increased. Partial, sporadic and half-hearted measures will not suffice. On the occasion of this anniversary, we have proclaimed the 1970s to be the Second United Nations Development Decade, which coincides with and is linked to the Disarmament Decade, and have adopted the International Development Strategy for the Second United Nations Development Decade.[5] We urge all Governments to give their full support to its most complete and effective implementation in order to realize the fundamental objectives of the Charter.

10. The new frontiers of science and technology demand greater international co-operation. We reaffirm our intention to make full use, *inter alia*, through the United Nations, of the unprecedented opportunities created by advances in science and technology for the benefit of peoples everywhere in such fields as outer space, the peaceful uses of the seabed beyond national jurisdiction and the improvement of the quality of the environment, so that the developed and developing countries can share equitably scientific and technical advances, thus contributing to the acceleration of economic development throughout the world.

11. The great increase in the membership of the Organization since 1945 testifies to its vitality; however, universality in terms of membership in the Organization has not yet been achieved. We express the hope that in the near future all other peace-loving States which accept and, in the judgement of the Organization, are able and willing to carry out the obligations of the Charter will become Members. It is furthermore desirable to find ways and means to strengthen the Organization's effectiveness in dealing with the growing volume and complexity of its work in all areas of its activities, and notably those relating to the strengthening of international peace and security, including a more rational division and co-ordination of work among the various agencies and organizations of the United Nations system.

12. Mankind is confronted today by a critical and urgent choice: either increased peaceful co-operation and progress or disunity and conflict, even annihilation. We, the representatives of the States Members of the United Nations, solemnly observing the twenty-fifth anniversary of the United Nations, reaffirm our determination to do our utmost to ensure a lasting peace on earth and to observe the purposes and principles embodied in the Charter, and express full confidence that the actions of the United Nations will be conducive to the advancement of mankind along the road to peace, justice and progress.

1883rd plenary meeting,
24 October 1970.

2628 (XXV). The situation in the Middle East

The General Assembly,

Seriously concerned that the continuation of the present grave and deteriorating situation in the Middle East constitutes a serious threat to international peace and security,

Reaffirming that no territorial acquisition resulting from the threat or use of force shall be recognized,

Deploring the continued occupation of the Arab territories since 5 June 1967,

Seriously concerned that Security Council resolution 242 (1967) of 22 November 1967, which was unanimously adopted and which provides for a peaceful settlement of the situation in the Middle East, has not yet been implemented,

Having considered the item entitled "The situation in the Middle East",

1. *Reaffirms* that the acquisition of territories by force is inadmissible and that, consequently, territories thus occupied must be restored;

2. *Reaffirms* that the establishment of a just and lasting peace in the Middle East should include the application of both the following principles:

(*a*) Withdrawal of Israeli armed forces from territories occupied in the recent conflict;

(*b*) 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 its right to live in peace within secure and recognized boundaries free from threats or acts of force;

3. *Recognizes* that respect for the rights of the Palestinians is an indispensable element in the establishment of a just and lasting peace in the Middle East;

4. *Urges* the speedy implementation of Security Council resolution 242 (1967), which provides for the peaceful settlement of the situation in the Middle East, in all its parts;

5. *Calls upon* the parties directly concerned to instruct their representatives to resume contact with the Special Representative of the Secretary-General to the Middle East in order to enable him to carry out, at the earliest possible date, his mandate for the implementation of the Security Council resolution in all its parts;

6. *Recommends* to the parties that they extend the cease-fire for a period of three months in order that they may enter into talks under the auspices of the Special Representative with a view to giving effect to Security Council resolution 242 (1967);

7. *Requests* the Secretary-General to report to the Security Council within a period of two months, and to the General Assembly as appropriate, on the efforts of the Special Representative and on the implementation of Security Council resolution 242 (1967);

8. *Requests* the Security Council to consider, if necessary, making arrangements, under the relevant Articles of the Charter of the United Nations, to ensure the implementation of its resolution.

1896th plenary meeting,
4 November 1970.

2632 (XXV). Rationalization of the procedures and organization of the General Assembly

The General Assembly,

Recognizing that the growth of its responsibilities and membership makes desirable a review of its procedures and the organization of its work,

Conscious of the fact that the United Nations is being increasingly called upon to meet new challenges and undertake new initiatives,

[5] Resolution 2626 (XXV).

ference on the Peaceful Uses of Atomic Energy, held at Geneva from 6 to 16 September 1971;[11]

5. *Requests* the Secretary-General to transmit to the Director-General of the International Atomic Energy Agency the records of the twenty-sixth session of the General Assembly relating to the Agency's activities;

6. *Invites* the International Atomic Energy Agency to take these records into account in its future work.

1979th plenary meeting,
8 November 1971.

2782 (XXVI). Proclamation of United Nations Day as an international holiday

The General Assembly,

Conscious of the need to enhance the purposes and principles of the Charter of the United Nations,

Mindful that in its resolution 168 (II) of 31 October 1947 the General Assembly declared 24 October, the anniversary of the coming into force of the Charter, as "United Nations Day",

Believing that the anniversary of the United Nations should be an occasion for Governments and peoples to reaffirm their faith in the purposes and principles of the Charter,

Declares that 24 October, United Nations Day, shall be an international holiday and recommends that it should be observed as a public holiday by all States Members of the United Nations.

2000th plenary meeting,
6 December 1971.

2793 (XXVI). Question considered by the Security Council at its 1606th, 1607th and 1608th meetings on 4, 5 and 6 December 1971

The General Assembly,

Noting the reports of the Secretary-General of 3 and 4 December 1971[12] and the letter from the President of the Security Council[13] transmitting the text of Council resolution 303 (1971) of 6 December 1971,

Gravely concerned that hostilities have broken out between India and Pakistan which constitute an immediate threat to international peace and security,

Recognizing the need to deal appropriately at a subsequent stage, within the framework of the Charter of the United Nations, with the issues which have given rise to the hostilities,

Convinced that an early political solution would be necessary for the restoration of conditions of normalcy in the area of conflict and for the return of the refugees to their homes,

Mindful of the provisions of the Charter, in particular of Article 2, paragraph 4,

Recalling the Declaration on the Strengthening of International Security, particularly paragraphs 4, 5 and 6,

Recognizing further the need to take immediate measures to bring about an immediate cessation of hostilities between India and Pakistan and effect a withdrawal of their armed forces to their own side of the India-Pakistan borders,

Mindful of the purposes and principles of the Charter and of the General Assembly's responsibilities under the relevant provisions of the Charter and of Assembly resolution 377 A (V) of 3 November 1950,

1. *Calls upon* the Governments of India and Pakistan to take forthwith all measures for an immediate cease-fire and withdrawal of their armed forces on the territory of the other to their own side of the India-Pakistan borders;

2. *Urges* that efforts be intensified in order to bring about, speedily and in accordance with the purposes and principles of the Charter of the United Nations, conditions necessary for the voluntary return of the East Pakistan refugees to their homes;

3. *Calls* for the full co-operation of all States with the Secretary-General for rendering assistance to and relieving the distress of those refugees;

4. *Urges* that every effort be made to safeguard the lives and well-being of the civilian population in the area of conflict;

5. *Requests* the Secretary-General to keep the General Assembly and the Security Council promptly and currently informed on the implementation of the present resolution;

6. *Decides* to follow the question closely and to meet again should the situation so demand;

7. *Calls upon* the Security Council to take appropriate action in the light of the present resolution.

2003rd plenary meeting,
7 December 1971.

2794 (XXVI). Admission of the United Arab Emirates to membership in the United Nations

The General Assembly,

Having received the recommendation of the Security Council of 8 December 1971 that the United Arab Emirates should be admitted to membership in the United Nations,[14]

Having considered the application for membership of the United Arab Emirates,[15]

Decides to admit the United Arab Emirates to membership in the United Nations.

2007th plenary meeting,
9 December 1971.

2799 (XXVI). The situation in the Middle East

The General Assembly,

Deeply concerned at the continuation of the grave situation prevailing in the Middle East, particularly since the conflict of June 1967, which constitutes a serious threat to international peace and security,

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[11] See A/8487.

[12] *Official Records of the Security Council, Twenty-sixth Year, Supplement for October, November and December 1971,* documents S/10410 and Add.1 and S/10412.

[13] *Official Records of the General Assembly, Twenty-sixth Session, Annexes,* agenda item 102, document A/8555.

[14] *Ibid.,* agenda item 25, document A/8561.

[15] A/8553. For the printed text of this document, see *Official Records of the Security Council, Twenty-sixth Year, Supplement for October, November and December 1971,* document S/10420.

Convinced that Security Council resolution 242 (1967) of 22 November 1967 should be implemented immediately in all its parts in order to achieve a just and lasting peace in the Middle East in which every State in the area can live in security,

Determined that the territory of a State shall not be the object of occupation or acquisition by another State resulting from the threat or use of force, which is contrary to the Charter of the United Nations and to the principles enshrined in Security Council resolution 242 (1967) as well as in the Declaration on the Strengthening of International Security adopted by the General Assembly on 16 December 1970,

Expressing its appreciation of the efforts of the Committee of African Heads of State undertaken in pursuance of the resolution adopted on 23 June 1971 by the Assembly of Heads of State and Government of the Organization of African Unity at its eighth ordinary session,

Gravely concerned at the continuation of Israel's occupation of the Arab territories since 5 June 1967,

Having considered the item entitled "The situation in the Middle East",

1. *Reaffirms* that the acquisition of territories by force is inadmissible and that, consequently, territories thus occupied must be restored;

2. *Reaffirms* that the establishment of a just and lasting peace in the Middle East should include the application of both the following principles:

(*a*) Withdrawal of Israeli armed forces from territories occupied in the recent conflict;

(*b*) Termination of all claims or states of belligerency, and respect for and acknowledgment of the sovereignty, territorial integrity and political independence of every State in the area and its right to live in peace within secure and recognized boundaries free from threats or acts of force;

3. *Requests* the Secretary-General to take the necessary measures to reactivate the mission of the Special Representative of the Secretary-General to the Middle East in order to promote agreement and assist efforts to reach a peace agreement as envisaged in the Special Representative's aide-mémoire of 8 February 1971;[16]

4. *Expresses its full support* for all the efforts of the Special Representative to implement Security Council resolution 242 (1967);

5. *Notes with appreciation* the positive reply given by Egypt to the Special Representative's initiative for establishing a just and lasting peace in the Middle East;

6. *Calls upon* Israel to respond favourably to the Special Representative's peace initiative;

7. *Further invites* the parties to the Middle East conflict to give their full co-operation to the Special Representative in order to work out practical measures for:

(*a*) Guaranteeing freedom of navigation through international waterways in the area;

(*b*) Achieving a just settlement of the refugee problem;

(*c*) Guaranteeing the territorial inviolability and political independence of every State in the area;

8. *Requests* the Secretary-General to report to the Security Council and to the General Assembly, as appropriate, on the progress made by the Special Representative in the implementation of Security Council resolution 242 (1967) and of the present resolution;

9. *Requests* the Security Council to consider, if necessary, making arrangements, under the relevant Articles of the Charter of the United Nations, with regard to the implementation of resolution 242 (1967).

2016th plenary meeting,
13 December 1971.

[16] A/8541. For the printed text of this document, see *Official Records of the Security Council, Twenty-sixth Year, Supplement for October, November and December 1971*, document S/10403, annex I.

2817 (XXVI). Scientific work on peace research

The General Assembly,

Considering that the fundamental purpose of the United Nations is to save mankind from the scourge of war and to maintain international peace and security,

Considering that scientific research on the problems of war and peace has expanded and that many national and international institutions have made them the subject of their studies,

Noting with interest the work undertaken in this field by the United Nations Educational, Scientific and Cultural Organization and the United Nations Institute for Training and Research,

Conscious of the importance that States attach to the study of the means and recourses to implement the relevant provisions of the Charter of the United Nations in order to build peace, security and co-operation in the world,

Considering it desirable to bring to the notice of the international community the work done in the field of peace research by national and international institutions and to promote on a permanent basis, in the light of the purposes and principles of the Charter, a recording of the studies devoted to this subject,

1. *Requests* the Secretary-General to prepare every other year an informative report on scientific works produced by national and international, governmental and non-governmental, public and private institutions in the field of peace research;

2. *Invites* the Governments of Member States and the institutions referred to in paragraph 1 above to provide the Secretary-General, to the best of their ability and competence, with all the information he may require;

3. *Requests* the United Nations Institute for Training and Research and those specialized agencies which are active in the field of peace research to lend their assistance in the drafting of the report referred to above;

4. *Requests* the Secretary-General to submit to the General Assembly, at the beginning of its twenty-eighth session, the first report prepared under paragraph 1 above.

2018th plenary meeting,
14 December 1971.

2833 (XXVI). World Disarmament Conference

The General Assembly,

Conscious of the responsibility of the United Nations under the Charter for disarmament and the consolidation of peace,

Convinced that all peoples of the world have a vital interest in the success of disarmament negotiations,

Mindful of the principle of the inadmissibility of acquisition of territory by force and the inherent right of States to recover such territories by all the means at their disposal,

Reaffirming its recognition of the legitimacy of the struggle of colonial peoples for their freedom by all appropriate means at their disposal,

Recalling the Declaration on the Prohibition of the Use of Nuclear and Thermonuclear Weapons, contained in General Assembly resolution 1653 (XVI) of 24 November 1961,

Recalling further its resolution 2160 (XXI) of 30 November 1966 on the strict observance of the prohibition of the threat or use of force in international relations, and of the right of peoples to self-determination,

Believing that renunciation of the use or threat of force and prohibition of the use of nuclear weapons should be fully observed as a law of international life,

1. *Solemnly declares,* on behalf of the States Members of the Organization, their renunciation of the use or threat of force in all its forms and manifestations in international relations, in accordance with the Charter of the United Nations, and the permanent prohibition of the use of nuclear weapons;

2. *Recommends* that the Security Council should take, as soon as possible, appropriate measures for the full implementation of the present declaration of the General Assembly.

2093rd plenary meeting
29 November 1972

2937 (XXVII). Resolution adopted by the General Assembly at its 2093rd plenary meeting[5]

The General Assembly,

Having noted the application of the People's Republic of Bangladesh for admission to membership in the United Nations,[6]

Having also noted the special report of the Security Council in this regard,[7]

Reaffirming the principle of universality of membership of the United Nations in accordance with the Charter,

Considering that the People's Republic of Bangladesh is eligible for membership in the United Nations,

Expresses the desire that the People's Republic of Bangladesh will be admitted to membership in the United Nations at an early date.

2093rd plenary meeting
29 November 1972

2938 (XXVII). Resolution adopted by the General Assembly at its 2093rd plenary meeting[5]

The General Assembly,

Having in mind the relevant provisions of the Charter of the United Nations, the Declaration on Principles of International Law concerning Friendly Relations and Co-operation among States in accordance with the Charter of the United Nations and Security Council resolution 307 (1971) of 21 December 1971,

Having noted with satisfaction the steps taken so far to facilitate the restoration of conditions of normalcy in the South Asian subcontinent, notably the Simla Agreement,

Mindful of the fact that the Geneva Conventions of 12 August 1949[8] require the release and repatriation of prisoners of war without delay after the cessation of active hostilities,

Considering that the solution of all outstanding problems, including the return of military and civilian personnel to their respective countries, is important for the establishment of a climate of peace and tranquillity in the area,

Expressing the hope that all parties will refrain from any act which could jeopardize the prospects of settlement and render more difficult eventual reconciliation,

Expresses the desire that the parties concerned make all possible efforts, in a spirit of co-operation and mutual respect, to reach a fair settlement of the issues that are still pending, and calls for the return of the prisoners of war in accordance with the Geneva Conventions of 1949 and the relevant provisions of Security Council resolution 307 (1971).

2093rd plenary meeting
29 November 1972

2948 (XXVII). Credentials of representatives to the twenty-seventh session of the General Assembly

The General Assembly

Approves the report of the Credentials Committee,[9] except with regard to the credentials of the representatives of South Africa.

2104th plenary meeting
8 December 1972

2949 (XXVII). The situation in the Middle East

The General Assembly,

Having considered the item entitled "The situation in the Middle East",

Having received the report of the Secretary-General of 15 September 1972 on the activities of his Special Representative to the Middle East,[10]

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[5] Resolutions 2937 (XXVII) and 2938 (XXVII) were adopted simultaneously by the General Assembly without debate and without a vote following a statement by the President of the Assembly which appears in the verbatim record of the 2093rd plenary meeting (see *Official Records of the General Assembly, Twenty-seventh Session, Plenary Meetings,* 2093rd meeting, paras. 153-157).

[6] A/8754. For the printed text of this document, see *Official Records of the Security Council, Twenty-seventh Year, Supplement for July, August and September 1972,* document S/10759.

[7] *Official Records of the General Assembly, Twenty-seventh Session, Annexes,* agenda item 23, document A/8776.

[8] United Nations, *Treaty Series,* vol. 75, Nos. 970-973.

