Institutions (3rd ed., 1975), pp. 41-51; Brownlie, *supra*, notes 3 and 35; Pierre F. Brugière, Les pouvoirs de l'Assemblée générale des Nations Unies en matière politique et de sécurité (1955); Jorge Castaneda, Legal Effects of United Nations Resolutions (1969); Alex C. Castles, "Legal status of United Nations resolutions", Adelaide Law Review, vol. 3 (1967-1970), pp. 68-83; Bin Cheng, "United Nations resolutions on outer space: 'instant' international customary law?", Indian Journal of International Law, vol. 5 (1965), pp. 23-48; Anthony d'Amato, "On consensus", Canadian Yearbook of International Law, vol. 8 (1970), pp. 104-122; Ingrid Detter, Law Making by International Organizations (1965); Lino di Qual, Les effets des résolutions des Nations Unies (1967); C. J. R. Dugard, "The legal effect of United Nations resolutions on apartheid", South African Law Journal, vol. 83 (1966); Nabil El Arabi, "Legal effects of the General Assembly resolutions: some remarks", Revue égyptienne de droit international, vol. 31 (1975), pp. 273-277 (in Arabic); T. Olawale Elias, "Modern sources of international law", in Transnational Law in a Changing Society, Essays in Honor of Philip C. Jessup (1972), pp. 44-52; Richard A. Falk, "On the quasi-legislative competence of the General Assembly", American Journal of International Law, vol. 60 (1966), pp. 782-791; Oscar M. Garibaldi, "The legal status of General Assembly resolutions: some conceptual observations", Proceedings of the American Society of International Law, Seventy-third Annual Meeting (1979), pp. 324-327; Francisco Ramos Galino, "Las resoluciones de la Asamblea General de las Naciones Unidas y su fuerza legal", Revista Espanola de Derecho Internacional, vol. 11, (1958), pp. 95-128; A. Gomez Robledo, "Le ius cogens international: sa genèse, sa nature, ses fonctions", Recueil des Cours, vol. 172 (1981-III); Leo Gross, "The United Nations and the role of law", International Organization, vol. 19 (1965), pp. 537-561; Edvard Hambro, "Some notes on parliamentary diplomacy", in Transnational Law in a Changing Society, Essays in Honor of Philip C. Jessup (1972), pp. 296-297; M. S. A. Hamid, "La valeur juridique des résolutions des organisations internationales comme source de principes de droit international", Revue égyptienne de droit international, vol. 24 (1968), p. 119 (in Arabic); Rosalyn Higgins, The Development of International Law through the Political Organs of the United Nations (1963), particularly pp. 1-10; see also Proceedings of the American Society of International Law, Fifty-ninth Annual Meeting (1965), pp. 116-124, and Sixty-fourth Annual Meeting (1970), pp. 37-48; R. C. Hingorani, Modern International Law (1979), p. 25; R. Y. Jennings, "Recent developments in the International Law Commission: its relations to the sources of international law", The International and Comparative Law Quarterly, vol. 13 (1964), p. 385 at pp. 390-394; E. Jimenez de Arechaga, "General course in public international law", Recueil des Cours, vol. 159 (1978-I), pp. 12 and 30-34; D. H. N. Johnson, "The effect of resolutions of the General Assembly of the United

Nations", British Yearbook of International Law 1955-56, vol. 32, pp. 97-122; Christopher C. Joyner, "United Nations General Assembly resolutions and international law: rethinking the contemporary dynamics of norm-creation", California Western International Law Journal, vol. 11 (1981), pp. 445-478; Rahmatullah Khan, "The Legal Status of the resolutions of the United Nations General Assembly", Indian Journal of International Law, vol. 19 (1979), pp. 552-559; Gabriella Rosner Lande, "The changing effectiveness of General Assembly resolutions", Proceedings of the American Society of International Law, Fifth-eighth Annual Meeting (1964), pp. 162-170; "The effect of the resolutions of the United Nations General Assembly", in Robert S. Wood, ed., The Process of International Organization (1971), pp. 199-220; Myres S. McDougal and W. Michael Reisman, "The prescribing function in the world constitutive process: how international law is made", Yale Journal of World Order Studies, vol. 6 (1980), p. 249; Edward McWhinney, book review, American Journal of International Law, vol. 75 (1981), p. 393; Maurice Mendelson, "The legal character of General Assembly resolutions: some considerations of principle", in Kamal Hossain, ed., Legal Aspects of the New International Economic Order (1980), pp. 95-107; Hermann Mosler, The International Society as a Legal Community (1980), pp. 88-91; N. G. Onuf, "Professor Falk on the quasi-legislative competence of the General Assembly", American Journal of International Law, vol. 64 (1970), pp. 349-355; Christopher Osakwe, "Contemporary Soviet doctrine on the sources of general international law", Proceedings of the American Society of International Law, Seventy-third Annual Meeting (1979), pp. 310-324; Clive Parry, The Sources and Evidences of International Law (1965), pp. 19-23; G. Piotrowski, "Les résolutions de l'Assemblée générale des Nations Unies et la portée du droit conventionnel", Revue de droit international de sciences diplomatiques et politiques, vol. 33 (1955), pp. 111-125 and 221-242; W. Michael Reisman, "International lawmaking: a process of communication", Proceedings of the Seventy-fifth Anniversary Convocation of the American Society of International Law (1981), pp. 101-120; Paul Laurence Saffo, "The common heritage of mankind: has the General Assembly created a law to govern seabed mining?", Tulane Law Review, vol. 53 (1978-1979), pp. 492-520; Oscar Schachter, "The relation of law, politics and action in the United Nations", Recueil des Cours, vol. 109 (1963-II), pp. 185-188; and "Towards a theory of international obligation", Virginia Journal of International Law, vol. 8 (1967-1968), pp. 300-322; also in Schwebel, ed., The Effectiveness of International Decisions (1971), pp. 9-31; Christopher Schreuer, Decisions of International Institutions before Domestic Courts (1981); Stephen M. Schwebel, "The effect of resolutions of the United Nations General Assembly on customary international law", Proceedings of the American Society of International Law, Seventy-third Annual Meeting (1979), pp. 301-309; S. Prakash Sinha, "Identifying a principle of international law today", The Canadian Yearbook of International Law, vol. 11 (1973), pp. 116-120; Krzysztof Skubiszewski, "Recommendations of the United Nations and municipal courts", British Yearbook of International Law 1972-1973, pp. 353-364; "The General Assembly of the United Nations and its power to influence national action", Proceedings of the American Society of International Law, Fifty-eighth Annual Meeting (1964), pp. 153-162; "Enactment of law by international organizations", British Yearbook of International Law 1965-1966, p. 198 at pp. 229-233; F. Blaine Sloan, "The binding force of a 'recommendation' of the General Assembly of the United Nations", British Yearbook of International Law 1948, pp. 1-33; Louis B. Sohn, John A. Sibley lecture: "The shaping of

international law", Georgia Journal of International and Comparative Law, vol. 8 (1978), pp. 1-25 at 13-25; "The development of the Charter of the United Nations", in Maarten Bos, ed., The Present State of International Law and Other Essays (1973), pp. 39-59; Max Sorensen, "Principes de droit international public", Recueil des Cours, vol. 101 (1960-III), pp. 92-103; Julius Stone, "Conscience, law, force and the General Assembly", in G. Wilner, ed., Jus et Societas - Essays in Tribute to Wolfgang Friedmann (1979), pp. 297-337; Erik Suy, "Innovations in international law-making processes", in Macdonald, Johnston and Morris, eds., The International Law and Policy of Human Welfare (1978), pp. 187-200; A. J. P. Tammes, "Decisions of international organs as a source of international law", Recueil des Cours, vol. 94 (1958-II), pp. 261-364; H. W. A. Thirlway, International Customary Law and Codification (1972), pp. 61-79; Gregory I. Tunkin, Theory of International Law (1974), pp. 161-179; and "International law in the international system", Recueil des Cours (1975-IV), pp. 142-152; F. A. Vallat, "The competence of the United Nations General Assembly", Recueil des Cours (1959-II), pp. 207-289; Alfred Verdross, "Les principes généraux de droit dans le système des sources de droit international public, in Recueil d'études de droit international en hommage à Paul Guggenheim (1968), pp. 525-526; Michel Virally, "La valeur juridique des recommandations des organisations internationales", Annuaire français de droit international, vol. 2 (1956), p. 66; "Le rôle des 'principes' dans le développement du droit international", in Recueil d'études de droit international en hommage à Paul Guggenheim (1968), pp. 531-554.

84/ A Philippine proposal at the San Francisco Conference to give the General Assembly, acting in conjunction with the Security Council, legislative authority was rejected by 26 votes to 1 (United Nations Conference on International Organization, II/2/22). Generally recognized exceptions are resolutions on matters internal to the organization and decisions on budgetary matters under Article 17 of the Charter.

85/ Legal Consequences for States of the Continued Presence of South Africa in Namibia (South West Africa) notwithstanding Security Council resolution 276 (1970), Advisory Opinion, I. C. J. Reports 1971, p. 50.

86/ Certain Expenses of the United States, Advisory Opinion, I. C. J. Reports 1962, p. 163.

87/ In particular resolutions 1514 (XV) and 2625 (XXV). Western Sahara, Advisory Opinion, I. C. J. Reports 1975, p. 32-33. See also Namibia Advisory Opinion, I. C. J. Reports 1971, p. 31.

88/ One may also recall the statements of individual judges concerning the accumulative effect of resolutions. Judge Lauterpacht in the South West Africa Voting Procedure case stated:

"Although there is no automatic obligation to accept fully a particular recommendation or series of recommendations, there is a legal obligation to act in good faith in accordance with the principles of the Charter and the System of Trusteeship. An administering State may not be acting illegally by declining to act upon a recommendation or series of recommendations on the

same subject. But in doing so it acts at its peril when a point is reached when the cumulative effect of the persistent disregard of the articulate opinion of the Organization is such as to foster the conviction that the State in question has become guilty of disloyalty to the Principles and Purposes of the Charter. Thus an Administering State which consistently sets itself above the solemnly and repeatedly expressed judgment of the Organization, in particular in proportion as that judgment approximates to unanimity, may find that it has overstepped the imperceptible line between impropriety and illegality, between discretion and arbitrariness, between the exercise of the legal right to disregard the recommendation and the abuse of that right, and that it has exposed itself to consequences legitimately following as a legal sanction." (I. C. J. Reports 1955, p. 120)

Judge Tanaka dissenting in the 1966 South West Africa case said "the accumulation of authoritative pronouncements such as resolutions, declarations, decisions, etc., concerning the interpretation of the Charter by the competent organs of the international community can be characterized as evidence of the international custom referred to in Article 38, paragraph 1 (b)." (I. C. J. Reports 1966, p. 292) See also dissenting opinion of Judge Jessup, p. 441. Alex C. Castles, "Legal status of United Nations resolutions", Adelaide Law Review, vol. 3 (1967-1970), pp. 68-83 at p. 83, has summed up the position as follows:

"The law-making force of an accumulation of resolutions on a particular subject may also find legal force from another source of rule-making in the international community. The unanimous or almost unanimous practice of states as exemplified in their consistent support for a series of resolutions on a particular matter may also indicate that a particular practice has become a recognized element of customary international law."

For an analysis of General Assembly practice see Samuel A. Bleicher, "The legal significance of re-citation of General Assembly resolutions", American Journal of International Law, vol. 63 (1969), pp. 444-478. See also Oscar Schachter, "Towards a theory of international obligation", Virginia Journal of International Law, vol. 8 (1967-1968), pp. 300-322; also in Schwebel, ed., The Effectiveness of International Decisions (1971), at pp. 12-13.

89/ See Gaetano Arangio-Ruiz, "The normative role of the General Assembly of the United Nations and the Declaration of Principles of Friendly Relations", Recueil des Cours, vol. 137 (1972-III), p. 476:

"The simple repetition of a rule in the Assembly does not by itself 'create' - in spite of overwhelming majorities, similarity (or identity) of content, frequency of reiteration or citation, or length of the period covered by the repetitions - a corresponding customary norm. It would be too easy if the 'shouting out' of rules through General Assembly resolutions were to be law-making simply as a matter of 'times' shouted and size of the choir."

90/ Judge Hermann Mosler, The International Society as a Legal Community (1980), pp. 88-89, concludes: "After quite a long and fierce dispute it now seems that the extreme views, on the one hand that resolutions have no binding effect at all or on the other hand that they have a legislative effect, have been abandoned

and that a generally accepted view is emerging. There can be no single answer to the question - resolutions must be distinguished accordingly to various factors, such as the intention of the General Assembly, the content of the principles proclaimed and the majority in favour of their adoption." Professor W. Michael Reisman, in the Harold D. Lasswell Memorial Lecture at the Seventy-fifth Anniversary Convocation of the American Society of International Law, in presenting the McDougal-Lasswell-Reisman analysis of such factors, expressed them as a process involving the communicators, policy content, authority signal, control intention and the target audience. Proceedings, 1981, pp. 101-120 at p. 108. A fuller expression is presented on p. 107.

91/ Compare Article 38 of the Statute of the International Court of Justice.

92/ See note 83 supra.

93/ "Modern sources of international law", in Friedman, Henkin and Lissitzyn, eds., Transnational Law in a Changing Society, Essay in Honor of Philip C. Jessup, p. 46; and Proceedings of the American Society of International Law, 1981, pp. 29-31.

94/ Supra, note 83.

95/ Namibia Advisory Opinion, I. C. J. Reports, 1971, p. 53.

96/ Ibid., p. 53. See p. 52 for the power of the Security Council to take decisions under Article 24. See Rosalyn Higgins, "The Advisory Opinion on Namibia: which United Nations resolutions are binding under Article 25 of the Charter?", The International and Comparative Law Quarterly, vol. 21 (1972), pp. 270-286.

97/ For example see Digest of United States Practice in International Law 1978, pp. 1575-1578; and British Yearbook of International Law 1980, pp. 480-481. The Supreme Court of Israel in the Beit-El and Elon Moreh Settlement cases recognized the applicability to the occupied territories of the Hague Regulations as customary international law being a part of the municipal law of Israel. Stone argues that this is not equivalent "to a holding that under international law the only standing under which Israel may exercise authority in the territories concerned is that of a belligerent occupant". ("Aspects of the Beit-El and Elon Moreh cases", Israel Law Review, vol. 15 (1980), p. 476 at pp. 493-494). It should also be noted that although Israel is a party to the Fourth Geneva Convention and thus bound internationally, Israeli courts follow the British practice of not applying treaty law until it has been incorporated into municipal law by legislation. Consequently the Supreme Court noted that the Geneva Conventions belonged to consensual international law which is not in the nature of a law that binds an Israeli court.

98/ See Yehuda Z. Blum, "The missing reversioner: reflections on the status of Judea and Samaria", Israel Law Review, vol. 3 (1968), pp. 279-301; Meir Shamgar, "The observance of international law in the administered territories", Israel Yearbook on Human Rights, vol. 1 (1971), pp. 262 ff. For discussion see Allan Gerson, Israel, the West Bank and International Law (1978), p. 80.

99/ See Israel Ministry of Foreign Affairs, Memorandum of Law (note 58 supra), pp. 432-433. The Israel Ministry of Foreign Affairs relied on a statement by Feilchenfeld (supra, note 51, p. 6) that section III of the Hague Regulations applies expressly only to the typical case of belligerent occupation where one belligerent has overrun a part of the territory belonging to an enemy State, where both armies are still fighting in the field and where no armistice or other agreement has been concluded. There seems to be no support in state practice for this view and Feilchenfeld himself states that "it is generally recognized that the Hague Regulations continue to apply, except so far as deviations result from, or have been stipulated in, the armistice agreement" (ibid., p. 111). Nor has anyone pointed out precisely where the Hague Regulations so limit their applicability. (Clagett and Johnson, supra, note 58, p. 561).

100/ Alwyn Freeman, "Law of war booty", American Journal of International Law, vol. 40 (1946), pp. 796-797. Even in traditional international law the latter (assumption of sovereignty) could take place only with the conclusion of a peace treaty or the complete subjugation of an enemy State (debellatio). Under the law of the United Nations Charter acquisition of territory by force is inadmissible. Supra, paragraph 21 of this study.

101/ Schwarzenberger (supra, note 51, p. 173) states:

... "in the absence of any agreement between belligerents to the contrary, it [a rule pertaining to the laws of war] applies as much after, as before, an armistice, for post-armistice occupation is still belligerent occupation."

102/ In this connection see the proposal for a trustee-occupant status in Allan Gerson, "Trustee-occupant: the legal status of Israel's presence in the West Bank", Harvard International Law Journal, vol. 14 (1973), pp. 1-49; and Israel, the West Bank and International Law (1978), pp. 78-82. See also Mahnoush H. Arsanjani, "United Nations competence in the West Bank and Gaza Strip", The International and Comparative Law Quarterly, vol. 31 (1982), pp. 426-450, for the suggestion that these occupied territories be considered non-self-governing territories with the protection of Article 73 of the Charter of the United Nations and resolution 1514 (XV). Such status would be based on the mandate and trusteeship concept of "sacred trust" whose ultimate objective, as indicated by the International Court of Justice, is the self-determination and independence of the people concerned (I. C. J. Reports 1971, p. 31). For specific reference to permanent sovereignty in this context, see Decree No. 1 of the United Nations Council for Namibia adopted for the purpose of securing for the people of Namibia adequate protection of the natural resources of the territory. The preamble of the Decree expressly relies on General Assembly resolution 1803 (XVII) "which declared the right of peoples and nations to permanent sovereignty over their natural wealth and resources." See Ralph Zacklin, "The problem of Namibia in international law", Recueil des Cours, vol. 171 (1981-II), pp. 318-327; George R. Schockey, Jr., "Enforcement in United States courts of the United Nations Council for Namibia's decree on natural resources", Yale Studies in World Public Order, vol. 2 (1976), p. 295 at pp. 296 and 328; H. G. Schermers, "The Namibia Decree in national courts", The International and Comparative Law Quarterly, vol. 26 (1977), pp. 81-96; Objective Justice, special issue on Namibia, vol. 14 (1982).

103/ In this connection see the official commentary (Jean S. Pictet, ed.) to article 6 of the Fourth Geneva Convention. The rationale for terminating the application of the Convention as a whole while maintaining certain articles in force is in line with this view. The drafters of the Geneva Convention envisaged a speedy return of control to the authorities of the occupied territories, and, in any event, if the occupation were to be prolonged "as hostilities have ceased, stringent measures against the civilian population will no longer be justified" (pp. 62-63).

104/ See the annex to the report of the Secretary-General on permanent sovereignty over national resources in the occupied Arab territories (A/36/648, annex, para. 69, 10 November 1981).

APPENDIX I

Annex to Hague Convention No. IV of 18 October 1907: Regulations
Respecting the Laws and Customs of War on Land

[Original: English/French]

Military authority
over captured territory.

SECTION III.—DE L'AUTORITÉ
MILITAIRE SUR LE TERRITOIRE
DE L'ÉTAT ENNEMI.

SECTION III.—MILITARY AU-
THORITY OVER THE TERRITORY
OF THE HOSTILE STATE.

ARTICLE 42.

ARTICLE 42.

Actual occupation. Un territoire est considéré
comme occupé lorsqu'il se trouve
placé de fait sous l'autorité de
l'armée ennemie.

Territory is considered occupied
when it is actually placed under
the authority of the hostile army.

Extent. L'occupation ne s'étend qu'aux
territoires où cette autorité est
établie et en mesure de s'exercer.

The occupation extends only to
the territory where such authority
has been established and can be
exercised.

ARTICLE 43.

ARTICLE 43.

Preservation of or-
der and safety.

L'autorité du pouvoir légal
ayant passé de fait entre les
mains de l'occupant, celui-ci pren-
dra toutes les mesures qui dépen-
dent de lui en vue de rétablir et
d'assurer, autant qu'il est possible,
l'ordre et la vie publics en res-
pectant, sauf empêchement ab-
solu, les lois en vigueur dans le
pays.

The authority of the legitimate
power having in fact passed into
the hands of the occupant, the
latter shall take all the measures
in his power to restore, and en-
sure, as far as possible, public or-
der and safety, while respecting,
unless absolutely prevented, the
laws in force in the country.

ARTICLE 44.

ARTICLE 44.

Forcing informa-
tion from inhabitants
forbidden.

Il est interdit à un belligérant
de forcer la population d'un ter-
ritoire occupé à donner des ren-
seignements sur l'armée de l'autre
belligérant ou sur ses moyens de
défense.

A belligerent is forbidden to
force the inhabitants of territory
occupied by it to furnish informa-
tion about the army of the other
belligerent, or about its means of
defence.

ARTICLE 45.

ARTICLE 45.

Requiring oath of
allegiance forbidden.

Il est interdit de contraindre la
population d'un territoire occupé
à prêter serment à la Puissance
ennemie.

It is forbidden to compel the in-
habitants of occupied territory to
swear allegiance to the hostile
Power.

ARTICLE 46.

ARTICLE 46.

Rights and property
to be respected.

L'honneur et les droits de la
famille, la vie des individus et
la propriété privée, ainsi que les

Family honour and rights, the
lives of persons, and private prop-
erty, as well as religious convic-

CONVENTION—WAR ON LAND. OCTOBER 18, 1907.

convictions religieuses et l'exercice des cultes, doivent être respectés.

La propriété privée ne peut pas être confisquée.

ARTICLE 47.

Le pillage est formellement interdit.

ARTICLE 48.

Si l'occupant prélève, dans le territoire occupé, les impôts, droits et péages établis au profit de l'Etat, il le fera, autant que possible, d'après les règles de l'assiette et de la répartition en vigueur, et il en résultera pour lui l'obligation de pourvoir aux frais de l'administration du territoire occupé dans la mesure où le Gouvernement légal y était tenu.

ARTICLE 49.

Si, en dehors des impôts visés à l'article précédent, l'occupant prélève d'autres contributions en argent dans le territoire occupé, ce ne pourra être que pour les besoins de l'armée ou de l'administration de ce territoire.

ARTICLE 50.

Aucune peine collective, pécuniaire ou autre, ne pourra être édictée contre les populations à raison de faits individuels dont elles ne pourraient être considérées comme solidairement responsables.

ARTICLE 51.

Aucune contribution ne sera perçue qu'en vertu d'un ordre écrit et sous la responsabilité d'un général en chef.

Il ne sera procédé, autant que possible, à cette perception que d'après les règles de l'assiette et de la répartition des impôts en vigueur.

Pour toute contribution, un reçu sera délivré aux contribuables.

tions and practice, must be respected.

Private property cannot be confiscated.

ARTICLE 47.

Pillage is formally forbidden.

ARTICLE 48.

If, in the territory occupied, the occupant collects the taxes, dues, and tolls imposed for the benefit of the State, he shall do so, as far as is possible, in accordance with the rules of assessment and incidence in force, and shall in consequence be bound to defray the expenses of the administration of the occupied territory to the same extent as the legitimate Government was so bound.

ARTICLE 49.

If, in addition to the taxes mentioned in the above Article, the occupant levies other money contributions in the occupied territory, this shall only be for the needs of the army or of the administration of the territory in question.

ARTICLE 50.

No general penalty, pecuniary or otherwise, shall be inflicted upon the population on account of the acts of individuals for which they cannot be regarded as jointly and severally responsible.

ARTICLE 51.

No contribution shall be collected except under a written order, and on the responsibility of a Commander-in-chief.

The collection of the said contribution shall only be effected as far as possible in accordance with the rules of assessment and incidence of the taxes in force.

For every contribution a receipt shall be given to the contributors.

No confiscation.

Pillage forbidden.

Collection of taxes.

Levies for military needs.

General penalty for acts of individuals forbidden.

Collection of contributions.

Receipts.

CONVENTION—WAR ON LAND. OCTOBER 18, 1907.

ARTICLE 52.

Requisitions for needs of army. Des réquisitions en nature et des services ne pourront être réclamés des communes ou des habitants, que pour les besoins de l'armée d'occupation. Ils seront en rapport avec les ressources du pays et de telle nature qu'ils n'impliquent pas pour les populations l'obligation de prendre part aux opérations de la guerre contre leur patrie.

Authority. Ces réquisitions et ces services ne seront réclamés qu'avec l'autorisation du commandant dans la localité occupée.

Payment. Les prestations en nature seront, autant que possible, payées au comptant; sinon, elles seront constatées par des reçus, et le paiement des sommes dues sera effectué le plus tôt possible.

ARTICLE 52.

Requisitions in kind and services shall not be demanded from municipalities or inhabitants except for the needs of the army of occupation. They shall be in proportion to the resources of the country, and of such a nature as not to involve the inhabitants in the obligation of taking part in military operations against their own country.

Such requisitions and services shall only be demanded on the authority of the commander in the locality occupied.

Contributions in kind shall as far as possible be paid for in cash; if not, a receipt shall be given and the payment of the amount due shall be made as soon as possible.

ARTICLE 53.

Seizure of public cash, property, etc. L'armée qui occupe un territoire ne pourra saisir que le numéraire, les fonds et les valeurs exigibles appartenant en propre à l'Etat, les dépôts d'armes, moyens de transport, magasins et approvisionnements et, en général, toute propriété mobilière de l'Etat de nature à servir aux opérations de la guerre.

Telegraphs, transportation, etc. Tous les moyens affectés sur terre, sur mer et dans les airs à la transmission des nouvelles, au transport des personnes ou des choses, en dehors des cas régis par le droit maritime, les dépôts d'armes et, en général, toute espèce de munitions de guerre, peuvent être saisis, même s'ils appartiennent à des personnes privées, mais devront être restitués et les indemnités seront réglées à la paix.

ARTICLE 53.

An army of occupation can only take possession of cash, funds, and realizable securities which are strictly the property of the State, depôts of arms, means of transport, stores and supplies, and, generally, all movable property belonging to the State which may be used for military operations.

All appliances, whether on land, at sea, or in the air, adapted for the transmission of news, or for the transport of persons or things, exclusive of cases governed by naval law, depôts of arms, and, generally, all kinds of ammunition of war, may be seized, even if they belong to private individuals, but must be restored and compensation fixed when peace is made.

ARTICLE 54.

Submarine cables to neutral territory. Les câbles sous-marins reliant un territoire occupé à un territoire neutre ne seront saisis ou détruits que dans le cas d'une nécessité absolue. Ils devront également être restitués et les indemnités seront réglées à la paix.

ARTICLE 54.

Submarine cables connecting an occupied territory with a neutral territory shall not be seized or destroyed except in the case of absolute necessity. They must likewise be restored and compensation fixed when peace is made.

CONVENTION—WAR ON LAND. OCTOBER 18, 1907.

ARTICLE 55.

L'Etat occupant ne se considérera que comme administrateur et usufruitier des édifices publics, immeubles, forêts et exploitations agricoles appartenant à l'Etat ennemi et se trouvant dans le pays occupé. Il devra sauvegarder le fonds de ces propriétés et les administrer conformément aux règles de l'usufruit.

ARTICLE 56.

Les biens des communes, ceux des établissements consacrés aux cultes, à la charité et à l'instruction, aux arts et aux sciences, même appartenant à l'Etat, seront traités comme la propriété privée.

Toute saisie, destruction ou dégradation intentionnelle de semblables établissements, de monuments historiques, d'œuvres d'art et de science, est interdite et doit être poursuivie.

Certifié pour copie conforme:
Le Secrétaire-Général du Ministère des Affaires Etrangères des Pays-Bas,

HANNEMA.

ARTICLE 55.

The occupying State shall be regarded only as administrator and usufructuary of public buildings, real estate, forests, and agricultural estates belonging to the hostile State, and situated in the occupied country. It must safeguard the capital of these properties, and administer them in accordance with the rules of usufruct.

ARTICLE 56.

The property of municipalities, that of institutions dedicated to religion, charity and education, the arts and sciences, even when State property, shall be treated as private property.

All seizure of, destruction or wilful damage done to institutions of this character, historic monuments, works of art and science, is forbidden, and should be made the subject of legal proceedings.

Administration of public property in occupied territory.

Municipal, religious, etc., property.

Legal proceedings for seizure, etc.

APPENDIX II

Geneva Convention relative to
the Protection of Civilian Persons
in Time of War of 12 August 1949
(Fourth Geneva Convention)

...

ARTICLE 6

The present Convention shall apply from the outset of any conflict or occupation mentioned in Article 2.

In the territory of Parties to the conflict, the application of the present Convention shall cease on the general close of military operations.

In the case of occupied territory, the application of the present Convention shall cease one year after the general close of military operations; however, the Occupying Power shall be bound, for the duration of the occupation, to the extent that such Power exercises the functions of government in such territory, by the provisions of the following Articles of the present Convention: 1 to 12, 27, 29 to 34, 47, 49, 51, 52, 53, 59, 61 to 77, 143.

Protected persons whose release, repatriation or re-establishment may take place after such dates shall meanwhile continue to benefit by the present Convention.

...

ARTICLE 46

In so far as they have not been previously withdrawn, restrictive measures taken regarding protected persons shall be cancelled as soon as possible after the close of hostilities.

Restrictive measures affecting their property shall be cancelled, in accordance with the law of the Detaining Power, as soon as possible after the close of hostilities.

...

ARTICLE 49

Individual or mass forcible transfers, as well as deportations of protected persons from occupied territory to the territory of the Occupying Power or to that of any other country, occupied or not, are prohibited, regardless of their motive.

/...

Nevertheless, the Occupying Power may undertake total or partial evacuation of a given area if the security of the population or imperative military reasons so demand. Such evacuations may not involve the displacement of protected persons outside the bounds of the occupied territory except when for material reasons it is impossible to avoid such displacement. Persons thus evacuated shall be transferred back to their homes as soon as hostilities in the area in question have ceased.

The Occupying Power undertaking such transfers or evacuations shall ensure, to the greatest practicable extent, that proper accommodation is provided to receive the protected persons, that the removals are effected in satisfactory conditions of hygiene, health, safety and nutrition, and that members of the same family are not separated.

The Protecting Power shall be informed of any transfers and evacuations as soon as they have taken place.

The Occupying Power shall not detain protected persons in an area particularly exposed to the dangers of war unless the security of the population or imperative military reasons so demand.

The Occupying Power shall not deport or transfer parts of its own civilian population into the territory it occupies.

...

ARTICLE 53

Any destruction by the Occupying Power of real or personal property belonging individually or collectively to private persons, or to the State, or to other public authorities, or to social or co-operative organizations, is prohibited, except where such destruction is rendered absolutely necessary by military operations.

...

ARTICLE 147

Grave breaches to which the preceding Article relates shall be those involving any of the following acts, if committed against persons or property protected by the present Convention: wilful killing, torture or inhuman treatment, including biological experiments, wilfully causing great suffering or serious injury to body or health, unlawful deportation or transfer or unlawful confinement of a protected person, compelling a protected person to serve in the forces of a hostile Power, or wilfully depriving a protected person of the rights of fair and regular trial prescribed in the present Convention, taking of hostages and extensive destruction and appropriation of property, not justified by military necessity and carried out unlawfully and wantonly.

/...

APPENDIX III

Protocol Additional to the Geneva Convention
of 12 August 1949 and relating to the
Protection of Victims of International Armed Conflicts
(Protocol I) of 8 June 1977

...

SECTION II

REPRESSION OF BREACHES OF THE CONVENTIONS
AND OF THIS PROTOCOL

Article 85 - Repression of breaches of this Protocol

1. The provisions of the Conventions relating to the repression of breaches and grave breaches, supplemented by this Section, shall apply to the repression of breaches and grave breaches of this Protocol.

...

4. In addition to the grave breaches defined in the preceding paragraphs and in the Conventions, the following shall be regarded as grave breaches of this Protocol, when committed wilfully and in violation of the Conventions or the Protocol:

(a) the transfer by the occupying Power of parts of its own civilian population into the territory it occupies, or the deportation or transfer of all or parts of the population of the occupied territory within or outside this territory, in violation of Article 49 of the Fourth Convention;

/...

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Item 5 of the provisional
agenda**
PERMANENT SOVEREIGNTY OVER
NATIONAL RESOURCES IN THE
OCCUPIED PALESTINIAN AND
OTHER ARAB TERRITORIES

Permanent sovereignty over national resources in the
occupied Palestinian and other Arab territories

Report of the Secretary-General

1. By its resolution 37/135, the General Assembly requested the Secretary-General to prepare and submit to it at its thirty-eighth session, through the Economic and Social Council, the two reports requested in its resolution 36/173. In the latter resolution, the General Assembly requested the Secretary-General to submit a comprehensive report on permanent sovereignty over national resources in the occupied Palestinian and other Arab territories, including Jerusalem, and to make proposals for follow-up and implementation. It also requested the Secretary-General to submit a report on the implications, under international law, of the United Nations resolutions on permanent sovereignty over natural resources, on the occupied Palestinian and other Arab territories and on the obligations of Israel concerning its conduct in these territories.
2. The report of the Secretary-General on the implications, under international law, of the United Nations resolutions on permanent sovereignty over natural resources appears in document A/38/265-E/1983/85 of 21 June 1983.
3. The comprehensive report requested by the General Assembly has been prepared by consultants under the supervision of the Natural Resources and Energy Division, Department of Technical Co-operation for Development. The report is reproduced in the annex to the present document.