[9] *Official Records of the General Assembly, Twenty-seventh Session, Annexes,* agenda item 3, document A/8921.

[10] A/8815. For the printed text of this document, see *Official Records of the Security Council, Twenty-seventh Year, Supplement for July, August and September 1972,* document S/10792.

Reaffirming that Security Council resolution 242 (1967) of 22 November 1967 must be implemented in all its parts,

Deeply perturbed that Security Council resolution 242 (1967) and General Assembly resolution 2799 (XXVI) of 13 December 1971 have not been implemented and, consequently, the envisaged just and lasting peace in the Middle East has not been achieved,

Reiterating its grave concern at the continuation of the Israeli occupation of Arab territories since 5 June 1967,

Reaffirming that the territory of a State shall not be the object of occupation or acquisition by another State resulting from the threat or use of force,

Affirming that changes in the physical character or demographic composition of occupied territories are contrary to the purposes and principles of the Charter of the United Nations, as well as to the provisions of the relevant applicable international conventions,

Convinced that the grave situation prevailing in the Middle East constitutes a serious threat to international peace and security,

Reaffirming the responsibility of the United Nations to restore peace and security in the Middle East in the immediate future,

1. *Reaffirms* its resolution 2799 (XXVI);

2. *Deplores* the non-compliance by Israel with General Assembly resolution 2799 (XXVI), which in particular called upon Israel to respond favourably to the peace initiative of the Special Representative of the Secretary-General to the Middle East;

3. *Expresses its full support* for the efforts of the Secretary-General and his Special Representative;

4. *Declares once more* that the acquisition of territories by force is inadmissible and that, consequently, territories thus occupied must be restored;

5. *Reaffirms* that the establishment of a just and lasting peace in the Middle East should include the application of both the following principles:

(*a*) Withdrawal of Israeli armed forces from territories occupied in the recent conflict;

(*b*) 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 its right to live in peace within secure and recognized boundaries free from threats or acts of force;

6. *Invites* Israel to declare publicly its adherence to the principle of non-annexation of territories through the use of force;

7. *Declares* that changes carried out by Israel in the occupied Arab territories in contravention of the Geneva Conventions of 12 August 1949[11] are null and void, and calls upon Israel to rescind forthwith all such measures and to desist from all policies and practices affecting the physical character or demographic composition of the occupied Arab territories;

8. *Calls upon* all States not to recognize any such changes and measures carried out by Israel in the occupied Arab territories and invites them to avoid actions, including actions in the field of aid, that could constitute recognition of that occupation;

9. *Recognizes* that respect for the rights of the Palestinians is an indispensable element in the establishment of a just and lasting peace in the Middle East;

10. *Requests* the Security Council, in consultation with the Secretary-General and his Special Representative, to take all appropriate steps with a view to the full and speedy implementation of Security Council resolution 242 (1967), taking into account all the relevant resolutions and documents of the United Nations in this connexion;

11. *Requests* the Secretary-General to report to the Security Council and the General Assembly on the progress made by him and his Special Representative in the implementation of Security Council resolution 242 (1967) and of the present resolution;

12. *Decides* to transmit the present resolution to the Security Council for its appropriate action and requests the Council to keep the General Assembly informed.

2105th plenary meeting
8 December 1972

[11] United Nations, *Treaty Series*, vol. 75, Nos. 970-973.

2954 (XXVII). Revision of the lists of States eligible for membership in the Industrial Development Board

The General Assembly,

Recalling section II, paragraph 4, of its resolution 2152 (XXI) of 17 November 1966 on the United Nations Industrial Development Organization,

Decides to include Bangladesh in list A of the annex to its resolution 2152 (XXI).[12]

2106th plenary meeting
11 December 1972

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As a result of the above resolution, the lists of States eligible for membership in the Industrial Development Board will be as follows:

A. LIST OF STATES INDICATED IN SECTION II, PARAGRAPH 4 (*a*), OF GENERAL ASSEMBLY RESOLUTION 2152 (XXI)

Afghanistan	Gabon
Algeria	Gambia
Bahrain	Ghana
Bangladesh	Guinea
Bhutan	India
Botswana	Indonesia
Burma	Iran
Burundi	Iraq
Cameroon	Israel
Central African Republic	Ivory Coast
Chad	Jordan
China	Kenya
Congo	Khmer Republic
Dahomey	Kuwait
Democratic Yemen	Laos
Egypt	Lebanon
Equatorial Guinea	Lesotho
Ethiopia	Liberia
Fiji	Libyan Arab Republic

[12] For the other changes in the lists since the adoption of resolution 2152 (XXI), see resolutions 2385 (XXIII) of 19 November 1968, 2510 (XXIV) of 21 November 1969, 2637 (XXV) of 19 November 1970 and 2824 (XXVI) of 16 December 1971.

apartheid as a result of intensified acts of repression against the African peoples by the Government of South Africa and the illegal racist minority régime in Southern Rhodesia (Zimbabwe),

Conscious of the need to take effective steps for the widest possible dissemination of information relating to the struggle of the African peoples concerned for their liberation from colonialism, racial discrimination and *apartheid*,

Bearing in mind the positive results achieved in the work of the United Nations bodies concerned as a direct consequence of the participation of representatives of the national liberation movements recognized by the Organization of African Unity in the relevant proceedings of these bodies in an observer capacity,

1. *Takes note* of the report of the Secretary-General on co-operation between the United Nations and the Organization of African Unity[23] and commends his efforts in promoting such co-operation;

2. *Expresses its appreciation* of the outstanding contribution made by the Organization of African Unity in the relevant work of the United Nations bodies concerned, including in particular the positive role played by the Administrative Secretary-General and the General Secretariat of the Organization of African Unity;

3. *Reaffirms* the determination of the United Nations, in co-operation with the Organization of African Unity, to intensify its efforts to find a solution to the present grave situation in southern Africa;

4. *Requests* the Secretary-General to continue to take the necessary measures to strengthen co-operation between the United Nations and the Organization of African Unity in accordance with the relevant resolutions of the General Assembly, particularly with regard to the provision of assistance to the victims of colonialism and *apartheid* in southern Africa, and, in this connexion, draws attention to the Assistance Fund for the Struggle against Colonialism and *Apartheid* established by the Organization of African Unity;

5. *Draws once again the attention* of all United Nations bodies, in particular the Security Council, to the continued need to take effective measures to associate closely the Organization of African Unity regularly with all their work concerning Africa, including especially the activities of the committee on sanctions of the Council;[24]

6. *Invites* the specialized agencies and other organizations concerned within the United Nations system to continue and intensify their co-operation with the Organization of African Unity;

7. *Decides* to invite as observers, on a regular basis and in accordance with earlier practice, representatives of the national liberation movements recognized by the Organization of African Unity to participate in the relevant work of the Main Committees of the General Assembly and its subsidiary organs concerned, as well as in conferences, seminars and other meetings held under the auspices of the United Nations which relate to their countries, and requests the Secretary-General, in consultation with the Organization of African Unity, to ensure that the necessary arrangements are made for their effective participation, including the requisite financial provisions;

8. *Requests* the Secretary-General to submit to the General Assembly at its thirty-first session a report on the implementation of the present resolution and on the development of co-operation between the Organization of African Unity and the organizations concerned within the United Nations system.

2421st plenary meeting
28 November 1975

3413 (XXX). Admission of the Republic of Surinam to membership in the United Nations

The General Assembly,

Having considered the application for membership of Council of 1 December 1975 that the Republic of Surinam should be admitted to membership in the United Nations,[25]

Having considered the application for membership of the Republic of Surinam,[26]

Decides to admit the Republic of Surinam to membership in the United Nations.

2428th plenary meeting
4 December 1975

3414 (XXX). The situation in the Middle East

The General Assembly,

Having considered the item entitled "The situation in the Middle East",

Guided by the purposes and principles of the Charter of the United Nations and resolutions of the United Nations as well as those principles of international law which prohibit the occupation or acquisition of territory by the use of force and which consider any military occupation, however temporary, or any forcible annexation of such territory, or part thereof, as an act of aggression,

Gravely concerned at the continuation of the Israeli occupation of Arab territories and Israel's persistent denial of the inalienable national rights of the Palestinian people,

Recalling relevant resolutions of the General Assembly and the Security Council, particularly those concerning the inalienable national rights of the Palestinian people and its right to participate in any efforts for peace,

Convinced that the early reconvening of the Peace Conference on the Middle East with the participation of all the parties concerned, including the Palestine Liberation Organization, is essential for the realization of a just and lasting settlement in the region,

Convinced that the present situation prevailing in the Middle East continues to constitute a serious threat to international peace and security, and that urgent measures should be taken in order to ensure Israel's full compliance with relevant resolutions of the General Assembly and the Security Council on the questions of Palestine and the Middle East,

Recognizing that peace is indivisible and that a just and lasting settlement of the question of the Middle East must be based on a comprehensive solution under the auspices of the United Nations, which takes into consideration all aspects of the Middle East conflict,

[23] A/10254.

[24] Security Council Committee established in pursuance of resolution 253 (1968) concerning the question of Southern Rhodesia.

[25] ***Official Records of the General Assembly, Thirtieth Session, Annexes***, agenda item 22, document A/10413.

[26] A/10388-S/11884. For the printed text, see ***Official Records of the Security Council, Thirtieth Year, Supplement for October, November and December 1975***.

including, in particular, the enjoyment by the Palestinian people of its inalienable national rights, as well as the total withdrawal from all the Arab territories occupied since June 1967,

1. *Reaffirms* that the acquisition of territory by force is inadmissible and therefore all territories thus occupied must be returned;

2. *Condemns* Israel's continued occupation of Arab territories in violation of the Charter of the United Nations, the principles of international law and repeated United Nations resolutions;

3. *Requests* all States to desist from supplying Israel with any military or economic aid as long as it continues to occupy Arab territories and deny the inalienable national rights of the Palestinian people;

4. *Requests* the Security Council, in the exercise of its responsibilities under the Charter, to take all necessary measures for the speedy implementation, according to an appropriate time-table, of all relevant resolutions of the General Assembly and the Security Council aiming at the establishment of a just and lasting peace in the region through a comprehensive settlement, worked out with the participation of all parties concerned, including the Palestine Liberation Organization, and within the framework of the United Nations, which ensures complete Israeli withdrawal from all the occupied Arab territories as well as full recognition of the inalienable national rights of the Palestinian people and the attainment of those rights;

5. *Requests* the Secretary-General to inform all concerned, including the Co-Chairmen of the Peace Conference on the Middle East, and to follow up the implementation of the present resolution and report thereon to the Security Council and to the General Assembly at its thirty-first session.

2429th plenary meeting
5 December 1975

3481 (XXX). Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples

The General Assembly,

Having examined the report of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples,[27]

Having reviewed, on the occasion of the fifteenth anniversary of its adoption, the implementation of the historic Declaration on the Granting of Independence to Colonial Countries and Peoples, contained in General Assembly resolution 1514 (XV) of 14 December 1960, by which the Assembly affirmed that the subjection of peoples to alien subjugation, domination and exploitation constituted a denial of fundamental human rights and was contrary to the Charter of the United Nations,

Aware that the principles enshrined in the Declaration have continued to serve as an important source of encouragement and inspiration to the peoples under colonial and alien domination in their struggle to achieve their inalienable right to self-determination and independence,

Noting with satisfaction that, since the adoption of the Declaration, a number of Territories have achieved self-government and independence and many have since joined the United Nations system of organizations, and welcoming the positive developments towards full internal self-government and independence in the remaining colonial Territories,

Condemning the continued colonialist and racist repression of millions of Africans, in Namibia by the Government of South Africa, resulting from its persistent, illegal occupation of the international Territory, and in Zimbabwe by the illegal racist minority régime,

Deeply conscious of the pressing need to take all the necessary measures to bring about the speedy and complete elimination of the last vestiges of colonialism, particularly with respect to Namibia and Zimbabwe, where millions of Africans continue to be subjugated under the oppressive rule of the racist minority régimes,

Strongly deprecating the policies of those States which, in defiance of the relevant resolutions of the United Nations, continue to collaborate with the Government of South Africa and with the illegal racist minority régime in Southern Rhodesia, thus perpetuating their domination of the peoples in the Territories concerned,

Noting that the success of the national liberation struggle and the resultant international situation have created favourable conditions for the complete elimination of colonialism, racial discrimination and *apartheid* in southern Africa,

Noting with appreciation the work accomplished by the Special Committee with a view to securing the effective and complete implementation of the Declaration and other relevant resolutions of the United Nations, in particular the constructive results achieved as a consequence of the visiting missions it had dispatched,

Noting with satisfaction the increased co-operation and the active participation of the administering Powers concerned in the relevant work of the Special Committee, as well as the continued readiness of the Governments of Australia, New Zealand, Portugal and the United Kingdom of Great Britain and Northern Ireland to receive United Nations visiting missions in the Territories under their administration, and deeply deploring the negative attitude of those administering Powers which, despite the repeated appeals addressed to them by the General Assembly and the Special Committee, persist in their refusal to co-operate with the Special Committee in the discharge of the mandate entrusted to it by the Assembly,

Reiterating its conviction that the total eradication of racial discrimination, *apartheid* and violations of the basic human rights of the peoples in colonial Territories will be achieved with the greatest speed by the faithful and complete implementation of the Declaration,

1. *Reaffirms* its resolutions 1514 (XV) of 14 December 1960 and 2621 (XXV) of 12 October 1970 and all other resolutions on decolonization, and calls upon the administering Powers, in accordance with those resolutions, to take all the necessary steps to enable the dependent peoples of the Territories concerned to exercise fully and without further delay their inalienable right to self-determination and independence;

2. *Declares* that the continuation of colonialism in all its forms and manifestations—including racism, *apartheid* and the activities of foreign economic and other interests which exploit colonial peoples, as well as the waging of colonial wars to suppress the national liberation movements of the colonial Territories in Africa—is incompatible with the Charter of the United Nations, the Universal Declaration of Human Rights and the Declaration on the Granting of Independence

[27] *Official Records of the General Assembly, Thirtieth Session, Supplement No. 23* (A/10023/Rev.1).

provide the Committee with all the necessary facilities for the performance of its tasks, including summary records of its meetings;

8. *Decides* to include the item entitled "Question of Palestine" in the provisional agenda of its thirty-second session.

77th plenary meeting
24 November 1976

31/21. Admission of new Members to the United Nations

The General Assembly,

Having examined the special report of the Security Council to the General Assembly,[38]

Taking note of the letter of 18 November 1976 from the Permanent Observer of the Socialist Republic of Viet Nam to the United Nations addressed to the President of the General Assembly,[39]

Convinced of the ability and willingness of the Socialist Republic of Viet Nam to carry out the obligations of the Charter of the United Nations,

Reiterating its conviction that the Socialist Republic of Viet Nam is fully qualified for membership in the United Nations in accordance with Article 4 of the Charter,

Recalling that resolution 3366 (XXX) of 19 September 1975, in which the General Assembly requested the Security Council to reconsider immediately and favourably the application of Viet Nam, was adopted by 123 votes in favour and none against,

Noting that in the general debate of the current session of the General Assembly the admission of Viet Nam to membership in the United Nations received the unequivocal and widespread support of the Members of the Organization,

Expressing deep regret and concern that, on 15 November 1976,[40] one negative vote by a permanent member of the Security Council prevented the adoption of the draft resolution supported by fourteen members of the Council recommending the admission of the Socialist Republic of Viet Nam to membership in the United Nations,

1. *Considers* that the Socialist Republic of Viet Nam should be admitted to membership in the United Nations;

2. *Accordingly recommends* that the Security Council should reconsider the matter favourably in strict conformity with Article 4 of the Charter of the United Nations.

80th plenary meeting
26 November 1976

31/44. Admission of the People's Republic of Angola to membership in the United Nations

The General Assembly,

Having received the recommendation of the Security Council of 22 November 1976 that the People's Republic of Angola should be admitted to membership in the United Nations,[41]

Having considered the application for membership of the People's Republic of Angola,[42]

Decides to admit the People's Republic of Angola to membership in the United Nations.

84th plenary meeting
1 December 1976

31/60. Appointment of the Secretary-General of the United Nations

The General Assembly,

Acting in accordance with the recommendation contained in Security Council resolution 400 (1976) of 7 December 1976,[43]

Expressing its appreciation for the effective and dedicated service rendered to the United Nations by Mr. Kurt Waldheim during his first term of office,

Appoints Mr. Kurt Waldheim Secretary-General of the United Nations for a second term of office beginning on 1 January 1977 and ending on 31 December 1981.

93rd plenary meeting
8 December 1976

31/61. The situation in the Middle East

The General Assembly,

Recalling its resolution 3414 (XXX) of 5 December 1975 and noting with concern that no progress has been achieved towards the implementation of that resolution, in particular its paragraph 4,

Recalling the debate held in the Security Council in January 1976[44] on the Middle East problem including the Palestinian question, in implementation of subparagraph (*a*) of Council resolution 381 (1975) of 30 November 1975,

Deeply concerned at the increasing deterioration of the situation in the Middle East due to continued Israeli occupation and Israel's refusal to implement United Nations resolutions,

Reaffirming the necessity of establishing a just and lasting peace in the region based on full respect for the purposes and principles of the Charter of the United Nations as well as for the resolutions concerning the problem of the Middle East and the question of Palestine,

1. *Affirms* that the early resumption of the Peace Conference on the Middle East with the participation of all the parties concerned, including the Palestine Liberation Organization, in accordance with General Assembly resolution 3375 (XXX) of 10 November 1975, is essential for the realization of a just and lasting settlement in the region;

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[38] *Ibid., Thirty-first Session, Annexes,* agenda item 26, document A/31/330.
[39] A/31/349.
[40] See *Official Records of the Security Council, Thirty-first Year,* 1972nd meeting.
[41] *Official Records of the General Assembly, Thirty-first Session, Annexes,* agenda item 26, document A/31/340.
[42] A/31/85-S/12064. For the printed text, see *Official Records of the Security Council, Thirty-first Year, Supplement for April, May and June 1976.*
[43] *Official Records of the General Assembly, Thirty-first Session, Annexes,* agenda item 17, document A/31/393.
[44] See *Official Records of the Security Council, Thirty-first Year,* 1870th to 1879th meetings.

2. *Condemns* Israel's continued occupation of Arab territories in violation of the Charter of the United Nations, the principles of international law and repeated United Nations resolutions;

3. *Reaffirms* that a just and lasting peace in the Middle East cannot be achieved without Israel's withdrawal from all Arab territories occupied since 1967 and the attainment by the Palestinian people of their inalienable rights, which are the basic prerequisites enabling all countries and peoples in the Middle East to live in peace;

4. *Condemns* all measures taken by Israel in the occupied territories to change the demographic and geographic character and institutional structure of these territories;

5. *Requests once again* all States to desist from supplying Israel with military and other forms of aid or any assistance which would enable it to consolidate its occupation or to exploit the natural resources of the occupied territories;

6. *Requests* the Security Council to take effective measures, within an appropriate time-table, for the implementation of all relevant resolutions of the Council and the General Assembly on the Middle East and Palestine;

7. *Requests* the Secretary-General to inform the Co-Chairmen of the Peace Conference on the Middle East of the present resolution and to submit a report on the follow-up of its implementation to the General Assembly at its thirty-second session.

95th plenary meeting
9 December 1976

31/62. Peace Conference on the Middle East

The General Assembly,

Having discussed the item entitled "The situation in the Middle East",

Noting the report of the Secretary-General on this item[45] and his initiative of 1 April 1976,[46]

Gravely concerned at the lack of progress towards the achievement of a just and lasting peace in the Middle East,

Convinced that any relaxation in the search for a comprehensive settlement covering all aspects of the Middle East problem to achieve a just peace in the area constitutes a grave threat to the prospects of peace in the Middle East as well as a threat to international peace and security,

1. *Requests* the Secretary-General:

(*a*) To resume contacts with all the parties to the conflict and the Co-Chairmen of the Peace Conference on the Middle East, in accordance with his initiative of 1 April 1976, in preparation for the early convening of the Peace Conference on the Middle East;

(*b*) To submit a report to the Security Council on the results of his contacts and on the situation in the Middle East not later than 1 March 1977;

2. *Calls* for the early convening of the Peace Conference on the Middle East, under the auspices of the United Nations and the co-chairmanship of the Union of Soviet Socialist Republics and the United States of America, not later than the end of March 1977;

3. *Requests* the Security Countil to convene subsequent to the submission by the Secretary-General of the report referred to in paragraph 1 (*b*) above, in order to consider the situation in the area in the light of that report and to promote the process towards the establishment of a just and lasting peace in the area;

4. *Further requests* the Secretary-General to inform the Co-Chairmen of the Peace Conference on the Middle East of the present resolution.

95th plenary meeting
9 December 1976

31/63. Third United Nations Conference on the Law of the Sea[47]

The General Assembly,

Recalling its resolutions 3067 (XXVIII) of 16 November 1973, 3334 (XXIX) of 17 December 1974 and 3483 (XXX) of 12 December 1975,

Noting the letter dated 20 September 1976 from the President of the Third United Nations Conference on the Law of the Sea to the President of the General Assembly[48] regarding the decisions reached at the fifth session of the Conference, held in New York from 2 August to 17 September 1976,

Having considered the decision of the Conference, as conveyed in the letter of its President, that its sixth session should be convened in New York on 23 May 1977 for a period of seven weeks, with a possible extension to eight weeks should the Conference so decide,

Bearing in mind the request of the Conference, referred to in the letter from its President, that the Secretary-General should provide the necessary facilities for private consultations between sessions among Governments and delegations,

Taking into account the recommendation made by the Conference that the General Assembly should study measures to ensure stability and continuity for the secretariat personnel recruited for the Conference,

1. *Approves* the convening of the sixth session of the Third United Nations Conference on the Law of the Sea in New York for the period from 23 May to 8 July 1977, with a possible extension to 15 July should the Conference so decide;

2. *Reiterates* its decision at its thirtieth session[49] to accord priority to the Conference in relation to other United Nations activities, except those of organs established by the Charter of the United Nations;

3. *Authorizes* the Secretary-General to make available, as appropriate, the necessary facilities for private consultations between sessions among Governments and delegations;

4. *Further authorizes* the Secretary-General to continue to make the necessary arrangements originally provided under paragraph 9 of General Assembly

[45] A/31/270-S/12210. For the printed text, see *Official Records of the Security Council, Thirty-first Year, Supplement for October, November and December 1976.*

[46] A/31/270-S/12210, para. 8. For the printed text, see *Official Records of the Security Council, Thirty-first Year, Supplement for October, November and December 1976.*

[47] See also sect. X.B.6 below, decision 31/407.

[48] *Official Records of the General Assembly, Thirty-first Session, Annexes*, agenda item 30, document A/31/225.

[49] Resolution 3483 (XXX), para. 2.

2. *Condemns* Israel's continued occupation of Arab territories in violation of the Charter of the United Nations, the principles of international law and repeated United Nations resolutions;

3. *Reaffirms* that a just and lasting peace in the Middle East cannot be achieved without Israel's withdrawal from all Arab territories occupied since 1967 and the attainment by the Palestinian people of their inalienable rights, which are the basic prerequisites enabling all countries and peoples in the Middle East to live in peace;

4. *Condemns* all measures taken by Israel in the occupied territories to change the demographic and geographic character and institutional structure of these territories;

5. *Requests once again* all States to desist from supplying Israel with military and other forms of aid or any assistance which would enable it to consolidate its occupation or to exploit the natural resources of the occupied territories;

6. *Requests* the Security Council to take effective measures, within an appropriate time-table, for the implementation of all relevant resolutions of the Council and the General Assembly on the Middle East and Palestine;

7. *Requests* the Secretary-General to inform the Co-Chairmen of the Peace Conference on the Middle East of the present resolution and to submit a report on the follow-up of its implementation to the General Assembly at its thirty-second session.

95th plenary meeting
9 December 1976

31/62. Peace Conference on the Middle East

The General Assembly,

Having discussed the item entitled "The situation in the Middle East",

Noting the report of the Secretary-General on this item[45] and his initiative of 1 April 1976,[46]

Gravely concerned at the lack of progress towards the achievement of a just and lasting peace in the Middle East,

Convinced that any relaxation in the search for a comprehensive settlement covering all aspects of the Middle East problem to achieve a just peace in the area constitutes a grave threat to the prospects of peace in the Middle East as well as a threat to international peace and security,

1. *Requests* the Secretary-General:

(*a*) To resume contacts with all the parties to the conflict and the Co-Chairmen of the Peace Conference on the Middle East, in accordance with his initiative of 1 April 1976, in preparation for the early convening of the Peace Conference on the Middle East;

(*b*) To submit a report to the Security Council on the results of his contacts and on the situation in the Middle East not later than 1 March 1977;

2. *Calls* for the early convening of the Peace Conference on the Middle East, under the auspices of the United Nations and the co-chairmanship of the Union of Soviet Socialist Republics and the United States of America, not later than the end of March 1977;

3. *Requests* the Security Countil to convene subsequent to the submission by the Secretary-General of the report referred to in paragraph 1 (*b*) above, in order to consider the situation in the area in the light of that report and to promote the process towards the establishment of a just and lasting peace in the area;

4. *Further requests* the Secretary-General to inform the Co-Chairmen of the Peace Conference on the Middle East of the present resolution.

95th plenary meeting
9 December 1976

31/63. Third United Nations Conference on the Law of the Sea[47]

The General Assembly,

Recalling its resolutions 3067 (XXVIII) of 16 November 1973, 3334 (XXIX) of 17 December 1974 and 3483 (XXX) of 12 December 1975,

Noting the letter dated 20 September 1976 from the President of the Third United Nations Conference on the Law of the Sea to the President of the General Assembly[48] regarding the decisions reached at the fifth session of the Conference, held in New York from 2 August to 17 September 1976,

Having considered the decision of the Conference, as conveyed in the letter of its President, that its sixth session should be convened in New York on 23 May 1977 for a period of seven weeks, with a possible extension to eight weeks should the Conference so decide,

Bearing in mind the request of the Conference, referred to in the letter from its President, that the Secretary-General should provide the necessary facilities for private consultations between sessions among Governments and delegations,

Taking into account the recommendation made by the Conference that the General Assembly should study measures to ensure stability and continuity for the secretariat personnel recruited for the Conference,

1. *Approves* the convening of the sixth session of the Third United Nations Conference on the Law of the Sea in New York for the period from 23 May to 8 July 1977, with a possible extension to 15 July should the Conference so decide;

2. *Reiterates* its decision at its thirtieth session[49] to accord priority to the Conference in relation to other United Nations activities, except those of organs established by the Charter of the United Nations;

3. *Authorizes* the Secretary-General to make available, as appropriate, the necessary facilities for private consultations between sessions among Governments and delegations;

4. *Further authorizes* the Secretary-General to continue to make the necessary arrangements originally provided under paragraph 9 of General Assembly

[45] A/31/270-S/12210. For the printed text, see *Official Records of the Security Council, Thirty-first Year, Supplement for October, November and December 1976.*

[46] A/31/270-S/12210, para. 8. For the printed text, see *Official Records of the Security Council, Thirty-first Year, Supplement for October, November and December 1976.*

[47] See also sect. X.B.6 below, decision 31/407.

[48] *Official Records of the General Assembly, Thirty-first Session, Annexes*, agenda item 30, document A/31/225.

[49] Resolution 3483 (XXX), para. 2.

32/5. Recent illegal Israeli measures in the occupied Arab territories designed to change the legal status, geographical nature and demographic composition of those territories in contravention of the principles of the Charter of the United Nations, of Israel's international obligations under the fourth Geneva Convention of 1949 and of United Nations resolutions, and obstruction of efforts aimed at achieving a just and lasting peace in the Middle East

The General Assembly,

Stressing the urgent need to achieve a just and lasting peace in the Middle East,

Expressing grave anxiety and concern over the present serious situation in the occupied Arab territories as a result of the continued Israeli occupation and the measures and actions taken by the Government of Israel, as the occupying Power, and designed to change the legal status, geographical nature and demographic composition of those territories,

Considering that the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949,[6] is applicable to all the Arab territories occupied since 5 June 1967,

1. *Determines* that all such measures and actions taken by Israel in the Palestinian and other Arab territories occupied since 1967 have no legal validity and constitute a serious obstruction of efforts aimed at achieving a just and lasting peace in the Middle East;

2. *Strongly deplores* the persistence of Israel in carrying out such measures, in particular the establishment of settlements in the occupied Arab territories;

3. *Calls upon* Israel to comply strictly with its international obligations in accordance with the principles of international law and the provisions of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949;

4. *Calls once more upon* the Government of Israel, as the occupying Power, to desist forthwith from taking any action which would result in changing the legal status, geographical nature or demographic composition of the Arab territories occupied since 1967, including Jerusalem;

5. *Urges* all States parties to the Geneva Convention relative to the Protection of Civilian Persons in Time of War to ensure respect for and compliance with its provisions in all the Arab territories occupied by Israel since 1967, including Jerusalem;

6. *Requests* the Secretary-General:

(*a*) To undertake urgent contacts with the Government of Israel to ensure the prompt implementation of the present resolution;

(*b*) To submit a report to the General Assembly and the Security Council, not later than 31 December 1977, on the results of his contacts;

7. *Requests* the Security Council to review the situation in the light of the present resolution and of the report of the Secretary-General.

52nd plenary meeting
28 October 1977

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

32/7. Question of the Comorian island of Mayotte

The General Assembly,

Recalling its resolution 1514 (XV) of 14 December 1960, containing the Declaration on the Granting of Independence to Colonial Countries and Peoples, and its resolution 2621 (XXV) of 12 October 1970, containing the programme of action for the full implementation of the Declaration,

Recalling also resolution 3161 (XXVIII) of 14 December 1973, in which the General Assembly affirmed the unity and territorial integrity of the Comoros and through which the representative of France affirmed the intention of the Government of France to respond faithfully to the aspirations of the Comorian people,

Recalling that those aspirations were clearly expressed by the overwhelming vote of 22 December 1974 in favour of independence in political unity and territorial integrity in accordance with the provisions of General Assembly resolution 3291 (XXIX) of 13 December 1974,

Considering that in its communication of 17 October 1975[7] the Security Council recommended the admission of the Comoros to membership in the United Nations and that on that occasion France raised no objection,

Recalling that by General Assembly resolution 3385 (XXX) of 12 November 1975 the Comoros were admitted to membership in the United Nations as an entity composed of the islands of Anjouan, Grande-Comore, Mayotte and Mohéli, as emphasized in resolution 3291 (XXIX) and other resolutions,

Recalling the provisions of resolution 31/4 of 21 October 1976, mainly its paragraph 6 in which the General Assembly called upon the Government of France to enter into negotiations with the Government of the Comoros,

Bearing in mind the efforts of the Organization of African Unity, especially those of its Committee of Seven on the Question of the Comorian Island of Mayotte, which met at Moroni on 5 and 6 September 1977 and recommended that individual and collective efforts should be exerted in order to bring about a just and urgent solution by the Government of France to this problem which preoccupies the whole of Africa,[8]

1. *Calls upon* the Government of the Comoros and the Government of France to work out a just and equitable settlement for the problem of the Comorian island of Mayotte which respects the political unity and territorial integrity of the Comoros, in accordance with the relevant resolutions of the General Assembly on this issue;

2. *Mandates* the Secretary-General to take, in close consultation with the Government of the Comoros and the Government of France, any initiative in favour of negotiations between the two Governments;

3. *Further requests* the Secretary-General of the United Nations to contact the Administrative Secretary-General of the Organization of African Unity with a view to obtaining any assistance which may help him to discharge his mission;

[7] *Official Records of the General Assembly, Thirtieth Session, Annexes*, agenda item 22, document A/10302.

[8] See A/32/305, annex II.

solve the serious social and economic problems which affect the African continent,

Taking note with satisfaction of the successful co-operation between the Organization of African Unity and the United Nations in organizing the International Conference in Support of the Peoples of Zimbabwe and Namibia, held at Maputo from 16 to 21 May 1977,[37] and the World Conference for Action against *Apartheid*, held at Lagos from 22 to 26 August 1977,[38] and of the ensuing positive results,

Aware of the urgent need to give increased assistance and support to the victims of colonialism, racial discrimination and *apartheid* resulting from the intensified acts of provocation and aggression against neighbouring countries by the *apartheid* régime in South Africa and Namibia and the illegal racist minority régime in Southern Rhodesia,

Conscious of the need to take effective steps for the widest possible dissemination of information relating to the struggle of the African peoples concerned for their liberation from colonialism, racial discrimination and *apartheid*,

Reaffirming the determination of the Organization of African Unity and the United Nations to work closely towards the establishment of the new international economic order,

1. *Takes note* of the report of the Secretary-General on co-operation between the United Nations and the Organization of African Unity[39] and commends his efforts in promoting such co-operation;

2. *Expresses its deep appreciation* of the outstanding contribution made by the Organization of African Unity in the relevant work of the United Nations bodies concerned;

3. *Invites* the Organization of African Unity and the United Nations to co-operate fully in the speedy implementation of the Maputo Declaration in Support of the Peoples of Zimbabwe and Namibia and the Programme of Action for the Liberation of Zimbabwe and Namibia,[40] adopted by the International Conference in Support of the Peoples of Zimbabwe and Namibia, held at Maputo from 16 to 21 May 1977, and the Lagos Declaration for Action against *Apartheid*,[41] adopted by the World Conference for Action against *Apartheid*, held at Lagos from 22 to 26 August 1977;

4. *Commends* the efforts of the Organization of African Unity to find solutions to African problems of vital importance to the international community;

5. *Reaffirms* the determination of the United Nations, in co-operation with the Organization of African Unity, to intensify its efforts to put an end to the remaining vestiges of colonialism and racial discrimination and to *apartheid* in southern Africa;

6. *Recognizes* that it is important that the United Nations and the specialized agencies be closely associated, where appropriate, with the efforts of the Organization of African Unity to promote social and economic co-operation in Africa;

7. *Requests* the Secretary-General to continue to take the necessary measures to strengthen co-operation at the political, economic, cultural and administrative levels between the United Nations and the Organization of African Unity in accordance with the relevant resolutions of the General Assembly, particularly with regard to the provision of assistance to the victims of colonialism and *apartheid* in southern Africa, and, in this connexion, draws attention once again to the Assistance Fund for the Struggle against Colonialism and *Apartheid* established by the Organization of African Unity;

8. *Requests once again* the United Nations bodies, in particular the Security Council, the Economic and Social Council, the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples, the Special Committee against *Apartheid* and the United Nations Council for Namibia, to continue to take effective measures to associate closely the Organization of African Unity regularly with all their work concerning Africa;

9. *Invites* the specialized agencies and other organizations concerned within the United Nations system to continue and intensify their co-operation with the Organization of African Unity and, through it, with the national liberation movements of Zimbabwe and Namibia, in particular within the context of General Assembly resolution 31/30 of 29 November 1976;

10. *Expresses its appreciation* to the Secretary-General for the efforts he is making on behalf of the international community to provide effective programmes of assistance to various African States experiencing grave economic difficulties because of special political and geo-economic circumstances;

11. *Requests* all Member States, regional and international organizations as well as the organizations of the United Nations system to give full and generous support to the programmes of assistance being organized by the Secretary-General;

12. *Requests* the Secretary-General to submit to the General Assembly at its thirty-third session a report on the implementation of the present resolution and on the development of co-operation between the Organization of African Unity and the organizations concerned with the United Nations system.