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ANNEX

Comprehensive report on permanent sovereignty over national resources
in the occupied Palestinian and other Arab territories

I. INTRODUCTION

1. The question of permanent sovereignty over national resources in the occupied Palestinian and other Arab territories has been a subject of concern to the General Assembly since its twenty-seventh session, when it adopted resolution 3005 (XXVII) of 15 December 1972.
2. This question has been dealt with in some detail in two reports submitted by the Secretary-General to the General Assembly at its thirty-second session (A/32/204) and thirty-sixth session (A/36/648). The present report endeavours to cover a wider range of this complex question, in the light of General Assembly resolutions 36/173 and 37/135 by focusing on specific Israeli occupation policies - laws, regulations, military orders, administrative practices - which are particularly relevant for permanent sovereignty over the national resources of the people concerned. Some of the aspects of the question of permanent sovereignty over national resources in occupied territories are also covered in the reports of the Secretary-General concerning the living conditions of the Palestinian people in the the occupied territories (A/37/238, A/38/278-E/1983/77), the reports of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Population of the Occupied Territories, the reports of the Committee on the Exercise of the Inalienable Rights of the Palestinian People, recent reports by the World Health Organization (WHO), the United Nations Educational, Scientific and Cultural Organization (UNESCO), the International Labour Organisation (ILO) and the United Nations Conference on Trade and Development (UNCTAD) and other documents of the United Nations. To avoid duplication, and in conformity with the directive of the General Assembly concerning control and limitation of documentation, the information already covered in the reports mentioned above will be dealt with only briefly in the present report and appropriate references made to the documents concerned.
3. The report is based on information and data contained in reports of the various United Nations organs and specialized agencies concerned; on information supplied by Governments and the Palestine Liberation Organization; on information supplied and available in publications of specialized research organizations; on material published in books, periodicals, journals, the press and other publications dealing with the situation in the Middle East and in the occupied territories. It is clear that, in order to present the objective and balanced assessment necessary, the co-operation of all parties concerned would have been necessary. As an essential element, such an investigation would require an on-site inquiry in the occupied territories themselves and discussions with representatives of the Government of Israel. As the efforts to obtain access to the occupied territories were unsuccessful, 1/ the substance and the scope of the information presented must necessarily be of a limited nature. However, every effort was made also to use Israeli sources 2/ and to obtain first-hand information from the

occupied territories, through fact-finding missions to the occupied territories organized by the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA), the ILO, WHO and UNESCO, through United Nations experts visiting the neighbouring countries and through co-operation and consultation with UNCTAD, WHO, the ILO, the United Nations Industrial Development Organization (UNIDO), UNESCO, UNRWA and other organizations.

4. In this connection, it should be noted that the extension of Israeli law to the Golan Heights by the Israeli Knesset in December 1981 has rendered it very difficult to obtain relevant information regarding conditions in the Golan Heights. Consequently, published data are not readily available. The same difficulty applies to East Jerusalem.

II. NATIONAL SOVEREIGNTY AND POLITICAL INSTITUTIONS

5. The right of peoples and nations to permanent sovereignty over their natural resources has been accepted as a principle of international law although its exact content and relation to other principles of international law have yet to be fully developed and defined (see A/38/265-E/1983/85; E/C.7/1983/5). Sovereignty over national resources is generally interpreted as the right of a people to determine how its resources in the natural, human, economic, cultural and political field will be used, conserved and preserved. These choices are normally made through political institutions. In the occupied territories, however, comprising the West Bank including East Jerusalem, the Gaza Strip and the Golan Heights, the development of authentic Arab institutions has been affected by a variety of Israeli measures. Many of these measures bear the character of legislative enactments with far-reaching and long-lasting effects. Israel declares that it voluntarily observes most of the provisions of the Fourth Geneva Convention, although it does not accept that the occupied territories are within the purview of the Convention. 3/

6. The most important of these measures is the extension, by the Knesset, of Israeli law, administration and jurisdiction to East Jerusalem and the Golan Heights. Such extension is declared, by the former legal adviser to the West Bank Military Government, to be tantamount to annexation. 4/

7. In the West Bank (excluding East Jerusalem) and Gaza, Jordanian law, in theory, still applies. A different path has been followed by the occupation authorities by issuing, since 1967, more than 1,000 military orders. Although these laws are termed "security legislation", they deal mostly with civilian, economic, administrative and judicial matters. 5/ In most cases, the Military Government has consistently endeavoured to avoid issuing new legislation with no reference to existing Jordanian law. It prefers to find a Jordanian law which can be amended, rather than pass a totally new law. 6/ This, however, does not bar the Military Government from introducing, in this way, new norms which follow the Israeli model, for example, the introduction of the value added tax (VAT) system by amending a Jordanian law on taxing local products (Law No. 16/1963) through Military Order No. 658. Selectively, the Military Government issues orders that copy existing Israeli laws, without referring to a Jordanian law.

8. Finally, Israeli norms are introduced to the West Bank on a personal basis, that is, addressing only the Israeli population in the territory. This is done either by issuing military orders applicable only to Israeli settlers or Jewish settlements in the West Bank or by the Knesset extending territorial laws of the State of Israel to the Israeli population residing outside the borders of Israel. 7/ Using these three possibilities, it appears that the Military Government tends to establish a dual legislative, administrative and judicial system in the West Bank, namely, one system for the Arab population, and one system for the Israeli population in the West Bank and the Gaza Strip. 7/

9. For the Israeli population living in the West Bank and Gaza Strip, Military Government Orders No. 783 of 20 March 1979 and No. 982 of 1 March 1981, established municipal councils whose powers and responsibilities are almost identical to those of local councils and municipalities in Israel. While regional councils were to be elected in Jewish non-urban settlements, local councils were to be elected in urban settlements.

10. The municipal councils have been granted wide de facto powers, particularly in boundary and planning affairs.

11. The determination of the councils' jurisdictional boundaries determines the territorial framework within which that authority will operate. Within those boundaries, only Israeli authorities will operate, and these areas will be under de facto Israeli control. 4/ Thus, the municipal councils are termed "Israeli islands" in the West Bank. According to the Israeli expert quoted, they are channels through which the Israeli Government authorities can operate in the West Bank. In order to increase the territorial contiguity of Jewish populated areas in the West Bank, not only the area currently in use, but also any area, the use of which is planned in the future, is included within the borders of most of the settlements.

12. A situation of territorial contiguity exists already with respect to the regional councils in the Jordan Valley and the Dead Sea area, where the roads connecting the settlements have also been included in the jurisdictional boundaries of the councils. In these areas, there are almost no Arab inhabitants and most of the land has been expropriated, or declared State domain. 4/

13. The granting of planning and building licensing powers, as in Israel proper, to the West Bank Israeli councils is, therefore, of essential importance; they are "the lifeblood of Israeli settlement". 8/ According to these policies, Israeli regional and local councils in the West Bank were appointed as "special planning commissions". In the framework of "district planning commissions", their members co-operate with Israeli Government officials in elaborating settlement planning. According to Israeli sources 9/ major criteria of this planning process are the following:

(a) Each settlement should be economically and socially independent and self-sufficient but interrelated with the other neighbouring Jewish settlements, for instance, in matters of defence and services.

(b) The choice of the location is affected by security reasons, i.e. overlooking large areas, as well as adjacent to main roads. These roads should circumvent areas of Arab population.

(c) It is planned that the bulk of the Israeli population in the West Bank will reside in urban centres. These centres do not require arable land as do agricultural settlements but even unsuitable terrains can be prepared for vast building schemes. Thus, urban centers appear particularly suitable to accommodate the reportedly planned increase of the Jewish population in the West Bank of between 12,000 and 15,000 per annum.

(d) The physical extension of adjacent Arab villages and farms shall be restricted by the planned settlement.

(e) Possible interaction between the proposed Israeli settlements and the existing Arab population tends to be ignored or downgraded. Instead, it appears that preference is given to a system of complete spatial separation between Israeli and Arab areas. Thus, two separate or partially separate infrastructure systems, one for the Israeli and one for the Arab population, are reported to exist in the sectors of telecommunications, post, water, roads, electricity, industry, agricultural marketing, school busing and vehicle licensing.

14. The Israeli municipal councils in the West Bank benefit from considerable government support. Their budget allocations are included in the general budget of Israeli ministries. In some settlements, more than one third of the household heads are reported to receive their salaries from government sources.

15. The Israeli sources relied upon 9/ estimate the development and regular budgets of the Israeli Government allocated for Israeli settlements in the West Bank at IS 5 billion (160 million dollars) per annum.

16. In conclusion, it appears that the Israeli settlements and their councils are formally separated from the local Arab municipal and planning system. Although nowhere is it determined that the settlements are not under the jurisdiction of the existing Jordanian law, an involved Israeli expert describes the settlements as being like settlements in Israel for all intents and purposes. 10/ Since the Jewish councils in the West Bank are granted the right to form a common "Council of Jewish settlements in Judea and Samaria", they are reported to constitute "an Imperium in Imperio" with "quasi-governmental status". 11/

17. This picture is in contrast to the declining powers of the Arab local and municipal councils. Financial support to them through the civilian budget of the Military Government is decreasing; some local taxes and funds are withheld and, under regulation No. 973, the flow of funds and transfers to the occupied territories is restricted. Prior permits are required to bring in any amount exceeding \$US 3,000, with full disclosure of sources and uses. Thus, financial aid extended by Arab states to Jordan and the Palestine Liberation Organization in favour of Palestinian local and municipal councils in the West Bank is severely impaired.

18. Attempts by the West Bank and the Gaza Strip mayors to unite legally in a "Committee of National Guidance" have been prevented by the occupying authorities. Individual administrative and judicial measures against mayors and other West Bank leaders are reported to aim at discouraging the building of authentic Palestinian institutions. While Israeli residents in the West Bank can participate in the political process in Israel, there are no political institutions above the municipal level for the Arab population in the West Bank and Gaza Strip. Neither Palestinian political parties nor the Palestine National Front are allowed to operate legally. Attendance at the Palestine National Congress at Algiers in February 1983 by the West Bank and Gaza Strip representatives was discouraged or legally prevented. The last municipal elections took place in 1976. It may be noted that the franchise was extended by the occupying authority to women for these elections. The establishment of a civilian administration under Military Order No. 947 of 8 November 1981 is seen by Palestinians as not changing substantially the powers of the occupying authority.
19. It is reported that the civil administrations, in 1982, played a dominant role in such practices as the dismissal of elected and appointed officials, the deportation of university faculty members, the imposition of house or town arrest and other collective punishments, the banning of newspapers and the implementation of broad restrictions on speech and assembly. ^{12/} The civil administrations also made major efforts to transfer patronage and authority from elected and established Palestinian nationalist leaders. As a key part of this effort, the West Bank civil administration actively promoted the spread of rural based, quasi-political organizations known as "village leagues". These organizations were provided with arms and financial assistance by occupation authorities. Allegations have been made by local inhabitants that the Village Leagues have been involved in graft and violence against other West Bankers.
20. The eventual transfer of statutory powers to these leagues is considered by Arab lawyers as an additional step to increasingly weaken elected Palestinian institutions even at the comparatively modest level of local and municipal councils.
21. However, Military Order No. 947 is viewed by Palestinian lawyers to be "like a unilateral declaration of a constitutional change" ^{13/} since its effect is seen as possibly elevating the status of certain military orders to the status of full-fledged law. ^{14/} Thus, military orders would possibly no longer be considered as secondary legislation, which is reviewable by the Israeli High Court of Justice, but might be considered as primary legislation, which is de facto only under very limited conditions challengeable before the Israeli High Court. ^{15/} Furthermore, the alteration would place the military orders beyond the authority of Palestinians to alter or to amend since the Israeli Government holds that the proposed Palestinian "self-governing authority", agreed upon in the Camp David framework of September 1978, would be confined to the functions of an "administrative council" without primary legislative powers and without the territorial dimension of government. ^{16/}
22. In the final analysis, it appears that the interplay of the different norms introduced by Israel into the occupied territories might indicate a basically dualistic structure of the future relationship between the Jewish and the Arab segment in the area:

(a) Both segments would have a separate, but de facto unequal, status;

(b) To the Arab segment, a guaranteed, but limited, autonomy would be conceded, but only on a personal and not territorial basis; while the Israeli segment, exercising the decisive final control over most of the territory and its inhabitants, would benefit from a de facto predominant position.

23. Obviously, the differentiation between the personal and the territorial dimensions of government displays a major feature of the classical minority régime of the Muslim Middle East as it found expression, for instance, in the Ottoman millet system. The new concept, however, would appear to constitute a fundamental reversal of the classical minority régime since, in the occupied West Bank and Gaza Strip, it would now be the Arab segment which would be confined to a secondary status. The Arab segment being predominantly, although not exclusively, Muslim, the new concept would substantially challenge basic inherent political order concepts of Arab Islam, thus highlighting a core dimension of the Arab-Israeli conflict.

III. JUDICIAL PROTECTION

24. A number of important changes have been brought about in the legal process within the occupied territories, among them the abolition of the death penalty. 17/ Many features of the judicial system and legal process in the occupied territories appear to indicate a de facto privileged position for the Israeli population segment and a less privileged position for the Arab segment.

25. The main changes seem to be the increasing role of the Israeli High Court as supreme judicial authority in matters involving decisions of the occupation authorities. This role is being supported by the abolition of the jurisdiction of the Jordanian Court of Cassation and by the exemption of actions by the occupation authorities from review by local judicial bodies. Given that Israeli military authorities have not only assumed governmental functions directly related to security and the public order, but also such functions as, inter alia, the posts of registrar of lands, registrar of companies, registrar of trade marks and patents, and the power to grant permits for land transactions and to authenticate signatures, the role of local courts in comparison to Israeli authorities, quasi-judicial and judicial bodies has been increasingly eroded.

26. While in theory criminal offences by Israeli civilians in the West Bank and the Gaza Strip are subject to concurrent jurisdiction by local Palestinian courts and Israeli military courts, Military Order No. 841, on the closing of criminal files, enables the legal adviser of the Military Government to decide where an offender is to be tried. In respect of offences committed by Israelis in the region, there has been a "tendency to try them in military courts". 18/ Local criminal courts, it is reported by the Israeli source, hence have jurisdiction only when "intact" Jordanian law is available, while offences based on military orders are tried by military courts. With the tendency increasingly to amend Jordanian law by Israeli norms and specific military regulations, there remains a continuously narrowing role for Arab local criminal courts, taking care basically

of cases where Israeli citizens are not involved and where the military authorities have not yet amended or replaced Jordanian law.

27. As Israeli authorities have taken over the functions of appointment, supervision and dismissal exercised by various governmental organs over the judges under Jordanian law and as they have centralized these functions with the occupation authorities, the independence of the judiciary appears to be substantially weakened. Arab civil courts still retain jurisdiction, apart from actions involving the military, over civil matters. In theory, this jurisdiction also includes cases involving Israeli residents or governmental bodies acting in a commercial capacity. In practice, however, given the bargaining power situation, most agreements, as is conceded by both sides, stipulate, through choice-of-law clauses, the jurisdiction of Israeli courts.

28. In lieu of local courts, the military authorities have established appeal boards to hear complaints against decisions by military authorities. They are authorized to decide most matters dealing, inter alia, with land, customs, income tax, natural resources, pensions and rights of depositors in local banks (Military Order No. 172). They are composed exclusively of Israeli military officers, sometimes without legal qualifications. Palestinian lawyers claim that a number of practical obstacles make it difficult to obtain a fair procedure with these boards, that decisions are often based on political considerations and that the outcome is rarely favourable. Israeli sources have responded to these allegations by pointing out that, of 34 appeals presented between 1979 and 1980, 5 have been successful. 19/

29. An important factor of the rule of law is the extent to which the affected population is able to be informed about laws and regulations applicable. Wide availability of information in this field would tend to restrain the discretionary powers of the authorities and provide an incentive to abide by the law. In addition, the local population affected by the administrative practices of the authorities and by actions by Israeli settlers would be enabled to appeal against discretionary actions and thus contribute towards a more effective rule of law.

30. Both Israeli and Palestinian sources consulted seem to agree that the decisions of the military appeal boards are not made available to the public nor do they contain extensive legal reasoning. As to the publication of military orders, Israeli sources 19/ refer to the official Collection of Proclamations and Orders, while Palestinian sources 20/ claim that these texts are not made widely available and that, in practice, Israeli authorities have shown little interest in their distribution.

31. Furthermore, procedural rules and obstacles are fashioned in a way that renders service of complaints and execution of judgement by Arab local courts difficult. This situation, however, changes when the judgements of Israeli courts are to be enforced, which reduces the role of Arab local courts in favour of the assumption of jurisdiction over West Bank matters by Israeli courts. The Jordanian law on execution of court judgements has also been amended in order to reduce communal control over the execution. Arab West Bank residents are reported to be severely hampered in efforts to bring successfully to justice cases involving Israeli authorities or Israeli residents of the West Bank. In both cases, an

effective judicial protection would appear to be highly desirable, particularly if one is to draw on different reports on human rights violations in the area. 21/

32. In addition, Palestinian sources complain 20/ that under the dual system of administration and justice Arab residents have little, mostly nominal protection from the occupation authorities against encroachments by Israeli settlers. No effective protection is reported to have come from Israeli occupation authorities which, on the other hand, are said to be extremely swift and effective when they perceive that safety and public order are affected by Arab residents. In this respect, Palestinian and Arab sources claim that there is wide-spread collusion between occupation authorities and Israeli settlers. The Israeli rebuttal to the Arab source cited makes no objection to these reports. 22/

33. The interplay of these different norms and legislative enactments, under the conditions of a dual system, affects also the exercise of Arab sovereignty over natural, human, economic and cultural resources.

IV. NATURAL RESOURCES

34. The basic natural resources of the occupied Arab territories are land, water and mineral resources. Among these, land and water constitute the major sources of livelihood.

A. Land

35. The total area of the West Bank is approximately 5,500 km². This figure included, in 1980, an estimated 1,853 km² of cultivable land (1,765 km² under dry farming and 87.5 km² under irrigation) and, besides forests and idle land, an estimated 1,850 km² of grazing land in the West Bank and the Gaza Strip. Some 2,612 km², corresponding to about 46 per cent, are cultivated.

36. Since 1967 the Arab inhabitants of the West Bank including East Jerusalem have increasingly lost control over their land, both cultivated and uncultivated. The former Israeli deputy mayor of Jerusalem, Meron Benvenisti, lists different legislative policies used by Israeli authorities to strengthen Israeli hold over the land, 23/ as follows:

(a) "Absentee" property. Land and other property owned by citizens of the West Bank who left the area in 1967. The land is administered by the Custodian of Abandoned Property who has leased large areas to Israeli agricultural settlements in the Jordan valley;

(b) "Registered state domain". Areas registered in the name of the Treasury of the Government of Jordan or in the name of the King of Jordan. The status of the Military Government in these areas is that of a temporary administrator for the duration of the military occupation. However, the Military Government treats these lands as Israeli State domain and leases it to Israeli settlers, including for "build-your-own-home" schemes, that is for long-term leases (49 years, renewable);

(c) Lands requisitioned for military purposes. Privately owned land which is seized by the Military Government under an order proclaiming that the area is needed for "vital and immediate military requirements". The land remains under private ownership while the Military Government offers a rental payment for the "use" of the land. Many settlements are reported to have been built on these lands;

(d) Lands closed for military purposes. Areas closed by the Military Government for use as training grounds, firing ranges, etc. In some cases, the military allow cultivation when the area is not used by it. "Closed" lands tend to become "requisitioned" lands, for example the Kiryat Arba land acquisition;

(e) "Jewish lands". Lands owned by Jews prior to 1948 and administered by the Jordanian custodian of enemy property;

(f) Lands purchased by Jewish bodies. While until 1979 only public Jewish companies received permission from the Military Government to purchase land in the West Bank and most of these lands were acquired by an affiliate of the Jewish National Fund, since 1979 private Israeli citizens have also been allowed to purchase land in the West Bank;

(g) Land expropriated for public purposes. The Military Government uses the Jordanian Expropriation Law of 1953, inter alia, for acquiring land for roads, including arterial roads and access roads to Israeli settlements, since, in 1972, the Israeli High Court of Justice recognized Israeli settlers as part of the population of the West Bank.

37. The study referred to has estimated that the total area thus seized by Israel amounts to approximately 1,500 km².

38. Since 1979, however, the Israeli authorities have adopted a new approach based on article 103 of the former Ottoman Land Code. According to this law, anyone with the consent of the authorities may cultivate vacant land (mawat land), the ultimate title remaining with the Sultan. 24/ The new approach of the Israeli authorities consists in claiming, as successors of the Sultan, all unregistered lands as mawat lands and of equating mawat lands with State lands. This equation, whose legal validity is contested by Palestinian lawyers, facilitates the seizure of Arab lands since the cadastral survey within the land settlement process realized in 1967 by Jordan covered only three eighths of the West Bank. 25/ Moreover, the rights secured by entries into the Land Registry encompass only one third of the West Bank lands. 26/ Finally, if the Israeli authorities intend to take possession of State land, the Arab appellant has to prove that the contested land belongs to him. Such evidence is hard to come by and is usually not conclusive so that the Arab inhabitants reportedly lose most cases. This procedure, which was sanctioned by an Israeli High Court decision in 1981, enables the Israeli authorities to seize practically any land, as the former Israeli deputy mayor of Jerusalem remarks.

39. As a consequence of these Israeli land policies, the office of the Jordanian Crown Prince points out that a large part of West Bank land has under various legal forms come under effective Israeli control:

(a) As from February 1983, an overall area of 2,453 km², equivalent to 44 per cent of the total West Bank territory including East Jerusalem, has been seized by Israel;

(b) Some 23 per cent of the total West Bank area is designated specifically for Israeli settlements and security purposes;

(c) Approximately 153 settlements were set up by Israel in the West Bank and East Jerusalem by the end of December 1982, of which 31 were in and around Jerusalem;

(d) The total number of settlers in the West Bank including East Jerusalem increased from 91,000 in April 1979 to about 140,000 in 1982. Among these an estimated 25,000 are to be found in the West Bank and over 110,000 in East Jerusalem.

40. Given present Israeli plans, it is expected that these figures are likely to increase over the next years so that by the year 2000 the West Bank, including East Jerusalem, would have 1.4 million Israelis together with 1.6 million Arabs. 27/

41. According to a long-term master plan prepared by the Zionists' Settlements Department, 57 new settlements should be established in the West Bank by 1987, bringing the total settlements in the area to 165. Under this plan the Jewish population in the West Bank should reach parity with the projected Arab population, to stand at 1.2 million. An analysis of rates of construction in the 108 existing settlements in the West Bank indicated that 6,000 housing units are to be occupied within the near future, and 12,000 are under construction. On this basis it is projected that by 1986 the Jewish population in the area will be over 100,000. Of the 165 settlements envisaged in the long-term plan, five will be large towns and urban settlements (Kiryat Arba and Ariel, and three large urban suburbs with populations of between 10,000 and 30,000 families), 36 smaller urban communities of up to 3,000 families, 65 communities of 400 families, and 59 moshavim and kibbutzim. The anticipated rate of construction is 5,000 to 6,000 housing units per year. The plan calls for the construction of an additional 400 kilometres of roads to improve access and thereby encourage private initiative, the development of 400 to 500 dunum of industrial space per year, and the continued acquiring of privately owned Arab and "state lands" which have been earmarked for afforestation, grazing and tourism facilities. The plan includes a list of priorities which emphasizes rapid development in the greater Jerusalem area, a strip along the main north-south highway, the north-western corner of the West Bank, an area lying between Tulkarm and Kedumim, and the southern Hebron hills. To encourage the Israeli population to move into the West Bank, the plan calls for severe restrictions on construction in Israel's main urban centres, along the coastal plain. 28/

42. Of the total area of 367 km² in the Gaza Strip, some 55 per cent is suitable for cultivation (about 102 km² under irrigation and 91 km² under dry farming). An additional area of about 60 km² was used in 1981 for settlements, including refugee camps, and for roads. As in the West Bank, a significant part of the available agricultural land has been seized for Israeli settlements. As of the end

of 1980, approximately 20 km², or 10 per cent of the total agricultural land, had been appropriated by the Israeli authorities for Israeli settlements. 29/

43. Precise information on land use in the Golan Heights is not available. In very general terms, roughly 40 per cent of the Quneitra district which, under the disengagement agreement of 1974, has been partly returned to the Syrian Arab Republic, is considered to be suitable for agricultural use. Since the occupation in 1967 and up to 1980, Israel has established at least 30 settlements in the area. However, it has not been possible to calculate the total land area involved. In 1982, about 6,000 to 7,000 Israeli settlers were estimated by the Government of the Syrian Arab Republic to be living in the Golan Heights. 30/ The extension, on 14 December 1981, of Israeli law, jurisdiction and administration to the Golan Heights, which has been unanimously declared by the Security Council (resolution 497 (1981)) to be "null and void and without international legal effect", is supposed to further reduce the exploitation of the Golan's resources by the Syrian inhabitants of the area. Before the occupation, in 1967, the Golan Heights contributed about 9 to 11 per cent to the overall production of the Syrian national economy. The continuing occupation has created income losses which are estimated at an annual average of ES 235 million. The total loss, by the end of 1981, is estimated at some ES 3,525 million. These losses would be intensified if an additional 20,000 Israeli settlers were to be settled in the Golan Heights area over the next four years, as the Israeli authorities announced on 6 January 1982. 31/

B. Water

44. Together with land, water is a vital natural resource for the inhabitants of the occupied Arab territories. For all practical purposes, the region comprising the occupied territories and Israel is a single water resource area. As the occupying power, Israel is the sole authority for the conservation, control and use of the water resources in the occupied Arab territories. It hence has a powerful means of determining the level of economic activity of the area as a whole. 32/

45. Presenting the main criteria of its water policies, the Government of Israel emphasizes considerable improvements in exploitation and distribution of water resources in the West Bank and Gaza Strip. Palestinians, however, point to legal obstacles and to inequitable treatment of Israeli and Arab residents in the occupied territories with respect to water distribution and usage.

46. For both purposes, domestic and agricultural, water use in the West Bank is influenced by a comparatively high water consumption rate in Israel and in the Israeli settlements in the occupied territories. The current water use in the West Bank by the Arab population is estimated at 100 MCM (million cubic metres per year). Of these, about 86 MCM are for agricultural use, irrigating approximately 100 km², with the remainder, some 14 MCM, for domestic use. By comparison, the Israeli population in Israel uses 1,700 MCM, so that their water consumption per capita is three times the use by the West Bank Arabs. 33/

47. The pressure on water resources available to the Arab inhabitants of the West Bank is further increased as a result of use of water by the Israeli settlements in the area. The total water consumption of the some 25,000 Israelis living in the West Bank, excluding East Jerusalem, is estimated at about 26 MCM in 1982. Of these, the settlements in the Jordan valley alone use approximately 25 MCM for the irrigation of 20 to 30 km² of agricultural land. This quantity is to be increased to 40 MCM by the late 1980s and is to irrigate 40 to 50 km² of land. Hence, the Israeli population in the West Bank, excluding East Jerusalem, amounting to about 3 per cent of the total West Bank population excluding East Jerusalem, uses 20 per cent of the total water consumption of the area, assigning 96 per cent of this amount to irrigation. Thus the water policies of the occupying authorities deny to Palestinians in the West Bank the use of water resources at the same level as is permitted to Israeli residents.

48. Water consumption in the Gaza Strip is estimated at 100 MCM per year, of which 90 per cent is used for irrigation. The entire amount is pumped by about 1,600 wells. 34/ The high population density imposes severe strains on water supply in the area. The Arab position is hampered - as reports indicate - by the fact that new Israeli settlements established in the Gaza Strip are reportedly granted preferential access to water by the Israeli authorities. Therefore, the water remaining for the use of the Arab inhabitants is, on a per capita basis, even less than before the Israeli occupation in 1967 (A/36/648, para. 20). The increased use of water by the settlements contributes to the present over-exploitation of water resources which amounts, according to an Israeli expert, to about 30 to 60 MCM per year. 35/ The over-exploitation has lowered the water table in the last five years by 0.5 to 2.5 m, while the salinity of the pumped water has increased in this period by 20-200 parts per million (ppm) chloride. A recent study, quoted by the Israeli expert, shows that, if pumping continues at the present rate, the water table will drop 1.0 to 3.5 m below the present levels in the next decade, and in the same period, the salinity will increase by 30-300 ppm chloride. As long as this over-exploitation continues, sea-water intrusion will increase and so will the inflow of saline waters from the east and from aquifers below the zone of utilization. The damage, the Israeli expert concludes, that will be caused to ground-water storage and to ground-water users, who are scattered all over the Gaza Strip, will be beyond repair. 36/

49. In the Golan Heights, according to Syrian Government information, a IS 100 million irrigation project is being carried out by the occupying authority, in favour of Israeli settlements in the central and southern parts of the area. 37/

C. Mineral resources

50. Besides building and construction materials, the rich resources of potassium and related minerals in the Dead Sea area constitute the main mineral resources of the occupied territories. The exploitation of the Dead Sea resources and the development of adjacent areas could be adversely affected by the Israeli decision to build a canal linking the Mediterranean Sea to the Dead Sea. 38/

V. HUMAN RESOURCES

51. For East Jerusalem and the Golan Heights, disaggregated population figures are not available. Regarding the other occupied territories, the figures of the Israeli Statistical Abstract for 1982 refer to the population in the West Bank, the Gaza Strip and northern Sinai. The substantial population rise in the last years in these territories is attributed by the Israeli Government partly to a decrease in infant mortality and an increase in life expectancy. The total population in these territories, at the end of 1981, has been estimated at 1,158,900, almost equally divided between females and males.

52. It would appear that close to half the population was in the non-production age group, while more than another quarter was in only a preliminary stage of contributing to the economy. Less than one fourth of the population, in which females predominate, had to provide the main support for the rest of the population. Considering that the participation of females in the labour force is low by custom and tradition, and owing to the lack of production opportunities in the occupied territories, the main burden of earning a living, providing for the dependents and contributing to the economy has fallen on a very small proportion of the working population in the territories.

53. In spite of an increase in the population as a whole, the number of employed persons living and working in the occupied territories declined from 152,700 in 1970 to 140,000 in 1981. 39/ This is partly due to the emigration of a considerable number of persons who prefer well-paid jobs in other Arab countries to the unsatisfactory living conditions in the occupied territories, caused, inter alia, by the lack of employment opportunities for educated and skilled people, particularly for recently qualified young people. This annual emigration of Palestinians has been estimated at an average of 20,000 persons per year and amounted in 1981 to 21,200 persons. Many persons who have had to leave have been reportedly debarred from returning under various regulations imposed by the occupying Power. Another reason for the decline in employment is that Arab producers in the occupied territories found it uneconomical to pursue their traditional income-producing activities in face of the unrestricted competition of products from Israel and the new Israeli settlements.

54. This decline in employment, which has been treated in a more detailed way in other reports, 40/ is sharply contrasted by a steady increase in the number of persons who are living in the occupied territories but work in Israel: from 20,600 in 1970 to 75,800 in 1981. 39/ In addition to those persons engaged through official channels, there are considerable numbers of persons who seek employment on their own or are engaged through unauthorized agents or contractors. This number, being difficult to assess, is estimated at more than a quarter of those recruited officially (A/37/238, annex I, para. 49). In addition, there is the growing number, not easily quantified, of Palestinians who, on their own behalf, are seeking employment in the newly established settlements. Thus it would appear that at least 44 per cent of the employed persons in the Palestinian occupied territories are working in Israel. Estimates provided by Palestine Liberation Organization and Jordanian sources are even higher - up to two thirds. These figures indicate an actual and potential loss of manpower resources for the

development of the occupied territories. Most of the work in Israel was in unskilled and semi-skilled jobs in construction (51 per cent), industry (18.2 per cent) and agriculture (12.7 per cent). The Israeli Government holds that, thus, full employment in the occupied territories is secured. It points out a substantial increase in living standards, a narrowing of the income gap between Israel and the occupied territories, the extension of social benefits to those officially engaged and a lack of discrimination (see A/37/347 and Corr.1, annex).

55. However, this kind of employment entails many hardships and insecurities, since Palestinian workers from the occupied territories are debarred from residing legally in Israel and have, subject to inspections, to commute daily from their homes in the territories to their places of work in Israel, which often takes two to four hours. 41/ The Palestinians' wages are lower than those paid to their counterparts in the Israeli labour force; for example, the difference in the hourly wages in construction work is, according to Israeli labour union sources, 50-60 per cent. 42/ Yet Palestinian workers are subject to the same taxes and deductions.

56. Furthermore, since the Israeli trade union Histadruth pursues no recruitment policy in favour of Arab workers from the occupied territories and since most of these workers themselves do not wish to join or co-operate with Israeli trade unions, these workers are generally not members of the Histadruth pension funds. Theoretically, pension plans are available through the Ministry of Labour and Welfare, and fringe benefits are collected from the employers. However, the sums accumulated since 1968, believed to be substantial, are kept in the Treasury and are not paid out to West Bank labourers to whom they technically belong. The same source indicates that since 1968 only 152 West Bank labourers have received pension benefits. 43/

57. A significant loss of manpower resources from the occupied territories is constituted by those who fled the territories or were displaced following the armed conflicts of 1948 and 1967 and who have sought refuge in neighbouring Arab countries. The total number of refugees registered in 1982 with UNRWA amounted to 1,925,726 persons.