66th plenary meeting
11 November 1977

32/20. The situation in the Middle East

The General Assembly,

Having discussed the item entitled "The situation in the Middle East",

Recalling its previous resolutions on the subject, in particular resolutions 3414 (XXX) of 5 December 1975 and 31/61 of 9 December 1976,

Taking into account the decisions of the Fifth Conference of Heads of State or Government of Non-Aligned Countries, held at Colombo from 16 to 19 Au-

[37] For the report of the Conference, see A/32/109/Rev.1-S/12344/Rev.1 (*Official Records of the Security Council, Thirty-second Year, Supplement for July, August and September 1977*).

[38] For the report of the Conference, see A/CONF.91/9 (United Nations publication, Sales No. E.77.XIV.2 and 3 and corrigendum).

[39] A/32/207.

[40] A/32/109/Rev.1-S/12344/Rev.1, annex V. For the printed text, see *Official Records of the Security Council, Thirty-second Year, Supplement for July, August and September 1977*.

[41] A/CONF.91/9 (United Nations publication, Sales No. E.77.XIV.2 and corrigendum), sect. X.

gust 1976, concerning the situation in the Middle East and the question of Palestine,[42]

Deeply concerned that the Arab territories occupied since 1967 have continued, for more than ten years, to be under illegal Israeli occupation and that the Palestinian people, after three decades, are still deprived of the exercise of their inalienable national rights,

Reaffirming that the acquisition of territory by force is inadmissible and that all territories thus occupied must be returned,

Reaffirming also the urgent necessity of the establishment of a just and lasting peace in the region, based on full respect for the purposes and principles of the Charter of the United Nations as well as for its resolutions concerning the problem of the Middle East including the question of Palestine,

Taking note with satisfaction of the joint statement on the Middle East issued on 1 October 1977 by the Minister for Foreign Affairs of the Union of Soviet Socialist Republics and the Secretary of State of the United States of America in their capacities as Co-Chairmen of the Peace Conference on the Middle East,

Reaffirming that peace is indivisible and that a just and lasting settlement of the Middle East problem must be based on a comprehensive solution, under the auspices of the United Nations, which takes into account all aspects of the Arab-Israeli conflict, in particular the attainment by the Palestinian people of all their inalienable national rights and the Israeli withdrawal from all the occupied Arab territories,

Convinced that the early convening of the Peace Conference on the Middle East with the participation of all parties concerned, including the Palestine Liberation Organization, in accordance with relevant resolutions of the General Assembly, is essential for the realization of a just and lasting settlement in the region,

1. *Condemns* Israel's continued occupation of Arab territories, in violation of the Charter of the United Nations, the principles of international law and repeated resolutions of the United Nations;

2. *Reaffirms* that a just and lasting peace in the Middle East, in which all countries and peoples in the region can live in peace and security within recognized and secure boundaries, cannot be achieved without Israel's withdrawal from all Arab territories occupied since 5 June 1967 and the attainment by the Palestinian people of their inalienable national rights;

3. *Calls anew* for the early convening of the Peace Conference on the Middle East, under the auspices of the United Nations and the co-chairmanship of the Union of Soviet Socialist Republics and the United States of America, with the participation on an equal footing of all parties concerned, including the Palestine Liberation Organization;

4. *Urges* the parties to the conflict and all other interested parties to work towards the achievement of a comprehensive settlement covering all aspects of the problems and worked out with the participation of all parties concerned within the framework of the United Nations;

5. *Requests* the Security Council, in the exercise of its responsibilities under the Charter, to take all necessary measures in order to ensure the implementation of relevant resolutions of the United Nations and to facilitate the achievement of such a comprehensive settlement aiming at the establishment of a just and lasting peace in the region;

6. *Requests* the Secretary-General to follow up the implementation of the present resolution and to inform all concerned, including the Co-Chairmen of the Peace Conference on the Middle East;

7. *Also requests* the Secretary-General to report to the Security Council periodically on the development of the situation and to submit to the General Assembly at its thirty-third session a comprehensive report covering, in all their aspects, the developments in the Middle East.

82nd plenary meeting
25 November 1977

32/21. Credentials of representatives to the thirty-second session of the General Assembly

A

The General Assembly

Approves the first report of the Credentials Committee.[43]

83rd plenary meeting
28 November 1977

B

The General Assembly

Approves the second report of the Credentials Committee.[44]

104th plenary meeting
16 December 1977

32/40. Question of Palestine

A

The General Assembly,

Recalling its resolutions 3236 (XXIX) of 22 November 1974, 3376 (XXX) of 10 November 1975 and 31/20 of 24 November 1976,

Having considered the report of the Committee on the Exercise of the Inalienable Rights of the Palestinian People,[45]

Having heard the statement of the Palestine Liberation Organization, the representative of the Palestinian people,[46]

Deeply concerned that no just solution to the problem of Palestine has been achieved and that this problem therefore continues to aggravate the Middle East con-

[42] See A/31/197.

[43] *Official Records of the General Assembly, Thirty-second Session, Annexes*, agenda item 3, document A/32/336.

[44] *Ibid.*, document A/32/336/Add.1.

[45] *Ibid., Thirty-second Session, Supplement No. 35* (A/32/35).

[46] *Ibid., Thirty-second Session, Plenary Meetings*, 84th meeting, paras. 46-79.

the strengthening and the possible reorganization and renaming of the Special Unit on Palestinian Rights;

4. *Also requests* the Secretary-General to ensure the full co-operation of the Department of Public Information and other units of the Secretariat in enabling the Special Unit on Palestinian Rights to perform its tasks;

5. *Invites* all Governments and organizations to lend their co-operation to the Committee on the Exercise of the Inalienable Rights of the Palestinian People and the Special Unit on Palestinian Rights in the performance of their tasks.

73rd plenary meeting
7 December 1978

33/29. The situation in the Middle East

The General Assembly,

Having discussed the item entitled "The situation in the Middle East",

Recalling its previous resolutions on the subject, in particular resolutions 3414 (XXX) of 5 December 1975, 31/61 of 9 December 1976, 32/20 of 25 November 1977 and 33/28 of 7 December 1978,

Taking into account the decisions of the Conference of Ministers for Foreign Affairs of Non-Aligned Countries, held at Belgrade from 25 to 30 July 1978, concerning the situation in the Middle East and the question of Palestine,[23]

Deeply concerned that the Arab territories occupied since 1967 have continued, for more than eleven years, to be under illegal Israeli occupation and that the Palestinian people, after three decades, is still deprived of the exercise of its inalienable national rights,

Reaffirming that the acquisition of territory by force is inadmissible and that all territories thus occupied must be returned,

Reaffirming also the urgent necessity of the establishment of a just and lasting peace in the region, based on full respect for the principles of the Charter of the United Nations as well as for its resolutions concerning the problem of the Middle East including the question of Palestine,

Convinced that the early convening of the Peace Conference on the Middle East with the participation of all parties concerned, including the Palestine Liberation Organization, in accordance with relevant resolutions of the General Assembly, is essential for the realization of a just and lasting settlement in the region,

1. *Condemns* Israel's continued occupation of Palestinian and other Arab territories, in violation of the Charter of the United Nations, the principles of international law and repeated resolutions of the United Nations;

2. *Declares* that peace is indivisible and that a just and lasting settlement of the Middle East problem must be based on a comprehensive solution, under the auspices of the United Nations, which takes into account all aspects of the Arab-Israeli conflict, in particular the attainment by the Palestinian people of all its inalienable national rights and the Israeli withdrawal from all the occupied Palestinian and other Arab territories;

3. *Reaffirms* that until Israel withdraws from all occupied Palestinian and other Arab territories, and until the Palestinian people attains and exercises its inalienable national rights, a comprehensive, just and lasting peace in the Middle East, in which all countries and peoples in the region live in peace and security within recognized and secure boundaries, will not be achieved;

4. *Calls anew* for the early convening of the Peace Conference on the Middle East, under the auspices of the United Nations and the co-chairmanship of the Union of Soviet Socialist Republics and the United States of America, with the participation on an equal footing of all parties concerned, including the Palestine Liberation Organization in accordance with General Assembly resolution 3375 (XXX) of 10 November 1975;

5. *Urges* the parties to the conflict and all other interested parties to work towards the achievement of a comprehensive settlement covering all aspects of the problems and worked out with the participation of all parties concerned within the framework of the United Nations;

6. *Requests* the Security Council, in the exercise of its responsibilities under the Charter, to take all necessary measures in order to ensure the implementation of relevant resolutions of the United Nations, including General Assembly resolution 33/28 and the present resolution, and to facilitate the achievement of such a comprehensive settlement aiming at the establishment of a just and lasting peace in the region;

7. *Requests* the Secretary-General to follow up the implementation of the present resolution and to inform all concerned, including the Co-Chairmen of the Peace Conference on the Middle East;

8. *Also requests* the Secretary-General to report to the Security Council periodically on the development of the situation and to submit to the General Assembly at its thirty-fourth session a comprehensive report covering, in all their aspects, the developments in the Middle East.

73rd plenary meeting
7 December 1978

33/44. Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples

The General Assembly,

Having examined the report of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples,[24]

Recalling its resolutions 1514 (XV) of 14 December 1960, containing the Declaration on the Granting of Independence to Colonial Countries and Peoples, and 2621 (XXV) of 12 October 1970, containing the programme of action for the full implementation of the Declaration,

Recalling all its previous resolutions concerning the implementation of the Declaration, in particular reso-

[23] See A/33/206.

[24] *Official Records of the General Assembly, Thirty-third Session, Supplement No. 23* (A/33/23/Rev.1).

of the islands of Anjouan, Grande-Comore, Mayotte and Mohéli,

Convinced that a just and lasting solution to the question of Mayotte is to be found in respect for the sovereignty, unity and territorial integrity of the Comoro Archipelago,

Bearing in mind all the decisions of the Organization of African Unity, the movement of non-aligned countries and the Islamic Conference of Foreign Ministers concerning this question,

1. *Reaffirms* the sovereignty of the Islamic Federal Republic of the Comoros over the island of Mayotte;

2. *Appeals* to the Government of France to begin negotiations with the Government of the Comoros as soon as possible with a view to implementing the relevant resolutions of the United Nations on the Comorian island of Mayotte;

3. *Requests* the Secretary-General of the United Nations, in liaison with the Administrative Secretary-General of the Organization of African Unity, to provide the two parties with all necessary assistance and to report to the General Assembly at its thirty-fifth session on developments relating to this question;

4. *Decides* to include in the provisional agenda of its thirty-fifth session the item entitled "Question of the Comorian island of Mayotte".

92nd plenary meeting
6 December 1979

34/70. The situation in the Middle East

The General Assembly,

Having discussed the item entitled "The situation in the Middle East",

Recalling its previous resolutions on the subject, in particular resolutions 3414 (XXX) of 5 December 1975, 31/61 of 9 December 1976, 32/20 of 25 November 1977 and 33/28 and 33/29 of 7 December 1978,

Recalling also its resolution 34/65 of 29 November 1979,

Taking into account the support extended to the just cause of the Palestinian people and the other Arab countries in their struggle against Israeli aggression and for a genuine, comprehensive, just and lasting peace in the Middle East and the full exercise of the inalienable national rights of the Palestinian people, both by the Sixth Conference of Heads of State or Government of Non-Aligned Countries, held at Havana from 3 to 9 September 1979,[33] and by the Assembly of Heads of State and Government of the Organization of African Unity at its sixteenth ordinary session, held at Monrovia from 17 to 20 July 1979,[34]

Deeply concerned that the Arab territories occupied since 1967 have continued, for more than twelve years, to be under illegal Israeli occupation and that the Palestinian people, after three decades, is still deprived of the exercise of its inalienable national rights,

Reaffirming that the acquisition of territory by force is inadmissible under the Charter of the United Nations and that all territories thus occupied must be returned,

Reaffirming also the urgent necessity of the establishment of a just, comprehensive and lasting peace in the region, based on full respect for the principles of the Charter of the United Nations as well as for its resolutions concerning the situation in the Middle East and the question of Palestine,

Convinced that the early convening of the Peace Conference on the Middle East with the participation of all parties concerned, including the Palestine Liberation Organization, in accordance with relevant resolutions of the General Assembly, particularly resolution 3375 (XXX) of 10 November 1975, is essential for the realization of a just and lasting settlement in the region,

1. *Condemns* Israel's continued occupation of Palestinian and other Arab territories, in violation of the Charter of the United Nations, the principles of international law and relevant resolutions of the United Nations;

2. *Declares once more* that peace is indivisible and that a just and lasting settlement of the Middle East question must be based on a comprehensive solution, under the auspices of the United Nations, which takes into account all aspects of the Arab-Israeli conflict, in particular the attainment by the Palestinian people of all its inalienable rights and the Israeli withdrawal from all the occupied Arab and Palestinian territories, including Jerusalem;

3. *Condemns* all partial agreements and separate treaties which violate the recognized rights of the Palestinian people and contradict the principles of just and comprehensive solutions to the Middle East problem to ensure the establishment of a just peace in the area;

4. *Reaffirms* that until Israel, in accordance with relevant resolutions of the United Nations, withdraws from all the occupied Palestinian and other Arab territories, and until the Palestinian people attains and exercises its inalienable national rights, as affirmed by the General Assembly in resolution 3236 (XXIX) of 22 November 1974, a comprehensive, just and lasting peace in the Middle East, in which all countries and peoples in the region live in peace and security within recognized and secure boundaries, will not be achieved;

5. *Calls anew* for the early convening of the Peace Conference on the Middle East, under the auspices of the United Nations and the co-chairmanship of the Union of Soviet Socialist Republics and the United States of America, with the participation on an equal footing of all parties concerned, including the Palestine Liberation Organization in accordance with General Assembly resolution 3375 (XXX);

6. *Urges* the parties to the conflict and all other interested parties to work towards the achievement of a comprehensive settlement covering all aspects of the problem and worked out with the participation of all parties concerned within the framework of the United Nations;

7. *Requests* the Security Council, in the exercise of its responsibilities under the Charter, to take all necessary measures to ensure the implementation of relevant resolutions of both the Security Council and the General Assembly, including Assembly resolution 34/65 A and the present resolution, and to facilitate the achievement of such a comprehensive settlement aiming at the establishment of a just and lasting peace in the region;

8. *Requests* the Secretary-General to follow the implementation of the present resolution, to transmit the records of the thirty-fourth session of the General Assembly relating to the question of Palestine and the situation in the Middle East to the Security Council and to inform all concerned, including the Co-Chairmen of the Peace Conference on the Middle East;

[33] See A/34/542.
[34] See A/34/552.

9. *Also requests* the Secretary-General to report to the Security Council periodically on the development of the situation and to submit to the General Assembly at its thirty-fifth session a report covering, in all their aspects, the developments in the Middle East.