58. To the losses of the Palestinian population incurred by the West Bank and the Gaza Strip as well as East Jerusalem should be added the Syrian population which fled the Golan Heights and the Quneitra district during and after the 1967 hostilities. Virtually all the Syrian population of this occupied area, estimated at 140,000, as well as some 16,000 Palestinian refugees then living in the Golan Heights, were forced to leave. 44/

59. For 1982, it was reported by the United States Department of State that only Druse Syrians were permitted by the Israeli authorities to live in the Golan Heights. Syrians of other religious and confessional denominations were not allowed to return to their homes and farms there. When the Israeli Government required all residents of the Golan area to obtain Israeli identity cards and when most of them refused, the Government cut the area's telephone communications and sealed off the area from outside access for more than five weeks. Residents without Israeli identity cards were for several months unable to leave the area,

even for medical treatment. As of the end of 1982, they were still subject to fines, according to a United States Department of State report, if caught outside the area without Israeli identity cards. 45/ Since in the Golan approximately two thirds of the active population go to work in Israel, these measures concern a considerable number of the Arab inhabitants of the Golan area.

60. Present population estimates for the Golan areas vary from 8,000 (Security Council commission established under resolution 446 (1979) to 12,500 (Israel) up to 15,000 (Keesing's Contemporary Archives). 46/ The latter source expects that the settling of an additional 20,000 Israelis up to 1986, as announced by the Israeli authorities on 6 January 1982, would bring the Israeli population in the Golan Heights area to some 27,000 and thus to a substantial majority position.

VI. ECONOMIC POLICIES

61. The occupation has had profound effects on the process of economic development in the territories. Arab sources underline the burdens resulting from this new economic status quo while Israel holds that considerable benefits have been created also in favour of the Arab population of the occupied territories. A general feature of this process is the increasing integration of the occupied territories into the Israeli economic system. While the occupied territories increasingly become a protected outlet for Israeli products and a comparatively cheap supplier of manpower, an independent economic development of the local Arab population is affected by Israel's control of those incentives that could stimulate a self-reliant economic development (investment, trade, financing). Important pre-1967 economic links between the occupied Arab territories, on the one hand, and East Bank Jordan and the Arab Middle East, on the other, have decreased substantially. As the results of such policies have been amply discussed, in particular in the reports on the living conditions of the Palestinian people and the UNCTAD review of the economic conditions of the Palestinian people in the occupied Arab territories (TD/B/870 of 26 August 1981), the present report focuses on highlighting specific occupation policies.

62. The changes indicated by these features have been stimulated by market forces but it has to be kept in mind that these forces have operated in a highly controlled environment shaped by the conditions of continuing occupation. The resulting pattern, therefore, appears to reflect key policy decisions by the occupying Power. 47/

63. One of the major characteristics of this pattern is a high growth rate of the two territories' economy. The Israeli Government declares that the gross national product has increased at an average annual rate of close to 13 per cent, in real terms (A/37/347 and Corr.1, annex, p. 2). Judgements may differ about the precise figures that should be used to describe the growth performance, but in absolute terms 48/ the growth has been substantial. 49/ However, the rate of growth is not always a reliable indicator of economic progress. First, there is reason to doubt whether the estimates of output in the period immediately following the 1967 war are a useful baseline from which subsequent real growth ought to be measured since, in 1968, when the Israeli statistical series on the product of the occupied Arab

territories began, the economic life of the territories had not yet recovered from the immediate disruptive effects of the 1967 war. Particularly, the high losses of human resources referred to above, caused by the exodus of Arabs from the West Bank and the Gaza Strip, 50/ have to be mentioned.

A. Framework of economic development

64. The framework of economic development is constituted by those legal instruments that establish and maintain the institutions upon which commercial transactions are based. 51/ Israeli occupation has, with increasing speed, resulted in a state of affairs where the introduction of Israeli norms and the exercise of far-reaching decision-making powers by the occupying authorities determines the character of such institutions. For example, questions of land law, income taxes, the registration of companies, trademarks and patents, and customs and excise questions are decided by the occupation authorities. Israeli laws on standards and measures have been introduced. Contracts for commercial transactions involving Israeli concerns and contracts for financing as a rule submit to the jurisdiction of Israeli courts.

65. Another characteristic feature of the legal framework for economic activities in occupied territories is the dual and unequal character of economic policies. While Arab companies and businessmen are subjected to Israeli law and to specific restrictions concerning financing, importation and exportation, Israeli business interests obtain - quite apart from the legal enclave status accorded to the settlements - privileges and incentives not available to their Arab counterparts; for example, they enjoy the incentives accorded by Israel for investment and settlement. While Israel receives very substantial flows of capital through voluntary contributions or concessional finance from abroad, a considerable part of which is designated to West Bank settlements, the transfer of Arab funds to West Bank development has been severely curtailed.

B. Agricultural policies

66. Considerable changes have taken place in the field of agricultural production, in particular improvement of production techniques, reduction of agricultural employment and an increase in volume and variety of production (see A/37/347 and Corr.1). To a large extent, these increases are due to the establishment of Israeli settlements in the occupied territories. Details of change in agriculture have been sufficiently documented in the reports on the living conditions of the Palestinian people. The policies that have brought about and which support the establishment and the operations of settlements are mainly related to the question of land and water use. These policies have already been discussed.

C. Industrial investment

67. The other reports mentioned discuss in detail the development of West Bank industry towards subordinate integration into the Israeli economic system. Lack of

investment opportunities, investment capital and incentives characterize industrial investment by West Bank entrepreneurs, while Israeli concerns enjoy considerable privileged treatment, both in law and by way of the specific use of the wide administrative powers held by occupation authorities. The policies bringing about these developments have to be seen in a context of land, building, tariff and trade, finance and investment regulations. The United States Department of State's report on human rights practices for 1982, submitted to the Foreign Relations Committees of the Senate and the House of Representatives, mentions that Israel restricts the construction of new factories through a number of regulations. Detailed information on these regulations would have to be collected by an in-depth study of Israeli regulations and economic policies.

D. Trade regulation policies

68. The occupied territories continue to witness the consequences of a dramatic change in the pattern, direction and terms of their trade relations. Whereas prior to 1967 the West Bank and the Gaza Strip had no trade relations whatsoever with Israel, the latter has become the main trading partner. Twenty-five per cent of Israeli exports are sold in the occupied territories. 52/ The total value of exports from the occupied territories to Israel accounted for 64 per cent in 1979 and 72 per cent in 1981. 53/ Imports from Israel increased from 88 per cent in 1979 to 90 per cent in 1981. On the other hand, trade with the East Bank of Jordan has decreased; the value of exports from the occupied territories to the East Bank amounted to only 26 per cent in 1981. Imports from East Bank Jordan to the West Bank fell to 1 per cent in 1981, while figures on official import relations from the East Bank to the Gaza Strip, in Israeli statistics, are not available. It is difficult to relate these figures to the "open bridge policy" and trade liberalization policies as alleged by Israel (see A/37/347 and Corr.1).

69. Policies underlying these developments contain restrictions concerning both importation and exportation. Imports into the West Bank require an import permit issued by the occupation authorities. Israeli sources 54/ state, in concurrence with Arab sources, 55/ that while imports from Israel are encouraged, the Israeli imports licensing law (Export and Import Ordinance of 1979) applies to imports from abroad through Israel. According to the Arab source cited - which is not contradicted in the rebuttal by the Israeli source - the import licensing system is used to prohibit direct importation of equipment from outside Israel and to force Arab purchasers to buy through Israeli trading companies. The Arab source cited reports as illustrative a case where an Arab electricity company applied for permits to import electrical generators; the authorities attempted to pressure the company to hook up their lines to the Israeli electric grid. Subsequent to a refusal by the Arab electricity company to integrate with the Israeli electricity system and the Israeli refusal to authorize the importation of new equipment, the Arab company's generating capacities proved insufficient to satisfy the increasing needs of new Israeli settlements. This, in turn, was used by the Israeli Ministry of Energy to terminate the company's concession on the grounds of its failure to satisfy customers. The Israeli source cited makes no objection against this presentation of evidence by the Arab source. 56/

70. Given the present economic structure of the occupied territories, the only meaningful type of export from the occupied territories to Israel consists in agricultural products. Military Order No. 47 requires authorization for such exports. Arab commentators claim that permits are only then given when Israeli agriculture would not be affected by such exports and when the Israeli marketing agencies agree. The Israeli rebuttal, on the other hand, claims that Military Order No. 47 is not designed to restrict export, but primarily to facilitate the statistical control of the quantity of produce entering Israel (see also A/37/347 and Corr.1).

E. Credit and financing policies

71. The availability of sufficient credit and other forms of financing - equity investment, loan guarantees - is an essential component of the framework for economic development. While Israel's balance-of-payments position is strengthened considerably by exports from the occupied territories to other countries, by imports from Israel and by transfer of foreign exchange by public and private sources from abroad to the occupied territories, financing of agricultural, industrial and infrastructural projects in the occupied territories has been severely hampered. Occupation policies have focused on restricting the transfer of Arab funds from abroad to the occupied territories. For example, under Military Order No. 973 of 1982, no more than JD 3,000 may be brought into the occupied territories by one person at a time; higher amounts require prior permits and full disclosure of sources and uses.

72. In addition to the restrictions limiting the amount of financial assistance available through transfers by Palestinians working abroad and through Arab financial subsidies, loan financing through banks is at a minimum. At present, only authorized Israeli banks operate in the occupied territories. While in 1976 22 per cent of the total bank assets in the occupied territories were in credits, this percentage dropped in 1980 to 10.5 per cent. Moreover, credit facilities were mainly based on a special government fund which was recently abolished. Loans from Israeli banks apparently require approval by the occupation authorities which has resulted in long delays and few permissions being granted. Arab sources report that Arab co-operatives have received grants and loans from abroad; Israeli authorities are said not to have allowed most co-operatives to receive such loans and grants. The Israeli rebuttal has not contradicted these statements. 57/

F. Fiscal occupation policies

73. The legality of the collection, use and imposition of new taxes by the occupying force has been a subject of considerable concern to international law on military occupation. In addition to previously existing taxes, Israeli occupation authorities have imposed a new value added tax - in the form of an amendment to Jordanian law - of, at present, 15 per cent to harmonize the fiscal situation of the occupied territories with that of Israel (Military Order No. 658). In addition, excise taxes and customs duties have been imposed up to 15 per cent on several articles produced in the West Bank. Income taxes are collected under

Israeli supervision; tax assessment is subject to an appeals procedure with the military "appeals committee". Taxes on real estate were also amended by several military orders (Nos. 28, 84, 120, 238 and 283). In addition to taxes, Israel collects substantial fees for crossing the bridge to and from Jordan. It is estimated (in the reports on the living conditions of the Palestinian people) that Israel collects annually about \$US 15 million in the form of such bridge fees.

74. Palestinians working in East Jerusalem or commuting to work in Israel - that is, the largest part of the active Palestinian labour force - are subject to the Israeli tax system, which includes health insurance and national insurance. United Nations experts on mission were informed that in addition a 4 per cent special tax has recently been imposed to cover the costs of military operations in Lebanon.

75. No detailed information is available on the volume and the use of the taxes collected in the occupied territories and from Palestinians working in Israel, nor is any precise information available on the tax situation of the Israeli settlements, for example on taxes or fiscal incentives.

VII. CULTURAL RESOURCES AND VALUES

76. It appears that the religious, cultural, national and popular identity of the Arab inhabitants of the occupied territories continued to be impaired. The reference to Palestinian loyalty symbols by the Arab community in East Jerusalem, the West Bank and the Gaza Strip is legally prevented. Many of these issues have been discussed in recent United Nations reports (A/37/238; A/37/485).

A. Religion

77. In the religious field, conflicts continued to occur between the Muslim community and the Palestinians, on the one hand, and Jewish individuals and the Israeli authorities, on the other, over the property of and rights to Al-Haram Al-Sharif, containing Muslim sanctuaries, and excavations in and around these sanctuaries; the application of Israeli law to Muslim religious affairs in East Jerusalem and over the use of the Ibrahimi mosque at Hebron.

78. With reference to the Golan Heights, the Syrian Government emphasizes losses and damages which have affected, since 1967, mosques and religious properties. 58/

B. Education

79. The educational system continues to face serious obstacles. Some of the instances cited are: 59/

(a) Closure of schools and universities. Particularly, institutions of higher education were to be found among the 14 establishments closed temporarily between February 1982 and February 1983: eight secondary schools, one teacher

training institute and the three universities of Bir Zeit, Bethlehem and Al-Najah at Nablus; 60/

(b) The occupying authorities continued to arrest students and to inflict physical punishment on them. In some cases, demonstrating students were shot fatally. Eleven persons out of 16 Palestinians fatally shot between February 1982 and February 1983 did not exceed the age of 21; 61/

(c) School and university teaching activities continue to be controlled by the occupying authorities. All professors and lecturers at Arab universities who enter the West Bank with a visitor's permit must sign a formal document to the effect that they denounce the Palestine Liberation Organization, 62/ otherwise, they will be expelled from the territory, which has happened to 22 professors;

(d) Restrictions on importing library reference materials continue to be cited. For instance, Bir Zeit University is not allowed to subscribe to 50 Arab periodicals even though most of these are reported to be available at Israeli universities. 63/

C. Books

80. The distribution of a number of books published in Arab countries continues to be banned. Over half of the 83 titles, reported in a 1983 Jordanian Government report 64/ to have been banned recently, treated subjects with direct relevance to the major determinants of Palestinian identity, namely Arab and Palestinian nationalism and Islam and the Muslim world. 65/ An official Israeli blacklist is reported to comprise some 2,000 books, including some translations from the Hebrew. 66/ The Israeli Government declares that it disallowed 14 Jordanian and 23 Egyptian textbooks between 1967/68 and 1977/78 and denied the introduction of 648 books into the West Bank and Gaza Strip (see A/37/347 and Corr.1, annex, p. 17).

D. Newspapers

81. There are continued reports about interference of the Israeli authorities with the editing and publishing of Arab newspapers in the occupied territories. Particularly, the three East Jerusalem Arab dailies Al-Fajr, Al-Sha'b and Al-Quds were, on different occasions and to different degrees, exposed to measures of censorship and confiscation. Several times their distribution in the West Bank has been prevented by the Israeli authorities. The English edition of Al-Fajr and the Arab newspaper At-Tala'i' Al-Maqdisiya were also the subject of interventions by Israeli authorities. This holds true also for a certain number of Arab journalists and editors.

VIII. INTERNATIONAL CO-OPERATION FOR PALESTINIAN DEVELOPMENT

82. International co-operation has become an important mechanism of support to Palestinian development. At the Ninth Arab Summit Conference, held at Baghdad in

1978, the Arab States established a special fund to channel resources to the development projects in the occupied territories, which is administered by the joint Jordanian-Palestinian Committee. These funds, designated principally for assistance to Arab municipalities in the occupied territories are estimated to amount to some \$US 150 million per annum. While no precise figures are available, it is estimated that these funds are used mainly to finance municipal infrastructure - roads, schools, hospitals and municipal construction - with some assistance going to agriculture and industry. It has been estimated that these funds cover 60 per cent of municipal operating budgets and 100 per cent of their development budget. Since August 1981, the military authorities have imposed increasingly severe restrictions on the transfer and use of these funds. The "village leagues" appointed by the military authorities, on the other hand, are reported to receive considerable financial support and patronage from the occupation authorities.

83. Co-operation has also come through the United Nations system. In 1979, an inter-agency task force, established pursuant to General Assembly resolution 33/147, identified a number of possible areas for project activities. Most United Nations organizations have been requested by their legislative bodies to give special emphasis to supporting Palestinian development within their scope of activities. ^{67/} As a result, UNIDO, UNICEF, UNRWA, WHO, the ILO, the United Nations Centre for Human Settlements and others have carried out technical assistance projects; however, in the majority of cases implementation has been outside the occupied territories. UNCTAD, the Economic Commission for Western Asia (ECWA) and UNIDO have been, or are at present, engaged in surveys of industry in the occupied territories, on options for economic development in the event of the establishment of an independent Palestinian State, and on a census of Palestinians living within and outside the occupied territories. Of particular importance has been the assistance executed directly by the United Nations Development Programme (UNDP) in the territories themselves. About \$US 3.5 million has been committed up to now and another \$4 million is allocated for the 1982-1986 programming cycle. UNDP is searching for additional funds to execute a number of projects already prepared. Agencies such as UNESCO, the ILO, WHO and the United Nations Secretariat regularly monitor the conditions in the occupied territories within their jurisdiction, and are submitting periodic reports on the situation.

84. Most organizations, for example the ILO, WHO, UNESCO, the World Intellectual Property Organization (WIPO), UNIDO and the Food and Agriculture Organization of the United Nations (FAO), grant fellowships or organize specialized training courses for Palestinians. Assistance to infrastructure projects seems to be another important form of co-operation, for example health and education. A large part of the co-operation consists of activities carried out outside the occupied territories, such as the many studies and surveys being done, feasibility studies, fellowships and training seminars, technical assistance to Palestinian refugee camps in Jordan, Lebanon and the Syrian Arab Republic, while activities being undertaken directly in occupied territories are limited and are executed by only a few international organizations, primarily UNDP and UNRWA, sometimes with assistance from the ILO, WHO, UNESCO and others. Some studies have been done in co-operation with West Bank residents. The reason for the limited extent of assistance directly executed in the occupied territories has been the considerable

reluctance of Israel to authorize project execution. While a number of organizations, such as UNIDO, have not been allowed access, it is primarily with UNDP that special procedures have been developed to obtain the necessary Israeli consent. UNDP is organizing its projects under the direct supervision of its Administrator with the agreement of all parties concerned. It places emphasis on appointing highly qualified and impartial international consultants, obtains prior approval from the authorities for visits to the occupied territories and exercises particular caution with respect to funds paid to subcontracted agencies. 68/

85. There are also a number of international non-governmental organizations engaged in co-operation projects, in particular those based in the United States which often involve United States Agency for International Development (US/AID) funding. Up to 1979, an estimated \$9 million were spent in this manner. It seems that under Israeli rules such projects obtain authorization more easily when the Palestinians act primarily as consumers of services and supplies, as opposed to projects which involve active participation of West Bank residents as part of the project.

86. As has become clear from these observations, the consent of Israeli authorities is of paramount importance for the selection and effective implementation of co-operation projects. The military authorities play an important role by granting or withholding consent. A recent UNRWA report 69/ notes that, apart from the obligation to obtain building permits for school construction, the authorities have intervened by ordering construction work to stop, by delaying permits, by detainment of contractors and other measures. While there is no clear-cut policy on the part of the occupation authorities, it would seem that certain agencies and certain types of project are more acceptable to Israel than others.

87. In view of the difficulty in making an overall evaluation of the benefit of the co-operation discussed for national sovereignty - and no such evaluation has been made to date - it appears necessary to highlight several principal criteria to evaluate projects. Furthermore, given that national sovereignty seems strongly affected by policies that encourage emigration and the giving-up of land, it seems relevant to emphasize such forms of co-operation as they strengthen the residents' ability to hold on to the land and to maintain and obtain stable employment opportunities in the occupied territories.

IX. PROPOSALS FOR FOLLOW-UP AND IMPLEMENTATION

88. In connection with the preparation of the comprehensive report on permanent sovereignty over national resources in the occupied Palestinian and other Arab territories, the General Assembly also requested the Secretary-General to make proposals for follow-up and implementation.

89. It seems evident that this complex question can be fully resolved only with the settlement of the basic political problem which had led to the occupation of the territories concerned. The Secretary-General has called for the search and achievement of a just and lasting settlement of the Middle East problem on numerous

occasions, in particular in the comprehensive report on the situation in the Middle East which he submitted to the General Assembly at its thirty-seventh session and to the Security Council (A/37/525-S/15451). Pending the settlement of the basic political issues certain interim measures of a practical nature are set forth below.

90. Given the importance of conservation of lands by Palestinians and the importance of maintaining and creating jobs to reduce the flow of emigrants, land conservation and job creation should guide United Nations-sponsored technical co-operation. Technical co-operation could, in the future, give priority to supporting agricultural production and expansion of industries, such as small-scale and family-based crafts, and small-scale manufacturing, capable of providing ample job opportunities in the local economy for the Palestinian labour force. The need to strengthen financing for Palestinian business could result in an intensification of efforts to create and support appropriate indigenous financial institutions in the occupied territories. For example, one could consider, in addition to other measures, a system of loan guarantees given abroad for development loans granted within the occupied territories. The United Nations could study the possibility of facilitating the transfer of funds to the occupied territories through procedures acceptable to all parties concerned, in particular funds designated to assist municipalities and job-creating industrial and agricultural projects. Also, the establishment of a development bank within the occupied territories on the model of national and regional development banks and development agencies could be considered. Such a development bank could seek capital from international financing institutions and from States. External support could be mobilized to fund such an organization and to guarantee its borrowing. When it comes to elaborating studies and surveys, more emphasis could be given to recruiting consultants residing within the occupied territories. Educational support and training could focus more on qualifications which are greatly needed in the occupied territories to discourage emigration of trained and qualified manpower.

91. It is important to devise adequate measures of follow-up and implementation, in particular to continue monitoring developments affecting permanent sovereignty over national resources in the occupied territories. Special emphasis should, in this context, be given to Israeli policies, laws, regulations and administrative practices in the occupied territories, both with respect to Arab residents and to Israeli citizens. An object for an in-depth study could be a survey of the natural resources in the occupied territories, with a focus on the policies relating to water, but also dealing with the quarrying industry and other natural resources available. In order to avoid duplication and for the sake of economy, the General Assembly could consider entrusting this task to existing committees where appropriate.

92. Furthermore, the General Assembly could consider ways to increase the opportunities for marketing Palestinian products to assist existing agriculture and industry. It could also call upon States to increase their financial commitment to pertinent programmes of United Nations assistance. Lastly, it could call upon States to strengthen bilateral technical co-operation programmes in the occupied territories and request the United Nations to encourage such assistance and prepare suitable projects.

Notes

1/ In response to a note verbale from the Secretary-General requesting the co-operation of the Government of Israel in the preparation of the report, the Government of Israel, in a note verbale of 3 September 1982, referred to its previous note verbale, of 3 August 1981, reprinted in A/36/648, appendix VII.

2/ Of considerable value has been a study published by the Israel National Section of the International Commission of Jurists, The West Bank and the Rule of Law (1981), written with assistance from the military authorities, which is intended to be an explicit rebuttal of the study by R. Shehadeh (assisted by J. Kuttab), International Commission of Jurists, The West Bank and the Rule of Law (1980). In a report submitted in 1982 to the General Assembly (see A/37/347 and Corr.1, annex), the Government of Israel emphasized the progress achieved in the occupied territories subsequent to the occupation in terms of economic, industrial, infrastructural and agricultural development, in employment matters, supply and consumption of water, freedom of trading, financing, education, public health, human rights and the rule of law; however, as that document does not provide disaggregated information for Israeli settlers on one hand and for Arab residents on the other in a number of essential issues (economic and agricultural development; land ownership; water development; population), it can be relied upon only to a limited extent.

3/ See Yehuda Z. Blum, "The Missing Reversioner", in Israel Law Review 3 (1968), and the conflicting views of Crown Prince Hassan Bin Talal, Palestinian Self-Determination: A Study of the West Bank and Gaza Strip, London/Melbourne/New York, 1981, and Henry Cattan, Palestine and International Law, 1973. See also A. Gerson, "The legal status of Israel's presence in the West Bank", Harvard International Law Journal, 14 (1973), 1, and M. Arsanjani, "United Nations competence in the West Bank and Gaza Strip", The International and Comparative Law Quarterly, 31 (1982), 426.

4/ Moshe Drori, "The Israeli settlements in Judea and Samaria: legal aspects", in Daniel J. Elazar, ed., Judea, Samaria and Gaza: Views on the Present and the Future, American Enterprise Institute for Public Policy Research, Washington/London, 1982, p. 54.

5/ Meron Benvenisti, The West Bank and Gaza Strip Project; pilot study report, American Enterprise Institute for Public Policy Research, 1982, p. 41.

6/ Jonathan Kuttab and Raja Shehadeh, Civilian Administration in the Occupied West Bank, Ramallah, 1982, p. 20.

7/ Benvenisti, op. cit., p. 42.

8/ Drori, loc. cit., p. 67.

9/ Benvenisti, op. cit., pp. 57-67.

10/ Drori, loc. cit., p. 68.

11/ Benvenisti, op. cit., pp. 45 and 47.

12/ United States Department of State reports on Israel's human rights record in the occupied territories (excerpts from the Department's country reports on human rights practices for 1982), Focus, vol. 6 (No. 5), 1 March 1983, p. 1.

13/ Kuttab and Shehadeh, op. cit. (1982), p. 8.

14/ Ibid., p. 18.

15/ Ibid., p. 21.

16/ Rainer Büren, Ein palästinensischer Teilstaat?, Baden-Baden 1982, p. 199, and Jerusalem Post, 1 February 1982, regarding Israel's proposals in the autonomy negotiations.

17/ See Shehadeh, op.cit. (1980), p. 122.

18/ See Israel National Section of the International Commission of Jurists, op. cit.

19/ Ibid, p. 19

20/ Shehadeh, op. cit. (1980).

21/ Practices committed by the occupation authorities affecting the human rights of the Palestinians have been described in the reports of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Population of the Occupied Territories and in the 1982 United States Department of State's Report on Israel's human rights record in the occupied territories.

22/ See Israel National Section of the International Commission of Jurists, op. cit.

23/ Benvenisti, op. cit., p. 29. For a defence of Israeli practices of land acquisition, see Israel National Section of the International Commission of Jurists, op. cit. The Palestinian view on the legality of these actions is expressed by Shehadeh, op. cit. (1980).

24/ Raja Shehadeh, "The land law of Palestine: an analysis of the definition of state lands", Journal of Palestine Studies, vol. 9, No. 2 (winter 1982), p. 87.

25/ Ian Lustick, "Israel and the West Bank after Elon Moreh: the mechanics of de facto annexation", Middle East Journal, vol. 35, No. 4 (autumn 1981), p. 568. Map on p. 569.

26/ Benvenisti, op. cit., p. 33.

27/ Office of the Crown Prince, op. cit., pp. 7-10.

28/ Jerusalem Post and Ha'aretz, 10 April 1983.

29/ See P. G. Sadler and B. Abu Kishk, "Options for development", report prepared for UNCTAD, 1983 (unpublished), pp. 30 and 31; A/36/648; and Israeli Settlements in Gaza and the West Bank (including Jerusalem): Their Nature and Purpose, United Nations, New York, 1982.

30/ Information provided by the Syrian Government, dated 27 May 1983.

31/ See Keesing's Contemporary Archives, vol. XXIX, (January 1983), p. 31914.

32/ See the reports of the Secretary-General on permanent sovereignty over national resources in the occupied Arab territories (A/36/648) and the living conditions of the Palestinian people in the occupied Palestinian territories (A/37/238).

33/ Benvenisti, op. cit., p. 23.

34/ J. Schwarz, "Water resources in Judea, Samaria and the Gaza Strip", in Daniel J. Elazar ed., Judea, Samaria and Gaza: Views on the Present and the Future, American Enterprise Institute for Public Policy Research, Washington/London, 1982, p. 99.

35/ Schwarz, op. cit., p. 99.

36/ Ibid., p. 100.

37/ See note 30.

38/ See A/37/328-S/15277 and Corr.1 and General Assembly resolution 37/122.

39/ Statistical Abstract of Israel, 1982, p. 754.

40/ A/37/238, annex I, chap. IV, sect. A, and reports of the Director-General of the International Labour Organisation.

41/ The Israeli Government report (A/37/347 and Corr.1) states that some Arab workers have been granted special residence permits.

42/ Benvenisti, op. cit., pp. 7-8.

43/ Ibid., p. 8.

44/ Official Records of the Security Council, Thirty-fifth Year, Supplement for October, November and December 1980, document S/14268, para. 208; A/36/648, annex, para. 14.

45/ United States Department of State, op. cit., p. 2.

46/ A/36/648, annex, para. 31; Keesing's Contemporary Archives, vol. XXIX, (January 1983), p. 31914.

47/ Brian van Arkadie, Benefits and Burdens: A Report on the West Bank and Gaza Strip Economies since 1967, New York/Washington, 1977, p. 137.

48/ Statistical Abstract of Israel, 1982, pp. 736 and 737.

49/ See van Arkadie, op.cit., p. 116.

50/ See Peter Dodd and Halim Barakat, River without Bridges: A Study of the Exodus of the 1967 Palestinian Arab Refugees, Beirut 1969 (The Institute for Palestine Studies, Monograph Series No. 10).

51/ See T. Wälde, "The evolution of international development law", German Yearbook of International Law, 23 (1980), 59, on the general relationship of legal instruments to economic development.

52/ Benvenisti, op. cit., p. 14.

53/ Statistical Abstract of Israel, 1982, p. 741.

54/ Israel National Section of the International Commission of Jurists, op. cit., p. 64.

55/ Shehadeh, op. cit., (1980).

56/ See Shehadeh, op. cit. (1980), p. 66, and Israel National Section of the International Commission of Jurists, op. cit., p. 64.

57/ Shehadeh, op. cit. (1980), p. 68; Israel National Section of the International Commission of Jurists, op. cit., p. 64.

58/ See note 30.

59/ Jordanian Ministry of the Occupied Territory, "The living conditions of the Palestinian people in the occupied Arab areas", (February 1982 to February 1983); report to the mission of the United Nations Centre for Human Settlements, Amman, 1983 (in Arabic).

60/ Ibid., annex 8.

61/ Ibid., annexes 5-7.

62/ Letter dated 2 December 1982 from Mr. H. Nasir, member of the Executive Committee of the Palestine Liberation Organization to the Director-General of UNESCO.

63/ Office of the Crown Prince, op. cit., p. 16.

64/ Jordanian Ministry of the Occupied Territory, op. cit., annex 10.

65/ Rainer Büren, op. cit.

66/ Office of the Crown Prince, op. cit., p. 16; Newsweek, 5 April 1982.

67/ See the report of the Secretary-General on assistance to the Palestinian people (A/37/214 and Add.1).

68/ See UNDP, informal report on project plans for the programme of assistance to the Palestinian people, December 1982.

69/ See Official Records of the General Assembly, Thirty-seventh Session, Supplement No. 13 (A/37/13), para. 72.



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REPORT OF THE ECONOMIC AND
SOCIAL COUNCIL

ECONOMIC AND SOCIAL COUNCIL
Second regular session of 1984
Item 8 of the provisional
agenda**
PERMANENT SOVEREIGNTY OVER
NATIONAL RESOURCES IN THE
OCCUPIED PALESTINIAN AND
OTHER ARAB TERRITORIES

Permanent sovereignty over national resources in the
occupied Palestinian and other Arab territories

Report of the Secretary-General

1. At its thirty-eighth session, the General Assembly adopted resolution 38/144 of 19 December 1983, the operative part of which reads as follows:

"The General Assembly,

"...

"1. Takes note of the report of the Secretary-General on permanent sovereignty over national resources in the occupied Palestinian and other Arab territories (A/38/282-E/1983/84);

"2. Commends the report of the Secretary-General on the implications, under international law, of the United Nations resolutions on permanent sovereignty over natural resources, on the occupied Palestinian and other Arab territories and on the obligations of Israel concerning its conduct in these territories (A/38/265-E/1983/85);

* A/39/50.

** E/1984/100.

"3. Condemns Israel for its exploitation of the national resources of the occupied Palestinian and other Arab territories;

"4. Reaffirms that Convention IV of The Hague of 1907 and the Geneva Convention Relative to the Protection of Civilian Persons in Time of War, of 12 August 1949 are applicable to the occupied Palestinian and other Arab territories;

"5. Emphasizes the right of the Palestinian and other Arab peoples whose territories are under Israeli occupation to full and effective permanent sovereignty and control over their natural and all other resources, wealth and economic activities;

"6. Also reaffirms that all measures undertaken by Israel to exploit the human, natural and all other resources, wealth and economic activities in the occupied Palestinian and other Arab territories are illegal, and calls upon Israel to desist immediately from such measures;

"7. Further reaffirms the right of the Palestinian and other Arab peoples subjected to Israeli aggression and occupation to the restitution of, and full compensation for the exploitation, depletion and loss of and damage to, their natural, human and all other resources, wealth and economic activities, and calls upon Israel to meet their just claims;

"8. Calls upon all States to support the Palestinian and other Arab peoples in the exercise of their above-mentioned rights;

"9. Calls upon all States, international organizations, specialized agencies, business corporations and all other institutions not to recognize, or co-operate with or assist in any manner in, any measures undertaken by Israel to exploit the national resources of the occupied Palestinian and other Arab territories or to effect any changes in the demographic composition, the character and form of use of their natural resources or the institutional structure of those territories;

"10. Requests the Secretary-General to elaborate on his report (A/38/265-E/1983/85) in order to cover also, in detail, the resources exploited by the Israeli settlements and the Israeli-imposed regulations and policies hampering the economic development of the occupied Palestinian and other Arab territories, including a comparison between the practices of Israel and its obligations under international law;

"11. Also requests the Secretary-General to submit the detailed report to the General Assembly at its thirty-ninth session, through the Economic and Social Council."

2. In implementation of that resolution, a team of experts was engaged to prepare the report requested by the General Assembly. In view of the guidelines laid down in the resolution, it was considered essential that a member of the team should travel to Israel and the occupied territories in order to secure the most accurate,

detailed and up-to-date information on "the resources exploited by the Israeli settlements and the Israeli-imposed regulations and policies hampering the economic development of the occupied Palestinian and other Arab territories". To this end, on 27 February 1984, the Under-Secretary-General, Department of Technical Co-operation for Development, addressed a letter to the Permanent Representative of Israel, which read as follows:

"I refer to General Assembly resolution 38/144 of 19 December 1983, on permanent sovereignty over national resources in the occupied Palestinian and other Arab territories, whereby the Secretary-General was requested to elaborate on his previous report, and to submit it to the thirty-ninth session through the Economic and Social Council.

"In order to assist in the preparation of the report, the Secretary-General would be most grateful to receive such information on this matter as the Government of Israel might have available.

"In addition, to facilitate the preparation of a report, a fact-finding mission will visit the region in March 1984 in the person of Mr. Dante Caponera, formerly Chief, Legislation Branch, Food and Agriculture Organization, and a noted authority on water legislation. Mr. Caponera's task will be to collect on-the-spot information on the issues involved, in particular on applicable occupation policies, laws and regulations concerning water and land administration, including administrative practices.

"I would be grateful if the Government of Israel would receive the mission and make available to it such information as the Government might have and co-operate in the provision of other information as might be needed by the mission."

3. On 4 May 1984, the Permanent Representative of Israel sent the following reply:

"I have the honour to refer to your letter of 27 February 1984 concerning General Assembly resolution 38/144 on 'permanent sovereignty over national resources' in the territories administered by Israel, and wish to indicate the following:

"In my notes verbales of 3 August 1981 and 3 September 1982 addressed to the Secretary-General of the United Nations (see A/36/648, annex, appendix VII, and A/37/600, para. 4), I outlined Israel's position with regard to the resolutions pertaining to the same subject. As already indicated on those occasions, my Government could not associate itself with the actions called for by those resolutions, since they were characterized by blatant political hostility towards Israel, and by a distorted and inherently biased attitude to my country, thus ignoring the many productive activities and achievements concerning national resources in the administered territories.

"General Assembly resolution 38/144, referred to in your letter, constitutes the terms of reference for the actions to be undertaken by the Secretariat on the above subject. It should be recalled that this resolution,

like those adopted in the past under the same agenda item, has taken a biased and hostile approach towards Israel and its activities in the administered territories. Such approach, having preceded the visit to the territories by United Nations experts, was not only totally unfounded; it must unavoidably call into question their mission when the conclusions are evidently predetermined.

"Israel is an open and free country. It permits journalists, tourists and others to visit not only Israel but the administered territories as well. In fact, when a positive approach is adopted and applied by United Nations agencies, Israel enables them to gather the necessary information they are interested in.

"However, for the reasons set out in this letter, you will no doubt readily understand why my Government cannot accept any activity based on General Assembly resolution 38/144."

4. In view of the position taken by the Government of Israel, the expert was not able to visit Israel and the occupied territories. However, he visited the Syrian Arab Republic and Jordan. He held discussions with the competent authorities of those countries as well as officials of the Palestine Liberation Organization in Damascus and Amman concerning matters relevant to the resolution. Another member of the team visited the headquarters of various United Nations agencies to obtain additional information on this subject. By a letter dated 8 June 1984 addressed to the Secretary-General, the Permanent Representative of Israel transmitted for circulation to the General Assembly and the Economic and Social Council "a report entitled 'Judea-Samaria and the Gaza District - A sixteen-year survey', constituting a shortened version of the report prepared by the Government of Israel pertaining to the economic and social developments in those areas between the years 1967 and 1983". The letter with annexed report was circulated in document A/39/295-E/1984/124. It was available to the team of experts in the latter stages of their work.

5. The report of the experts is reproduced in the annex to the present report.

Annex

REPORT OF THE TEAM OF EXPERTS

I. INTRODUCTION

1. The question of permanent sovereignty over national resources in the occupied Palestinian and other Arab territories has been a subject of concern to the General Assembly since its twenty-seventh session, when it adopted resolution 3005 (XXVII) of 15 December 1972. The question was dealt with in two reports submitted by the Secretary-General to the Assembly at its thirty-second and thirty-sixth sessions (A/32/204 and A/36/648). Further, in response to Assembly resolutions 36/173 of 17 December 1981 and 37/135 of 17 December 1982, two reports, which focused on legal matters, were submitted to the General Assembly at its thirty-eighth session: in one report (A/38/282-E/1983/84), specific Israeli occupation policies - laws, regulations, military orders, administrative practices - and their impact on the national resources of the Palestinian and other Arab territories were analysed, while the other report (A/38/265-E/1983/85) contained a discussion of principles of international law, particularly the law of belligerent occupation, and legal principles of permanent sovereignty over natural resources and their applicability to the occupied territories and the obligations of Israel thereunder.
2. In order to prepare the report requested by the General Assembly in its resolution 38/144, the team considered it essential that it should undertake an on-site inquiry in the occupied territories so as to gather all available information relevant to the question of permanent sovereignty over national resources in those territories and to discuss the various aspects of this question with the parties directly concerned, including officials of the Government of Israel. Unfortunately, efforts to gain access to Israel and the occupied territories were unsuccessful.
3. From 29 February to 14 March 1984, a member of the team visited the Syrian Arab Republic and Jordan, where he held discussions with the competent authorities of those countries, as well as with officials of the Palestine Liberation Organization (PLO) in Damascus and Amman. In the Syrian Arab Republic, he also held discussions with the provincial authorities of Quneitra, and in Jordan he was able to obtain material submitted to an international symposium on "Israel and the Arab waters" that was held at Yarmouk University at the time of his visit. On 15 May 1984, the Permanent Representative of Jordan to the United Nations conveyed to the Secretariat a list of Israeli military orders relating to the use of water resources in the West Bank. His letter and its enclosure are reproduced in the appendix to the present report.
4. Information was obtained by another member of the team in the course of visits he undertook in April/May 1984 to the headquarters of the International Labour Organisation, the United Nations Industrial Development Organization, the United Nations Relief and Works Agency for Palestine Refugees in the Near East, the United Nations Conference on Trade and Development and the Centre for Human Rights. The team also reviewed the information contained in reports of various United Nations

organs and specialized agencies, material issued by Governments and the PLO, publications of specialized research organizations and other publications dealing with the situation in the occupied territories.

5. The information thus obtained enabled the team to examine in some detail the Israeli policies relating to the exploitation of the water resources of the occupied territories. However, regarding other aspects, such as land, economy, and social, cultural and political institutions in the occupied territories, the team was unable to obtain information that would add substantially to what has already been reported to the General Assembly. Such additional data as the team was able to obtain on those subjects paralleled closely the information collected by another group of experts which relied on the same sources. Their report (A/39/233-E/1984/79, annex), which deals in detail with the impact of the Israeli settlements on land, economy, social and religious life and local government in the occupied Palestinian territories, was submitted to the Economic and Social Council at its first regular session of 1984 and is to be submitted to the General Assembly at its thirty-ninth session, in pursuance of Assembly resolution 38/166 of 19 December 1983, entitled "Living conditions of the Palestinian people in the occupied Palestinian territories". In these circumstances, the report which follows is limited to the subject of Israeli policies and practices relating to the exploitation of the water resources of the occupied territories. The team was not able to prepare the comparative study referred to in paragraph 10 of General Assembly resolution 38/144. Such a study would require a full compilation of the most accurate and up-to-date information concerning the practices of Israel relating to the questions at issue, which would need to be secured by means of a thorough investigation on the spot. As indicated earlier, this essential condition could not be met.

II. WATER POLICIES IN THE OCCUPIED TERRITORIES

6. Water is a vital natural resource for the inhabitants of the occupied areas, as well as for Israel. 1/ The economic value of land in this region is directly dependent on the availability of water supplies. This has acquired particular importance in Israel and, more recently, in the West Bank, since the commercial competitiveness of agricultural production in these areas is determined mainly by modern methods of irrigation which make extensive use of water, while dependence on natural rainfall permits only limited agricultural production.

7. Almost all water resources in the area, both surface and underground, are shared by two or more States. The Jordan basin is shared by the Syrian Arab Republic (two of the main headwaters, the Baniyas and the Hasbani rivers, are located in the occupied Golan Heights), Lebanon (in which the Dan, another headwater tributary, is located), Jordan (which contributes the Yarmuk, an important tributary) and Israel. International underground water aquifers are also present in the region. The western part of the West Bank is the site of most of the headwaters of the aquifers that flow from the West Bank towards Israel, where they feed springs and wells.

8. All countries recognize that the region is closely interconnected as far as water resources are concerned. 2/ In fact, any interference by one country in the surface or groundwater flow has repercussions on the activities of other countries sharing the same basin. The effects of any activities in connection with water resources are particularly felt in downstream territories which depend on upstream water supplies. In these shared surface or groundwater basins, Jordan, the occupied West Bank and Israel are at the same time upstream and downstream, depending on the location of the basins.

9. The available water resources in Israel have been almost fully utilized as a result of population growth and related increases in water consumption. Possible water development projects have been studied and a centralized management system of water resources has been established in Israel, on the basis of a 1959 water law. Israeli water and land policies and practices, both within Israel and in the occupied territories, suggest that the control of water resources constitutes a major concern.

10. Since the water potential of the area between the Mediterranean Sea and the Jordan River has been almost fully utilized and the need for water for domestic, agricultural and industrial uses is steadily growing, any substantial improvement in the situation has to be sought by making new sources available and by developing techniques for reclaiming otherwise unusable sources, such as cloud-seeding, desalinization, recharging of aquifers, sewage reclamation and modification of irrigation practices from sprinkler to drip irrigation. Another remedy would be the diversion of water from agriculture to domestic consumption. However, according to the Israeli Water Commissioner, to "divert water from production to domestic consumption in an amount that is equivalent to one third of the water consumed by agriculture today will entail economic and social regression, as well as injury to the policy of population dispersion". 3/

11. Israeli water policies have been implemented in the occupied territories by utilizing available legislation, whether customary, Ottoman, Mandate, Jordanian, Egyptian, Israeli or military. By means of military orders and regulations, the Israeli Government, since June 1967, has been exercising complete legislative, administrative and judicial authority over the occupied territories and their inhabitants. Often, legal enactments applied to the occupied territories and their enforcement have been at variance with the legal framework that existed prior to 1967. The existing institutions have also been modified or replaced in order to facilitate the application of the water policies.

12. The analysis below is based on a review of the laws and institutions as they existed in the Palestinian and other Arab occupied territories prior to 1967. It is known, however, that up to 1984, the Israeli authorities have issued about 1,200 military orders; some of these have purported to modify the legal status quo in matters of water resource management. For a thorough appraisal of the extent to which the above-mentioned military orders have changed the legal status quo as regards water resource management and administration, it would be essential to undertake a comprehensive analysis, not only of the military orders that were accessible for review but also of others. This has not been possible because the full text of the relevant military orders, including those issued up to 1984, were not available.

13. Analysed below are several sectors in which the Israeli regulations and practices have brought about modifications in the legal and institutional framework relating to water resources that existed prior to 1967 in the Palestinian and other Arab occupied territories.

III. PRINCIPLES OF WATER OWNERSHIP

14. The legal status of water ownership under the legislation of Israel extended to the occupied territories is substantially different from its comparable status under the domestic law - whether customary or written - that used to apply in the occupied territories. Whereas, under the latter legislation and subject to certain qualifications, landowners could claim private ownership of or equivalent vested rights in the waters on or under their land, this is not permissible under the Israeli water legislation, according to which all waters, both surface and underground, are public property. To the extent that the Israeli principles of absolute State property have been extended to the water resources in the occupied territories without exception, an appreciable change has been introduced in the legal status quo that existed prior to the occupation in respect of the ownership of water in the occupied territories. This has taken place in the Golan Heights by means of the full introduction of Israeli legislation in that territory, and in the West Bank by means of Military Order No. 291 of 1968 which suspended the operation of Jordanian Law No. 40 of 1952 on the settlement of disputes of law and water rights. In view of the fact that title to water is, under Israeli legislation, severed from title to land, the extension of such legislation to the occupied territories also has brought about an appreciable change in the legal character and economic and social value of land ownership, for water is, in arid regions, a highly prized resource.

IV. SYSTEM OF WATER ALLOCATION AND CONTROL

15. Israeli legislation on the allocation and control of water resources is at considerable variance with the legislation, whether written or customary, that used to prevail in the Palestinian and other Arab occupied territories. The differences are in both the kind and degree of restrictions that can be enforced with respect to the abstraction and use of water. Israeli legislation has introduced a very extensive system of central governmental control, whereby both surface and underground water can be abstracted and used only under a governmental permit and strictly for the indicated purposes in the area concerned and within the limits of the allocation envisaged. Metering of groundwater abstracted from wells and of surface water is also extensively practised and strictly enforced.

16. However, a special régime has been established in favour of "planned settlements", whereby these supplements are entitled to a water allocation for irrigation purposes as collective users, as opposed to the individual allocations made with respect to all other users. While the internal distribution of water is left to the discretion of the settlement corporation, it is worth noting that if a settlement does not use its annual quota, it may receive its entire water allocation in the following year. 4/ Generally, in the case of individual Arab

users, this procedure of collective water allocation is not followed. The legal system for water allocation that used to be in force in the Golan Heights and in the West Bank is characterized by far more flexibility and a greater protection of the interests of the water user vis-à-vis the governmental regulatory authority. For instance, under Jordanian water legislation and administrative practice, whenever the water from a well could no longer satisfy the uses for which a water-use permit had been granted, or a well went dry, a new drilling permit was automatically issued for another well to replace the old one. This is no longer permissible under Israeli legislation, as evidenced by the many refusals to allow Arabs to drill new wells.

17. As far as the Gaza Strip is concerned, the two legal systems are even further apart, for in Gaza no government-administered water permit system was in force, and the right to take water was governed by customary law. This recognized the proprietary water-use rights of the landowner and the rights of all those who needed it for the basic necessities of life (right of thirst, chafa, and right to irrigate, chirb). In addition, private arrangements could be freely entered into for the purchase and exercise of water-use rights.

18. The restrictive Israeli legislation relating to water resource allocation has been enforced in the occupied territories by means of Military Order No. 92 of 1967, concerning "Powers for water concerns", and Military Order No. 158 of 1967, amending the Jordanian Law on Water Supervision of 1953 as regards the West Bank; thus, the proprietary rights as regards water that had been validly acquired under the pre-occupation legal régime have since been exposed to curtailment to the full extent permitted by Israeli law on the subject.

19. Restrictive policies on the allocation of water have been cited by Arab sources as preventing Arabs from drilling new irrigation wells, particularly in the Jordan Valley, while 25 wells in the same area were dug, at depths ranging between 200 and 750 metres, to supply settlements. 5/ The same sources indicate that Israel exploits 40 to 50 per cent of the West Bank waters annually by means of the westward inclination of the West Bank's water basin, in addition to the quantities consumed by Israeli settlements established in the West Bank by means of pumping wells owned by Israeli settlements or by the Israeli Mekorot National Water Company. 6/ Discriminatory practices against Arab residents in favour of Israeli settlements in the allocation of water are also reported. 7/

20. On the other hand, no new rights to use water may be acquired in the fashion known to and customarily followed by the Arab populations. For instance, Military Order No. 291 of 1968 suspended the procedures provided for in Jordanian Law No. 40 of 1952 which regulated the adjudication and settlement of disputes over land and water rights and under which the right to use water could be recognized, granted or adjudicated. Likewise, through Military Orders Nos. 450 and 451 of 1971, all of the powers of the Jordanian Director of Lands and Surveys - which included the right to grant licences for the use of waters - have been transferred to an Israeli "person responsible". In the Gaza Strip and the Golan Heights the customary rights formerly enjoyed by the local inhabitants for the unrestricted digging of wells and abstraction of ground water have been equally subject to restrictions to the full extent permitted by Israeli legislation.

21. The Israeli military authorities seem to have applied, in general, provisions of Jordanian water legislation tending to limit the drawing or use of water by the Arab populations. However, if local legislation does not provide for restrictions, such as in Gaza and in the Golan Heights, the relevant Israeli provisions on water-use restrictions or other practices have been applied, either on the basis of military orders or other legal enactments, or by means of administrative decisions. 8/ The legal assertion of Arab-held rights also has been affected by the change imposed by the occupation authorities in the administrative machinery used to register, and thus safeguard, acquired water rights.

22. Under the legislation existing prior to 1967, local records of water rights as regards the Golan Heights, were kept by the mohafez (i.e., the prefect) of Quneitra (Syrian Arab Republic), by Jordan's Director of Lands and, since 1966, by the Jordanian Natural Resources Authority (NRA) in the case of the West Bank, and by the relevant village or city councils or customary water administrations in the Gaza Strip. With Israeli Military Orders Nos. 92 of 1967, 158 of 1967, 291 of 1968, 389 of 1970, 450 and 451 of 1971 and 457 of 1972, these recording functions have been taken over by the Israeli authorities. Whereas the Israeli legislation on the allocation and control of water resources is more restrictive than comparable legislation and practices in effect before 1967 in the occupied territories, in one particular respect the reverse holds true, that is, with regard to the transfer of water from one basin to another and from one area to another within the same basin.

23. Jordanian water legislation in force in the West Bank prior to Israeli occupation specifically prohibited the transfer of water from one drainage basin or aquifer to another. 9/ Even within the same basin, water could not be transferred from one area to another without an authorization from the Jordanian Council of Ministers. 10/ Since the water resource management practices of Israel ignore administrative, political and hydrological boundaries, the Israeli authorities are in a position to transfer water from one basin or aquifer to another, both within the West Bank and from the West Bank to other areas. Thus, the waters of the Jordan basin are diverted into the Israeli national water carrier and distributed to other basins up to the Negev desert region. 11/ The diversion of a substantial amount of the waters of the Jordan River has increased the salinity of what remains of the river flowing into Jordan and the West Bank, sharply reducing the possibilities of using these waters for domestic and irrigation uses. The waters abstracted from the ground-water aquifer of the West Bank are likewise conveyed into the same national water carrier. These waters are sometimes transferred from the National Water Carrier back to other basins located in the Golan Heights and the West Bank. 12/ This method of "water sharing", 13/ permitted under Israeli legislation, suspends the basin-of-origin protection clauses found in the legislation in force in the West Bank prior to occupation. It can affect established rights as regards water and relevant use patterns in the West Bank. To the extent that "water sharing" results in net water losses to the occupied territories, it raises the issue of the transfer of waters from an occupied territory into the occupying power's own territory. 14/

V. ADMINISTRATION OF WATER RESOURCES

24. The Israeli system of water resource administration appears to be quite different from the system of water resource administration that used to be in effect in the occupied territories. The basic difference is one of approach, the Government of Israel having vested strictly centralized water management responsibilities in a Water Commissioner and responsibility for the supply of water in a National Water Authority. Whereas a degree of centralization of governmental responsibilities for water resource management was not alien to the occupied territories prior to occupation, some functions in the management of irrigation water used to rest with the local governments, and certainly the bulk of responsibility for the provision of domestic and municipal water supplies used to rest with the Municipal Council of the city of Gaza, the municipalities of the West Bank and the mohafez of the city of Quneitra in the Golan Heights. As a consequence of various military orders and practices, the extension to the territories of the Israeli system of water resource management in general, and for the provision of public water supplies for domestic and municipal uses in particular, 15/ has reduced considerably the powers and responsibilities of the local governments in the occupied territories, 16/ including, in particular, the authority to levy and collect water rates and charges. The present integration of the basic water services in the occupied territories with those of Israel is about to lead to the complete dependence of the former services on those of Israel and will eventually make the separation of the two very costly and difficult.

25. While in the occupied territories the new water administration system has resulted in centralization and absence of local participation, the Israeli system of water resource administration, however, contains features providing for the decentralization of responsibilities to the regional, local and users' levels; indeed, public participation in policy formulation, planning, management and conservation is a basic tenet of Israeli water legislation. 17/ For this purpose, various bodies have been created in Israel in which public participation is provided for, such as, among others, the Water Board (and its regional, agricultural and water supply committees), the Board for Drainage Affairs, the Planning Committee, the Fund for Adjustment of Water Charges, the Regional Water Authorities and the Tribunal for Water Affairs.

26. Since it appears that the benefit of public participation, at least in the decentralized water management bodies, is not extended to local Arab populations - even in those cases in which their legitimate water rights are or might be affected - or where the water resources under consideration are located in the occupied territories, Arab water consumers or users have no say in the formulation of policies or in the decisions taken or advice given by the responsible bodies. In the extension of Israeli water administration to the occupied territories, an element of discrimination to the detriment of Arab inhabitants is therefore difficult to deny.

VI. DECLARATION OF SPECIAL ZONES OR AREAS

27. On the basis of Israeli legislation, a large number of "special zones or areas" may be declared, such as "protection strips", 18/ "rationing areas", 19/

"drainage districts", 20/ and "flood and soil erosion protected areas"; in addition, "security military areas" may also be imposed in the occupied territories. Most of these areas are so declared after consultation with relevant boards in which public participation is ensured. Prior to the Israeli occupation, the powers of the Government to declare protected or restricted zones or areas were exercised only exceptionally. The extensive network of legal powers conferred by Israeli legislation on the water administration service for establishing special zones or areas makes it possible for the administration to intervene to a great extent in water allocation and use patterns. As a result, the Israeli water authorities may restrict or prohibit individual activities connected with the utilization, distribution and conservation of water within the occupied territories.

28. As an example, in accordance with Military Order No. 1015, 21/ the Commander of the Israeli forces in the West Bank, "in order to preserve the water resources and the agricultural production" has prohibited the planting of fruit trees without a permit from the military government. Trees already planted must be registered within 90 days and a permit must be obtained for each of them. Government inspectors have the power to make searches and to uproot unlicensed trees at the expense of the owners. A subsequent order 22/ contains similar restrictive provisions regarding vegetables. In other instances, it has been reported that the existing rules of a customary and legal nature relating to the irrigation water entitlements of individual or collective holders of water rights and to the establishment of the protected areas around wells (harim), canals and rivers and other water works in Gaza have been ignored and replaced by Israeli criteria and principles through military orders or decisions of the Israeli water authorities.

29. The implementation of these extensive legal powers in the occupied territories has brought about a substantive modification of legitimate uses of water under the legislation of Gaza, the Golan Heights and the West Bank. The lack of participation of the Arab users in the bodies responsible for advising on such measures is a feature alien to both Israeli and previously applicable Arab legislation.

VII. PROTECTION OF WATER RIGHTS

30. Israeli water legislation contains detailed provision for appeals against decisions on the recognition of existing rights, the proclamation of "rationing areas", increases in water rates, the issuance or modification of water permits and licences, the promulgation of water-use norms and many other administrative determinations of the water management authorities. In addition, the payment of compensation is provided for in such cases as the loss or reduction in water availability or output as a result of, inter alia, the issuance of water-use norms or of water rationing orders. Israeli literature emphasizes the special care taken by lawmakers to protect the rights of the individual and to ensure fair compensation in the case of justified claims as regards water questions. 23/ However, the appeals for review of these decisions are heard by the Israeli authorities alone, without any Arab participation in the review and decision-making process. The water authorities seek the views of various "Boards" in which there is, contrary to internal Israeli practice, no Arab participation. 24/

31. The procedures for appealing administrative decisions of the Israeli water-controlling authorities could not be fully ascertained by the team. It seems that the first recourse is to the military objection or appeals committees. These committees, created by Military Order No. 172 of 1967, have been made responsible for hearing appeals on matters within their jurisdiction, including water questions. They are each composed of three military officers, at least one of whom has legal qualifications. Apparently, they can only make recommendations to the Area Commander who is not bound to accept them. Pursuant to Military Order No. 1062 of 1982, these committees have now been made responsible for adjudicating land cases which, until 1982, were dealt with by Arab courts. It is not clear if the Arab populations may seek recourse against the decisions of the military objection or appeals committees in the Israeli Water Tribunal or in other courts, or what the prevailing procedures are with regard to appeals against decisions in water matters.

VIII. FINANCIAL POLICIES FOR WATER RESOURCE MANAGEMENT

32. Under the rule of the Israeli legislation, criteria for the assessment and collection of water rates and charges and governmental policies on the reimbursement by the beneficiaries of the costs of water development projects and on the provision of subsidies and incentives to water users to promote water development activities differ from comparable policies and practices under the original domestic legislation of the occupied territories. Since Israeli policies and practices are enforced in the occupied territories and local Arab interests are not adequately represented in the public bodies responsible for relevant policy-making, financial hardship and discrimination may result for the affected Arab water users and consumers. 25/

IX. IMPACT OF WATER OCCUPATION POLICIES

33. Given the controversial context of Israeli water policies in the occupied territories, it is not surprising that there are differing assessments of the impact of such policies on water distribution and on economic, agricultural, social and human development. In general, while official Israeli sources 26/ stress the beneficial impact - the introduction of modern water management techniques, waterworks and protection against salinization - Arab sources emphasize the discriminatory nature of Israeli water policies geared towards denying Palestinians opportunities for modern irrigation agriculture by favouring Israeli settlements that make extensive use of water and by protecting the underground flow of West Bank waters to Israeli-tapped aquifers.

34. On the basis of previous reports of the Secretary-General (A/38/282-E/1983/84, paras. 44-49 and the recent report entitled "Living conditions of the Palestinian People" (A/39/233-E/1984/79, paras. 51-54)), Arab sources 27/ and Israeli sources, 28/ the following factual picture of water supply and water consumption emerges: While Israel consumes about 1,700 million cubic metres per year (MCM), the Arab population in the West Bank consumes about 100 MCM (86 MCM for irrigation and 14 MCM for domestic use) from a supply available, in principle, of 800-850 MCM (600 MCM underground, 50 MCM surface and 200 MCM from the Jordan). Israeli

settlements in the West Bank (excluding East Jerusalem) consume about 26 MCM, mostly for water-intensive irrigation in agricultural projects in the Jordan Valley.

35. A considerable portion of Israeli water supplies comes firstly from Jordan water diverted to Israel, estimated to be over 400 MCM on average 29/ and, secondly, from precipitation falling in the West Bank and flowing in a westerly direction into Israel (estimated at over 200 MCM). An independent Israeli expert 30/ reports that there are about 460 MCM of "shared water resources" (i.e., water originating in or flowing through the West Bank which could be tapped by West Bank wells), of which West Bank Palestinians use about 25 per cent (100 MCM) and Israel the remaining 75 per cent. In a separate study, Israel's Water Commissioner, Meir Ben Meir, is quoted as having acknowledged that "one third of the water reaching Israel ... originates in the West Bank". 31/

36. Israeli policy-makers perceive a severe water shortage, since the region's water supply threatens to fall short of demand and since over-pumping tends to threaten existing water sources; therefore, they take the position that:

"Exploitation of water resources must end in Judea and Samaria and decrease in the Gaza Strip. According to present forecasts of demographic and economic development, there will be a water deficit by the end of the century of 200-400 MCM per year in these two areas." 32/

37. Given the West Bank's huge surplus of water supply (800-850 MCM) over West Bank Arab use (about 100 MCM) and even West Bank Arab and settler use (about 125 MCM), the cited policy declaration is based on an integrated view of both Israel and the occupied territories. From the perception of an impending water shortage, the measures taken to restrict water use by West Bank Palestinians are logical: as the Israeli Government reports, 33/ the consumption of water as of 1977 was determined through metering and water use was held at that level, to which 10 per cent was added to offset errors. Drilling of new wells was prohibited for Arab farmers (apart from two wells) and the Israeli water authority Mekorot was permitted to drill at least 30 new wells. As a necessary result of these measures, the full supply of water for the very water-intensive agricultural settlements and the unimpeded flow of underground water to the Israeli-tapped aquifers is fully protected. An Israeli commentator 34/ noted that these policies deny the Palestinians the possibility of developing competitive water-intensive farming techniques to put irrigable land to full use and exposes them to the vagaries of natural rainfall.

38. The Israeli Government, while not denying these facts, asserts that through a system of water sharing by means of pumping in the years from 1978 to 1980 (no information is given for other years), a net balance of about 2 MCM was received by the West Bank. Also, the modernization and expansion of waterworks for domestic use and the sometimes dramatic increase of water consumption by seven municipalities is mentioned. However, the official Israeli report does not provide a breakdown of these figures into water use by Israeli settlers and by Palestinian inhabitants. 35/

39. In the Gaza Strip, water use is about 110 MCM in contrast with a water supply of about 50 MCM, reflecting considerable over-exploitation with grave consequences for existing wells. An Israeli expert (see A/38/282-E/1983/84, para. 48) has estimated that the use by Israeli settlements of about 30 to 60 MCM contributes to this over-exploitation. The official Israeli statement reports restrictive policies to reduce water abstraction and efforts made to improve the water supply situation, resulting in a saving of over 20 MCM. 36/ However, the official Israeli statement does not mention or offer information on the distribution of available water between the Arab inhabitants and Israeli settlements.

X. CONCLUSIONS

40. Israeli policies and practices differ fundamentally from those in effect in the occupied territories before 1967. As a consequence, and to the extent that these policies and practices have been enforced in the occupied territories, the legal and institutional framework obtaining at the time of occupation has undergone a basic revision. The changes of major consequence that seem to have been effected relate to the following:

(a) The water rights held by the water users;

(b) The pattern of administrative water management responsibilities and water allocation, particularly with respect to the provision of water supply and sewerage services to towns and villages;

(c) The fact that the system of water management operates not by voluntary co-operation and with the participation of the Arab inhabitants concerned but by decision of the Israeli authorities.

41. The situation in Israel differs from the situation in the occupied territories. In Israel proper, the prevailing modern and centralized system is balanced by mandatory participation. In addition, given the apparent Israeli objective of preventing increases in the use of water in the West Bank in order to protect the flow of water from the West Bank to the Israeli aquifers and given the Israeli policy to support fully the water needs of settlements, it is difficult to see how the water management system that has been established can operate without discrimination.

42. To the extent that the basic public water services in the occupied territories have been interwoven with, and made dependent on, Israeli public water services, the former eventually may find it difficult to manage independently such essential services as water distribution for domestic, municipal, agricultural and industrial uses. It may thus become in practice difficult and very costly to separate the water administrations of the occupied territories from those of Israel.

Notes

1/ Meron Benvenisti, The West Bank Data Project (Washington, D.C., American Enterprise Institute for Public Policy Research, 1984), p. 14.

Notes (continued)

2/ State of Israel, Ministry of Defense, Judea-Samaria and the Gaza District: A Sixteen-year Survey (1967-1983), November 1983 (hereinafter referred to as Judea-Samaria and the Gaza District), p. 14. In this document it is stated that "As far as water is concerned, Judea-Samaria is inseparable from the territory of Israel within its pre-1967 lines. The area between the Jordan River and the Mediterranean Sea shares several aquifers extending on either side of the central watershed".

3/ Declaration of the Israeli Water Commissioner, as reported in Ha'aretz, 5 June 1978.

4/ Virshubsky, "Water law in Israel", in "Water laws in selected European countries", FAO Legislative Study No. 10 (Rome, 1975), p. 108. The method of water allocation, instead of treating every settler as a separate consumer as is normally done in the case of Arab users, has also been a cause of complaint from the moshavim (individual farm settlements) which have claimed to have been discriminated against in favour of the kibutsim (collective settlements) in the allocation of water.

5/ Shawkat Mahmoud, "Agriculture and waters in the West Bank under Israeli occupation" (Amman, Ministry of Occupied Territory Affairs, November 1983), p. 1.

6/ Ibid., p. 2.

7/ See Turkaya Ataor, "The Israeli use of Palestinian waters", Palestinian Rights and Denial (Wilmette, Illinois, Medina Press, 1982), p. 153.

8/ In the Gaza Strip, for example, very few drilling permits have been issued to the Arab populations. An argument stated by Israeli authorities regarding the limited allocation of drilling permits is that the only available water lies in the deep water aquifer and, therefore, the cost involved in pumping from the aquifer is said to be too exorbitant for an individual local farmer. However, local farmers' co-operatives have similarly been prohibited from pumping, although the cost of deep drilling was to be financed by the Gulf States and Jordan. (See David Kahan, "Agriculture and water in the West Bank and Gaza", West Bank Data Base Project, Jerusalem, 1983, p. 111.)

9/ Law No. 51 of 1959, art. 6c.

10/ Law No. 12 of 1968, art. 17.

11/ The national water carrier is one of the technical foundations on which the Israeli system of water management is based. Completed in 1964, this integrated system takes the water from wherever it is available (Jordan River basin, underground aquifers), uses Lake Tiberias (Kinneret) as a surface fresh-water regulation reservoir and the major fresh-water aquifers as underground reservoirs, and transports and distributes these waters through pipelines whenever needed, up to the Negev desert.

Notes (continued)

12/ Judea-Samaria and the Gaza District, p. 15; Thomas Stauffer, "The spoils of war" (paper presented at the Yarmouk International Symposium on Israeli and Arab Waters, Amman, 25-26 February 1984), p. 43; and John Cooley, "The war over water", Foreign Policy, No. 54 (1984), pp. 3-27.

13/ Judea-Samaria and the Gaza District, p. 15.

14/ Ibid., p. 14. This statement reports that, from 1978 to 1980, water sharing resulted in a net balance in favour of the territories amounting to about 2.2 million cubic metres. There is no further information on the water balance in previous or subsequent years and it has not been possible either to corroborate or question this claim through other sources.

15/ Reportedly, "The Israeli authorities have connected the major centres of the West Bank and Gaza to the water networks of Israel" (ibid., p. 13).

16/ According to Israeli sources, in 1978 the Government of Israel amended the existing Jordanian legislation on local governments "for the purpose of giving a necessary status" to the villages. In practice, as far as water management is concerned, many municipalities and village councils have lost control over the right to allocate and distribute water supplies, these functions having been taken over almost everywhere by the Israeli water authority Mekorot. The municipal and village council's responsibilities have been confined, and not in all cases, to the operation and maintenance of the systems. (Ibid., p. 59.)

17/ Ora Tamir, Legal Adviser to the Water Commissioner, Israel, "Legal and administrative aspects of the water laws in Israel", in "Proceedings of the Conference on Global Water Law Systems", Doc. M. (Valencia, 1975), p. 33.