92nd plenary meeting
6 December 1979

34/92. Question of Namibia[35]

A

Programme of work of the United Nations Council for Namibia

The General Assembly,

Having considered the question of Namibia,

Having examined the report of the United Nations Council for Namibia[36] and the relevant chapters of the report of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples,[37]

Recalling its resolution 2248 (S-V) of 19 May 1967, by which it established the United Nations Council for Namibia as the legal Administering Authority of Namibia until independence,

Reaffirming that the Territory and people of Namibia are the direct responsibility of the United Nations and that the Namibian people must be enabled to attain self-determination and independence within a united Namibia,

Convinced of the urgent need to intensify consultations with the South West Africa People's Organization in the formulation and implementation of the programme of work of the Council as well as in any matter of interest to the Namibian people,

Noting with appreciation the efforts of the United Nations Council for Namibia in the discharge of the responsibilities entrusted to it under resolution 2248 (S-V) and subsequent resolutions of the General Assembly relating to Namibia,

1. *Approves* the report of the United Nations Council for Namibia, including the recommendations contained therein, and decides to make adequate financial provisions for their implementation;

2. *Decides* that the United Nations Council for Namibia, in the discharge of its responsibilities as the legal Administering Authority for Namibia until independence and as policy-making organ of the United Nations, shall:

(*a*) Denounce all fraudulent constitutional or political schemes through which South Africa may attempt to perpetuate its system of colonial oppression and exploitation of the people and resources of Namibia;

(*b*) Endeavour to ensure non-recognition of any administration or entity installed in Windhoek not issuing from free elections in Namibia, conducted on a territory-wide basis, under the supervision and control of the United Nations, in accordance with Security Council resolution 385 (1976) of 30 January 1976 and subsequent resolutions in their entirety;

(*c*) Secure the territorial integrity of Namibia as a unitary State comprising, *inter alia,* the total area of Walvis Bay;

(*d*) Counter the policies of South Africa against the Namibian people and against the United Nations and the legal Administering Authority for Namibia, the United Nations Council for Namibia;

(*e*) Continue to mobilize international political support in order to press for the withdrawal of the illegal South African administration from Namibia in accordance with the resolutions of the United Nations relating to Namibia;

(*f*) Hold a series of plenary meetings in Africa in 1980 at the highest possible level, as required for the further proper discharge of its functions, and request the Secretary-General to defray the cost of those meetings in Africa and provide the necessary staff and services for them;

(*g*) Inform leading opinion makers, media leaders, political and academic institutions and other concerned non-governmental organizations of Member States about the objectives and functions of the United Nations Council for Namibia and the struggle of the Namibian people under the leadership of the South West Africa People's Organization and also hold consultations with, and seek the co-operation of, those personalities and institutions by inviting them on special occasions to participate in the deliberations of the Council, thereby ensuring the most effective mobilization of public opinion in support of the cause of the Namibian people;

(*h*) Represent Namibia to ensure that the rights and interests of Namibia shall be protected, as appropriate, in all intergovernmental and non-governmental organizations, bodies and conferences;

(*i*) Take all appropriate measures to ensure the full application of, and compliance with, the provisions of Decree No. 1 for the Protection of the Natural Resources of Namibia, enacted by the United Nations Council for Namibia on 27 September 1974,[38] and such other measures as may be necessary to assist in the protection of the natural resources of Namibia;

(*j*) Formulate policies of assistance to Namibians and co-ordinate aid for Namibia provided by the specialized agencies and other organizations and bodies within the United Nations system;

(*k*) Act as trustee of the United Nations Fund for Namibia and, in this capacity, administer and manage the Fund;

(*l*) Co-ordinate, plan and direct the Nationhood Programme for Namibia in consultation with the South West Africa People's Organization;

(*m*) Provide broad guidelines and formulate the principles and policies for the United Nations Institute for Namibia at Lusaka;

(*n*) Continue to consult with the South West Africa People's Organization, as appropriate, in the formulation and implementation of its programme of work as well as in any matter of interest to the Namibian people;

(*o*) Continue to entrust such executive and administrative duties as it deems necessary to the United Nations Commissioner for Namibia, who, in the performance of his tasks, shall report to the Council;

3. *Decides* to increase the financial provision in the budget of the United Nations Council for Namibia to finance the Office of the South West Africa People's

[35] See also sect. I, foot-note 6, and sect. X.B.6, decision 34/421.

[36] *Official Records of the General Assembly, Thirty-fourth Session, Supplement No. 24* (A/34/24 and Corr.1).

[37] *Ibid., Supplement No. 23* (A/34/23/Rev.1), chaps. I-III, V and IX.

[38] *Ibid., Twenty-ninth Session, Supplement No. 24A* (A/9624/Add.1), para. 84. The Decree has been issued in final form in *Namibia Gazette No. 1.*

(*e*) To commission expert studies on all aspects of *apartheid* and its international repercussions;

(*f*) To hold sessions away from Headquarters as necessary;

4. *Requests* the Special Committee, with the assistance of the Centre against *Apartheid* of the Secretariat and in co-operation with the South African liberation movements recognized by the Organization of African Unity, to promote the international mobilization against *apartheid* and to facilitate co-ordination of action among anti-*apartheid* and solidarity movements, trade unions, churches and other religious bodies, women's organizations, student and youth organizations and the mass media;

5. *Requests* the Special Committee to devote special attention in 1981 to:

(*a*) Promotion of campaigns for the total isolation of the racist régime of South Africa;

(*b*) Promotion of increased assistance to the oppressed people of South Africa and their national liberation movement;

(*c*) Monitoring of the implementation of United Nations resolutions on *apartheid* and exposing all collaboration with South Africa;

6. *Requests* the Secretary-General to provide the Centre against *Apartheid* with all the necessary means to assist the Special Committee in this task;

7. *Decides* to make a special annual allocation of $150,000 to the Special Committee, from the budget of the United Nations for the biennium 1980-1981, for special projects to be decided on by the Committee to promote the international mobilization against *apartheid*, in particular:

(*a*) Co-sponsorship and assistance to national and international conferences and seminars against *apartheid*;

(*b*) Assistance to enable national liberation movements to participate in such conferences;

(*c*) Promotion of the widest observance of international days against *apartheid* and of international campaigns against *apartheid*;

(*d*) Expert studies on *apartheid*;

8. *Requests* all Governments, specialized agencies and other institutions within the United Nations system and other organizations to co-operate with the Special Committee in the discharge of its responsibilities.

98th plenary meeting
16 December 1980

Q

INVESTMENTS IN SOUTH AFRICA

The General Assembly,

Recalling its resolution 34/93 Q of 12 December 1979,

Taking note of the reports of the Special Committee against *Apartheid*,[73]

Convinced that a cessation of all new foreign investments in and financial loans to South Africa would constitute an important step in international action for the elimination of *apartheid*, as such investments and loans abet and encourage the *apartheid* policies in that country,

Welcoming the actions of those Governments which have taken legislative and other measures towards that end,

Noting with regret that the Security Council has not yet taken steps towards that end, as requested in General Assembly resolutions 31/6 K of 9 November 1976, 32/105 O of 16 December 1977, 33/183 O of 24 January 1979 and 34/93 Q of 12 December 1979,

Again urges the Security Council to consider the matter at an early date with a view to taking effective steps to achieve the cessation of further foreign investments in and financial loans to South Africa.

98th plenary meeting
16 December 1980

R

UNITED NATIONS TRUST FUND FOR SOUTH AFRICA

The General Assembly,

Having considered the report of the Secretary-General on the United Nations Trust Fund for South Africa,[75] to which is annexed the report of the Committee of Trustees of the United Nations Trust Fund for South Africa,

Gravely concerned at the continued and increased repression of opponents of *apartheid* and racial discrimination in South Africa and the institution of numerous trials under arbitrary security legislation, as well as continued repression in Namibia,

Reaffirming that increased humanitarian assistance by the international community to those persecuted under repressive and discriminatory legislation in South Africa and Namibia is appropriate and essential,

Recognizing that increased contributions to the Trust Fund and to the voluntary agencies concerned are necessary to enable them to meet the increased needs for humanitarian and legal assistance,

1. *Commends* the Secretary-General and the Committee of Trustees of the United Nations Trust Fund for South Africa for their efforts to promote humanitarian and legal assistance to persons persecuted under repressive and discriminatory legislation in South Africa and Namibia, as well as assistance to their families and to refugees from South Africa;

2. *Expresses its appreciation* to the Governments, organizations and individuals that have contributed to the Trust Fund and to the voluntary agencies engaged in rendering humanitarian and legal assistance to the victims of *apartheid* and racial discrimination;

3. *Appeals* for generous and increased contributions to the Trust Fund;

4. *Further appeals* for direct contributions to the voluntary agencies engaged in assistance to the victims of *apartheid* and racial discrimination in South Africa and Namibia.

98th plenary meeting
16 December 1980

35/207. The situation in the Middle East

The General Assembly,

Having discussed the item entitled "The situation in the Middle East",

Taking into account the support extended to the just causes of the Palestinian people and the other Arab

[75] A/35/509.

countries in their struggle against Israeli aggression and occupation in order to achieve a comprehensive, just and lasting peace in the Middle East and the full exercise by the Palestinian people of its inalienable national rights, as affirmed by previous resolutions of the General Assembly relating to the question of Palestine and the situation in the Middle East,

Deeply concerned that the Arab and Palestinian territories occupied since June 1967, including Jerusalem, still remain under illegal Israeli occupation, that the relevant resolutions of the United Nations have not been implemented and that the Palestinian people is still denied the restoration of its land and the exercise of its inalienable national rights in conformity with international law, as reaffirmed by resolutions of the United Nations,

Reaffirming that the acquisition of territory by force is inadmissible under the Charter of the United Nations and the principles of international law and that Israel must withdraw from all the occupied Palestinian and other Arab territories, including Jerusalem,

Reaffirming further the necessity of establishing a comprehensive, just and lasting peace in the region, based on full respect for the Charter and the principles of international law,

1. *Condemns* Israel's continued occupation of Palestinian and other Arab territories, in violation of the Charter of the United Nations, the principles of international law and the relevant resolutions of the United Nations, and renews its call for the immediate, unconditional and total withdrawal of Israel from all these occupied territories;

2. *Reaffirms* its conviction that the question of Palestine is at the core of the conflict in the Middle East and that no comprehensive, just and lasting peace in the region will be achieved without the full exercise by the Palestinian people of its inalienable national rights;

3. *Reaffirms further* that a just and comprehensive settlement of the situation in the Middle East cannot be achieved without the participation on an equal footing of the parties to the conflict, including the Palestine Liberation Organization as the representative of the Palestinian people;

4. *Declares once more* that peace in the Middle East is indivisible and that a just and lasting settlement of the Middle East problem must be based on a comprehensive solution, under the auspices of the United Nations, which ensures complete and unconditional withdrawal from all the Palestinian and other Arab territories occupied since June 1967, including Jerusalem, and enables the Palestinian people to exercise its inalienable rights, including the right of return, and the right to self-determination, national independence and the establishment of its independent State in Palestine under the leadership of the Palestine Liberation Organization, in accordance with resolutions of the United Nations relating to the question of Palestine, in particular General Assembly resolutions ES-7/2 of 29 July 1980 and 35/169 A of 15 December 1980;

5. *Rejects* all partial agreements and separate treaties which violate the recognized rights of the Palestinian people and contradict the principles of just and comprehensive solutions to the Middle East problem to ensure the establishment of a just peace in the area;

6. *Further reaffirms* its strong rejection of Israel's decision to annex Jerusalem, declare it as its "capital" and alter its physical character, demographic composition, institutional structure and status, considers all these measures and their consequences null and void, requests that they should be rescinded immediately and calls upon all Member States, specialized agencies and other international organizations to abide by the present resolution and all other relevant resolutions, including General Assembly resolution 35/169 E of 15 December 1980;

7. *Strongly condemns* Israel's aggression against Lebanon and the Palestinian people as well as its practices in the occupied Palestinian and other Arab territories, particularly the Syrian Golan Heights, including annexation, the establishment of settlements, assassination attempts and other terrorist, aggressive and repressive measures which are in violation of the Charter and the principles of international law;

8. *Calls* for strict respect for the territorial integrity, sovereignty and political independence of Lebanon within its internationally recognized boundaries;

9. *Requests* the Secretary-General to report to the Security Council periodically on the development of the situation and to submit to the General Assembly at its thirty-sixth session a report covering the developments in the Middle East in all their aspects.

98th plenary meeting
16 December 1980

35/227. Question of Namibia[76]

A

SITUATION IN NAMIBIA RESULTING FROM THE ILLEGAL OCCUPATION OF THE TERRITORY BY SOUTH AFRICA

The General Assembly,

Having examined the report of the United Nations Council for Namibia[77] and the relevant chapters of the report of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples,[78]

Recalling its resolution 1514 (XV) of 14 December 1960 containing the Declaration on the Granting of Independence to Colonial Countries and Peoples,

Recalling, in particular, its resolutions 2145 (XXI) of 27 October 1966 and 2248 (S-V) of 19 May 1967 and subsequent resolutions of the General Assembly and the Security Council relating to Namibia, as well as the advisory opinion of the International Court of Justice of 21 June 1971,[79] delivered in response to the request addressed to it by the Council in its resolution 284 (1970) of 29 July 1970,

Recalling also its resolutions 3111 (XXVIII) of 12 December 1973, and 31/146 and 31/152 of 20 December 1976, by which it, *inter alia*, recognized the South West Africa People's Organization as the sole and authentic representative of the Namibian people and granted observer status to it,

Taking into consideration the Algiers Declaration and Programme of Action on Namibia, adopted by the United Nations Council for Namibia at its extraor-

[76] See also sect.I, foot-note 7; sect. X.B.1, decision 35/442; and sect. X.B.5, decision 35/451.

[77] *Official Records of the General Assembly, Thirty-fifth Session, Supplement No. 24* (A/35/24 and Corr.1 and 2).

[78] *Ibid., Supplement No. 23* (A/35/23/Rev.1), chaps. I-V and VIII.

[79] *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. 16.

2. *Requests* the Special Committee to give the highest priority in 1982 to:

(*a*) Mobilizing support for sanctions against South Africa;

(*b*) Reviewing the implementation of United Nations resolutions on *apartheid*, especially those for the promotion and effective monitoring of military, nuclear and oil embargoes against South Africa;

(*c*) Publicizing all developments concerning military, nuclear, economic, political and other collaboration with the racist régime of South Africa;

(*d*) Promoting the participation of writers, artists and other cultural personalities in the international campaign against *apartheid*,

(*e*) Promoting the world campaign for the unconditional release of all persons imprisoned or restricted for their opposition to *apartheid*,

3. *Decides* to make a special allocation of $300,000 to the Special Committee for 1982 from the regular budget of the United Nations for the cost of special projects to be decided on by the Committee in order to promote the international campaign against *apartheid*, in particular:

(*a*) Organization and co-sponsorship, and financial assistance, to international and national conferences and seminars against *apartheid*;

(*b*) Assistance to enable national liberation movements to participate in such conferences;

(*c*) Promotion of the widest observance of international days against *apartheid* and of international campaigns against *apartheid*;

(*d*) Studies by experts on *apartheid*;

4. *Requests* Governments and organizations to make voluntary contributions or provide other assistance for the special projects of the Special Committee, particularly in order to promote the effective observance of the International Year of Mobilization for Sanctions against South Africa;

5. *Requests* the Secretary-General, in consultation with the Special Committee, to make urgent and necesary administrative arrangements for effective services to the Committee, as indicated in paragraphs 413 to 415 of its report;

6. *Requests* all Governments, specialized agencies and other institutions in the United Nations system and other organizations to co-operate with the Special Committee in the discharge of its responsibilities.

102nd plenary meeting
17 December 1981

O

Investments in South Africa

The General Assembly,

Recalling its resolution 35/206 Q of 16 December 1980,

Taking note of the report of the Special Committee against *Apartheid*,[102]

Convinced that a cessation of all new foreign investments in, and financial loans to, South Africa would constitute an important step in international action for the elimination of *apartheid*, as such investments and loans abet and encourage the *apartheid* policies of that country,

Welcoming the actions of those Governments that have taken legislative and other measures towards that end,

Noting with regret that the Security Council has not yet taken steps towards that end, as requested by the General Assembly in its resolutions 31/6 K of 9 November 1976, 32/105 O of 16 December 1977, 33/183 O of 24 January 1979, 34/93 Q of 12 December 1979 and 35/206 Q of 16 December 1980,

Again urges the Security Council to consider the matter at an early date with a view to taking effective steps to achieve the cessation of further foreign investments in, and financial loans to, South Africa.

102nd plenary meeting
17 December 1981

P

United Nations Trust Fund for South Africa

The General Assembly,

Having considered the report of the Secretary-General,[105] to which is annexed the report of the Committee of Trustees of the United Nations Trust Fund for South Africa,

Gravely concerned at the continued and increased repression against opponents of *apartheid* and racial discrimination in South Africa, and the institution of numerous trials under arbitrary security legislation, as well as continued repression in Namibia,

Reaffirming that increased humanitarian assistance by the international community to those persecuted under repressive and discriminatory legislation in South Africa and Namibia is appropriate and essential,

Recognizing that increased contributions to the Trust Fund and to the voluntary agencies concerned are necessary to enable them to meet the increased needs for humanitarian and legal assistance,

1. *Commends* the Secretary-General and the Committee of Trustees of the United Nations Trust Fund for South Africa for their efforts to promote humanitarian and legal assistance to persons persecuted under repressive and discriminatory legislation in South Africa and Namibia, as well as assistance to their families and to refugees from South Africa;

2. *Expresses its appreciation* to the Governments, organizations and individuals that have contributed to the Trust Fund and to the voluntary agencies engaged in rendering humanitarian and legal assistance to the victims of *apartheid* and racial discrimination;

3. *Appeals* for generous and increased contributions to the Trust Fund;

4. *Also appeals* for direct contributions to the voluntary agencies engaged in assistance to the victims of *apartheid* and racial discrimination in South Africa and Namibia.

102nd plenary meeting
17 December 1981

36/226. The situation in the Middle East

A

The General Assembly,

Having discussed the item entitled "The situation in the Middle East",

Taking note of the report of the Secretary-General of 11 November 1981,[106]

Welcoming the world-wide support extended to the just cause of the Palestinian people and the other Arab countries in their struggle against Israeli aggression and occupation in order to achieve a comprehensive, just and lasting peace

[105] A/36/619 and Corr.1.

[106] A/36/655-S/14746. For the printed text, see *Official Records of the Security Council, Thirty-sixth Year, Supplement for October, November and December 1981*.

in the Middle East and the full exercise by the Palestinian people of its inalienable national rights, as affirmed by previous resolutions of the General Assembly relating to the question of Palestine and the situation in the Middle East,

Gravely concerned that the Arab and Palestinian territories occupied since 1967, including Jerusalem, still remain under Israeli occupation, that the relevant resolutions of the United Nations have not been implemented and that the Palestinian people is still denied the restoration of its land and the exercise of its inalienable national rights in conformity with international law, as reaffirmed by resolutions of the United Nations,

Reaffirming the applicability of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949,[107] to all the occupied Palestinian and other Arab territories, including Jerusalem,

Reiterating all relevant United Nations resolutions which emphasize that the acquisition of territory by force is inadmissible under the Charter of the United Nations and the principles of international law and that Israel must withdraw unconditionally from all the occupied Palestinian and other Arab territories, including Jerusalem,

Reaffirming further the imperative necessity of establishing a comprehensive, just and lasting peace in the region, based on full respect for the Charter and the principles of international law,

Gravely concerned also at recent Israeli actions involving the escalation and expansion of the conflict in the region, which further violate the principles of international law and endanger international peace and security,

1. *Condemns* Israel's continued occupation of the Palestinian and other Arab territories, including Jerusalem, in violation of the Charter of the United Nations, the principles of international law and the relevant resolutions of the United Nations, and demands the immediate, unconditional and total withdrawal of Israel from all these occupied territories;

2. *Reaffirms* its conviction that the question of Palestine is the core of the conflict in the Middle East and that no comprehensive, just and lasting peace in the region will be achieved without the full exercise by the Palestinian people of its inalienable national rights;

3. *Reaffirms further* that a just and comprehensive settlement of the situation in the Middle East cannot be achieved without the participation on an equal footing of all the parties to the conflict, including the Palestine Liberation Organization as the representative of the Palestinian people;

4. *Declares once more* that peace in the Middle East is indivisible and must be based on a comprehensive, just and lasting solution of the Middle East problem, under the auspices of the United Nations, which ensures the complete and unconditional withdrawal of Israel from the Palestinian and other Arab territories occupied since 1967, including Jerusalem, and which enables the Palestinian people, under the leadership of the Palestine Liberation Organization, to exercise its inalienable rights, including the right to return and the right to self-determination, national independence and the establishment of its independent sovereign State in Palestine, in accordance with the resolutions of the United Nations relevant to the question of Palestine, in particular General Assembly resolutions ES-7/2 of 29 July 1980 and 36/120 A to F of 10 December 1981;

5. *Rejects* all partial agreements and separate treaties in so far as they violate the recognized rights of the Palestinian people and contradict the principles of just and comprehensive solutions to the Middle East problem to ensure the establishment of a just peace in the area;

6. *Deplores* Israel's failure to comply with Security Council resolutions 476 (1980) of 30 June 1980 and 478 (1980) of 20 August 1980 and General Assembly resolution 35/207 of 16 December 1980, determines that Israel's decision to annex Jerusalem and to declare it its "capital", as well as the measures to alter its physical character, demographic composition, institutional structure and status, are null and void and demands that they be rescinded immediately, and calls upon all Member States, the specialized agencies and all other international organizations to abide by the present resolution and all other relevant resolutions, including Assembly resolution 36/120 E;

7. *Condemns* Israel's aggression and practices against the Palestinian people in the occupied Palestinian territories and outside these territories, particularly in the Palestinian refugee camps in Lebanon, including the expropriation and annexation of territory, the establishment of settlements, assassination attempts and other terrorist, aggressive and repressive measures, which are in violation of the Charter and the principles of international law and the pertinent international conventions;

8. *Strongly condemns* Israeli annexationist policies and practices in the occupied Syrian Golan Heights, the establishment of settlements, the confiscation of lands, the diversion of water resources, the intensification of repressive measures against the Syrian citizens therein and the forcible imposition of Israeli citizenship on Syrian nationals, and declares all these measures null and void as they constitute violations of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949;

9. *Strongly condemns* the Israeli aggression against Lebanon and the continuous bombardment and destruction of its cities and villages, and all acts that constitute a violation of its sovereignty, independence and territorial integrity and the security of its people and prevent the full implementation of Security Council resolution 425 (1978) of 19 March 1978, including the full deployment of the United Nations Interim Force in Lebanon up to the internationally recognized borders;

10. *Calls* for strict respect of the territorial integrity, sovereignty and political independence of Lebanon and supports the efforts of the Government of Lebanon, with regional and international endorsement, to restore the exclusive authority of the Lebanese State over all of its territory up to the internationally recognized boundaries;

11. *Deplores* Israeli violations of the airspace of various Arab countries and demands their immediate cessation;

12. *Considers* that the agreements on strategic cooperation between the United States of America and Israel signed on 30 November 1981 would encourage Israel to pursue its aggressive and expansionist policies and practices in the Palestinian and other Arab territories occupied since 1967, including Jerusalem, would have adverse effects on efforts for the establishment of a comprehensive, just and lasting peace in the Middle East and would threaten the security of the region;

13. *Calls upon* all States to put an end to the flow to Israel of any military, economic and financial resources that would encourage it to pursue its aggressive policies against the Arab countries and the Palestinian people;

14. *Requests* the Secretary-General to report to the Security Council periodically on the development of the situation and to submit to the General Assembly at its thirty-seventh session a comprehensive report covering the developments in the Middle East in all their aspects.

103rd plenary meeting
17 December 1981

[107] United Nations, *Treaty Series*, vol. 75, No. 973, p. 287.

B

The General Assembly,

Gravely alarmed by Israel's decision of 14 December 1981 to apply Israeli law to the occupied Syrian Arab Golan Heights,

Reaffirming that acquisition of territory by force is inadmissible under the Charter of the United Nations, the principles of international law and relevant United Nations resolutions,

Reaffirming once more the applicability of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949,[107] to the occupied Syrian territory,

Recalling its resolutions 35/122 A to F of 11 December 1980,

1. *Declares* that Israel's decision to apply Israeli law to the occupied Syrian Arab Golan Heights is null and void and has no legal validity whatsoever;

2. *Determines* that the provisions of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, continue to apply to the Syrian territory occupied by Israel since 1967;

3. *Strongly deplores* the persistence of the Israeli policy of annexation, which escalates tension in the region;

4. *Demands* that Israel, the occupying Power, rescind forthwith its decision and all administrative and other measures relating to it, which constitute a flagrant violation of all relevant principles of international law;

5. *Calls upon* all States, specialized agencies and other international institutions not to recognize that decision;

6. *Requests* the Security Council, in the event of Israel's failure to implement the present resolution, to invoke Chapter VII of the Charter of the United Nations;

7. *Requests* the Secretary-General to report to the General Assembly and the Security Council on the implementation of the present resolution not later than 21 December 1981.

103rd plenary meeting
17 December 1981

36/244. Enlargement of the Executive Board of the United Nations Children's Fund[108]

The General Assembly,

Convinced that a strengthened and expanded United Nations Children's Fund necessitates the increased participation of Member States in the work of the Executive Board of the Fund,

Recalling its resolution 417 (V) of 1 December 1950, which established the importance of constituting the Executive Board with due regard to geographical distribution and to the representation of the major contributing and recipient countries,

Noting that the composition of the Executive Board was last considered by the General Assembly at its eleventh session, when the Assembly adopted resolution 1038 (XI) of 7 December 1956, replacing paragraph 6 (*a*) of resolution 417 (V),

1. *Decides*, without prejudice to arrangements which may be made in other bodies, to enlarge the membership of the Executive Board of the United Nations Children's Fund to forty-one members, to be elected from States Members of the United Nations or members of specialized agencies or of the International Atomic Energy Agency, subject to the following conditions:

(*a*) Nine seats for African States;
(*b*) Nine seats for Asian States;
(*c*) Four seats for Eastern European States;
(*d*) Six seats for Latin American States;
(*e*) Twelve seats for Western European and other States;
(*f*) One seat to be rotated among the five regional groups, in the following order:
(i) African States;
(ii) Latin American States;
(iii) Asian States;
(iv) Western European and other States;
(v) Eastern European States;
(*g*) Without prejudice to the terms of the States already elected, elections to these forty-one seats shall be for a term of three years and retiring members shall be eligible for re-election;

2. *Requests* the Economic and Social Council to elect, at its first regular session of 1982, the additional eleven members of the Executive Board.[109]

110th plenary meeting
28 April 1982

[108] See also sect. V, resolution 36/197.

[109] See Economic and Social Council decision 1982/126 of 6 May 1982.

on the basis of the attainment by the Palestinian people of its inalienable rights in Palestine, in accordance with the relevant resolutions of the United Nations;

2. *Reaffirms* the principle of the inadmissibility of the acquisition of territory by force;

3. *Reaffirms once again* that a comprehensive, just and lasting peace in the Middle East cannot be established without the unconditional withdrawal of Israel from the Palestinian and the other Arab territories occupied since 1967, including Jerusalem, and without the exercise and attainment by the Palestinian people of its inalienable rights in Palestine, in accordance with the principles of the Charter and the relevant resolutions of the United Nations;

4. *Requests* the Security Council to discharge its responsibilities under the Charter and recognize the inalienable rights of the Palestinian Arab people, including the right to self-determination and the right to establish its independent Arab State in Palestine;

5. *Reiterates* its request that the Security Council take the necessary measures, in execution of the relevant United Nations resolutions, to implement the plan which, *inter alia*, recommends that an independent Arab State shall come into existence in Palestine;

6. *Requests* the Secretary-General to report on the progress made in implementing the present resolution as soon as possible

99th plenary meeting
10 December 1982

E

The General Assembly,

Having considered the report of the Committee on the Exercise of the Inalienable Rights of the Palestinian People,[68]

Expressing its extreme concern that no just solution to the problem of Palestine has been achieved and that this problem therefore continues to aggravate the Middle East conflict, of which it is the core, and to endanger international peace and security,

Recalling its previous relevant resolutions, particularly resolutions 181 (II) of 29 November 1947, 194 (III) of 11 December 1948, 3236 (XXIX) of 22 November 1974, ES-7/2 of 29 July 1980, 36/120 D of 10 December 1981 and ES-7/9 of 24 September 1982,

Recalling, in particular, the principles relevant to the question of Palestine that have been accepted by the international community, including the right of all States in the region to existence within internationally recognized boundaries, and justice and security for all the peoples, which requires recognition and attainment of the legitimate rights of the Palestinian people,

Recognizing the necessity of participation by all parties concerned in any efforts aimed at the attainment of a just and lasting solution,

1. *Reaffirms* the inalienable legitimate rights of the Palestinian people, including the right to self-determination and the right to establish, once it so wishes, its independent State in Palestine;

2. *Declares* all Israeli policies and practices of, or aimed at, annexation of the occupied Palestinian and other Arab territories, including Jerusalem, to be in violation of international law and of the relevant United Nations resolutions;

3. *Demands*, in conformity with the fundamental principle of the inadmissibility of the acquisition of territory by force, that Israel should withdraw completely and unconditionally from all the Palestinian and other Arab territories occupied since June 1967, including Jerusalem, with all property and services intact;

4. *Urges* the Security Council to facilitate the process of Israeli withdrawal;

5. *Recommends* that, following the withdrawal of Israel from the occupied Palestinian territories, those territories should be subjected to a short transitional period under the supervision of the United Nations, during which period the Palestinian people would exercise its right to self-determination;

6. *Urgently calls* for the achievement of a comprehensive, just and lasting peace, based on the resolutions of the United Nations and under its auspices, in which all parties concerned, including the Palestine Liberation Organization, the representative of the Palestinian people, participate on an equal footing;

7. *Recommends* that the Security Council should take early action to promote a just and comprehensive solution to the question of Palestine;

8. *Requests* the Secretary-General to report to the General Assembly at its thirty-eighth session on the progress made in implementing the present resolution.

112th plenary meeting
20 December 1982

37/101. Invasion of Lesotho by South Africa

The General Assembly,

Having learned of the invasion of Lesotho by South Africa on 9 December 1982, resulting in the loss of innocent lives and the destruction of property,

Noting with deep concern the continued acts of aggression by South Africa against Lesotho and other neighbouring independent African States in complete disregard of resolutions of the General Assembly and the Security Council,

Grieved at the tragic loss of human life and concerned about the damage and destruction of property resulting from the invasion of Lesotho by South Africa,

Convinced that international solidarity with Lesotho, as a neighbouring State of South Africa, is essential to counteract effectively South Africa's policy of coercing its neighbours into not opposing its policy of *apartheid* and not giving sanctuary to South African refugees,

1. *Condemns* South Africa for its unprovoked invasion of Lesotho, resulting in the loss of innocent lives and the destruction of property;

2. *Commends* the Government of Lesotho for its opposition to the *apartheid* policy of the racist régime of South Africa and for the sanctuary it is giving to South African refugees;

3. *Urges* the Security Council to take immediate steps to deter South Africa from repeating its acts of aggression against and destabilization of Lesotho and other neighbouring independent African States.

103rd plenary meeting
14 December 1982

37/123. The situation in the Middle East

A

The General Assembly,

Having discussed the item entitled "The situation in the Middle East",

Taking note of the reports of the Secretary-General,[71]

[71] A/37/169 and Add.1-3-S/14953 and Add.1-3. For the printed text, see *Official Records of the Security Council, Thirty-seventh Year, Supplement for April, May and June 1982*, documents S/14953 and Add.1; and *ibid., Supplement for October, November and December 1982*, documents S/14953/Add.2 and 3.

Recalling Security Council resolution 497 (1981) of 17 December 1981,

Reaffirming its resolutions 36/226 B of 17 December 1981 and ES-9/1 of 5 February 1982,

Recalling its resolution 3314 (XXIX) of 14 December 1974, in which it defined an act of aggression, *inter alia*, as "the invasion or attack by the armed forces of a State of the territory of another State, or any military occupation, however temporary, resulting from such invasion or attack, or any annexation by the use of force of the territory of another State or part thereof" and provided that "no consideration of whatever nature, whether political, economic, military or otherwise, may serve as a justification for aggression",

Reaffirming the fundamental principle of the inadmissibility of the acquisition of territory by force,

Reaffirming once more the applicability of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949,[72] to the occupied Palestinian and other Arab territories, including Jerusalem,

Noting that Israel's record and actions establish conclusively that it is not a peace-loving Member State and that it has not carried out its obligations under the Charter of the United Nations,

Noting further that Israel has refused, in violation of Article 25 of the Charter, to accept and carry out the numerous relevant decisions of the Security Council, the latest of which was resolution 497 (1981), thus failing to carry out its obligations under the Charter,

1. *Strongly condemns* Israel for its failure to comply with Security Council resolution 497 (1981) and General Assembly resolutions 36/226 B and ES-9/1;

2. *Declares once more* that Israel's decision of 14 December 1981 to impose its laws, jurisdiction and administration on the occupied Syrian Golan Heights constitutes an act of aggression under the provisions of Article 39 of the Charter of the United Nations and General Assembly resolution 3314 (XXIX);

3. *Declares once more* that Israel's decision to impose its laws, jurisdiction and administration on the occupied Syrian Golan Heights is null and void and has no legal validity and/or effect whatsoever;

4. *Declares* all Israeli policies and practices of, or aimed at, annexation of the occupied Palestinian and other Arab territories, including Jerusalem, to be in violation of international law and of the relevant United Nations resolutions;

5. *Determines once more* that all actions taken by Israel to give effect to its decision relating to the occupied Syrian Golan Heights are illegal and invalid and shall not be recognized;

6. *Reaffirms its determination* that all the provisions of the Hague Convention of 1907[73] and the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, continue to apply to the Syrian territory occupied by Israel since 1967, and calls upon the parties thereto to respect and ensure respect of their obligations under these instruments in all circumstances;

7. *Determines once more* that the continued occupation of the Syrian Golan Heights since 1967 and their effective annexation by Israel on 14 December 1981, following Israel's decision to impose its laws, jurisdiction and administration on that territory, constitute a continuing threat to international peace and security;

8. *Strongly deplores* the negative vote by a permanent member of the Security Council which prevented the Council from adopting against Israel, under Chapter VII of the Charter, the "appropriate measures" referred to in resolution 497 (1981) unanimously adopted by the Council;

9. *Further deplores* any political, economic, financial, military and technological support to Israel that encourages Israel to commit acts of aggression and to consolidate and perpetuate its occupation and annexation of occupied Arab territories;

10. *Firmly emphasizes once more* its demands that Israel, the occupying Power, rescind forthwith its decision of 14 December 1981 to impose its laws, jurisdiction and administration on the Syrian Golan Heights, which has resulted in the effective annexation of that territory;

11. *Reaffirms once more* the overriding necessity of the total and unconditional withdrawal by Israel from all the Palestinian and other Arab territories occupied since 1967, including Jerusalem, which is an essential prerequisite for the establishment of a comprehensive and just peace in the Middle East;

12. *Determines once more* that Israel's record and actions confirm that it is not a peace-loving Member State, that it has persistently violated the principles contained in the Charter and that it has carried out neither its obligations under the Charter nor its commitment under General Assembly resolution 273 (III) of 11 May 1949;

13. *Calls once more upon* all Member States to apply the following measures:

(*a*) To refrain from supplying Israel with any weapons and related equipment and to suspend any military assistance that Israel receives from them;

(*b*) To refrain from acquiring any weapons or military equipment from Israel;

(*c*) To suspend economic, financial and technological assistance to and co-operation with Israel;

(*d*) To sever diplomatic, trade and cultural relations with Israel;

14. *Reiterates its call* to all Member States to cease forthwith, individually and collectively, all dealings with Israel in order totally to isolate it in all fields;

15. *Urges* non-member States to act in accordance with the provisions of the present resolution;

16. *Calls upon* the specialized agencies and other international organizations to conform their relations with Israel to the terms of the present resolution.