18/ Water Law of 1959, sects. 14-15.

19/ Drainage and Flood Control Law, sects. 10-22.

20/ Ibid., sects. 17-35 and 53.

21/ Military Order No. 1015 of 8 August 1982, regarding monitoring the planting of fruit trees.

22/ Military Order No. 1039 of 5 January 1983.

23/ Saoul Aloni, Legal Adviser to the Water Commissioner, Israel, "Modern water legislation and development", in "Water for peace", Doc. P/55 (1967).

24/ Al Hamishmar, and Jerusalem Post, 13 September 1983 (Palestinian Press Services, 8 September 1983).

25/ There have been reports in the Press that Arab populations have complained against the assessment of too-high water rates (Al Fajr, 19 June 1983),

Notes (continued)

or the cutting of the water supply by Mekorot for non-payment of water rates, as in the case of some Druze villages in the Golan Heights (Palestinian Press Services, 24 May 1983).

26/ Judea-Samaria and the Gaza District, pp. 14-18.

27/ Mahmoud, op. cit., p. 20.

28/ Meron Benvenisti, The West Bank and Gaza, Data Base Project (Washington, D.C., American Enterprise Institute for Public Policy Research, 1982), p. 23.

29/ Stauffer, op. cit., p. 90.

30/ Benvenisti, op. cit., 1984, p. 14.

31/ Middle East Institute, The West Bank: An Assessment, January 1984, p. 84.

32/ J. Schwartz, "Water resources in Judea, Samaria and the Gaza Strip", in Daniel Elazar ed., Judea, Samaria and Gaza: Views on the Present and Future (Washington, D.C., American Enterprise Institute for Public Policy Research, 1982), p. 99.

33/ Judea-Samaria and the Gaza District, p. 14.

34/ Benvenisti, op. cit., 1984, p. 14.

35/ Judea-Samaria and the Gaza District, p. 14 ff.

36/ Ibid., p. 18.

Appendix

LETTER DATED 15 MAY 1984 FROM THE PERMANENT REPRESENTATIVE OF
JORDAN ADDRESSED TO THE UNDER-SECRETARY-GENERAL, DEPARTMENT
OF TECHNICAL CO-OPERATION FOR DEVELOPMENT

[Original: English]

In reference to your letter dated 27 February 1984 and pursuing discussions which took place between representatives of the Department of Technical Co-operation for Development and Jordanian representatives in New York and in Amman, please find enclosed herewith a list of the military orders which Israel, the occupying power, issued in the period between 1967-1982 to control the usage of water resources by the Arab population in the West Bank.

Analysed objectively, these orders yield two facts:

- (a) They are in contravention of the principles of international law relevant to military occupation;
- (b) They aim to strangle Arab farmers' activities in the West Bank and the other occupied Arab territories.

The latter objective contributes to Israel's plans to destroy attachment and link between the Arab population and their lands in the occupied territories. Such a situation would be favourable to Israel's policies of forcible transfers of population and confiscation of land in these territories.

I am sure that you will make use of this letter and its enclosure in preparing the report requested in General Assembly resolution 38/144 of 19 December 1983.

(Signed) Abdullah SALAH

Enclosure

[Original: Arabic]

Military orders issued by Israel with regard to water resources in the occupied Arab territories

Pursuant to the policy adopted by them, the military orders issued by the occupation authorities are in the form of amendments to Jordanian laws that were in force in the West Bank before 1967. The objective is to consolidate their control over water sources in order to serve their settlement projects. Among these orders are the following:

- (a) Military Order No. 291 of 1969, concerning land and water surveys. The order suspended work on land and water surveys;
- (b) Military Order No. 457 of 1972, concerning the regulation of natural resources. This order is an amendment to Law No. 37 of 1966 (paras. (a) and (b) of art. 19). The amendment gave the Military Commander-in-Chief of the West Bank the power to appraise land and water and to assess any damages arising out of any act on the part of the occupation authorities. This is to say that the occupation authorities or their representatives would assess damages arising out of actions in the context of water use carried out by those same authorities;
- (c) Military Order No. 1039 of 1982. The order stipulates that anyone who cultivates crops must submit particulars thereof (such as the area of the planted land in dunums, the varieties involved, the number of plants and the date of their planting) and of the existence of any water well for irrigating such plants and of the quantity of water extracted during 1982. The Commission on Human Rights declared, in a report published in the newspaper Al-Quds on 18 December 1983, that this was an onerous order and entailed great expense. Arab farmers and those who wish to cultivate a plantation or a vegetable plot would encounter difficulties in tilling their land and, with the passage of time, the uncultivated land would become State land and easy for the occupation authorities to confiscate for purposes of settlement and expansion;

- (d) A military order concerning water was issued in 1982. It stipulated that anyone who consumed, on an annual basis, between 11 and 25 per cent more water than permitted would be fined 30 agorot per cubic metre and, for amounts in excess of 100 per cent, between 6 and 10 shekels per cubic metre. The occupation authorities have installed meters on the farmers' wells in order to fix the amount of water to which Palestinian farmers are required to adhere in the irrigation of their land.

The military orders regulating the use of water by the farmers of the occupied territories are accompanied by other orders issued by the occupation authorities with a view to consolidating their control of agricultural land. Among these orders is Military Order No. 1015 of 1982, concerning the supervision of fruit-tree cultivation. This order gave the Israeli Military Governor the power to grant or withhold permits to Palestinian inhabitants wishing to grow a tree, even in the gardens of their own houses. This makes it necessary for them to obtain a permit

from the Israeli Military Governor, to pay a levy for it and to allow a periodic inspection to be carried out in order to ensure that no trees are grown in their gardens in an "illegal" manner, that is to say in contravention of the clearance given by the Military Governor.

Any person who contravenes the instructions under this order is liable to imprisonment for a period of up to one year, together with the uprooting of the trees planted in violation of the terms approved by the Israeli Military Governor in granting the permit.



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REPORT OF THE ECONOMIC AND SOCIAL COUNCIL

ECONOMIC AND SOCIAL COUNCIL
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Item 6 of the provisional
agenda**
PERMANENT SOVEREIGNTY OVER
NATIONAL RESOURCES IN THE
OCCUPIED PALESTINIAN AND OTHER
ARAB TERRITORIES

Report of the Secretary-General prepared in pursuance of
General Assembly decision 39/442

1. By its decision 39/442 of 18 December 1984, the General Assembly requested the Secretary-General to submit to it at its fortieth session, through the Economic and Social Council, a comparative study on Israeli practices in the occupied Palestinian and other Arab territories and its obligations under international law, requested in General Assembly resolution 38/144 of 19 December 1983. By resolution 38/144, the General Assembly had requested the Secretary-General to elaborate on his report on the implications, under international law, of the United Nations resolutions on permanent sovereignty over natural resources in the occupied Palestinian and other Arab territories and on the obligations of Israel concerning its conduct in those territories (A/38/265-E/1983/85). The Secretary-General was requested, in particular, to elaborate on his report with a view to covering in detail the resources exploited by the Israeli settlements and the Israeli-imposed regulations and policies hampering the economic development of the occupied Palestinian and other Arab territories, including a comparison between the practices of Israel and its obligations under international law.

2. The study prepared in implementation of the foregoing requests of the General Assembly is annexed to the present report.

* A/40/50/Rev.1.

** E/1985/100.

ANNEX

Study elaborating on the report of the Secretary-General on the implications, under international law, of the United Nations resolutions on permanent sovereignty over natural resources in the occupied Palestinian and other Arab territories and on the obligations of Israel concerning its conduct in these territories

I. INTRODUCTION

1. The General Assembly, in its resolution 38/144 of 19 December 1983, commended the report of the Secretary-General on the implications, under international law, of the United Nations resolutions on permanent sovereignty over natural resources, on the occupied Palestinian and other Arab territories and on the obligations of Israel concerning its conduct in those territories (A/38/265-E/1983/85) (hereinafter referred to as the study by the legal expert). In the same resolution, the Assembly requested the Secretary-General to elaborate on that report in order to cover in detail the resources exploited by the Israeli settlements and the Israeli-imposed regulations and policies hampering the economic development of the occupied Palestinian and other Arab territories, including a comparison between the practices of Israel and its obligations under international law. The Secretary-General was requested to submit the report to the General Assembly at its thirty-ninth session, through the Economic and Social Council. In pursuance of that request, the Secretary-General submitted his report (A/39/326-E/1984/111) (hereinafter referred to as the water resources report), to which was annexed a report prepared by a team of experts. The main focus of the water resources report was the exploitation of water resources by Israel in the occupied Palestinian and other Arab territories and a consideration of the regulations and policies adopted by Israel pursuant thereto.

2. On 18 December 1984, the General Assembly adopted decision 39/442, in which it requested the Secretary-General to submit to the Assembly at its fortieth session, through the Economic and Social Council, a comparative study on the Israeli practices (regarding exploitation of natural resources) in the occupied Palestinian and other Arab territories and its obligations under international law.

3. The present study, which has been prepared pursuant to the requests contained in paragraph 10 of General Assembly resolution 38/144 and decision 39/442 is, as requested by the Assembly, an elaboration on the study by the legal expert referred to in paragraph 1 above and a comparative study of Israeli practices and obligations. The present study does not restate in detail the international legal rules and norms examined in the study by the legal expert. The legal expert in his study (A/38/265-E/1983/85, annex, para. 52) reached the following conclusions:

"The right of peoples and nations to permanent sovereignty over their natural resources has been accepted as a principle of international law although its exact content and the relation to other principles of international law have yet to be fully developed and defined. The

principle of permanent sovereignty has been specifically applied by the General Assembly to the occupied Palestinian and other Arab territories, and Security Council resolutions have also dealt with protection of property rights in those territories. Moreover, both the General Assembly and the Security Council have recognized the applicability of the law of belligerent occupation to the occupied territories. The law of belligerent occupation gives some protection to the principle of permanent sovereignty while the principle of permanent sovereignty enhances and reinforces the law of belligerent occupation. The law of belligerent occupation should be interpreted and applied to protect to the greatest extent possible the principle of permanent sovereignty."

4. With respect to the implications of the United Nations resolutions on permanent sovereignty over natural resources as they apply to the occupied Palestinian and other Arab territories and the obligations of Israel therein, the legal expert in his study (A/38/265-E/1983/85, annex, para. 51) stated the following:

"... the following are some of the implications of United Nations resolutions on permanent sovereignty over natural resources in the occupied Palestinian and other Arab territories and on the obligations of Israel concerning its conduct in those territories which might be considered:

(a) The primary right of peoples and nations to permanent sovereignty over their natural resources is a right freely to use, control and dispose of such resources. The full exercise of this right can only take place with the restoration of control over the occupied territories to the States and peoples concerned. Such restoration is the first implication of the resolutions on permanent sovereignty over natural resources;

(b) A second implication derived directly on the primary right would be that in any interim pending full implementation of the foregoing, control over the land, water and other natural resources should be restored to the local population. This would include allowing municipalities and other local Palestinian and Arab authorities to control the natural resources for which they have had responsibility prior to the occupation;

(c) A third implication would be that the occupying Power is under an obligation not to interfere with the exercise of permanent sovereignty by the local population;

(d) A fourth implication of the United Nations resolutions on permanent sovereignty over natural resources would be the strengthening of the protection of the natural resources of the occupied territories afforded by the law of belligerent occupation. In any event such resources could not be used by the occupying Power beyond the limits imposed by the Hague Regulations and the Fourth Geneva Convention. Land and other resources may not be taken for settlements or permanently acquired for any

purposes. Privately owned land and other resources may, if at all, only be requisitioned for the needs of the army of occupation and they must be paid for. Public land cannot be used beyond usufruct and the proceeds must then be used only in connection with the occupation. While there is a practice of working existing mines, if any, the text of article 55 of the Hague Regulations requires the occupying Power to 'safeguard the capital' of properties subject to usufruct. The principle of permanent sovereignty would imply that no depletion of natural resources should be permitted and would emphasize the provision in article 55 on safeguarding the capital. A further requirement of the Hague Regulations is that property of municipalities should be treated as private property. The land held for the benefit of municipalities and similar local groups, even if registered in the name of the State or central authorities, should be protected as private. The principle of permanent sovereignty of peoples over their natural resources suggests the strengthening of this provision as well as the other limitations placed by the law of belligerent occupation on an occupant's use of natural resources;

(e) A fifth implication of permanent sovereignty would be to reinforce a right under international law to reparation for any loss or damage to natural resources suffered as a result of violations of the rules of belligerent occupation."

5. As it was not possible to send a fact-finding mission to the occupied Palestinian and other Arab territories to collect information on natural resources exploited by Israel in those territories or on Israeli-imposed regulations and policies relating thereto, reliance for the preparation of the present study was necessarily placed on information contained in United Nations reports and other readily available sources.

6. The present study is divided into two main sections. The first section deals with land resources and the second with water resources. Each section first endeavours to ascertain the natural resources exploited and the policies adopted in pursuance thereof, and then briefly reviews, in the light of the international legal rules and norms examined by the legal expert in the annex to document A/38/265-E/1983/85, the international legal obligations of Israel relating to the exploitation of those resources in the occupied Palestinian and other Arab territories. Each section then proceeds with a comparison of the practices and obligations of Israel.

II. NATURAL RESOURCES IN OCCUPIED PALESTINIAN AND OTHER ARAB TERRITORIES EXPLOITED BY ISRAEL

A. Land resources

7. The exploitation of land resources viewed in the context of the law of belligerent occupation considered in the study by the legal expert encompasses seizure, confiscation and expropriation of land, whether public or private, from

the Arab population of the occupied territories. It also includes the establishment of settlements in the occupied territories for the nationals of the Occupying Power. Hence in this study the establishment of Israeli settlements in the occupied Palestinian and other Arab territories, whether or not such establishment had the prior approval of the Government of Israel, is treated as exploitation by Israel of the land resources of these occupied territories.

8. In a comprehensive report on permanent sovereignty over national resources in the occupied Palestinian and other Arab territories (A/38/282-E/1984/84, annex, para. 36), which was prepared by a consultant in 1983, the former Deputy Mayor of Jerusalem, Mr. Meron Benvenisti, is cited as listing the following legislative policies which illustrate Israeli practices in regard to land in the occupied Palestinian and other Arab territories:

"(a) 'Absentee' property. Land and other property owned by citizens of the West Bank who left the area in 1967. The land is administered by the Custodian of Abandoned Property who has leased large areas to Israeli agricultural settlements in the Jordan Valley;

(b) 'Registered state domain'. Areas registered in the name of the Treasury of the Government of Jordan or in the name of the King of Jordan. The status of the Military Government in these areas is that of a temporary administrator for the duration of the military occupation. However, the Military Government treats these lands as Israeli State domain and leases it to Israeli settlers, including for 'build-your-own-home' schemes, that is for long-term leases (49 years, renewable);

(c) Lands requisitioned for military purposes. Privately owned land which is seized by the Military Government under an order proclaiming that the area is needed for 'vital and immediate military requirements'. The land remains under private ownership while the Military Government offers a rental payment for the 'use' of the land. Many settlements are reported to have been built on these lands;

(d) Lands closed for military purposes. Areas closed by the Military Government for use as training grounds, firing ranges, etc. In some cases, the military allow cultivation when the area is not used by it. 'Closed' lands tend to become 'requisitioned' lands, for example the Kiryat Arba land acquisition;

(e) 'Jewish lands'. Lands owned by Jews prior to 1948 and administered by the Jordanian custodian of enemy property;

(f) Lands purchased by Jewish bodies. While until 1979 only public Jewish companies received permission from the Military Government to purchase land in the West Bank and most of these lands were acquired by an affiliate of the Jewish National Fund, since 1979 private Israeli citizens have also been allowed to purchase land in the West Bank;

13. The report prepared for UNCTAD (TD/B/870) provides more detailed information regarding the policies referred to in paragraph 7 above concerning the manner in which Israel acquires land in the occupied territories. The following excerpts illustrate the procedures followed:

"69. The methods used to acquire land in the occupied territories vary, but in the West Bank, for example, resort is usually had to a provision in Jordanian Law which has been handed down from the Ottoman period, that is, that certain village land, or Miri land, can only be claimed if it is cultivated. This Miri land covered about 70 per cent of the West Bank, and whenever it lay fallow, or was grazed, the Government had the right to dispose of it as it wished. By use of this law, much land has now been taken over.

"70. At the same time as utilizing the existing Jordanian law, Israel also took actions to provide its own means of appropriation. One of the first was the promulgation of military order 58 on Absentee Property. This order defines an absentee as anyone who has left the West Bank 'on, before, or after' 7 June 1967. The control of such land is vested in a 'Custodian' who, in law, is charged with the safeguarding of the rights of the true owner until his return. This power has, however, been used in a number of ways to Israel's benefit, in that it is often difficult to prove ownership of land in cases where the owner has inherited rights over generations but nothing has been committed to writing. In normal circumstances recourse can often be had to witnesses, but in the present circumstances of scattered populations this is often not possible, and more importantly, proof of ownership is usually actively obstructed by the Custodian. Order 58, in fact, gives the Custodian wide powers which have been used with the discretion of absolute ownership, and where ownership by a returning absentee has been proved of land already disposed of, subsequent compensation has been extremely small. The large exodus from the land during the 1967 war, much of it intended to be only temporary, coupled with subsequent population movements, has given the Custodian effective control over a large quantity of land, and that control is undoubtedly being exercised within a wider set of policies designed for the benefit of Israel. c/ Added to this, a good proportion fled from the land to other countries during the wars, and of those who wish to return, most are prevented from doing so by current Israeli policies.

"71. Not only is the Custodian responsible for land owned by absentees, he must also approve transfer of such land by permit when a sale is arranged, and this is often refused. For example, an absentee, notwithstanding proof of ownership, is unable to sell his land.

"72. As well as powers of control mentioned above, actual appropriation of land has also been facilitated by military orders which amend existing legislation. In the West Bank, Jordanian Law forbids appropriation without fair compensation, and the owner affected has the right to appeal to the 'Court of First Instance'. By a succession of military orders, the rights of owners were restricted in ways which facilitated expropriation. The need to publish an intention of expropriation was removed (order 321). The appeal to Civil Courts was replaced by appeal to an Objection Committee (order 172).

The settlement of land disputes by a special court, after which title was registered in the Land Registry, was abolished (order 291). At the time of the occupation only about one third of the area of the West Bank had been registered, and in those cases where proof of title became subsequently necessary, evidence such as witnesses' testimony, receipts etc., were difficult to present in post-war conditions. Further, the proof of ownership rests upon the owner in cases where expropriation is decided upon, and if he fails to support his claim of ownership to his land, then it is regarded as State land, which Israel claims to have inherited as legitimate successor to the previous Governments of Jordan and Egypt. The land can then be appropriated without payment. d/ At the same time, a system of curfews forbidding entry on land between dusk and sometimes as late as 9 a.m., or restrictions on population movement, make the tilling of much of the land which remains difficult or impossible.

"...

"75. It must be stressed that the expropriation is carried out through the military authorities, to whom power has been transferred in the manner previously outlined, so that those wishing to acquire land, e.g. for settlement purposes, are able to proceed without going through normal non-military channels. Since the normal safeguards have been removed by transfer of the appeal procedure from the Civil Court of First Instance to the Objection Committee, composed of military personnel, this means that all avenues of recourse open to an aggrieved land owner lie exclusively within the control of the military forces of occupation; and as the military Area Commander has power of eviction and imprisonment of anyone who refuses to vacate land within a time specified in an order of expropriation, many acts of land seizure have been undertaken quietly by the military authorities when in normal circumstances such seizure would have been resisted. The decisions of the Objection Committee are not published, and no body of precedents is being built up. Moreover, there is no appeal against its decisions. Thus, the manner in which it operates makes it a quick and effective instrument of Israeli policy rather than an instrument of justice. For instance, a common means of acquiring land by the Israeli authorities is to declare that in their opinion a certain piece of land is public land, and to inform the local Mukhtar (village elder) of their intention to expropriate it. This puts the onus of proof of ownership on the Arab owner, who has to prove it before the Objection Committee. Unless the land (if on the West Bank) has been subject to dispute immediately prior to the occupation, it will not have been registered under Jordanian law, and even though in other legal systems proof by receipts for tax payments or by sworn testimony of witnesses is acceptable, such evidence is reported to be usually inadequate for the Objection Committee, and much expropriation has been undertaken in spite of appeals to the Committee based on such evidence."

14. In a study by the former Deputy Mayor of Jerusalem, Mr. Meron Benvenisti, it is stated that:

resources by an occupying State is a crime under the law of belligerent occupation and would give rise to international criminal responsibility. Illegal use or taking of property or depletion of resources contrary to the Hague Regulations and the Fourth Geneva Convention, even if not amounting to the crime of spoliation, gives rise to State responsibility and its consequences."

The legal expert concluded therefore in his study that "a breach of the obligations of an occupying State with respect to natural resources in the occupied territories consequently involves a duty to make reparations".

18. To the extent that the information provided above regarding expropriation of land from the Arab residents of the occupied territories and the settlement of Israeli nationals therein is accurate, it would engage the international legal obligations of Israel as the occupying Power in those territories. The principles and norms of international law referred to in the study by the legal expert would seem to require that Israel as the Occupying Power should not hinder the exercise of the right of the local population of the occupied Palestinian and other Arab territories to freely use, control and dispose of their land resources (see A/38/265-E/1983/85, annex, para. 51). Israel is also prohibited from taking any lands in these occupied territories for use in establishing settlements for its own nationals. Any regulations and directives issued by Israel to give effect to its land acquisition policies in the occupied territories which disregard the recognized rules and norms of the law of belligerent occupation and the law of permanent sovereignty over natural resources would not be in conformity with Israel's international legal obligations.

B. Water resources

19. The geographic characteristics of much of the Middle East region make water a valuable resource. Land is basically arid and water resources very limited. Some have predicted that a continuous scramble for scarce water resources could be a permanent source of conflict occasionally erupting into armed conflict. e/

20. Since 1967, water supply and management of water resources in the occupied territories has been under the direct control of the Israeli Water Commission through its Department of Water Allocation and Certification (S/14268, para. 200). On the question of Israeli policies concerning the control of water resources in the occupied territories, the Security Council Commission established under resolution 446 (1979) provided in its report (S/14268) the following information to the Security Council:

"201. The policies and objectives attributed to the Israeli authorities with regard to the handling of water resources in the occupied territories, particularly in the West Bank, have already been referred to by the Commission in its previous reports. In the course of the examination of the information made available to it, the Commission came across evidence that most of the Israeli practices in that regard fell under the following categories: measures based on claims of national security requirements; restrictive

measures aimed at controlling the search for, and the development and use of, water by the Arab population; and practices resulting in quantitative reduction of, and subsequent qualitative damage to, the water made available to them.

"202. A number of instances were pointed out to the Commission in substantiation of those practices. Thus, the Commission was told that in the early days of the occupation, Israeli authorities under the claim of security blew up 140 Arab pumps installed on the West Bank of the River Jordan. As a result of that action, the Arab farmers were prevented from pumping water from the river for agricultural irrigation whereas the Israeli settlers in the area were allowed to continue to do so. Also, in the summer of 1979, Israeli military authorities destroyed the irrigation canals alongside many of the citrus and banana plantations in the district of Al-Jiftlik on grounds of establishing a new security belt, thus causing the dessication and destruction of extensive areas of crops.

"203. As to any endeavors by Arab farmers to undertake water development projects, it was said that they were systemically discouraged by the occupying authorities. In contrast, new hydrological surveys have been undertaken by the Israeli settlement authorities in co-operation with the Mekorot Company to meet the water needs of the Israeli agricultural settlements. On the basis of those surveys, Mekorot has since 1968 drilled altogether 30 new artesian wells in the West Bank for the exclusive use of the Israeli settlements. Moreover a number of wells belonging to those whom Israel calls Arab absentee owners are now being used exclusively for the settlements. Furthermore, since the early seventies, all users have been required to install meters on their wells to enable the Israeli authorities to check on the water used. Only meagre quantities of extraction from Arab wells are permitted, and penalties are imposed for pumping in excess of the authorized limits.

"204. The drilling of any new artesian wells or deepening of existing ones is forbidden without special permits. Since 1967 no such permit has been granted to any Arab inhabitant in connexion with irrigation wells; and under heavy public pressure, only seven permits have been granted for the purpose of boring wells for domestic purposes. a/

"a/ Paul Quiring, "Israeli Settlements and Palestinian rights", Middle East International No. 88 (London), October 1978. Hisham Awartani (Chairman, Department of Economics, Al Najah National University, Nablus, West Bank), Water Resources and Water Policies on the West Bank, Bulletin No. 2, October 1979. The Awartani study identifies the location of five of those wells as follows: two in Nablus and one each in Qalgilia, Tulkarm and Jenin. There are also seven wells owned by the Israeli Military Administration in the vicinity of Israeli settlements which provide drinking water to those settlements and to some Arab villages. However, the ultimate purpose of these wells located at Qabatiya, Beit Ayba, Arraba, Al Fari'a, Bethlehem, Al Ziwiyah and Shabtin, is to cater for the interests of the adjacent Israeli settlements.

24. To the extent that the information on exploitation of water resources provided above is accurate, it would engage the international legal obligations of Israel as the occupying Power, which obligations were referred to in the study of the legal expert. Here again, as in the exploitation of land resources through expropriation, there is a general obligation not to impede the exercise by the local population of the occupied Palestinian and other Arab territories of their right to freely use, control and dispose of their natural resources, including water resources (A/38/265-E/1983/85, annex, para. 51 (a)). There is also an obligation incumbent upon Israel as the occupying Power to refrain from using such resources for the benefit of its own economy.

Notes

a/ See, for example, the following documents: A/34/505-S/13456, A/34/666-S/13613, A/38/82-S/15574, A/38/112-S/15635, A/39/278-S/16589 and A/39/321-S/16442.

b/ 1,000 dunums = 1 km² (TD/B/870, para. 26).

c/ See R. Juris, "The Arab in Israel", Monthly Review Press (New York, 1976).

d/ See Shehadeh and Kuttab, The West Bank and the Rule of Law (Geneva, International Commission of Jurists and Law in the Service of Man, 1980).

e/ See John Cooley, "The hydraulic imperative" in Middle East International, No. 205, 22 July 1983.

References

The following documents were used in the preparation of the present study:

"Permanent sovereignty over national resources in the occupied Arab territories" (A/10290).

"Permanent sovereignty over national resources in the occupied Arab territories" (A/32/204).

"Permanent sovereignty over national resources in the occupied Arab territories" (A/36/648).

"Implications, under international law, of the United Nations resolutions on permanent sovereignty over national resources, on the occupied Palestinian and other Arab territories and on the obligations of Israel concerning its conduct in these territories" (A/38/265-E/1983/85).

"Permanent sovereignty over national resources in the occupied Palestinian and other Arab territories" (A/38/282-E/1983/84).

"Permanent sovereignty over national resources in the occupied Palestinian and other Arab territories" (A/39/326-E/1984/111).

"Report of the Security Council Commission established under resolution 446 (1979)" (S/14268).

"Review of the economic conditions of the Palestinian People in the occupied Arab territories" (TD/B/870).

(a) Note by the Secretary-General⁶⁶ transmitting a progress report by the secretariat of the United Nations Conference on Trade and Development on progress in the implementation of specific action related to the particular needs and problems of the land-locked developing countries;

(b) Report of the Secretary-General on the status of the Agreement Establishing the Common Fund for Commodities.⁶⁷

39/435. Report of the Secretary-General on analysis of the mandates of, and problems addressed by, the United Nations system in economic and technical co-operation among developing countries

At its 104th plenary meeting, on 18 December 1984, the General Assembly, on the recommendation of the Second Committee,⁶⁸ took note of the report of the Secretary-General on analysis of the mandates of, and problems addressed by, the United Nations system in economic and technical co-operation among developing countries.⁶⁹

39/436. Implementation of section II of the annex to General Assembly resolution 32/197 on the restructuring of the economic and social sectors of the United Nations system

At its 104th plenary meeting, on 18 December 1984, the General Assembly, on the recommendation of the Second Committee,⁷⁰ decided to refer to its forty-second session for consideration the draft resolution entitled "Implementation of section II of the annex to General Assembly resolution 32/197 on the restructuring of the economic and social sectors of the United Nations system".⁷¹

39/437. Restructuring of the economic and social sectors of the United Nations system

At its 104th plenary meeting, on 18 December 1984, the General Assembly, on the recommendation of the Second Committee,⁷⁰ took note of the following documents:

(a) Note by the Secretary-General⁷² transmitting the report of the Joint Inspection Unit entitled "Office of Secretariat Services for Economic and Social Matters" and the comments of the Secretary-General thereon;⁷³

(b) Report of the Secretary-General on the further implementation of General Assembly resolution 37/214;⁷⁴

(c) Note by the Secretary-General⁷⁵ transmitting the report of the Joint Inspection Unit entitled "Reporting to the Economic and Social Council" and comments of the Secretary-General thereon;⁷⁶

(d) Report of the Secretary-General submitted pursuant to General Assembly decision 37/442 of 20 December 1982, on the further implementation of Assembly resolution 32/197.⁷⁷

⁶⁶ A/39/462 and Add.1.

⁶⁷ A/39/192.

⁶⁸ *Official Records of the General Assembly, Thirty-ninth Session, Annexes, agenda item 80, document A/39/790/Add.7, para. 15.*

⁶⁹ A/39/154-E/1984/46 and Corr.1.

⁷⁰ *Official Records of the General Assembly, Thirty-ninth Session, Annexes, agenda item 80, document A/39/790/Add.8, para. 10.*

⁷¹ A/C.2/39/L.5. For the printed text, see decision 35/439, annex.

⁷² A/39/94-E/1984/60.

⁷³ A/39/94/Add.1-E/1984/60/Add.1.

⁷⁴ A/39/97-E/1984/59.

⁷⁵ A/39/281-E/1984/81 and Corr.1 and Add.1.

⁷⁶ A/39/281/Add.2-E/1984/81/Add.2 and Corr.1.

⁷⁷ A/39/476.

39/438. International conference on money and finance for development

At its 104th plenary meeting, on 18 December 1984, the General Assembly, on the recommendation of the Second Committee,⁷⁸ decided to refer to its fortieth session for consideration the draft decision entitled "International conference on money and finance for development".⁷⁹

39/439. Operational activities for development

At its 104th plenary meeting, on 18 December 1984, the General Assembly, on the recommendation of the Second Committee,⁸⁰ took note of the following documents:

(a) Note by the Secretary-General⁸¹ transmitting the report of the Joint Inspection Unit entitled "Office for Projects Execution of the United Nations Development Programme" and comments of the Secretary-General thereon;⁸²

(b) Note by the Secretary-General on the role of qualified national personnel in the social and economic development of developing countries;⁸³

(c) Report of the Governing Council of the United Nations Development Programme on its organizational meeting for 1984 and its thirty-first session.⁸⁴

39/440. Report of the Executive Director of the United Nations Fund for Population Activities on the United Nations Population Award and Trust Fund

At its 104th plenary meeting, on 18 December 1984, the General Assembly, on the recommendation of the Second Committee,⁸⁰ took note of the note by the Secretary-General⁸⁵ transmitting the report of the Executive Director of the United Nations Fund for Population Activities on the United Nations Population Award and Trust Fund.

39/441. Report of the Secretary-General on United Nations technical co-operation activities

At its 104th plenary meeting, on 18 December 1984, the General Assembly, on the recommendation of the Second Committee,⁸⁰ took note of the report of the Secretary-General on United Nations technical co-operation activities.⁸⁶

39/442. Israeli economic practices in the occupied Palestinian and other Arab territories

At its 104th plenary meeting, on 18 December 1984, the General Assembly, on the recommendation of the Second Committee,⁸⁷ requested the Secretary-General to submit to the Assembly at its fortieth session, through the Economic and Social Council, the comparative study on the Israeli practices in the occupied Palestinian and other Arab territories and its obligations under international

⁷⁸ *Official Records of the General Assembly, Thirty-ninth Session, Annexes, agenda item 80, document A/39/790/Add.17, para. 17.*

⁷⁹ A/C.2/39/L.115. For the printed text, see *Official Records of the General Assembly, Thirty-ninth Session, Annexes, agenda item 80, document A/39/790/Add.17, para. 4.*

⁸⁰ *Official Records of the General Assembly, Thirty-ninth Session, Annexes, agenda item 81, document A/39/791, para. 30.*

⁸¹ A/39/80.

⁸² A/39/80/Add.1.

⁸³ A/39/308-E/1984/118.

⁸⁴ *Official Records of the Economic and Social Council, 1984, Supplement No. 10 (E/1984/20).*

⁸⁵ A/39/537.

⁸⁶ DP/1984/42 and Add.1-3.

⁸⁷ *Official Records of the General Assembly, Thirty-ninth Session, Annexes, agenda item 12, document A/39/789, para. 49.*

law, requested in Assembly resolution 38/144 of 19 December 1983 as adopted.