108th plenary meeting
16 December 1982

B

The General Assembly,

Recalling the relevant provisions of the Universal Declaration of Human Rights,[74]

Recalling also the Constitution of the United Nations Educational, Scientific and Cultural Organization[75] and all other relevant international instruments concerning the right to cultural identity in all its forms,

Having learned that the Israeli army, during its occupation of Beirut, seized and took away the archives and documents of every kind concerning Palestinian history and culture, including cultural articles belonging to Palestinian institutions—in particular the Palestine Research Centre—archives, documents, manuscripts and materials such as film

[72] United Nations, *Treaty Series*, vol. 75, No. 973, p. 287.

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

[74] Resolution 217 A (III).

[75] See *Manual of the General Conference*, 1981 edition (Paris, UNESCO, 1981).

documents, literary works by major authors, paintings, *objets d'art* and works of folklore, research works and so forth, serving as a foundation for the history, culture, national awareness, unity and solidarity of the Palestinian people,

1. *Condemns* those acts of plundering the Palestinian cultural heritage;

2. *Calls upon* the Government of Israel to make full restitution, through the United Nations Educational, Scientific and Cultural Organization, of all the cultural property belonging to Palestinian institutions, including the archives and documents removed from the Palestine Research Centre and arbitrarily seized by the Israeli forces.

108th plenary meeting
16 December 1982

C

The General Assembly,

Recalling its resolution 36/120 E of 10 December 1981, in which it determined that all legislative and administrative measures and actions taken by Israel, the occupying Power, which had altered or purported to alter the character and status of the Holy City of Jerusalem, in particular the so-called "Basic Law" on Jerusalem and the proclamation of Jerusalem as the capital of Israel, were null and void and must be rescinded forthwith,

Recalling Security Council resolution 478 (1980) of 20 August 1980, in which the Council, *inter alia*, decided not to recognize the "Basic Law" and called upon those States that had established diplomatic missions at Jerusalem to withdraw such missions from the Holy City,

1. *Deplores* the transfer by some States of their diplomatic missions to Jerusalem in violation of Security Council resolution 478 (1980);

2. *Calls upon* those States to abide by the provisions of the relevant United Nations resolutions, in conformity with the Charter of the United Nations.

108th plenary meeting
16 December 1982

D

The General Assembly,

Recalling its resolution 95 (I) of 11 December 1946,

Recalling also its resolution 96 (I) of 11 December 1946, in which it, *inter alia*, affirmed that genocide is a crime under international law which the civilized world condemns, and for the commission of which principals and accomplices—whether private individuals, public officials or statesmen, and whether the crime is committed on religious, racial, political or any other grounds—are punishable,

Referring to the provisions of the Convention on the Prevention and Punishment of the Crime of Genocide, adopted by the General Assembly on 9 December 1948,[76]

Recalling the relevant provisions of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949,[72]

Appalled at the large-scale massacre of Palestinian civilians in the Sabra and Shatila refugee camps situated at Beirut,

Recognizing the universal outrage and condemnation of that massacre,

Recalling its resolution ES-7/9 of 24 September 1982,

1. *Condemns* in the strongest terms the large-scale massacre of Palestinian civilians in the Sabra and Shatila refugee camps;

2. *Resolves* that the massacre was an act of genocide.

108th plenary meeting
16 December 1982

E

The General Assembly,

Having heard the address by the President of the Lebanese Republic on 18 October 1982,[77]

Taking note of the decision of the Government of Lebanon calling for the withdrawal from Lebanon of all non-Lebanese troops and forces which are not authorized by the Government to deploy therein,

Bearing in mind Security Council resolutions 508 (1982) of 5 June 1982 and 509 (1982) of 6 June 1982,

1. *Calls* for strict respect of the territorial integrity, sovereignty, unity and political independence of Lebanon and supports the efforts of the Government of Lebanon, with regional and international endorsement, to restore the exclusive authority of the Lebanese State throughout its territory up to the internationally recognized boundaries;

2. *Requests* the Secretary-General to report to the General Assembly on the implementation of the present resolution.

108th plenary meeting
16 December 1982

F

The General Assembly,

Having discussed the item entitled "The situation in the Middle East",

Reaffirming its resolutions 36/226 A and B of 17 December 1981 and ES-9/1 of 5 February 1982,

Recalling Security Council resolutions 425 (1978) of 19 March 1978, 497 (1981) of 17 December 1981, 508 (1982) of 5 June 1982, 509 (1982) of 6 June 1982, 511 (1982) of 18 June 1982, 512 (1982) of 19 June 1982, 513 (1982) of 4 July 1982, 515 (1982) of 29 July 1982, 516 (1982) of 1 August 1982, 517 (1982) of 4 August 1982, 518 (1982) of 12 August 1982, 519 (1982) of 17 August 1982, 520 (1982) of 17 September 1982 and 521 (1982) of 19 September 1982,

Taking note of the report of the Secretary-General of 12 October 1982,[78]

Welcoming the world-wide support extended to the just cause of the Palestinian people and the other Arab countries in their struggle against Israeli aggression and occupation in order to achieve a comprehensive, just and lasting peace in the Middle East and the full exercise by the Palestinian people of its inalienable national rights, as affirmed by previous resolutions of the General Assembly relating to the question of Palestine and the situation in the Middle East,

Gravely concerned that the Arab and Palestinian territories occupied since 1967, including Jerusalem, still remain under Israeli occupation, that the relevant resolutions of the United Nations have not been implemented and that the Palestinian people is still denied the restoration of its land and the exercise of its inalienable national rights in conformity with international law, as reaffirmed by resolutions of the United Nations,

Reaffirming the applicability of the Geneva Convention relative to the Protection of Civilian Persons in Time of

[76] Resolution 260 A (III).

[77] *Official Records of the General Assembly, Thirty-seventh Session, Plenary Meetings*, 35th meeting, paras. 2-18.

[78] A/37/525-S/15451. For the printed text, see *Official Records of the Security Council, Thirty-seventh Year, Supplement for October, November and December 1982*, document S/15451.

War, of 12 August 1949,[72] to all the occupied Palestinian and other Arab territories, including Jerusalem,

Reiterating all relevant United Nations resolutions which emphasize that the acquisition of territory by force is inadmissible under the Charter of the United Nations and the principles of international law and that Israel must withdraw unconditionally from all the Palestinian and other Arab territories occupied by Israel since 1967, including Jerusalem,

Reaffirming further the imperative necessity of establishing a comprehensive, just and lasting peace in the region, based on full respect for the Charter and the principles of international law,

Gravely concerned also at recent Israeli actions involving the escalation and expansion of the conflict in the region, which further violate the principles of international law and endanger international peace and security,

Welcoming the Arab peace plan adopted unanimously at the Twelfth Arab Summit Conference, held at Fez, Morocco, on 25 November 1981 and 9 September 1982,[79]

Bearing in mind the address made, on 26 October 1982, by His Majesty King Hassan II of Morocco,[80] in his capacity as President of the Twelfth Arab Summit Conference,

1. *Condemns* Israel's continued occupation of the Palestinian and other Arab territories, including Jerusalem, in violation of the Charter of the United Nations, the principles of international law and the relevant resolutions of the United Nations, and demands the immediate, unconditional and total withdrawal of Israel from all these occupied territories;

2. *Reaffirms its conviction* that the question of Palestine is the core of the conflict in the Middle East and that no comprehensive, just and lasting peace in the region will be achieved without the full exercise by the Palestinian people of its inalienable national rights and the immediate, unconditional and total withdrawal of Israel from all the Palestinian and other occupied Arab territories;

3. *Reaffirms further* that a just and comprehensive settlement of the situation in the Middle East cannot be achieved without the participation on an equal footing of all the parties to the conflict, including the Palestine Liberation Organization, the representative of the Palestinian people;

4. *Declares once more* that peace in the Middle East is indivisible and must be based on a comprehensive, just and lasting solution of the Middle East problem, under the auspices of the United Nations, which ensures the complete and unconditional withdrawal of Israel from the Palestinian and other Arab territories occupied since 1967, including Jerusalem, and which enables the Palestinian people, under the leadership of the Palestine Liberation Organization, to exercise its inalienable rights, including the right to return and the right to self-determination, national independence and the establishment of its independent sovereign State in Palestine, in accordance with the resolutions of the United Nations relevant to the question of Palestine, in particular General Assembly resolutions ES-7/2 of 29 July 1980, 36/120 A to F of 10 December 1981, 37/86 A to D of 10 December 1982 and 37/86 E of 20 December 1982;

5. *Rejects* all agreements and arrangements in so far as they violate the recognized rights of the Palestinian people and contradict the principles of just and comprehensive solutions to the Middle East problem to ensure the establishment of a just peace in the area;

6. *Deplores* Israel's failure to comply with Security Council resolutions 476 (1980) of 30 June 1980 and 478 (1980) of 20 August 1980 and General Assembly resolutions 35/207 of 16 December 1980 and 36/226 A and B of 17 December 1981, determines that Israel's decision to annex Jerusalem and to declare it as its "capital" as well as the measures to alter its physical character, demographic composition, institutional structure and status are null and void and demands that they be rescinded immediately, and calls upon all Member States, the specialized agencies and all other international organizations to abide by the present resolution and all other relevant resolutions, including Assembly resolutions 37/86 A to E;

7. *Condemns* Israel's aggression and practices against the Palestinian people in the occupied Palestinian territories and outside these territories, particularly Palestinians in Lebanon, including the expropriation and annexation of territory, the establishment of settlements, assassination attempts and other terrorist, aggressive and repressive measures, which are in violation of the Charter and the principles of international law and the relevant international conventions;

8. *Strongly condemns* the imposition by Israel of its laws, jurisdiction and administration on the occupied Syrian Golan Heights, its annexationist policies and practices, the establishment of settlements, the confiscation of lands, the diversion of water resources and the imposition of Israeli citizenship on Syrian nationals, and declares that all these measures are null and void and constitute a violation of the rules and principles of international law relevant to belligerent occupation, in particular the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949;

9. *Considers* that the agreements on strategic co-operation between the United States of America and Israel signed on 30 November 1981 would encourage Israel to pursue its aggressive and expansionist policies and practices in the Palestinian and other Arab territories occupied since 1967, including Jerusalem, would have adverse effects on efforts for the establishment of a comprehensive, just and lasting peace in the Middle East and would threaten the security of the region;

10. *Calls upon* all States to put an end to the flow to Israel of any military, economic and financial aid, as well as of human resources, aimed at encouraging it to pursue its aggressive policies against the Arab countries and the Palestinian people;

11. *Requests* the Secretary-General to report to the Security Council periodically on the development of the situation and to submit to the General Assembly at its thirty-eighth session a comprehensive report covering the developments in the Middle East in all their aspects.

112th plenary meeting
20 December 1982

37/166. Assistance to Yemen

The General Assembly,

Fully aware of the extensive devastation and substantial loss of life caused by the earthquake which struck several towns and tens of villages in Yemen on 12 December 1982,

Recognizing the efforts being made by the Government of Yemen to alleviate the sufferings of the victims of the earthquake,

Recognizing also that Yemen, being one of the least developed countries, is unable to bear the mounting burden of the relief efforts, rehabilitation and reconstruction of the affected areas,

1. *Expresses its gratitude* to the States and international and regional organizations that have undertaken efforts to provide relief assistance to Yemen;

[79] See A/37/696-S/15510, annex.

[80] *Official Records of the General Assembly, Thirty-seventh Session, Plenary Meetings*, 44th meeting, paras. 83-92.

7. *Expresses its appreciation* for the report of the Secretary-General and approves the recommendations contained therein;

8. *Requests* the Secretary-General to report to the General Assembly at its thirty-ninth session on developments relating to the Convention and on the implementation of the present resolution;

9. *Decides* to include in the provisional agenda of its thirty-ninth session an item entitled "Law of the Sea".

96th plenary meeting
14 December 1983

B

The General Assembly

Pays tribute to His Excellency Mr. Bernardo Zuleta, Special Representative of the Secretary-General for the Law of the Sea, recently deceased, whose services to the Third United Nations Conference on the Law of the Sea were decisive for the elaboration of the United Nations Convention on the Law of the Sea and for the progressive development of international law and international co-operation.

96th plenary meeting
14 December 1983

38/60. United Nations Conference for the Promotion of International Co-operation in the Peaceful Uses of Nuclear Energy

The General Assembly,

Reaffirming its resolution 32/50 of 8 December 1977,

Recalling its other resolutions regarding the United Nations Conference for the Promotion of International Co-operation in the Peaceful Uses of Nuclear Energy,

Noting the work carried out so far by the Preparatory Committee for the United Nations Conference for the Promotion of International Co-operation in the Peaceful Uses of Nuclear Energy,[110]

1. *Decides* that the United Nations Conference for the Promotion of International Co-operation in the Peaceful Uses of Nuclear Energy shall be held in 1986;

2. *Requests* the Chairman of the Preparatory Committee for the United Nations Conference for the Promotion of International Co-operation in the Peaceful Uses of Nuclear Energy and the Secretary-General of the Conference to undertake immediately appropriate consultations with Member States which could facilitate the resolution of pending issues relating to the Conference, including its provisional agenda and rules of procedure, as well as to the venue and the actual dates of the Conference, and to report thereon to the Preparatory Committee at its fifth session, and decides that the expenses incurred in this regard will be covered from existing budgetary resources;

3. *Notes with appreciation* that the Conference secretariat is proceeding with the preparations for the Conference and requests the Secretary-General of the Conference to continue those preparations;

4. *Also decides* that the Preparatory Committee will hold its fifth session at Vienna in June 1984, for a period of up to two weeks, in order to complete its work on an agreed agenda as well as on other outstanding issues related to the Conference;

5. *Requests* the Preparatory Committee to submit a report to the General Assembly at its thirty-ninth session so that the Assembly may consider, in the light of this report, the venue and actual dates for the Conference in 1986, as also for further meetings of the Committee;

6. *Urges* the International Atomic Energy Agency, as well as the specialized agencies and other relevant organizations of the United Nations system, to continue to contribute effectively to the preparations for the Conference so as to achieve meaningful results from the Conference, in accordance with the objectives of General Assembly resolution 32/50;

7. *Urges* all States to co-operate actively in the preparation of the Conference;

8. *Decides* to include in the provisional agenda of its thirty-ninth session the item entitled "United Nations Conference for the Promotion of International Co-operation in the Peaceful Uses of Nuclear Energy".