39/443. Reconvened special session of the Commission on Transnational Corporations

At its 104th plenary meeting, on 18 December 1984, the General Assembly, on the recommendation of the Second Committee:⁸⁸

(a) Took note of the report of the Commission on Transnational Corporations on its reconvened special session, held from 11 to 29 June 1984;⁸⁹

(b) Decided to request the Chairman, together with the other officers of the Commission on Transnational Corporations at its reconvened special session, and with the assistance of the United Nations Centre on Transnational Corporations, to initiate consultations aimed at overcoming the current impasse regarding the negotiations on the draft code of conduct on transnational corporations, bearing in mind, *inter alia*, the proposals of the Chairman and the Rapporteur and the progress achieved thus far during the special session;

(c) Decided to request the United Nations Centre on Transnational Corporations to prepare a study on the outstanding issues in the draft code of conduct, including, *inter alia*, the questions of international law and international obligations *vis-à-vis* national legislation, to be circulated to Governments prior to the reconvened special session;

(d) Decided to reconvene the special session of the Commission on Transnational Corporations for one week in June 1985 for the Commission to examine the study requested in subparagraph (c) above and, in the light of that examination and the results of the consultations mentioned in subparagraph (b) above, to prepare a report, including suggestions regarding the most appropriate steps to be taken to complete the code of conduct, to be submitted, for consideration, to the Economic and Social Council at its second regular session of 1985 and to the General Assembly at its fortieth session.

39/444. Consumer protection

At its 104th plenary meeting, on 18 December 1984, the General Assembly, on the recommendation of the Second Committee:⁹⁰

(a) Took note of the consensus reached, on an *ad referendum* basis, on the guidelines for consumer protection annexed to the draft resolution contained in document A/C.2/39/L.139;⁹¹

(b) Decided to consider the draft resolution for adoption at a resumed session in 1985.⁹¹

39/445. Documents relating to the report of the Economic and Social Council

At its 104th plenary meeting, on 18 December 1984, the General Assembly, on the recommendation of the Second Committee,⁹⁰ took note of the following reports:

⁸⁸ *Ibid.*, document A/39/789/Add.1, para. 23.

⁸⁹ E/1984/9/Add.2.

⁹⁰ *Official Records of the General Assembly, Thirty-ninth Session, Annexes*, agenda item 12, document A/39/789/Add.2, para. 11.

⁹¹ See sect. V, resolution 39/248.

⁹² A/39/128-E/1984/35.

⁹³ A/39/223.

⁹⁴ A/39/272-E/1984/99.

⁹⁵ A/39/289-E/1984/107 and Add.1.

(a) Report of the Secretary-General on the world population situation in 1983;⁹²

(b) Report of the Secretary-General entitled "Transport and Communications Decade in Africa: implementation of General Assembly resolution 38/150";⁹³

(c) Report of the Secretary-General on the Transport and Communications Decade in Africa;⁹⁴

(d) Report of the Secretary-General on special measures for the social and economic development of Africa in the 1980s;⁹⁵

(e) Report of the Secretary-General on permanent sovereignty over national resources in the occupied Palestinian and other Arab territories.⁹⁶

39/446. World industrial restructuring and redeployment

At its 104th plenary meeting, on 18 December 1984, the General Assembly, on the recommendation of the Second Committee,⁹⁷ requested the Secretary-General to issue the text of resolution 39/235 as an addendum to the report of the Fourth General Conference of the United Nations Industrial Development Organization.⁹⁸

39/447. Mobilization of financial resources for industrial development

At its 104th plenary meeting, on 18 December 1984, the General Assembly, on the recommendation of the Second Committee,⁹⁷ decided to refer to its fortieth session for consideration the draft resolution entitled "Mobilization of financial resources for industrial development", annexed to the letter dated 17 September 1984 from the President of the Fourth General Conference of the United Nations Industrial Development Organization to the Secretary-General.⁹⁹

39/448. Report of the Fourth General Conference of the United Nations Industrial Development Organization

At its 104th plenary meeting, on 18 December 1984, the General Assembly, on the recommendation of the Second Committee,⁹⁷ took note of the report of the Fourth General Conference of the United Nations Industrial Development Organization.⁹⁸

39/458. Liquidation of the United Nations Emergency Operation Trust Fund

At its 106th plenary meeting, on 9 April 1985, the General Assembly, on the recommendation of the Second Committee,¹⁰⁰ took note of the report of the Secretary-General on the liquidation of the United Nations Emergency Operation Trust Fund and the allocation of the remaining balance.¹⁰¹

⁹⁶ A/39/326-E/1984/111.

⁹⁷ *Official Records of the General Assembly, Thirty-ninth Session, Annexes*, agenda item 80, document A/39/790/Add.4, para. 29.

⁹⁸ ID/CONF.5/46 and Corr.1.

⁹⁹ A/C.2/39/8. For the printed text of the draft resolution, see ID/CONF.5/46 and Corr.1, chap. II, sect. C.

¹⁰⁰ *Official Records of the General Assembly, Thirty-ninth Session, Annexes*, agenda item 81, document A/39/791, para. 30.

¹⁰¹ A/39/284 and Add.1.

4. Decisions adopted on the reports of the Second Committee

40/431. Report of the Economic and Social Council

At its 119th plenary meeting, on 17 December 1985, the General Assembly, having considered part I of the report of the Second Committee,⁵⁴ took note of chapters I, II, III (sects. E to G, J and K), IV, VI, VIII and IX (sects. A, B, D and G to K) of the report of the Economic and Social Council.⁴²

40/432. Israeli economic practices in the occupied Palestinian and other Arab territories

At its 119th plenary meeting, on 17 December 1985, the General Assembly, on the recommendation of the Second Committee:⁵⁵

(a) Took note, with concern, of the report of the Secretary-General prepared in pursuance of Assembly decision 39/442;⁵⁶

(b) Requested the Secretary-General to prepare a report on the financial and trade practices of the Israeli occupation authorities in the occupied Palestinian and other Arab territories;

(c) Invited the Secretary-General to utilize the services of competent United Nations bodies in preparing the report;

(d) Requested the Secretary-General to submit the report to the General Assembly at its forty-first session, through the Economic and Social Council.

40/433. Report of the Panel of Eminent Persons established to conduct the public hearings on the activities of transnational corporations in South Africa and Namibia

At its 119th plenary meeting, on 17 December 1985, the General Assembly, on the recommendation of the Second Committee,⁵⁵ took note of the report of the Panel of Eminent Persons established to conduct the public hearings on the activities of transnational corporations in South Africa and Namibia⁵⁷ and further noted that the Commission on Transnational Corporations at its twelfth session and the Economic and Social Council in 1986 would give in-depth consideration to the recommendations contained in the report and propose appropriate action.

40/434. Mobilization of financial resources for industrial development

At its 119th plenary meeting, on 17 December 1985, the General Assembly, on the recommendation of the Second Committee,⁵⁸ decided to defer until its forty-first session consideration of the draft resolution entitled "Mobilization of financial resources for industrial development".⁵⁹

⁵⁴ *Ibid.*, agenda item 12, document A/40/1009.

⁵⁵ *Ibid.*, document A/40/1009/Add.1, para. 38.

⁵⁶ A/40/381-E/1985/105.

⁵⁷ E/C.10/1986/9, annex.

⁵⁸ *Official Records of the General Assembly, Fortieth Session, Annexes*, agenda item 12, document A/40/1009/Add.2, para. 29.

⁵⁹ *Ibid.*, para. 5.

⁶⁰ A/40/329.

⁶¹ A/40/409.

⁶² A/40/420 and Corr.1.

⁶³ A/40/633.

⁶⁴ A/40/633/Add.1.

⁶⁵ A/40/735.

⁶⁶ See decisions 40/474 to 40/477.

⁶⁷ The Second Committee will, in accordance with established practice and in pursuance of General Assembly decision 38/429, hold a general debate each year at the beginning of its work.

40/435. Documents relating to the report of the Economic and Social Council

At its 119th plenary meeting, on 17 December 1985, the General Assembly, on the recommendation of the Second Committee,⁵⁸ took note of the following documents:

(a) Report of the Secretary-General on the critical situation of food and agriculture in Africa 1984-1985;⁶⁰

(b) Report of the Secretary-General on the Transport and Communications Decade in Africa,⁶¹ prepared in pursuance of Assembly resolution 32/160;

(c) Note by the Secretary-General on the implementation of the programme for the Industrial Development Decade for Africa;⁶²

(d) Report of the Joint Inspection Unit on the Transport and Communications Decade in Africa,⁶³ and the comments of the Secretary-General thereon;⁶⁴

(e) Report of the Secretary-General on the Transport and Communications Decade in Africa,⁶⁵ prepared in pursuance of Assembly resolution 39/230.

40/436. Biennial programme of work for the Second Committee for 1986-1987

At its 119th plenary meeting, on 17 December 1985, the General Assembly, on the recommendation of the Second Committee⁵⁸ and in accordance with paragraph 5 of its resolution 39/217 of 18 December 1984, approved the biennial programme of work for the Second Committee, annexed hereto, subject to the decisions to be adopted by the Second Committee, at the resumed fortieth session, on unfinished work under item 84, "Development and international economic co-operation".⁶⁶

ANNEX

Biennial programme of work for the Second Committee for 1986-1987⁶⁷

1986

Item 1. Report of the Economic and Social Council^{68,69}

(a) Co-ordination in the United Nations and the United Nations system

Documentation Progress report of the Secretary-General on co-ordination in the United Nations and the United Nations system (General Assembly resolution 40/177 of 17 December 1985)⁷⁰

(b) Population and development

Documentation Report of the Secretary-General on action taken on the recommendations of the International Conference on Population for the further implementation of the World Population Plan of Action (General Assembly resolution 39/228 of 18 December 1984)⁷⁰

⁶⁸ The list of questions and documentation under this item is only indicative of requests for reports from the General Assembly. The list will be finalized only after the Economic and Social Council completes its work each year. Under this item the Second Committee will also have before it the reports of the Intergovernmental Committee on Science and Technology for Development and the Commission on Human Settlements. The Second Committee may wish to decide not to consider draft proposals on these reports, except specific recommendations requiring action by the Assembly contained in the reports of these bodies or in the report of the Council.

⁶⁹ The attention of the Second Committee is drawn to Council decision 1985/101 of 8 February 1985, para. 6, whereby the Council decided to review at its organizational session for 1986, in the light of General Assembly resolution 39/217, the periodicity of the annual reports submitted by the Secretariat to the Assembly through the Council, other than those referred to in para. 4 (g) of that decision.

⁷⁰ Report submitted to the General Assembly through the Economic and Social Council.

Resolution number	Title	Agenda item	Date of adoption	Page
1989/189	Documents considered by the Economic and Social Council in connection with the question of operational activities for development (E/1989/135)	8	28 July 1989	38
1989/190	Calendar of conferences and meetings for 1990 and 1991 (E/1989/134; E/1989/SR.37)	11	28 July 1989	38
1989/191	Documents considered by the Economic and Social Council in connection with the question of regional co-operation (E/1989/142)	6	28 July 1989	38

RESOLUTIONS

1989/85. Role of the United Nations in the early identification, analysis and monitoring of world economic developments

The Economic and Social Council,

Recalling its resolution 1988/75 of 29 July 1988,

Emphasizing the role of the United Nations and the common interest in strengthening international co-operation in the economic and social fields for the purpose of ensuring balanced and sustained growth and development of the world economy,

Acknowledging the importance of short-term macro-economic forecasting and of longer-term projections of world socio-economic development,

Acknowledging also that the early identification of macro-economic disturbances is an important element in averting their potentially negative effects at both the national and the international level,

Recognizing that each country must be able to provide and obtain timely information on developments, trends and processes affecting all countries,

Recognizing the special requirements of developing countries which may have deficiencies in their infrastructures for gathering and analysing socio-economic information on global trends and emerging problems affecting the development process,

Noting that, in view of the world-wide repercussions that sudden economic shocks can have, the international system's capacity for early identification of potential trouble-spots should be improved,

1. *Highly commends* the Secretary-General for the survey of the mechanisms and means currently available within the United Nations system for early identification, analysis and monitoring of world economic developments;¹

2. *Acknowledges* that for the early identification of emerging problems the United Nations should aim at improving its analytical and forecasting activities on a co-ordinated basis and should:

(a) Strengthen information links within the United Nations;

(b) Improve existing mechanisms and means of providing socio-economic data available in the United Nations in a comprehensive and readily accessible form for the use of policy makers and others;

(c) Further develop links and increase the flow of information between the United Nations and national research and information centres, wherever feasible;

(d) Expand the analysis of options and possible actions that might be taken in connection with emerging problems in the world economy, with a view to encouraging Member States to improve their own analytical work and forecasting activities;

3. *Requests* the Secretary-General to submit to the Economic and Social Council at its second regular session of 1990 proposals that could be implemented within existing resources to improve the work of the United Nations on the early identification, analysis and monitoring of emerging problems in the world economy in accordance with the present resolution.

35th plenary meeting
26 July 1989

1989/86. Israeli economic practices in the occupied Palestinian and other Arab territories

The Economic and Social Council,

Recalling General Assembly decision 40/432 of 17 December 1985, in which the Assembly requested the Secretary-General to prepare a report on the financial and trade practices of the Israeli occupation authorities in the occupied Palestinian and other Arab territories,

Recalling also Economic and Social Council resolution 1988/65 of 28 July 1988 and General Assembly decision 43/430 of 20 December 1988,

Having considered the reports of the Secretary-General on Israeli trade practices in the occupied Palestinian territories² and on Israeli financial and trade practices in the occupied Syrian Arab Golan,³

Taking into account the fact that land and water are basic national resources in the occupied Palestinian and other Arab territories,

¹ See *World Economic Survey, 1989* (United Nations publication, Sales No. E.89.II.C.1 and corrigendum), "Special issues", sect. II.

² A/44/277-E/1989/82.

³ A/44/338-E/1989/118.

1. *Takes note with concern* of the reports of the Secretary-General on Israeli trade practices in the occupied Palestinian territories and on Israeli financial and trade practices in the occupied Syrian Arab Golan, prepared in pursuance of General Assembly decisions 40/432 and 43/430 and Economic and Social Council resolution 1988/65;

2. *Requests* the Secretary-General to prepare a comprehensive report on Israeli land and water policies and practices in the occupied Palestinian and other Arab territories and to submit the report to the General Assembly at its forty-fifth session, through the Economic and Social Council.

35th plenary meeting
26 July 1989

1989/87. Convening of a United Nations conference on environment and development

The Economic and Social Council,

Recalling General Assembly resolution 43/196 of 20 December 1988,

Taking note of the report of the Secretary-General on the question of the convening of a United Nations conference on environment and development,⁴

Taking note also of decision 15/3 adopted by the Governing Council of the United Nations Environment Programme on 25 May 1989,⁵

Decides to transmit decision 15/3 of the Governing Council of the United Nations Environment Programme, together with the views on the convening of a United Nations conference on environment and development expressed under items 2 and 7 (f) of the agenda of the second regular session of 1989 of the Economic and Social Council, to the General Assembly at its forty-fourth session for consideration and appropriate action.

35th plenary meeting
26 July 1989

1989/88. Food and agriculture

The Economic and Social Council,

Deeply concerned that hunger, malnutrition and poverty continue to increase in large areas of the third world while the world has the capacity to provide adequate food for every human being,

Noting with concern that, although the growth of world agricultural production has to some degree slowed down, tensions concerning trade in agricultural markets remain serious, notably owing to the persist-

ence and, in some cases, intensification of agricultural protectionism and support measures, including, among other problems, import restrictions and export subsidies in some developed countries,

Taking note of the report of the World Food Council on the work of its fifteenth session⁶ and of the report of the Secretary-General on trends in the international market for agricultural and tropical products and the liberalization of international agricultural trade,⁷

1. *Welcomes* the renewed international commitment to fight hunger, malnutrition and poverty expressed in the Cyprus Initiative against Hunger in the World⁸ and in the Cairo Declaration of the World Food Council;⁹

2. *Welcomes also* the Programme of Co-operative Action annexed to the Cairo Declaration, as a framework for concrete action against hunger and poverty by Governments, international organizations and non-governmental organizations;

3. *Urges* developed countries that are in a position to do so to increase their official development assistance flows and to adopt aid strategies that focus in particular on meeting the needs of the poorest countries and peoples and on improving their food production capabilities;

4. *Stresses* the urgent need for substantial progress in stimulating food production in developing countries and the importance of increasing domestic food production for stimulating national economic growth and social progress in those countries and helping to resolve the problem of hunger and malnutrition in an effective way;

5. *Calls upon* all countries to continue to respond to food emergency situations promptly and flexibly, in conformity with the provisions of General Assembly resolution 43/131 of 8 December 1988;

6. *Reaffirms* that the right to food is a human right that should be guaranteed to all people and, in that context, that, as a general principle, food should not be used as an instrument of political pressure at either the national or the international level;

7. *Stresses* that the Uruguay Round of multilateral trade negotiations presents a unique opportunity to develop a more open, viable and durable trading system, to reverse the disquieting rise in protectionism and to bring agriculture under the strengthened and more operationally effective rules and disciplines of the General Agreement on Tariffs and Trade, in accordance with the relevant parts of the Punta del Este Declaration and the mid-term review of the Uruguay Round, taking into account the need to avoid potentially adverse effects on developing countries, especially those that

⁴ A/44/256-E/1989/66 and Corr.1 and Add.1 and 2.

⁵ See *Official Records of the General Assembly, Forty-fourth Session, Supplement No. 25 (A/44/25)*, annex.

⁶ *Ibid.*, *Supplement No. 19 (A/44/19)*.

⁷ E/1989/97.

⁸ See *Official Records of the General Assembly, Forty-third Session, Supplement No. 19 (A/43/19)*, part one, sect. 11, para. 11.

⁹ *Ibid.*, *Forty-fourth Session, Supplement No. 19 (A/44/19)*, part one.

2. *Agrees* that, in order to improve analytical and forecasting activities on a co-ordinated basis, United Nations bodies and organizations, within available resources, should:

(a) Interact more closely by sharing common analytical data bases and on-line access to one another's modelling environments through the use of advanced communication facilities, appropriately designed user interfaces, improved documentation and, if appropriate, special training in the use of these analytical tools;

(b) Adjust their existing modelling frameworks to incorporate the impact of future change, thus enabling the international community to explore possible long-term trends and options for world socio-economic developments;

(c) Utilize to the fullest extent possible the capacities of the United Nations University and its World Institute for Development Economics Research and the United Nations research institutes engaged in the study of emerging economic and social developments;

3. *Requests* the Secretary-General, in consultation with the Administrative Committee on Co-ordination, to designate the Task Force on Long-term Development Objectives of the Administrative Committee on Co-ordination as the focal point for the mutual exchange among agencies of assessments of prospective developments in the economic and social fields in order to improve existing mechanisms for disseminating socio-economic forecasts and projections in a comprehensive and readily accessible form;

4. *Requests* the Secretary-General to submit periodically to the Economic and Social Council brief information on emerging trends and problems in the world economy as a part of his note on the state of the world economy, and to continue to analyse emerging economic and social issues and problems of global significance in periodic reports, including the world economic surveys and the regional surveys and on the overall socio-economic perspective to the year 2000.

*34th plenary meeting
24 July 1990*

1990/53. Israeli economic practices in the occupied Palestinian and other Arab territories

The Economic and Social Council,

Recalling General Assembly decision 40/432 of 17 December 1985,

Recalling also its own resolution 1989/86 of 26 July 1989,

Expressing concern that the report requested in its resolution 1989/86 was not presented,

Requests the Secretary-General to prepare the report on Israeli land and water policies and practices in the occupied Palestinian and other Arab territories, taking into account Israeli settlement practices, and to submit that

report to the General Assembly at its forty-sixth session, through the Economic and Social Council.

*34th plenary meeting
24 July 1990*

1990/54. Implementation of the Declaration on International Economic Co-operation, in particular the Revitalization of Economic Growth and Development of the Developing Countries

The Economic and Social Council,

Recalling General Assembly resolution S-18/3 of 1 May 1990, containing the Declaration on International Economic Co-operation, in particular the Revitalization of Economic Growth and Development of the Developing Countries,

Reaffirming the strong commitment to a global consensus to promote urgently international economic co-operation for sustained growth of the world economy and, in particular, the revitalization of economic growth and development of the developing countries,

Fully convinced of the need to implement the policies and commitments expressed in the Declaration,

1. *Decides* to recommend to the General Assembly that an item entitled "Implementation of the commitments and policies for international development co-operation agreed upon in the Declaration on International Economic Co-operation, in particular the Revitalization of Economic Growth and Development of the Developing Countries", be included in the agenda of its forty-fifth session in order to accelerate steps to put into effect the commitments and policies agreed upon in the Declaration and to ensure that those commitments and policies are translated into concrete measures;

2. *Recommends* to the governing bodies of the organs, and organizations of the United Nations system that they include in their agenda the question of the implementation of the Declaration and invites them to report to the Council, at its second regular session of 1991, on steps taken by them and by Governments within their respective spheres of competence, with a view to ensuring the implementation of the Declaration.

*34th plenary meeting
24 July 1990*

1990/55. Enlargement of the Executive Committee of the Programme of the United Nations High Commissioner for Refugees

The Economic and Social Council,

Recalling General Assembly resolution 1166 (XII) of 26 November 1957, in which the Assembly provided for the establishment of an Executive Committee of the Programme of the United Nations High Commissioner for Refugees, as well as Assembly resolutions 1958 (XVIII) of 12 December 1963, 2294 (XXII) of 11 December



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GENERAL ASSEMBLY
Forty-fourth session
Item 12 of the preliminary list*
REPORT OF THE ECONOMIC AND
SOCIAL COUNCIL

ECONOMIC AND SOCIAL COUNCIL
Second regular session of 1989
PERMANENT SOVEREIGNTY OVER
NATIONAL RESOURCES IN THE
OCCUPIED PALESTINIAN AND
OTHER ARAB TERRITORIES

Israeli trade practices in the occupied Palestinian territories

Report of the Secretary-General

1. On the basis of a note by the Secretary-General (A/43/432-E/1988/68) concerning progress in the implementation of General Assembly decision 40/432 of 17 December 1985 and Economic and Social Council resolution 1987/87 of 8 July 1987, the Council, by its resolution 1988/65 of 28 July 1988, requested the Secretary-General to speed up the preparation of the required report on the trade practices of the Israeli occupation authorities in the occupied Palestinian territories and on the financial and trade practices of the Israeli occupation authorities in the occupied Syrian Arab Golan and to report to the General Assembly at its forty-fourth session, through the Economic and Social Council, on the implementation of the resolution.

2. As part of its 1988 work programme, the United Nations Conference on Trade and Development (UNCTAD) carried out an in-depth study covering the Palestinian external trade sector under Israeli occupation. The study examined the role of trade and services in promoting Palestinian economic development, the performance of the external trade sector, major factors affecting the external trade of the territories, including policies, practices and structural limitations, the potentials for expansion and diversification of external trade in the territories, and the requisite policies and measures for the long-term development of the Palestinian external trade sector. The main findings and recommendations of the study on the external trade of the occupied Palestinian territories (UNCTAD/ST/SEU/7), which were submitted to the Trade and Development Board at the first part of its thirty-fifth session in September 1988 (TD/B/1183 and Corr.1), are circulated as an annex to the present document.

* A/44/50/Rev.1.

15f

ANNEX

The external trade of the occupied Palestinian territories*

I. THE ROLE OF TRADE IN THE PALESTINIAN ECONOMY

A. Trade performance

1. Trade has played an important role in the economy of the West Bank and the Gaza Strip before and since the Israeli occupation. Exports and imports constituted around 50 per cent of the gross national product (GNP) in 1965/1966, rising to 77 per cent in 1975 and declining to 62 per cent in 1986. In terms of gross domestic product (GDP), the share of trade increased from 54 per cent in 1965/1966 to 105 per cent in 1975, declining to 81 per cent in 1986 with imports rapidly increasing to a share of almost two thirds of total foreign trade. This very high degree of "openness" has rendered the economy of the occupied territories vulnerable to external economic and political forces. The lack of a central authority and the inability to negotiate and benefit from international agreements on trade and finance have further added to the vulnerability of the territories' trade. Its potential for contributing to the domestic economy has been contained by a variety of constraints mostly imposed under occupation. The relative "freedom of choice" in trade which the territories enjoyed was shattered as a result of the occupation since 1967. Consequently, the net result has been the emergence of patterns and terms of trade which are marked by unfavourable to the territories.

2. Since 1967, the occupied territories have been drawn progressively into a close trading relationship with Israel. The closure of traditional trading outlets made the territories almost totally dependent on Israel for both exports and imports. From a position of no trade with Israel until 1967, 46 per cent of Palestinian exports were destined for Israel and 84 per cent of imports originated in Israel (both in value terms) in 1970, giving rise to a deficit of \$54 million. By 1986, 73 per cent of the territories' exports went to Israel. Israel's share of Palestinian imports, on the other hand, showed a slow increase, standing at 90 per cent in 1986. In absolute terms, however, the growth of imports from Israel over the occupation period was more than nine-and-a-half fold between 1970 and 1986, reaching almost \$800 million by 1986. Accordingly, the territories' merchandise trade deficit with Israel surged throughout the two decades of occupation to stand at \$523 million in 1986. If the deficit with other countries is added to this, the merchandise trade deficit of the territories with and through Israel (i.e., not including Jordan) stood at more than \$600 million in 1986, or 40 per cent of GDP and 30 per cent of GNP in that year. This deficit was covered by factor income derived from the export of labour to Israel and partly by the surplus (of some \$90 million in 1986) maintained in merchandise trade with Jordan,

* Previously issued under the symbol TD/13/1183 and Corr.1, part II, paras. 55-116.

as well as transfers from the rest of the world. By contrast, the Israeli policy of benefiting from low-wage Palestinian labour has both enabled it to control production costs and create a market for its own subsidized products in the territories. This has led to greater labour export dependency on Israel and, consequently, to lower domestic production and merchandise export capacity in the territories.

B. Trade composition

3. While agriculture remains the backbone of the territories' economy, the value of its exports declined from \$107 million in 1977 to \$75 million in 1986. The share of agricultural produce in total exports has fallen from 42 per cent in 1977 to 19 per cent in 1986. This fall in the export capacity of the largest sector of the economy has serious implications for the future role of trade in growth and development of the Palestinian economy.

4. The market distribution of agricultural exports indicates the historical role played by Jordan and other Arab countries in the absorption of Palestinian merchandise exports. Since 1980, an annual average of 54 per cent of agricultural exports went to and through Jordan to other Arab markets. However, the value of agricultural exports to and through Jordan has followed a declining trend since 1977, reflecting a fall both in quantities and prices. Much of this may be attributed to the general economic recession in the region, policies aimed at supporting domestic agricultural sectors in Arab countries and the entry of new competitors in the traditional markets of Palestinian exports. In the 1980s, Israel imported an annual average of 44 per cent (\$36 million) of Palestinian agricultural exports.

5. Agricultural imports increased from \$89 million in 1977 to \$130 million in 1986. In itself, this is not necessarily an unexpected phenomenon, considering that the territories have not been self-sufficient in a number of items, especially staples. The growth in food imports has been so high that the surplus in agricultural trade enjoyed by the territories until 1982 has turned into a large and growing deficit, equivalent to \$55 million in 1986. Almost all food imports come from Israel; they are unrestricted and are directly competitive with domestic output.

6. Meanwhile, despite this growth in imports, surpluses of some types of domestic agricultural produce have accumulated without adequate markets to absorb them. Owing to the lack of overall guidance and market orientation, farmers have tended to emulate each other in the selection and production of crops, especially the traditional ones. They have achieved increases in productivity in certain crops, but the size of both domestic and external markets for the territories' produce has not shown a corresponding increase. Constraints imposed on agricultural marketing have prevented Palestinian agriculture from balancing and rationalizing output between domestic and external demand, while at the same time striving towards the achievement of a greater degree of self-sufficiency in certain foods.

7. With regard to industry, the situation does not appear more promising. Industrial products constitute the bulk of the territories' exports. While industrial exports have significantly grown over the last decade, most of the increase has been directed towards Israel, which accounted for more than 80 per cent of total industrial exports in 1986. Much of this constitutes manufactured goods traded under sub-contracting arrangements for semi-finished goods between Israeli firms and Palestinian producers. The balance of total industrial exports is composed of traditional output (olive oil, other vegetable oil, dairy products, soap and construction materials), which has continued to be absorbed through Jordan.

8. It may be inferred that Palestinian industrial trade is highly dependent on a single market involving specific production processes, the scale of which greatly overshadows the production and performance of the indigenous industrial sector. The industrial export sector of the territories has been effectively turned into an external enclave of the Israeli industrial sector, performing low-wage labour-intensive tasks that require fewer technical and managerial skills. This allows Israeli industries to concentrate increasingly on the development of new technology-oriented, capital-intensive activities that provide for higher value-added industrial processes in which Israel can realize significant foreign exchange gains. The arrangement provides limited, if any, gains to the economy of the territories and inhibits the development of complementarities, linkages and integration within the Palestinian industrial sector.

9. Israel has provided close to 90 per cent of Palestinian industrial imports, during most of the occupation period, with a rapidly rising value reaching \$665 million in 1986. A significant portion of this is constituted by semi-finished goods destined for processing in the territories and re-export to Israel, as mentioned above. The balance includes a range of consumer goods, some of which compete with local Palestinian output. Close to 10 per cent of the territories' industrial imports originate in other countries and enter via Israeli ports. The value of industrial imports from abroad has risen from \$40 million in 1977 to \$21 million in 1986. Around 1 per cent or about \$11 million of the total industrial imports of the territories originated in/through Jordan in 1986. These include edible oil, dairy products, paper, textiles and metals intended for processing and re-export.

II. FACTORS AFFECTING THE DEVELOPMENT OF PALESTINIAN EXTERNAL TRADE

A. Israeli policies and practices

10. The poor trade performance of the two most important economic sectors briefly examined above is attributed to a wide range of factors largely reflecting the severe constraints imposed under conditions of occupation. The policy measures and practices of Israeli authorities have had a dampening effect on the economy of the territories, including the dynamics of its trade sector.

1. Production constraints

11. More than 52 per cent of the total area of the occupied territories has been gradually brought under direct Israeli control. This has sharply reduced the area devoted to rain-fed and cereal cultivation and production after 1967. The inevitable decrease in rain-fed agriculture was mainly manifested in the fall in cereal production. While the irrigated area and its productivity increased through improved inputs and techniques, aggregate production has remained fairly constant over the past decade. This has been an important impediment to expanding agricultural trade.

12. Two important bottle-necks that have impeded expansion and intensification of irrigated areas are water and capital. Out of total annual supplies of 800 million cubic metres, the Palestinian inhabitants are allowed the use of only 110 million cubic metres, despite the rapid growth of population, with the balance available for use by Israel and its settlements in the territories. The Palestinian inhabitants are not permitted to exploit their water resources for the development of their economy. Deep wells are only bored for the benefit of Israeli settlers, thus causing the drying-up of shallow tube-wells in nearby Palestinian villages. On the other hand, the high cost of fresh water has forced farmers to mix brackish water with fresh water from springs that were already in use before 1967. This has also led to the cultivation of certain crops at the expense of others.

13. One of the most notable Israeli practices adversely affecting Palestinian industrial structure and output deals with sub-contracting arrangements in the occupied territories. This practice has turned much of the industrial base of the territories into a de facto "free zone" operating exclusively for the benefit of Israeli producers. The non-existence of a central authority, trade unions and other bodies capable of defending the interest of Palestinian producers and workers has added to the range of anomalies under which the Palestinian economy struggles.

14. Another important factor that has adversely affected the economy of the occupied territories and helped create a captive market for Israeli output is the growing number of unemployed and underemployed Palestinians who have been obliged to take up low-paid jobs in Israel. With the domination by Israel of Palestinian agriculture and industry, the engagement of close to 40 per cent of the Palestinian labour force in Israel has strengthened Israeli control over the trade of the territories and added to the vulnerability of their economy.

2. Financial constraints

15. Scarcity of equity and working capital has been another limiting factor for agriculture, industry and international trade. There are no specialized financial institutions geared to meet the financial needs of agriculture and industry. Inflation and the uncertainty of the investment climate have further complicated the problem for entrepreneurs. In the area of trade, the role of the branches of Israeli banks, operating in the territories as the only financial institutions until 1986, has remained insignificant particularly with regard to export-import needs.

16. The use of over-draft facilities from the branches of Israeli commercial banks in the territories is hampered by constraints arising from both Government regulations and banking practices. In addition, poor banking services and delays in processing customs formalities have increased the cost of imports and exports to Palestinian merchants. No monetary and fiscal incentives are applied in order to reduce the cost of exports which might add to the competitiveness of the territories' outputs and increase gains in international trade. Additional obstacles have been imposed in the wake of the recent uprising in the territories, which specifically affect the financing of foreign trade, including the severe restriction of funds brought into the territories.

3. Marketing constraints

17. Israeli agricultural and industrial products are assured complete protection in the occupied territories' markets. No tariffs and/or non-tariff regulations are applied to the entry of Israeli goods into the territories. There is no limitation on the amount and type of Israeli goods entering the occupied territories, except those with high technology contents and military goods. Many of the agricultural and industrial goods involved are subsidized at the production level. In a captive market where the Israeli producers benefit from a unilaterally imposed division of labour, the gains from these subsidies accrue totally to Israeli producers and traders.

18. The production and marketing of Palestinian agricultural and industrial goods are subject to strict regulations, ranging from licences to quotas and numerous administrative restrictions. The entry of Palestinian agricultural output into Israel and occupied East Jerusalem is subject to numerous restrictions. High fines are imposed on the territories' farmers who are seeking to find an outlet for their goods in East Jerusalem and in Israel. Palestinian exports to Israel are subjected to quotas, both by type and amount, covering items that complement Israeli local production or that are either more expensive to produce locally in Israel or to import from elsewhere. The territories' comparative advantage in both traditional and new lines of production is used to serve the interest of the Israeli economy.

19. Direct commercial contacts between the territories and the rest of the world, other than with Jordan and other Arab States, are maintained largely through Israeli commercial agents. Palestinians are not allowed to export or import goods directly to and from outside markets using Israeli ports. Gaza Strip producers alone have been allowed to export citrus fruit direct to Eastern Europe through the Israeli port of Ashdod. Difficult barter trade conditions and inadequate transit handling have caused this export to fall from 20 to 25 per cent of citrus production in the 1960s to less than 10 per cent of the much lower production levels of 1987. While the restriction on direct trade with the rest of the world may have put the experience of Israeli agents at the disposal of Palestinian exporters/importers, the cost-benefit aspect of such a policy and its consequences for the Palestinian economy deserve careful examination. This constraint has prevented the Palestinian entrepreneur from coming into direct contact with external markets, learning the dynamics of supply and demand in these markets, searching for new outlets and concentrating on ways and means of reducing cost and

maximizing gains in trade with the rest of the world. In certain markets, such as those in the European Economic Community (EEC) and in North America, products obtained from Palestinian producers in the occupied territories and from Israeli settlements in these territories have been marketed as Israeli produce carrying Israeli brand names. The Commission of the European Communities is reported to have asserted that this practice is not only in violation of international law but also an abuse of the preferential treatment extended to Israeli products. h/

20. Domestic trade of the territories is equally controlled by Israeli producers and traders. The flow of farm products between the West Bank and the Gaza Strip and within the territories themselves is subject to permits from relevant Israeli authorities in the district of origin. The permits specify the kind of produce, quantity, date of entry and route of the vehicles involved. On the other hand, free and unlimited entry of subsidized Israeli goods, together with forceful marketing campaigns, has confronted local producers with stiff competition. The lack of institutional arrangements, such as marketing centres and research facilities for improving and maintaining quality and reducing costs, poor transport facilities and numerous administrative obstacles dealing with permits, paper work and payment of various levies have all rendered domestic trade costly and less attractive.

4. Infrastructural constraints

21. The loss in quality and markets has adversely affected the incentive to invest in physical infrastructures such as storage, cold stores, packing and grading stations, containers and other prerequisites that are an absolute necessity for modern export marketing. This has had a particularly damaging effect on the bulk of agricultural output that goes to Jordan and beyond to the Arab hinterland. Despite the Israeli "open bridges" policy, trade with Jordan experiences numerous obstacles. The transport facilities are inadequate and cumbersome for the shipment of products to Jordan. The open trucks do not provide for sufficient protection of perishable goods and are few in number. They have to return empty within a short period and are held up for a considerable time for security checks. Unpredictable security measures and import restrictions, as well as Israeli customs formalities at the bridges, have frustrated Palestinian traders. The risks of loss from delays in preparing shipments to Jordan and during the crossing of bridges are high.

22. In view of poor transport facilities, Palestinian agricultural produce continues to experience problems with packaging, which is done with the use of inadequate wooden boxes. This is required in order to comply with the League of Arab States boycott provisions, which prohibit the entry into Arab markets of materials produced in or imported through Israel. Every effort is needed to increase production of packaging materials and to arrange for the grading and packing of the produce to take place in the territories themselves. The only existing cardboard plant in the West Bank could be supported by increasing its capacity and facilitating the importation of the required raw materials.

23. One of the most important gaps in the institutional prerequisites for the promotion of the territories' trade is the lack of a marketing facility. The

existing institutions, including co-operatives and their unions, chambers of commerce and individual exporters, are not adequately equipped with the technical expertise needed for the type of activities required to develop and implement appropriate export promotion programmes. It is also equally important to expand domestic markets in the territories. There are no indigenous facilities created to achieve this crucial objective. This need, was addressed by resolution 169 (VII) of the United Nations Conference on Trade and Development (UNCTAD). g/

B. Trade with Arab countries

24. After 1948, the West Bank was cut off from its traditional trading routes to the Mediterranean and European countries. New routes had to be established through the Jordanian port of Aqaba. West Bank exports benefited from the liberal foreign trade and exchange systems of Jordan and its industries were accorded protection against unfair competition. Jordan maintained its trade relations with the West Bank after 1967. Trade relations with the Gaza Strip were also initiated. Israeli restrictions on imports to these territories meant that trade with Jordan became virtually a one-way flow from the territories to and through Jordan, resulting in surpluses that paid for the territories' growing deficit with Israel.

25. Since the 1970s, however, the export position of the territories with Jordan and other Arab countries has gradually deteriorated, resulting in unmarketable surpluses of agricultural output, which in turn acted as effective disincentives to Palestinian growers. Much of the reason for this development lies in fall of demand in traditional export destinations and in the Israeli policies and practices enumerated above which have prevented growers from maintaining their competitiveness, as well as in the continued occupation of the territories and the uncertainties this carries for the future.

26. Trade with most of the traditional markets of the territories (namely, the Islamic Republic of Iran, Iraq, Lebanon, Saudi Arabia, the Syrian Arab Republic and the Arab countries of the Gulf) has decreased considerably over time. This leaves Jordan as the most important external market for the agricultural output of the territories. This development comes at a time when Jordan itself is confronted with growing preoccupations concerning the marketing of its own agricultural output. In addition, the application of League of Arab States regulations, which boycott goods produced in or imported through Israel, have had the effect of restricting Palestinian industrial exports to Jordan. In compliance with these same boycott regulations, the agricultural exports of the occupied territories to and through Jordan are considered as being of Arab origin and thus exempt from boycott. While this has facilitated the exports of the territories to Jordan and other Arab countries in the region, the repacking and handling charges in Jordan are likely to increase the final price vis-à-vis similar products in Jordan. This is in addition to the cost of transportation from the territories to Amman and various levies and charges imposed by the Israeli authorities.

27. These developments have prompted the Jordanian authorities to examine periodically the policies vis-à-vis the agricultural and industrial sectors of the occupied territories. The goals of these exercises have been: to continue to

provide an outlet for the agricultural and industrial output of the territories aimed at ensuring their markets in Jordan and the Arab countries and strengthening the capabilities of the Palestinian people to cope with discriminating policies and practices of occupation; to abide by the boycott regulations of the League of Arab States; and to protect domestic Jordanian production sectors from unregulated competition.

28. In line with the objectives enumerated above, Jordan has regulated domestic crop production, accompanied by import quotas geared to West Bank agricultural produce. Entry to Jordan is permitted for up to 50 per cent of West Bank agricultural output (depending on the products concerned) and up to 65 per cent of industrial output for firms established prior to 1967 and importing their raw materials via Jordan. A number of items imported to Jordan (olive oil, stones, soap, handicrafts) were exempted from these requirements. Some firms established after 1967 were subsequently allowed to register in Jordan in order to be entitled to the exemptions. Jordan has also relaxed requirements applicable to some items with respect to the importation of industrial raw materials and equipment through Jordan as a pre-condition for exemption from boycott provisions. The effective implementation of these favourable decisions, however, calls for co-ordination in production and marketing and for improvement in formalities and transport facilities affecting the export of the territories to and through Jordan. The building up of the appropriate organizational infrastructure to deal adequately with this crucial task is an absolute necessity. Similarly, it signals the need for increasing the active role of Palestinian institutions in promoting the production and exports of these territories.

III. EXTERNAL TRADE POLICIES

A. Trade and overall economic development goals

29. It is necessary to underline, at the outset, that any attempt at improving the performance of the external trade sector must emanate from an overall strategy that is aimed at accelerating the growth of the domestic economy at a rate faster than natural increases in population. At the sectoral level, such a strategy would have to concentrate on increasing overall productivity in agriculture and industry, with sufficient employment opportunities to absorb the growing labour force, and expand the output of essential goods by promoting import substitution industries based on local raw materials and by expanding and diversifying exports. While import rationalization measures deserve careful examination in this regard, feasible export promotion and diversification policies should receive priority attention.

30. Over the past 21 years of occupation, the economy of the territories has performed without a strategy, governed by ad hoc impulses that were often alien to its own interests. More than at any other time, the territories need to be provided with appropriate indigenous institutions to establish an economic identity of the territories themselves, reflecting their needs and providing prospects for their future development. Short of a comprehensive development strategy, immediate efforts need to concentrate on certain policy measures primarily aimed at increasing employment opportunities in order to provide jobs for that part of the

Palestinian labour force which functions under precarious circumstances outside the national economy. It is necessary to initiate the basis for establishing a productive and viable indigenous Palestinian economy. This necessitates a restructuring of the economy with the orientation of production for the domestic market and for exports by developing complementarities with Arab economies and exploiting opportunities in other markets. In the absence of an indigenous central authority, the role of entrepreneurs and local institutions is now becoming crucial in the process.

31. The areas to be considered at first should be those in which the territories demonstrated a comparative advantage in both agriculture and industry. Emphasis could be placed on the improvement of productivity, quality and diversification of agricultural output and the development through small-scale, employment-generating projects. The abundance of low-wage labour and the existence of a pool of skilled and technically proficient manpower enhance the potential role that the private sector will be expected to play in this connection. Given the similarities that exist, especially between the territories and Jordan in the availability of raw materials and other factors of production in both agriculture and industry, and bearing in mind the limited size of their markets, efforts need to aim at achieving a degree of economic complementarity between the territories, Jordan and other Arab countries.

32. Understandably, the realization of much of the restructuring required to set the economy on a path for sustained growth and development and provide a sound basis for external trade of the territories is a relatively long-term process. Parallel measures are needed on a more urgent basis to revive the economy by providing an impetus for activities that increase output and improve the balance of trade of the territories. Therefore, a two-pronged approach involving both domestic and household economies is needed to achieve this objective. With respect to the latter, the emphasis could be placed on increasing crop and animal production for household consumption, thus reducing dependence on imports. The pioneering work of Palestinian agricultural committees to promote self-reliance, with respect to certain commodities, deserves support. International assistance is needed to provide the basic requisites for developing and sustaining a programme of activities involving the household sector in crop and animal production and processing.

B. Export promotion and trade concessions

33. With respect to the domestic economy, efforts need to be concentrated on increasing and diversifying production and promoting its marketing both domestically and abroad. Immediate attention could be directed to the marketing of the surpluses that accumulate in the agricultural sector by launching a carefully structured export promotion drive not only to increase its share in traditional markets but to also penetrate new ones. The exports of the territories have not increased at a pace that can further stimulate the growth of the productive sectors. The territories' comparative advantage in certain productive sectors has not been exploited, owing to the factors enumerated earlier. This is so despite the fact that Palestinian producers realize the importance of identifying new external markets.

34. Even where new markets are opened, the territories have not been able to take full advantage of the opportunities offered. A clear example is the trade concession extended by the European Economic Community (EEC) to the occupied Palestinian territories. In a move to enable the territories to benefit directly from trade with EEC, the Council of the European Communities, upon the proposal of the Commission, in October 1986, extended to the territories trade concessions similar to those enjoyed by other countries of the region in their trade with the community. d/ The Community has adopted autonomous tariff arrangements applicable to imports into the Community of products originating in the occupied territories. The Community has accepted chambers of commerce in the occupied territories as authorities qualified for issuing certificates of origin and for ensuring the necessary administrative co-operation. There have been numerous contacts between the Community and the Israeli authorities in order to enable exports to pass through Israeli territory, the most economic export route to Europe. Some trial shipments of manufactured goods from the territories by this route have recently been effected. However, the Israeli authorities have not yet allowed Palestinian agricultural producers direct access to EEC markets. The Community has repeatedly stressed to Israel the importance it attaches to the effective implementation of its trade measures, without any administrative or other obstacles to Palestinian exporters. Israeli authorities have argued that they should be able to co-ordinate Palestinian exports to Europe so as to ensure that their own exports to these markets are not subject to competition from similar Palestinian products. It is only very recently that the Israeli authorities are reported to have agreed, in principle, to the idea of allowing the export of Palestinian agricultural produce direct to Europe through Israel. Palestinian producers are awaiting the implementation of this agreement in the 1988/89 agricultural year and discussions are under way aimed at overcoming existing difficulties with export procedures. e/

35. A similar move of support for the economy of the territories has been recently made at the Ministerial Meeting on the Global System of Trade Preferences among developing countries members of the Group of 77. f/ The resolution adopted at that Meeting calls for granting trade concessions and concrete preferential measures to Palestinian exports on a non-reciprocal basis, pending the elimination of the Israeli occupation. It also calls for treating Palestinian exports and imports through neighbouring ports and points of exit and entry on a transit basis. These concessions can greatly enhance the role of the Palestinian private sector in the expansion of output and promotion of exports, thus strengthening the occupied territories' position in external markets.

36. It is of paramount importance for Palestinian agriculture in the territories to be able to benefit fully from these measures and concessions, not only to find an outlet for surpluses but also to be able to exploit and develop its potential comparative advantages. In the industrial sector, the prospects for expanding exports would initially lie in the standardized goods that require less technical and managerial skills, low-wage labour cost and raw materials that have low opportunity cost. More importantly, certain branches could enter a complete cycle of production, with all phases vertically and horizontally integrated, unlike the present sub-contracting arrangements.

37. However, many factors that determine the extent of the responsiveness of the private sector to these concessions need to be carefully and adequately dealt with. It is not realistic to expect producers from the territories, irrespective of their dynamism, to benefit through individual initiative from any preferential treatment accorded to them in external markets. Many conditions need to be met, some by the Israeli authorities as the occupying Power, others by the Palestinian people themselves and their local institutions and some by the international community.

C. Prerequisites for successful export promotion

38. An important factor in optimizing the benefits of competitive and concessional trade is the consolidation of the production process by achieving some degree of co-ordination among producers in both agriculture and industry. This is needed in order to avoid over- or under-production of goods, misallocation of resources and damaging competition among producers of rival goods. In view of market limitations, both domestic and external, this issue deserves serious consideration. The role of producers' associations, chambers of commerce and industry and other existing institutional facilities in the occupied territories is crucial in this respect. Such local agricultural and industrial facilities need to embark, inter alia, on operationally oriented surveys to determine the nature and size of markets, both local and foreign, for commodities that can be produced in the territories along with production forecasts falling within a medium-term time horizon.

39. In view of keen competition in export markets, improvement in the quality of exportable commodities should remain the foremost preoccupation of Palestinian producers and their various associations in the territories. Given the relatively limited size of the exportable output of the territories compared with that of its competitors, the territories' position in international markets will be determined primarily by the quality and prices of what it can offer. This is very important, as most of the competing countries either enjoy a modern agricultural sector or are modernizing their agriculture. Emphasis on quality and competitive prices will become even more crucial when EEC evolves into a "single market" with the abolition of all internal tariffs and customs duties by 1992. The territories should be able technically to meet expectations in such a competitive environment. Palestinian producers' organizations, universities and research centres could play a significant role by mobilizing resources and co-ordinating efforts on research aimed at improving the quality of agricultural and industrial output. This could be accompanied by strong sales promotion campaigns on behalf of small producers using various channels aimed at increasing the share of markets for the territories' output.

40. The impact of external concessions on the price structures of exportable commodities and on the distribution of gains among the various actors involved in the production and marketing processes equally require careful examination. The present structure and operation of agricultural institutions need to be oriented to the new opportunities in order to encourage a realistic price structure of exportable output, thus providing maximum benefit to the sector/branches

concerned. Similarly, land tenure arrangements and market relations among producers need careful treatment so as to ensure an equitable distribution of gains among all producers. Special attention should be given to the significant contribution of small land owners, share croppers, and tenant farmers who are in dire need of remaining on the land. The same applies to small producers involved in the industrial sector.

D. The urgency of direct Palestinian marketing arrangements

41. The direct marketing of exportable commodities responds to the urgent need to optimize the gains of external trade and ensure their equitable distribution among the contributors. The past position of the Israeli authorities, whereby part of the territories' output should be marketed by Israeli agencies and the rest sent through "open bridges" to Jordan, places unjustifiable constraints on Palestinian producers. To deny Palestinian producers the right of direct export, while granting this right to Israeli settlers in the territories, is a clear penalization of the Palestinian producers as against Israeli settlers/producers, who furthermore enjoy the benefits of concessions, subsidies and services denied to the indigenous inhabitants of the territories.

42. Israeli policies towards the Palestinian external trade sector have resulted in an important missing link in the institutional infrastructure of the trade sector in the territories. In order to take full advantage of the opportunities that trade offers for the growth and development of the Palestinian economy, independent local facilities ought to be created. The establishment of a Palestinian trade promotion and marketing facility would be a first step in this direction, especially with respect to expansion of agricultural exports from the territories. Such a facility would be the nucleus of an independent trade promotion and marketing organization in the territories.

43. The proposed marketing facility could collaborate with existing local institutions regarding all technical and administrative tasks involved in the identification, production and marketing (including grading, packing, cold storage and processing) of exportable goods from the territories. The same facility could also be entrusted with authority to deal with local marketing needs and could operate a branch each in the West Bank and the Gaza Strip. Action needs to be initiated urgently to investigate the technical, administrative, financial and other requirements of such a facility and to obtain the necessary authority for its operation. The EEC offer to provide technical and, if necessary, financial assistance for the establishment of export structures is a welcome move in this direction. g/

44. An adequate and efficient transport system is another important prerequisite for the promotion and development of the territories' trade. While local institutions, including municipalities, can contribute to the improvement of the present transport system, much of the physical infrastructural requirements would need to be met by Israeli authorities. Moreover, the provision of refrigerated containers and trucks, improvement in customs and security formalities, and installation of more modern equipment for monitoring of goods would also need to be permitted and encouraged by Israeli authorities.

45. The trade of the territories with non-Arab markets, either through Jordan or Egypt, is hampered by the high cost of transport and the long duration of the journey involved. This has had an adverse effect on the quality of the goods reaching their final destinations. Obviously, the rise in cost and decline in quality are detrimental to the perishable exports of the territories, especially in the highly competitive markets of Western Europe or North America. The most natural outlet for such export is the development of the port of the Gaza Strip. In addition to the existing fishing port, which is specifically designed to meet the requirement of the Gaza fishing community, the commercial port that existed prior to 1967 also needs to be re-opened and developed to accommodate the future trading requirements of the occupied territories. The Israeli authorities and the international community could contribute to the construction of this vital facility. In the mean time, the proposed Palestinian trade promotion and marketing facilities would need to obtain transit facilities through Israeli sea and airports for direct access to international markets.

E. Other trade-support measures

46. Parallel with efforts to meet the various institutional and physical infrastructural requisites outlined above, a number of policy measures could further enhance the vital role of trade in the economy of the territories. This would require above all the rescinding of many related Israeli orders and measures adopted since 1967 that have inhibited trade and other economic activities in the territories. The major issues outlined in the following paragraphs need to be urgently and seriously considered.

47. Efforts to eliminate the numerous administrative constraints that have obstructed economic activities affecting the trade of the territories could fruitfully be set in motion. Most importantly, such relaxation would necessitate the abolition of military government requirements for permits to start a new business, expand a product line, diversify crops, export a consumer good or import manufacturing equipment and the like.

48. The occupied Palestinian territories need to be treated as an entity with distinct economic interests. Israeli policies over the 21 years of occupation have treated the territories as an extension of the Israeli market while impairing their participation in benefits that accrue. The market of the occupied territories should be treated independently of Israel and subject to the laws and regulations of the territories.

49. The severe shortages of financial resources in the territories and the inadequacy of financial institutions deserve serious consideration. Given this unique problem of the territories, a more imaginative approach to the monetary and fiscal aspects of economic policy may have to be pursued in order to revive the economy and expand trade. The implementation of the suggestions embodied in previous reports h/ could go a long way to contributing to such an approach. Emphasis needs to be specifically concentrated on areas that can contribute to the expansion and development of trade. Regional and international monetary and development finance institutions can also play a leading role in meeting the needs of the territories.

50. With respect to export earnings, it is necessary to ensure the purchasing value of these earnings to the Palestinian exporters who export through Israel. The conversion of export proceeds into the Israeli shekel could be pegged to a stable currency, such as the Jordanian dinar, which is the medium of exchange in the territories and is used in transactions with Jordan, in order to avoid undue losses that may arise from exchange rate fluctuations and the drop in the market value of the Israeli currency.

51. Attempts at encouraging exports could include the exemption of small exporters' profits from income tax for a specified period of time. This is vital for the survival of these exporters, as they have no influence on the prices of their output in domestic or external markets. Such profits could be deducted from total taxable income of the exporter, thus lowering the marginal tax rate. This would provide greater incentive to small exporters to expand business activities and stimulate non-traditional exports thus contributing to a diversification of production.

52. As for export financing, arrangements could be worked out through the intermediation of the branches of local Arab banks and foreign importers and their institutions to provide lines of credit in favour of small exporters. This could be maintained until such time as the local banks can build up an "export promotion fund" from small surcharges on imports, and/or exports. In this connection, the newly opened branches of the Cairo-Aman Bank need to be given every support and their resources augmented in order to meet the growing financial requirements of internal and external trade. External resources could be mobilized and made available at low interest rates, enabling these branches to grant short-term credit to farmers and manufacturers.

53. Similar incentives need to be instituted in the form of exemption from customs duties on imported inputs used in the production of small and non-traditional exports. This could cover the import of raw material and equipment essential for such exports. The incentive could be introduced through a "drawback" arrangement that would ensure its appropriate use. In view of financial constraints, exemption from advance import deposits could further strengthen the position of small exporters. The amount of revenue foregone through such monetary and/or fiscal measures could be adequately compensated for by the contribution these measures will make to the overall volume of business activities.

54. The case for the abolition of the value-added tax on Palestinian business in the territories has already been made in earlier reports by the UNCTAD secretariat. ^{a/} This tax puts Palestinian producers and exporters at a disadvantage compared to Israelis, who are compensated by numerous subsidies. The same is true of an Israeli tax on imports (Tamah), which raises the value of imports to/through Israel for the purpose of a purchase tax. Despite the claimed reduction of import tariffs, the Tamah rates are much higher in some cases than the reduction in tariffs. As a result, the price of imported raw material and equipment through Israel is 15 to 25 per cent higher than in the world market. As the external trade of the territories is handled through Israeli middlemen, the Palestinian importer has to bear the tax cost. The existence of this tax further adds to the argument for abolishing the levies that are imposed on the trade of the territories under occupation.

IV. ROLE OF THE INTERNATIONAL COMMUNITY

55. Conscious of the deteriorating economic conditions in the occupied Palestinian territories, in general, and their trade sector, in particular, UNCTAD, at its seventh session, adopted resolution 169 (VII). g/ The resolution, inter alia, welcomed the decision of EEC to give Palestinian goods and products preferential access to its market on the basis of Palestinian certificates of origin. It urged all States to facilitate the access of Palestinian goods and products to their markets and to continue providing assistance to the Palestinian people to enable them to develop their economy, including the trade sector, free of occupation.

56. The concessions made to the occupied territories, as noted earlier, represent major multilateral and bilateral measures aimed at assisting the Palestinian people in their efforts to develop their economy. In order for these concessions to have a positive impact, action is needed by the Israeli occupation authorities and the international community in support of Palestinian efforts. The Israeli occupation authorities have the responsibility to facilitate international assistance to enable it to reach the Palestinian people in the occupied territories. The international community, through multilateral and bilateral arrangements, could maintain the momentum of its assistance to these territories in order to enable the Palestinian people to build up the foundation of a sound economy and foster its independent growth and development. In addition to the points stated earlier, further attention needs to be focused on the following specific issues of immediate concern to the external trade of the territories.

57. Pending the establishment of a Palestinian marketing facility, international marketing facilities could extend their assistance to Palestinian producers in the occupied territories by promoting the sale and marketing of their products. Such immediate measures could include short-term credit facilities, input provisions, including cartons and packing facilities, sales promotion activities, as well as training and orientation programmes for developing a local cadre. Possible joint venture arrangements for the processing of primary produce could also contribute much to this process.

58. The expertise of some of the United Nations organizations, such as the UNCTAD/General Agreement on Tariffs and Trade International Trade Centre, in export promotion programmes could also provide Palestinian producers and institutions with the technical assistance they need. The vast knowledge and experience at the Centre in the establishment of export promotion facilities in many developing countries could benefit the territories in the design of a comprehensive export promotion programme, including the establishment of the proposed Palestinian marketing organization.

59. Relevant multilateral and bilateral sources could contribute to the re-opening and development of the commercial port in the Gaza Strip and its related infrastructural facilities. Pending that, consideration could be given to possibilities of instituting transit arrangements for Palestinian exports to regional and international markets.

60. Bearing in mind the provisions of the boycott regulations of the League of Arab States, the Arab Economic and Social Council and the Council for Arab Economic

Unity have adopted resolutions urging member States to facilitate the entry into their markets of Palestinian agricultural and industrial products. However, the access of Palestinian products to many of these markets has in fact been diminishing because of the economic and administrative reasons mentioned earlier in this report.

61. A fresh attempt is therefore needed to revive traditional Arab markets for the agricultural and industrial products of the occupied territories. The Arab markets in the region should provide one of the most satisfactory outlets for the products of the territories. Any attempt at benefiting from existing and/or new Arab markets should concentrate on areas that promote the comparative advantage of the territories and develop complementarities with their trading partners. This would necessitate better co-ordination of policies and practices that affect agricultural and industrial production. As noted, another vital prerequisite for the success of such efforts is improvement in the quality and delivery of exportable goods to these markets.

62. Another aspect that needs to be pursued urgently, especially in view of the Palestinian uprising in the territories, is to review the effect of League of Arab States boycott regulations on Palestinian exports and the implementation of their provisions in a manner that provides increased impetus to Palestinian export capacity and performance. The Arab Economic and Social Council, the Council for Arab Economic Unity and the Federation of the Unions of Arab Chambers of Commerce and Industry, within the framework of efforts aimed at achieving regional food security, increased trade and greater economic integration among the Arab countries of the region, could play a significant role in promoting and expanding markets in these countries for the products of the occupied territories.

Note:

a/ Figures in this section are calculated from: (1) Israel, Central Bureau of Statistics, Statistical Abstract of Israel (Jerusalem, Central Bureau of Statistics, 1983, 1985, 1986 and 1987), pp. 766, 712, 692 and 710; (2) Israel, Central Bureau of Statistics, "Quarterly Statistics of the Administered Territories", vol. IX, no. 2 (Jerusalem, Central Bureau of Statistics, 1979), p. 72; (3) Israel, Central Bureau of Statistics, Statistical Abstract of Israel (Jerusalem, Central Bureau of Statistics, 1983), p. 202; (4) Israel, Central Bureau of Statistics, Statistical Abstract of Israel, (Jerusalem, Central Bureau of Statistics, 1986 and 1987), pp. 198, 204 and 711.

b/ Al-Fair, 28 June 1988; Jerusalem Post, 13 October 1987 and 2 December 1987.

c/ See Report of the United Nations Conference on Trade and Development on its seventh session (TD/351), pp. 37 and 38.

d/ Council of the European Communities regulation No. 3363786, Official Journal of the European Communities, 1 November 1986, No. L 306/103 and 104.

Notes (continued)

g/ Information on policy action of the European Economic Community is provided in the note verbale of 17 May 1988 by the Commission of the European Communities, in response to the note by the secretariat of the United Nations Conference on Trade and Development (CTD/140 (PAL)) of 6 April 1988.

f/ Proceedings of the Ministerial Meeting on the Global System of Trade Preferences among developing countries, Belgrade, 11-13 April 1988, vol. II, p. 4.

g/ Jerusalem Post, 2 December 1987.

h/ See, for example, "Recent economic development in the occupied Palestinian territories, with special reference to the financial sector" (TD/B/1142), 1987, part II.



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OCCUPIED PALESTINIAN AND
OTHER ARAB TERRITORIES

Israeli land and water practices and policies in the occupied
Palestinian and other Arab territories

Note by Secretary-General

1. The Economic and Social Council, in its resolutions 1989/86 of 26 July 1989 and 1990/53 of 24 July 1990, requested the Secretary-General to prepare a comprehensive report on Israeli land and water policies and practices in the occupied Palestinian and other Arab territories and to submit the report to the General Assembly at its forty-sixth session through the Council.
2. At the request of the Secretary-General, the Economic and Social Commission for Western Asia has prepared a report on Israeli land and water policies and practices in the occupied Palestinian and other Arab territories. The report is annexed to the present document.

* A/46/50.

** E/1991/100.

ANNEX

Report prepared by the Economic and Social Commission for Western
Asia on Israeli land and water policies and practices in the
occupied Palestinian and other Arab territories

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INTRODUCTION

1. Since its occupation of the West Bank, the Gaza Strip and the Syrian Arab Golan (the occupied Palestinian and other Arab territories) in June 1967, Israel has enacted a series of laws, regulations and decrees that have resulted in the seizure of Arab land and property, as well as sources of water, including groundwater in the West Bank and the Gaza Strip and from the Jordan River.

2. As a result of those policies and practices pursued by the Israeli authorities regarding land and water in the occupied Palestinian and other Arab territories, the area of Arab land under irrigation has been reduced, while irrigated areas in the Israeli settlements have been increased. Economic and living conditions in the occupied territories have consequently continued to deteriorate.

I. LAND AND WATER RESOURCES AND USES THEREOF IN ISRAEL AND THE OCCUPIED PALESTINIAN AND OTHER ARAB TERRITORIES

A. Background

3. As a result of its occupation of Palestinian and other Arab territories in June 1967, Israel gained full military control of all the land and water resources of the West Bank and the Gaza Strip, in addition to the greater part of the Syrian Arab Golan. As a consequence, a total of 7,113 km² (West Bank: 5,573 km²; Gaza Strip: 360 km²; Syrian Arab Golan: 1,180 km²) with a population of 1,510,000 according to the 1988 census (West Bank: 900,000; Gaza Strip: 600,000; Syrian Arab Golan: 10,000) fell under Israeli administrative control. Table 1 shows basic land and water indicators for Israel and the occupied Palestinian and other Arab territories.

4. As a result of the 1982 Israeli invasion, Israel gained complete control of the land and water resources of southern Lebanon, particularly in the lower Litani River basin.

5. Between the occupation of the West Bank and the Gaza Strip in 1967 and the end of 1989, the Israeli military authorities issued over 2,000 military orders and laws regarding the occupied Palestinian and other Arab territories, including those relevant to water. A series of measures was taken by which the laws in force in the West Bank and the Gaza Strip before the Israeli occupation were abrogated. Furthermore, restrictions were imposed on agricultural expansion and the use of water by the Palestinian Arab inhabitants.

6. Israel and the occupied Palestinian and other Arab territories are situated in the arid or semi-arid regions of the world and their water resources are limited. The 1979 Israeli Bear report gives the annual water supply in an average year, as shown in table 2.

Table 1. Basic land and water indicators for Israel and the occupied Palestinian and other Arab territories

(1 dunum = 1,000 m²)

	West Bank	Gaza Strip	Israel
Total area (dunums)	5 573 000	360 000	20 000 000
Population (1988)	900 000	600 000	4 300 000
Area of land cultivated (dunums)	2 100 000	214 000	4 250 000
Area of land irrigated (dunums)	110 000	120 000	1 850 000
Percentage of total land cultivated	38	59	21
Percentage of total land irrigated	5	56	44
Annual water consumption for irrigation (million m ³)	95	80	1 320
Annual water consumption for households (million m ³)	27	21	325
Annual water consumption for industry (million m ³)	3	2	125
Total annual water consumption (million m ³)	125	103	1 770
Total per capita water consumption (m ³)	139	172	411
Per capita water consumption per household (m ³)	30	35	75
Per capita water consumption for industry (m ³)	3.3	3.3	29
Per capita water consumption for irrigation (m ³)	106	133	307

Source: Israeli land and water policies and practices in the occupied Palestinian and Arab territories, unpublished study in Arabic (Economic and Social Commission for Western Asia, Baghdad, 1990), p. 8.

Table 2. Long-term potential mean yield of conventional water sources in Israel

(Millions of cubic metres per year)

Water source	Fresh	Saline	Total
Sea of Galilee (Kinneret) Basin (surface and groundwater)	570	20	590
Groundwater			
(a) wells (not including Galilee Basin)	699	125	824
(b) springs	75	97	172
Runoff water	135		135
Reclaimed waste water	325		325
Total	1 804	242	2 046

Source: K. K. Framji, B. D. Garg and S. D. L. Luthra, eds., Irrigation and Drainage in the World: a Global Review, 3rd edition (New Delhi, International Commission on Irrigation and Drainage, 1982), vol. II, p. 657.

7. The total available annual water resources are thus estimated at 2,046 million m³, which represents approximately 20 per cent of the annual rainfall.

8. The annual water consumption in Israel was published by the Water Commission of the Israeli Ministry of Agriculture in February 1981, as shown in table 3.

9. The Water Commission estimated that the average yearly increase in water consumption was approximately 6 per cent and that the total annual water supply in Israel and the occupied Palestinian and other Arab territories as a whole would reach in 1990 a maximum of 2,070 million m³. On the basis of population projections, and assuming constant per capita water consumption, the projected water demand by the year 2000 for Israel and the occupied Palestinian and other Arab territories would be faced with a deficit of 828 million m³ of water annually. 1/

Table 3. Average annual water consumption in Israel
 (Millions of cubic metres)

Consumer	Water quality	Annual water consumption	
		1979	1990 (estimated)
Agriculture	Sweet	1 210	960
	Brackish (treated)	120	155
	Waste water (treated)	60	230
Subtotal		1 390	1 345
Domestic and industrial	Sweet	300	540
Losses		40	40
Total		1 730	1 925

Source: K. K. Framji, B. D. Garg and S. D. L. Luthra, eds., Irrigation and Drainage in the World: Global Review, 3rd edition (New Delhi, International Commission on Irrigation and Drainage, 1982), vol. II, p. 662.

B. Land and land use in the occupied Palestinian and other Arab territories before the 1967 Israeli occupation

10. The terrain and the prevailing agricultural patterns in the West Bank, the Gaza Strip and the Syrian Arab Golan are briefly described below.

1. The West Bank

11. The Ghor area is lowland terrain ranging from about 240 m below sea level near Ghor Toubas-Bardala in the north to about 392 m below sea level at Ain al-Fashkha south of Jericho. The lowland area is locally known as the Ghor and comprises the western Jordan Valley. The area contains very fertile land and has substantial groundwater potential in the Ghor as well as the adjacent western escarpment flanking the Jordan Valley. In the decades preceding the Israeli occupation, Palestinian farmers were able to develop and fully reclaim this land to provide local and external markets with vegetables, citrus, bananas and other produce. It was one of the mainstays of agricultural growth in the West Bank.

12. The uplands include the regions of Hebron, Jerusalem and Nablus. Agriculture underwent rapid development in this area during the decades preceding Israeli occupation. Both rainfed and irrigated orchards of various types of fruit trees were cultivated, and grapevines covered large areas in this region. Olive trees were also grown and the region became famous for its olive oil, grapes and other fruit trees. Production met local market needs and was also exported, especially to the Arab Gulf countries. Grain crops such as wheat, barley and maize were also grown.

13. The semi-coastal region is situated in the north-west of the West Bank around the towns of Jenin and Tulkarm and surrounding villages. In this area, olive, citrus and other fruit trees were cultivated, and crops were grown, using both rainfed agriculture and groundwater irrigation schemes.

14. The total area of the West Bank is approximately 5.5 million dunums. According to the results of the 1965 agricultural census, agricultural holdings in the West Bank were typically small-scale: approximately 36 per cent were under 10 dunums and 70 per cent were under 50 dunums; these holdings consisted of small and usually dispersed parcels. Taking into consideration demographic developments in the area, it is clear that there is an increasing tendency for the size of these holdings to shrink further with time.

15. Following the establishment of Israel, Palestinians from the coastal region were forced to migrate towards the West Bank and East Bank of the Jordan. As a result unemployment rose and both banks of the Jordan faced a difficult economic situation in the early 1950s: 50 per cent of the labour force there worked in agriculture, which suffered from underemployment. However, strenuous development efforts enabled agriculture to double its contribution to the gross domestic product (GDP) from 14.2 million Jordanian dinars (JD) in 1954 to JD 27.7 million in 1966. According to the population and housing census of 1961, 35 per cent of the labour force in the West Bank worked in agriculture.

16. The Jordanian 1964-1970 Development Programme, which it was not possible to implement fully owing to the 1967 Israeli occupation of the West Bank, was aimed at increasing the area of agricultural land in the West Bank in order to raise the level of income from agriculture and improve the standard of living of farmers by increasing agricultural production through both horizontal and vertical expansion.

17. Statistics available indicate that 30 per cent of the agricultural land in the West Bank before 1967 depended on irrigation. The intention was to increase the area of land under irrigation to 40 per cent by the end of the Development Programme in 1970. The Programme also aimed at increasing the area of land planted with fruit trees and, in particular, at doubling the area planted with olives, almonds, grapes and other fruit trees, as well as various types of vegetables. In order to achieve those objectives, the Jordanian Government concentrated its efforts on providing easy-term loans to farmers. A special agricultural credit institution was established that offered both

West Bank and East Bank farmers medium- and long-term loans in order to enable them to redouble their efforts to exploit more land and to help them to expand their use of agricultural machinery, irrigation and fertilizers. Agricultural support services were also set up and agricultural research, extension and other services were expanded. Those supporting services provided by the Jordanian Government were needed because investment in agriculture was mainly from the private sector. The Government's responsibility was concentrated on providing those services which would enable the agricultural sector to make a growing contribution to food security and to increase its share of the GDP.

18. Government land in the West Bank was used for grazing. At that time, Jordan was self-sufficient in red meat and other livestock produce. Consequently, the dairy and leather products sectors flourished in the West bank, especially in the Hebron area and the eastern uplands.

2. Gaza Strip

19. The Gaza Strip is approximately 360 km² in area and is primarily privately owned. Agricultural holdings, as in the West Bank, are typically small-scale. The reclamation of land for agriculture had been proceeding at a growing pace in the decades leading to the June 1967 war. The private sector played an important and beneficial role in the development and exploitation of agricultural land during that period. The Gaza Strip was famous for its citrus orchards and dried fruit. Vegetables and other fruit produce were exported to Egypt and other countries, especially the Gulf Cooperation Council (GCC) countries. In the wake of the events of 1948, the Gaza Strip suffered from increased numbers of immigrants from Palestinian towns and villages that had become subject to control by Israel. Refugees were housed in camps throughout the Gaza Strip, which meant that the potential for horizontal agricultural expansion was limited. That led to a trend towards vertical expansion by encouraging farmers to use modern agricultural methods and chemical fertilizers in order to increase their production. Agriculture made considerable progress, bringing economic progress and a rising standard of living to local inhabitants in the years before the 1967 Israeli occupation.

3. Syrian Arab Golan

20. The Syrian Arab Golan comprises the upland plateau flanking the Haula Plain and the Sea of Galilee. In addition to Mount Hermon (2,814 m), with its substantial water resources, there are two main mountain ranges in the Golan: the first extends from the north-west to south-east towards the town of Quneitra and the second extends south-east from south of Quneitra to the village of El-Rafid.

21. The Golan has a large number of deep, abrupt valleys carved out by abundant winter rains and floods. They run west-south-west, carrying natural tributaries to the eastern banks of the Sea of Galilee and the right bank of the Yarmuk River.

22. The occupied Syrian Arab Golan is a fertile agricultural area and is well known for the cultivation of fruit, especially apples, almonds and grapes, in addition to vegetables and other crops. Agriculture and animal husbandry were the main sources of livelihood of the local inhabitants before the Israeli occupation of their land in June 1967. In the Syrian Arab Golan, agricultural land is owned mainly by small farmers whose holdings are small and dispersed.

C. Water resources in the occupied Palestinian and other Arab territories

23. In Israel and the occupied Palestinian and other Arab territories, rainfall decreases from north to south and from west to east with averages ranging from 700 mm per year in the region of Safad in the north to 50 mm per year near the Gulf of Aqaba in the south and 600 mm per year at Nahariya in the west to 150 mm per year near the Dead Sea. Rainfall is relatively abundant in the West Bank, ranging in an average year from 650 mm in the north to 300 mm in the south.

24. The average annual rainwater supply in the West Bank is approximately 2,800 million m³ and the average annual rainwater supply in Israel and the occupied Palestinian and other Arab territories does not exceed 10,000 million m³. That means that the rainwater resources in the West Bank alone represent over 25 per cent of the total rainwater resources. It is estimated that this annual rainfall is distributed as follows:

2,800 million m³ = 1,900 million m³ lost through evaporation
+ 625 million m³ to groundwater basins
+ 225 million m³ to rivers (Jordan, 'Auja)
+ 50 million m³ as runoff.

25. In view of the extreme importance of groundwater basins in the West Bank and the Gaza Strip, the hydrogeological characteristics of these basins are given in tables 4 to 6.

26. In the Gaza Strip, a bulletin published by the Israeli military governor in 1980 indicated that there were 1,775 artesian wells, from which approximately 120 million m³ of water was pumped annually. Annual rainfall in the Gaza Strip is estimated at approximately 300 to 400 mm, which serves to recharge the aquifers with approximately 70 to 80 million m³ of water, in addition to groundwater that flows into the Gaza Strip from the east. There is thus an estimated annual shortfall in the groundwater supply in the Gaza Strip of approximately 15 to 20 million m³. This depletion of groundwater has been one of the main reasons for intrusion by sea water into the aquifers and a rise in chlorine content to dangerous levels. Groundwater salinity in the Gaza Strip shows a constant deterioration year after year.

Table 4. North-eastern groundwater basin

Groundwater basin	Aquifer	Total pumped and/or spring discharge (million m ³ per year)	Recharge	Area (km ²)
Nablus/Jenin	Upper and Lower Cenomanian	92-114	80-95	300
Gilboa/Ta'nakh	Eocene	35	40-50	

Source: Economic and Social Commission for Western Asia; Arab Organization for Agricultural Development, Food Security in the West Bank and Gaza Strip (E/ESCWA/AGR/85/4) (Baghdad, United Nations; League of Arab States, 1985), p. 59.

Table 5. Western groundwater basin

Groundwater basin	Aquifer	Total pumped and/or spring discharge (million m ³ per year)	Recharge	Area (km ²)
Auja/Timsah	Upper and Lower Cenomanian	380-400	350-370	1 300
Hebron/Beer Sheba	Upper and Lower Cenomanian	20-21	16.6-21	300

Source: Economic and Social Commission for Western Asia; Arab Organization for Agricultural Development, Food Security in the West Bank and Gaza Strip (E/ESCWA/AGR/85/4) (Baghdad, United Nations; League of Arab States, 1985), p. 57.

Table 6. South-eastern groundwater basin

Groundwater basin	Aquifer	Total pumped and/or spring discharge (million m ³ per year)	Recharge	Area (km ²)
Bardala	Upper and Lower Cenomanian	9-11	3-6	90
Bugei'ah/ El-Malih	Eocene and Upper and Lower Cenomanian	2	2-3	66
Fare'a	Neogene and Pleistocene	9-10	9-15	145
Fasayel/ Auja	Upper and Lower Cenomanian	12.5-15	24-40	610
Ramallah/ Jerusalem	Upper and Lower Cenomanian	25	50-70	610
Desert south of Jerusalem	Upper and Lower Cenomanian	6.2-6.7	35-40	590

Source: Economic and Social Commission for Western Asia; Arab Organization for Agricultural Development, Food Security in the West Bank and Gaza Strip (E/ESCWA/AGR/85/4) (Baghdad, United Nations; League of Arab States, 1985), p. 60.

27. Average annual rainfall on the Syrian Arab Golan is estimated at approximately 1,500 million m³, most of which seeps into the aquifers to form the sources of the northern tributaries of the Jordan River. Before 1967, the Arab inhabitants numbered approximately 100,000 and their annual water consumption was about 12.5 million m³. Most of those inhabitants left during the 1967 war, leaving only some 10,000 Syrian Arabs in the occupied Golan in 1988. 2/

28. Hydrologically, the Syrian Arab Golan is divided into two main watersheds: one has an area of 950 km² and empties into the Sea of Galilee; the other has an area of 200 km² and flows into the Raqqad Valley. However, the Golan lacks sources of water suitable for use on a large scale. Numerous small springs are found scattered throughout the area, but cannot be used for water projects. A number of wells have been drilled in the north and centre of the Golan; however, their yield has been low. Available water resources do not exceed 20 million m³ annually. 2/ For that reason, Israel pumps the greater part of the current water needs of the Israeli settlements for domestic purposes and irrigation from the Sea of Galilee. The Kursi project was established on the East Bank of the Sea of Galilee and currently pumps approximately 13 million m³ of water per year to an altitude of over 600 m. 3/

II. ISRAELI POLICIES AND PRACTICES REGARDING LAND AND SETTLEMENT

A. Israeli policies and practices

29. Israeli land and water policies in the occupied Palestinian and other Arab territories formed an integral part of the strategy of settlement as the key mechanism for Israeli control of those territories.

30. Two distinct phases of Israeli settlement policies can be identified. The first, from 1968, was concurrent with the coalition (Labour party) Government. The second, from 1978 to the present, coincides with the Likud administration (1978-1984) and the Government of national unity (1984-present). 4/

31. Israeli settlement policies are aimed at bolstering the Israeli economy and creating an integrated economic, agricultural and industrial base. Agricultural settlements were established on the most fertile land and on suitable sites (type of soil, abundance of groundwater, etc.).

32. Regarding industrial activities of the settlements Yigal Allon stated:

"The idea behind the industrially based settlements on the Golan and in parts of Judea and Samarea is that it is not enough to establish small settlements based on agriculture in strategically vital zones. If we are to have a large population in these areas, industrially based townlets are needed". 5/

33. The types of investment directed to settlements, as shown in table 7, reflect the integrated economic and social activities.

Table 7. Investment in settlements, 1968-1987

	Investment						Remarks
	Units			(millions of United States dollars)			
	1982	1984	1986	1982	1984	1986	
Housing: apartments	12 400	16 900	17 950	690	929	987 40.7*	Including temporary, under construction
Industrial production	1 260	1 610	2 362	328	418	614 25.4*	Thousand m ²
Agriculture	55	55	55	55	75	95 3.9*	Thousand dunums
Water	..	..	..	122	142	162 6.7*	Main and local grids
Roads	200	-	288	75	90	101 4.2*	Km paved
Telecommuni- cation	2 400	9 000	15 850	15	23	39 1.6*	Subscribers
Electricity	..	..	..	15	25	30 1.3*	Estimate, excluding East Jerusalem Electric Corporation
Education	..	336	432	-	40	51 2.1*	Classrooms
Health clinics (ambulances)	..	71	98/61	..	4	7 0.3*	Clinics/ ambulances
Unspecified	..	..	..	350	325	335 13.8*	WZO, transport community services, etc.
Total				<u>1 550</u>	<u>2 071</u>	<u>2 421</u> 100	

Source: Meron Ben Venisti and Shalomo Khayat, The West Bank and Gaza Atlas (Jerusalem: West Bank Data project, The Jerusalem Post, 1988), p. 32.

* Percentage of total 1986 investment.

34. The establishment of integrated Jewish communities in the occupied Palestinian and other Arab territories does not take into account the interests of the Arab population. According to the West Bank Data Base project, the average annual increase in the number of settlers in the first decade was 770 (peak 2,300), while in the second decade the average annual increase was 5,960 (peak 16,646). 4/ According to a study prepared by the United Nations Conference on Trade and Development (UNCTAD), in 1987, 1 per cent of the 12,900 new immigrants to Israel settled in the West Bank (including East Jerusalem) or the Gaza Strip. That proportion was expected to have reached 5 per cent for 1990 (TD/B/1266, p. 7).

35. Israeli authorities continue to provide material incentives to encourage settlement in the West Bank and Gaza Strip.

"These include disproportionately high public investment in settlements compared to similar-size Israeli localities, stronger investment incentives accorded to industrial zones in the settlements, higher housing subsidies and lower land value assessments for home building schemes in the settlements, income and other tax relief granted to settlers, the higher regular (maintenance) public expenditures on services in settlements and higher government per capita budget grants to settlements than to localities in Israel itself" (ibid., p. 19).

36. Concern has been expressed at the growing number of settlements in all the territories occupied by Israel since 1967, including Jerusalem, particularly in the light of the influx of immigrants to Israel in recent years. The establishment of such settlements stands in violation of the provisions of both the Fourth Geneva Convention and Security Council resolution 465 (1980), by which the Council determined that all measures taken by Israel to change the physical character, demographic composition, institutional structure or status of the occupied Arab territories had no legal validity.

37. Since its occupation of the West Bank, the Gaza Strip and the Syrian Arab Golan in June 1967, Israel has used the following laws and regulations to seize Arab land:

(a) The Law of Expropriation of Land in the Public Interest, enacted by the British mandatory authorities in Palestine in 1943;

(b) The Emergency Defence Law, enacted by the British mandatory authorities in Palestine in 1945;

(c) The Emergency Law for the Utilization of Unproductive Land, enacted in 1948 by Israel. This law was drawn up to enable the Israeli Minister of Agriculture to exercise his power to confiscate land if he was convinced that the owner did not intend to use it for agricultural purposes. It has also been used in the occupied territories from 1967 until the present;

(d) The Law of Confiscation of Property and Real Estate, enacted by Israel in 1949. By virtue of this law, the Israeli authorities have the right to confiscate any property or real estate which they believe to be vital to Israeli national security. This law has been used extensively since the Israeli occupation of the West Bank and Gaza Strip, as well as the Syrian Arab Golan, to confiscate Arab land and sources of water;

(e) The Absentee Property Law, decreed by the Knesset on 14 March 1950 in replacement of the Emergency Law issued on 19 December 1949 concerning the seizure of absentee property. Since it was issued, this law has been used to seize the property of persons the Israeli occupation authorities consider to be absent or resident abroad. By 1976 Israeli land experts completed the survey of absentee and government properties and took possession of these categories of land by virtue of orders No. 58 and 59. 6/

38. On the basis of these laws and regulations, between June 1967 and the end of 1990 the following land areas were confiscated:

(a) A total of 2,895,642 dunums in the occupied West Bank, representing 52.6 per cent of the total land area of the West Bank; 7/

(b) A total of 153,475 dunums in the Gaza Strip, representing 42.3 per cent of the total land area of the Gaza Strip;

(c) 69.4 per cent of the total land area of the Syrian Arab Golan.

39. The confiscation of land has been the first step in the establishment of Israeli settlements in the occupied territories, using an integrated range of practices and measures, which may be summarized as follows:

(a) Preparing the necessary plans as a preliminary step to confiscating land from Arab farmers;

(b) Sending survey teams to determine the location and area of land intended for confiscation;

(c) Issuing the confiscation order;

(d) Sending official notification to local inhabitants and land owners that their land has been confiscated;

(e) Sending an order to inhabitants of the area concerned forbidding them to trespass on the confiscated land, and declaring it off limits for security reasons;

(f) Fencing off confiscated land with barbed wire;

(g) The Israeli army, in collaboration with Israeli settlers in the area, prevents Arab farmers from entering their confiscated land and from exploiting it in any way, whether by sowing crops, picking fruit or grazing animals;

(h) Advising the relevant authorities in Israel to implement the settlement plan on the confiscated land, or to establish a new settlement through the following arrangements and facilities:

- (i) Machines and equipment are sent in to lay and pave roads across the confiscated land and to uproot fruit trees there;
- (ii) Construction work is begun by Israeli contractors according to the plans for the intended settlement;
- (iii) The executing authority endeavours to market the new housing units in the new settlement to Israelis at prices lower than those in Israeli towns and villages;
- (iv) Settlers in the new settlement are usually armed.

40. Israeli settlements cover large areas of the Syrian Arab Golan and the Gaza Strip and are spread throughout all parts of the West Bank in the form of clusters of settlements surrounding Arab towns and villages. These settlements are linked by a network of highways to each other and to Israeli population centres.

41. In connection with this plan, the Israeli authorities are building a network of roads in order to develop their settlement plan in the West Bank. Among the main road projects being executed are the following:

(a) Route 50, approximately 55.5 km long: it has been decided that this road shall cut across the West Bank from north to south and from east to west dividing it into four quarters. The construction of this road will require some 8,000 dunums of Palestinian land;

(b) Route 60, which is to link Jerusalem with the settlement of Gush Etzion north-west of Hebron: this road will traverse vineyards and fruit orchards in the region south of Jerusalem and pass through a number of rural population centres in that region. Large areas of land have been expropriated in order to build this road.

42. Furthermore, other roads have been built as part of the Israeli settlement plan, such as the settlement ring road around the Arab town of Qalqilya in the north-west of the West Bank.

B. Economic and social consequences

43. The Israeli settlement policies and practices have had serious consequences on the economic and social conditions of the Palestinian and Arab people under occupation and on their potential for development.

44. A study prepared by UNCTAD on recent economic developments in the occupied Palestinian territory (TD/B/1142) indicated that the policy,

practices and measures of the Israeli occupation of the West Bank and the Gaza Strip had brought about radical changes in the structure of their economy, which had adversely affected economic growth and development. Agriculture remained the backbone of development in the occupied Arab territories, despite its declining contribution to GDP. That study demonstrated clearly that the total cultivated area had decreased from 36 per cent in 1966 to 27 per cent in 1984 of the total land area of the occupied West Bank, and in the occupied Gaza Strip from 55 per cent of total area in 1966 to 28 per cent in 1985.

45. Confiscation of land had adversely affected agricultural production and income in the West Bank and the Gaza Strip; income from agriculture declined from 1,505 million shekels in 1978 to 1,488 million shekels in 1984 in constant 1980 prices. As a result, according to another study of UNCTAD (UNCTAD/EI/SEU/4), the share of agriculture in GDP declined in constant prices from 32 per cent in 1978 to 28 per cent in 1984.

46. According to the same study, income from agriculture in the West Bank declined from \$US 237 million in 1981 to \$US 204 million in 1985. In the Gaza Strip it declined from \$US 66 million in 1981 to \$US 61 million in 1985, in spite of the fact that farmers were making increasing use of modern techniques in order to improve agricultural production in those areas.

47. As a result of the negative impact of the confiscation of agricultural land in the West Bank and the Gaza Strip, employment in agriculture fell from 38.7 per cent of the total workforce in 1970 to 24.4 per cent in 1985.

48. According to the report of the International Labour Organisation (ILO) on the situation of workers of the occupied Arab territories, submitted to the International Labour Conference at its 77th session, in 1990, "Endogenous development efforts are frequently frustrated or undone for administrative or security reasons". 8/ While evaluating Israeli policies and practices on the agricultural sector, the impact of the report highlighted the following points:

(a) "Agriculture remains the backbone of the economy but performance over the decade has been disappointing for lack of land, water and markets."; 9/

(b) Despite increased productivity as a result of the introduction of new technologies in agriculture, the new corresponding marketing opportunities were lacking; 10/

(c) "Agricultural employment in [the occupied] territories dropped from almost 60,000 workers in 1970 to 38,500 workers in 1987." The share of agricultural employment also dropped from 40 per cent to around 25 per cent. "In other words, thousands of workers left because they or their employers had lost their land or could not expand for lack of water; or because they could not compete in the home market with subsidized imports from Israel; or because they found barriers to buying farm inputs or to selling their products abroad". 10/

49. The reduction in the number of job opportunities and the spread of unemployment have been among the adverse consequences of the confiscation of agricultural land in the occupied Palestinian and other Arab territories, and have led to an increase in the numbers of workers from the occupied territories emigrating to Jordan and the GCC countries in search of a source of livelihood. A report published by the Arab Labour Organization in 1982 indicated that between 1967 and 1981, 140,000 workers had emigrated to those countries in search of work.

50. Mention should also be made of the uprooting of fruit trees by the Israeli authorities from the land of Arab farmers in the occupied territories. The Israeli newspaper Ha'aretz (29 March 1989) noted that the Israeli authorities had uprooted 23,400 trees in the occupied territories during the first year of the intifadah.

51. A survey of the fruit trees uprooted from Arab farmers' land in the occupied territories was published in the 1989 annual report of the Jordanian Ministry of Labour, as shown in table 8.

Table 8. Destruction of trees and crops, 1989

Month	Olive trees uprooted	Citrus trees uprooted	Other fruit trees uprooted	Number of Arab towns and villages affected
January	2 285	210	90	14
February	925	105	200	10
March	1 417	-	330	9
April	3 337	100	7 000	16
May	4 110	2400 dunums of crops ploughed under.	12 dunums of grapes.	22
June	847	50 dunums of crops ploughed under.	550 dunums sprayed with chemical substances.	10
July	120	300	3	8
August	2 033	112	4 dunums ploughed under.	12
September	621	380	430	12
October	177	60	2 620	14
November	251	30	-	5
December	805	-	-	6

Source: Compiled from Government of Jordan, Ministry of Labour, Research Department, The impact of Israeli policies and practices on the conditions of Arab workers in the occupied Arab territories (published in Arabic), Annual report 1989 (Amman, January 1990).

52. Accordingly, the number of fruit trees uprooted in 1989 from Arab farms through actions by the occupation authorities connected with the confiscation of Arab land was no less than 30,000, of which 16,928 were olive trees. The number of towns and villages affected by these actions in the same year was 138.

53. Israeli policies and practices concerning land and settlement in the Syrian Arab Golan had the following consequences:

(a) A constant increase in the population of Israeli settlers in the Golan. The non-Israeli population increased by 13.2 per cent during the period from June 1983 to December 1988, while the Israeli population increased by 41 per cent during the same period; 11/

(b) The sharing with the Arab population and exploitation of the limited agricultural and water resources of the Golan by the Israeli settlers has aggravated the difficulties facing the Arab economy, which relies mainly on agricultural activities and resources (fertile soil, pasture and water resources). The ILO report states the following: "In the view of the Arab inhabitants of the Golan these difficulties are due to the state of occupation, aggravated by the annexation and the presence of the settlers"; 12/

(c) The marketing of apples, which constitute the only exportable product, has been subjected to certain restrictions and competition from the Israeli settlements; 13/

(d) The amount of agricultural land owned by the Arab population has been reduced. According to the ILO report, "Druse spokesmen also told the Director-General's representatives that the village of Mas'ada had a total area of 3,000 dunums of fertile land, but that only one third, 1,000 dunums, had been left to the Arab villagers". 14/

III. ISRAELI POLICIES AND PRACTICES REGARDING WATER

A. Israeli policies and practices

54. The Israeli military commander issued Order No. 92 on 15 August 1967 conferring what were called Mandatory Powers in respect of Water Regulations (translated from Arabic). This order was followed by numerous others all aimed at making basic modifications to the water laws and regulations in force on the eve of the June 1967 war in the West Bank, the Gaza Strip and the Syrian Arab Golan. One of the orders issued at that time, Order No. 158, enabled the Israeli occupation authorities to place the following restrictions on water resources:

(a) Water installations could not be built, assembled, owned or operated without a permit from the Israeli military governor;

(b) Applications should be submitted to the military Governor for permits to exploit groundwater or to execute any irrigation project, and the military governor had full power to grant or withhold permits without giving any reason in case of a refusal. 15/

55. By virtue of that order, permits were given to Israeli settlers to drill deep artesian wells close to shallower Arab wells, which thus dried up, harming crops, since the water had been drawn off to the Israeli wells.

56. A series of military orders has been issued by the Israeli military Governors in the occupied West Bank, the Gaza Strip and the Syrian Arab Golan; of those concerning water, the most important are the following:

(a) Order No. 92 of 15 August 1967 on water resources and water use in the occupied West Bank;

(b) Order No. 158 of 30 October 1967 amending the law on supervision of water in the West Bank;

(c) Order No. 498 of 4 November 1974 on water in the Gaza Strip.

57. All of those military orders have stipulated rules and regulations regarding water and water transfer, extraction, consumption, sale and distribution, the control of water use, water sharing and rationing, consumption of water, the construction of water installations, the drilling of wells, the granting of permits and all matters regarding water resources, whether groundwater or surface water, including springs, ponds, streams and rivers, as well as the setting of prices and quantities allowable for use by indigenous Arab inhabitants and farmers in the occupied Palestinian and other Arab territories. At the same time, these orders have made it easier for the Israeli authorities and settlers to seize and utilize water in the occupied territories. 16/

58. As a result of the foregoing, the Israeli authorities have gained control over water resources in the West Bank, the Gaza Strip and the Syrian Arab Golan. Other measures that have been taken include the following:

(a) Since its occupation of the Golan, Israel has established over 20 settlements, in addition to several industries and research centres. In accordance with the Jewish Agency Plan, each settlement is given 4,500 dunums of agricultural land, of which 2,500 dunums are used for grain crops under irrigation, 500 dunums for trees and 1,500 dunums for various other crops. Israel estimates that the water needs of its settlements in the Golan, according to their plans, will reach approximately 46 million m³ per year, distributed as follows: 17/ (i) 8.7 million m³ per year for settlements in the north of the Golan; (ii) 6.0 million m³ per year for settlements in the centre of the Golan; and (iii) 31.6 million m³ per year for settlements in the south of the Golan. The expected sources of water are: (i) 16 million m³ per year from the Sea of Galilee; (ii) 11 million m³ per year from the Hemmah springs and from the River Jordan;

(iii) 10 million m³ per year from wells and springs in the Golan Heights; and (iv) 9 million m³ per year from the construction of small dams to collect runoff;

(b) The Israeli company Mekorot has been given responsibility for all drilling operations for artesian wells throughout the occupied Arab territories. In Golan, Mekorot has a monopoly whereby every inhabitant must ask Mekorot for permission to collect rainwater. The Arab inhabitants of the Golan have been forced to demolish some of their own reservoirs and the Israeli army has dynamited a number of others. 18/ At present, only three or four reservoirs are authorized out of approximately 400 that had been built after the inhabitants adopted the system of collecting and using rainwater through reservoirs;

(c) The Israeli Water Board has been given responsibility for all operations regarding water distribution in the occupied Palestinian and other Arab territories and it has been allowed to install water metres in the artesian wells owned by Arab farmers in order to control the quantities of water extracted;

(d) In accordance with the military orders and administrative measures regarding water referred to above, the Israeli authorities have imposed tight restrictions on water use in the West Bank, the Gaza Strip and the Golan, where Arab farmers are prohibited from drilling artesian wells to irrigate the land they own. Permits are sometimes granted to drill wells to depths not exceeding 60 metres and for domestic purposes only. Israelis in the settlements are allowed to drill to depths of up to 500 metres;

(e) Owing to the sealing off of many agricultural areas as closed security areas, several hundred water pumps owned by Arab farmers, which were used to pump water from the Jordan River to irrigate their farms in the Ghor region of the West Bank, have been destroyed. Irrigation canals which supplied Arab farms in the region of El-Jiftlik with water have also been damaged. That has had an adverse effect on the agriculture and the economic and social life of that region;

(f) Citrus trees have been uprooted and Arab farmers have been prevented from planting new citrus trees, both in the Ghor region of the West Bank and in the Gaza Strip. In the Golan Arab farmers have also been prevented from planting apple and other fruit trees;

(g) Ram Lake, the largest body of water in the Golan, has been seized by the Israeli authorities. As a result, villages in the Golan have suffered a critical shortfall in drinking and irrigation water, while the water of Ram Lake has been diverted to Israeli settlements to satisfy the needs of the settlers and their agricultural and industrial projects in the area.

B. Economic and social consequences

59. The consequences of Israeli policies and practices regarding water may be described as follows:

(a) A state of conflict and competition over land and water resources has arisen and continues to prevail. That has had an adverse impact on the living conditions of Palestinians. The Israeli settlements in Jordan valley, for example, are in direct competition with the Arab villages for the limited resources of the West Bank; 19/

(b) The usable groundwater reserves in the West Bank are estimated at approximately 600 million m³ per year. The Israeli occupation authorities are currently pumping approximately 500 million m³ per year, leaving only 100 million m³ per year for use by the West Bank, or 16.6 per cent of the water available in the West Bank;

(c) The deep wells drilled by the Israeli authorities in the occupied Palestinian and other Arab territories has affected the level and quantity of water in Arab wells, resulting in a reduction of their productive capacity and the drying up of some of those wells and thus the drying up of agricultural land that depended on those wells for irrigation water;

(d) Overexploitation of groundwater in the Gaza Strip and the great increase in water use by settlers in Israeli settlements has resulted in increased salinity through seawater intrusion. Approximately 50 per cent of the wells in the Gaza Strip have become unfit for human use and most of them are unfit for irrigation due to the high salinity levels;

(e) As in the West Bank and the Gaza Strip, the continued arbitrary practices of the Israeli occupation authorities aimed at confiscating land and gaining control of water resources in the occupied Syrian Arab Golan have reduced the area under cultivation, curtailed local development potential and lowered the local level of income from work in agriculture.

Notes

1/ Al-Mostakbal Study Centre, From the waters of the (West) Bank to the Yarmuk dam: the Danger Triangle, Al-Mostakbal (Arabic weekly magazine published in Paris), No. 545, 1 August 1987, p. 32.

2/ See International Labour Office (ILO), Report of the Director-General: Appendices (vol. 2), Appendix II: "Report on the situation of workers in the occupied Arab territories" (Geneva, 1990).

3/ Mounir Ashlaq, Water and water use in Palestine, in Economic and Social Commission for Western Asia, Proceedings of the Ad Hoc Expert Group meeting on Water Security in the ESCWA region, Damascus, 13-16 November 1989 (E/ESCWA/NR/1990/3) (Baghdad, 1990), p. 318.

Notes (continued)

4/ Meron Benvenisti and Shlomo Khayat, The West Bank and Gaza Atlas (Jerusalem: West Bank Data Base project, The Jerusalem Post, 1988), p. 32.

5/ William Wilson Harris, Taking Root: Israeli settlement in the West Bank, the Golan and Gaza Sinai, 1967-1980 (Research Studies Press, 1980), p. 184.

6/ Meron Benvenisti, The West Bank Data project: A survey of Israel's Policies (Washington, D.C., American Enterprise Institute - Studies in foreign policy, 1984), p. 32.

7/ Government of Jordan, Ministry of Labour, Research Department, The impact of Israeli policies and practices on the conditions of Arab workers in the occupied Arab territories (published in Arabic), Annual report 1990 (Amman, January 1991), pp. 107-113.

8/ ILO, op. cit., para. 17.

9/ Ibid., para. 21.

10/ Ibid., para. 41.

11/ Ibid., para. 109.

12/ Ibid., para. 110.

13/ Ibid., para. 113.

14/ Ibid., para. 114.

15/ Department of the Affairs of the Occupied Homeland, Israeli designs on West Bank water (published in Arabic), Study No. 1 (Amman, Ibn Rushd Publishers and Distributors, 1987), pp. 15-16.

16/ Ibid., pp. 16-31.

17/ Adel Abdel-Salam, "Water in Palestine", in Palestine Encyclopedia, Part Two, vol. 1, Geographic studies (Beirut, 1990), p. 258 (in Arabic).

18/ ILO, op. cit., para. 111.

19/ David Kahan, Agriculture and water in the West Bank and Gaza (Jerusalem, The West Bank Data Base project, 1983), pp. 165-166.