96th plenary meeting
14 December 1983

38/180. The situation in the Middle East

A

The General Assembly,

Having discussed the item entitled "The situation in the Middle East",

Taking note of the report of the Secretary-General of 30 September 1983,[111]

Recalling Security Council resolution 497 (1981) of 17 December 1981,

Reaffirming its resolutions 36/226 B of 17 December 1981, ES-9/1 of 5 February 1982 and 37/123 A of 16 December 1982,

Recalling its resolution 3314 (XXIX) of 14 December 1974, in which it defined an act of aggression, *inter alia*, as "the invasion or attack by the armed forces of a State of the territory of another State, or any military occupation, however temporary, resulting from such invasion or attack, or any annexation by the use of force of the territory of another State or part thereof" and provided that "no consideration of whatever nature, whether political, economic, military or otherwise, may serve as a justification for aggression",

Reaffirming the fundamental principle of the inadmissibility of the acquisition of territory by force,

Reaffirming once more the applicability of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949,[112] to the occupied Palestinian and other Arab territories, including Jerusalem,

Noting that Israel's record, policies and actions establish conclusively that it is not a peace-loving Member State and that it has not carried out its obligations under the Charter of the United Nations,

Noting further that Israel has refused, in violation of Article 25 of the Charter, to accept and carry out the numerous relevant decisions of the Security Council, in

[110] See *Official Records of the General Assembly, Thirty-sixth Session, Supplement No. 48* (A/36/48); and *ibid., Thirty-seventh Session, Supplement No. 48*(A/37/48) and *Supplement No. 48A* (A/37/48/Add.1).

[111] A/38/458-S/16015. For the printed text, see *Official Records of the Security Council, Thirty-eighth Year, Supplement for July, August and September 1983*, document S/16015.

[112] United Nations, *Treaty Series*, vol. 75, No. 973, p. 287.

particular resolution 497 (1981), thus failing to carry out its obligations under the Charter,

1. *Strongly condemns* Israel for its failure to comply with Security Council resolution 497 (1981) and General Assembly resolutions 36/226 B, ES-9/1 and 37/123 A;

2. *Declares once more* that Israel's continued occupation of the Golan Heights and its decision of 14 December 1981 to impose its laws, jurisdiction and administration on the occupied Syrian Golan Heights constitute an act of aggression under the provisions of Article 39 of the Charter of the United Nations and General Assembly resolution 3314 (XXIX);

3. *Declares once more* that Israel's decision to impose its laws, jurisdiction and administration on the occupied Syrian Golan Heights is illegal and therefore null and void and has no validity whatsoever;

4. *Declares* all Israeli policies and practices of, or aimed at, annexation of the occupied Palestinian and other Arab territories, including Jerusalem, to be illegal and in violation of international law and of the relevant United Nations resolutions;

5. *Determines once more* that all actions taken by Israel to give effect to its decision relating to the occupied Syrian Golan Heights are illegal and invalid and shall not be recognized;

6. *Reaffirms its determination* that all relevant provisions of the Regulations annexed to the Hague Convention IV of 1907,[113] and the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, continue to apply to the Syrian territory occupied by Israel since 1967, and calls upon the parties thereto to respect and ensure respect of their obligations under these instruments in all circumstances;

7. *Determines once more* that the continued occupation of the Syrian Golan Heights since 1967 and their annexation by Israel on 14 December 1981, following Israel's decision to impose its laws, jurisdiction and administration on that territory, constitute a continuing threat to international peace and security;

8. *Strongly deplores* the negative vote by a permanent member of the Security Council which prevented the Council from adopting against Israel, under Chapter VII of the Charter, the "appropriate measures" referred to in resolution 497 (1981) unanimously adopted by the Council;

9. *Further deplores* any political, economic, financial, military and technological support to Israel that encourages Israel to commit acts of aggression and to consolidate and perpetuate its occupation and annexation of occupied Arab territories;

10. *Firmly emphasizes once more* its demand that Israel, the occupying Power, rescind forthwith its illegal decision of 14 December 1981 to impose its laws, jurisdiction and administration on the Syrian Golan Heights, which resulted in the effective annexation of that territory;

11. *Reaffirms once more* the overriding necessity of the total and unconditional withdrawal by Israel from all the Palestinian and other Arab territories occupied since 1967, including Jerusalem, which is an essential prerequisite for the establishment of a comprehensive and just peace in the Middle East;

12. *Determines once more* that Israel's record, policies and actions confirm that it is not a peace-loving Member State, that it has persistently violated the principles contained in the Charter and that it has carried out neither its obligations under the Charter nor its commitment under General Assembly resolution 273 (III) of 11 May 1949;

13. *Calls once more upon* all Member States to apply the following measures:

(*a*) To refrain from supplying Israel with any weapons and related equipment and to suspend any military assistance that Israel receives from them;

(*b*) To refrain from acquiring any weapons or military equipment from Israel;

(*c*) To suspend economic, financial and technological assistance to and co-operation with Israel;

(*d*) To sever diplomatic, trade and cultural relations with Israel;

14. *Reiterates its call* to all Member States to cease forthwith, individually and collectively, all dealings with Israel in order totally to isolate it in all fields;

15. *Urges* non-member States to act in accordance with the provisions of the present resolution;

16. *Calls upon* the specialized agencies and other international institutions to conform their relations with Israel to the terms of the present resolution;

17. *Requests* the Secretary-General to report to the General Assembly at its thirty-ninth session on the implementation of the present resolution.

102nd plenary meeting
19 December 1983

B

The General Assembly,

Recalling the relevant provisions of the Universal Declaration of Human Rights,[114]

Recalling also the Constitution of the United Nations Educational, Scientific and Cultural Organization[115] and all other relevant international instruments concerning the right to cultural identity in all its forms,

Having learned that the Israeli army, during its occupation of Beirut, seized and took away archives and documents of every kind concerning Palestinian history and culture, including cultural articles belonging to Palestinian institutions—in particular the Palestine Research Centre—archives, documents, manuscripts and materials such as film documents, literary works by major authors, paintings, *objets d'art* and works of folklore, research works and so forth, serving as a foundation for the history, culture, national awareness, unity and solidarity of the Palestinian people,

1. *Condemns* those acts of plundering of the Palestinian cultural heritage;

2. *Calls upon* the Government of Israel to make full restitution, through the United Nations Educational, Scientific and Cultural Organization, of all cultural property belonging to Palestinian institutions, including the archives and documents removed from the Palestine Research Centre and arbitrarily seized by the Israeli forces;

3. *Requests* the Secretary-General to report to the General Assembly at its thirty-ninth session on the implementation of the present resolution.

102nd plenary meeting
19 December 1983

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

[114] Resoloution 217 A (III).

[115] See *Manual of the General Conference*, 1981 edition (Paris, UNESCO, 1981).

C

The General Assembly,

Recalling its resolutions 36/120 E of 10 December 1981 and 37/123 C of 16 December 1982, in which it determined that all legislative and administrative measures and actions taken by Israel, the occupying Power, which had altered or purported to alter the character and status of the Holy City of Jerusalem, in particular the so-called "Basic Law" on Jerusalem and the proclamation of Jerusalem as the capital of Israel, were null and void and must be rescinded forthwith,

Recalling Security Council resolution 478 (1980) of 20 August 1980, in which the Council, *inter alia*, decided not to recognize the "Basic Law" and called upon those States that had established diplomatic missions at Jerusalem to withdraw such missions from the Holy City,

1. *Declares once more* that Israel's decision to impose its laws, jurisdiction and administration on the Holy City of Jerusalem is illegal and therefore null and void and has no validity whatsoever;

2. *Deplores* the transfer by some States of their diplomatic missions to Jerusalem in violation of Security Council resolution 478 (1980);

3. *Calls once again upon* those States to abide by the provisions of the relevant United Nations resolutions, in conformity with the Charter of the United Nations;

4. *Requests* the Secretary-General to report to the General Assembly at its thirty-ninth session on the implementation of the present resolution.

102nd plenary meeting
19 December 1983

D

The General Assembly,

Having discussed the item entitled "The situation in the Middle East",

Reaffirming its resolutions 36/226 A and B of 17 December 1981, ES-9/1 of 5 February 1982 and 37/123 F of 16 December 1982,

Recalling Security Council resolutions 425 (1978) of 19 March 1978, 497 (1981) of 17 December 1981, 508 (1982) of 5 June 1982, 509 (1982) of 6 June 1982, 511 (1982) of 18 June 1982, 512 (1982) of 19 June 1982, 513 (1982) of 4 July 1982, 515 (1982) of 29 July 1982, 516 (1982) of 1 August 1982, 517 (1982) of 4 August 1982, 518 (1982) of 12 August 1982, 519 (1982) of 17 August 1982, 520 (1982) of 17 September 1982 and 521 (1982) of 19 September 1982,

Taking note of the report of the Secretary-General of 12 October 1982,[116]

Welcoming the world-wide support extended to the just cause of the Palestinian people and the other Arab countries in their struggle against Israeli aggression and occupation in order to achieve a comprehensive, just and lasting peace in the Middle East and the full exercise by the Palestinian people of its inalienable national rights, as affirmed by previous resolutions of the General Assembly relating to the question of Palestine and to the situation in the Middle East,

Gravely concerned that the Arab and Palestinian territories occupied since 1967, including Jerusalem, still remain under Israeli occupation, that the relevant resolutions of the United Nations have not been implemented and that the Palestinian people is still denied the restoration of its land and the exercise of its inalienable national rights in conformity with international law, as reaffirmed by resolutions of the United Nations,

Reaffirming the applicability of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949,[112] to all the occupied Palestinian and other Arab territories, including Jerusalem,

Reiterating all relevant United Nations resolutions which emphasize that the acquisition of territory by force is inadmissible under the Charter of the United Nations and the principles of international law and that Israel must withdraw unconditionally from all the Palestinian and other Arab territories occupied by Israel since 1967, including Jerusalem,

Reaffirming further the imperative necessity of establishing a comprehensive, just and lasting peace in the region, based on full respect for the Charter and the principles of international law,

Gravely concerned also at recent Israeli actions involving the escalation and expansion of the conflict in the region, which further violate the principles of international law and endanger international peace and security,

Recognizing the great importance of the time factor in the endeavours to achieve a comprehensive, just and lasting peace in the Middle East,

1. *Reaffirms its conviction* that the question of Palestine is the core of the conflict in the Middle East and that no comprehensive, just and lasting peace in the region will be achieved without the full exercise by the Palestinian people of its inalienable national rights and the immediate, unconditional and total withdrawal of Israel from all the Palestinian and other occupied Arab territories;

2. *Reaffirms further* that a just and comprehensive settlement of the situation in the Middle East cannot be achieved without the participation on an equal footing of all the parties to the conflict, including the Palestine Liberation Organization, the representative of the Palestinian people;

3. *Declares once more* that peace in the Middle East is indivisible and must be based on a comprehensive, just and lasting solution of the Middle East problem, under the auspices of the United Nations and on the basis of relevant resolutions of the United Nations, which ensures the complete and unconditional withdrawal of Israel from the Palestinian and other Arab territories occupied since 1967, including Jerusalem, and which enables the Palestinian people, under the leadership of the Palestine Liberation Organization, to exercise its inalienable rights, including the right to return and the right to self-determination, national independence and the establishment of its independent sovereign State in Palestine, in accordance with the resolutions of the United Nations relevant to the question of Palestine, in particular General Assembly resolutions ES-7/2 of 29 July 1980, 36/120 A to F of 10 December 1981, 37/86 A to D of 10 December 1982 and 37/86 E of 20 December 1982;

4. *Welcomes* the Arab Peace Plan adopted unanimously at the Twelfth Arab Summit Conference, held at Fez, Morocco, on 25 November 1981 and from 6 to 9 September 1982;[117]

5. *Condemns* Israel's continued occupation of the Palestinian and other Arab territories, including Jerusalem, in

[116] A/37/525-S/15451. For the printed text, see *Official Records of the Security Council, Thirty-seventh Year, Supplement for October, November and December 1982*, document S/15451.

[117] See A/37/696-S/15510, annex.

violation of the Charter of the United Nations, the principles of international law and the relevant resolutions of the United Nations, and demands the immediate, unconditional and total withdrawal of Israel from all the territories occupied since June 1967;

6. *Rejects* all agreements and arrangements which violate the recognized rights of the Palestinian people and contradict the principles of just and comprehensive solutions to the Middle East problem to ensure the establishment of a just peace in the area;

7. *Deplores* Israel's failure to comply with Security Council resolutions 476 (1980) of 30 June 1980 and 478 (1980) of 20 August 1980 and General Assembly resolutions 35/207 of 16 December 1980 and 36/226 A and B of 17 December 1981, determines that Israel's decision to annex Jerusalem and to declare it its "capital" as well as the measures to alter its physical character, demographic composition, institutional structure and status are null and void and demands that they be rescinded immediately, and calls upon all Member States, the specialized agencies and all other international organizations to abide by the present resolution and all other relevant resolutions, including Assembly resolutions 37/86 A to E;

8. *Condemns* Israel's aggression, policies and practices against the Palestinian people in the occupied Palestinian territories and outside these territories, particularly Palestinians in Lebanon, including the expropriation and annexation of territory, the establishment of settlements, assassination attempts and other terrorist, aggressive and repressive measures, which are in violation of the Charter and the principles of international law and the relevant international conventions;

9. *Strongly condemns* the imposition by Israel of its laws, jurisdiction and administration on the occupied Syrian Golan Heights, its annexationist policies and practices, the establishment of settlements, the confiscation of lands, the diversion of water resources and the imposition of Israeli citizenship on Syrian nationals, and declares that all these measures are null and void and constitute a violation of the rules and principles of international law relating to belligerent occupation, in particular the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949;

10. *Considers* that the agreements on strategic co-operation between the United States of America and Israel signed on 30 November 1981, together with the recent accords concluded in this context, would encourage Israel to pursue its aggressive and expansionist policies and practices in the Palestinian and other Arab territories occupied since 1967, including Jerusalem, would have adverse effects on efforts for the establishment of a comprehensive, just and lasting peace in the Middle East and would threaten the security of the region;

11. *Calls upon* all States to put an end to the flow to Israel of any military, economic and financial aid, as well as of human resources, aimed at encouraging it to pursue its aggressive policies against the Arab countries and the Palestinian people;

12. *Strongly condemns* the continuing and increasing collaboration between Israel and the racist régime of South Africa, especially in the economic, military and nuclear fields, which constitutes a hostile act against the African and Arab States and enables Israel to enhance its nuclear capabilities, thus subjecting the States of the region to nuclear blackmail;

13. *Reaffirms* the call for the convening of an international peace conference on the Middle East—as specified in paragraph 5 of the Geneva Declaration on Palestine,[118] adopted on 7 September 1983 by the International Conference on the Question of Palestine—under the auspices of the United Nations and on the basis of relevant resolutions of the United Nations;

14. *Requests* the Secretary-General to report to the Security Council periodically on the development of the situation and to submit to the General Assembly at its thirty-ninth session a comprehensive report covering the developments in the Middle East in all their aspects.

102nd plenary meeting
19 December 1983

E

The General Assembly,

Having considered the item entitled "The situation in the Middle East",

Recalling its resolutions 36/226 A of 17 December 1981 and 37/123 F of 20 December 1982, in which it stated, *inter alia*, its concern over certain factors which exacerbate the situation in the Middle East,

Deeply concerned at recent developments in the Middle East and the critical situation confronting the region resulting from the continued escalation of Israel's policy of aggression, expansion and annexation in the region,

Expressing grave concern over the continued supply of modern arms and war materials to Israel, augmented by substantial economic aid, without which Israel's policy of aggression and of flouting United Nations resolutions could not be maintained,

Deeply aware that the recent reported agreements following the memorandum of understanding between the United States of America and Israel will increase Israel's intransigence and its war potential and escalate its expansionist and annexationist policies in the Palestinian and other Arab territories occupied since 1967, including Jerusalem, at a time when it is defying United Nations resolutions,

1. *Declares*, accordingly, the international responsibility of any party or parties that supply Israel with arms or economic aid that augment its war potential;

2. *Expresses deep concern* at and condemns all steps which may result in augmenting the capability of Israel and contributing to its policy of aggression against countries in the region;

3. *Demands* that all States, particularly the United States of America, in the light of the said agreements, refrain from taking any step that would support Israel's war capabilities and consequently its aggressive acts, whether in the Palestinian and other Arab territories occupied since 1967 or against countries in the region;

4. *Calls upon* all States to review, in the light of the present resolution, any agreement, whether military, economic or otherwise, concluded with Israel.

102nd plenary meeting
19 December 1983

[118] *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. A.

ANNEX

Programme of Activities in Observance of the Twenty-fifth Anniversary of the Declaration on the Granting of Independence to Colonial Countries and Peoples

1. The commemoration of the twenty-fifth anniversary of the Declaration on the Granting of Independence to Colonial Countries and Peoples would be an appropriate occasion to evaluate the progress achieved during the past twenty-five years in the implementation of the Declaration, as well as the role played by the United Nations and its system of organizations in that regard, and to formulate specific measures for the elimination of the remaining vestiges of colonialism in all its forms and manifestations in various areas of the world. To that end, the following special programme of activities is envisaged.

A. ACTIVITIES AT THE INTERNATIONAL LEVEL

Commemorative meeting of the General Assembly

2. The General Assembly shall hold a special commemorative meeting in observance of the twenty-fifth anniversary of the Declaration, it being understood that the specific modalities and procedures for the commemoration would be the subject of subsequent consultations between the President of the Assembly and the Chairman of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples.

3. The meeting shall be held on Friday, 13 December 1985, or alternatively, in October 1985 in conjunction with ceremonies planned for the celebration of the fortieth anniversary of the United Nations and the proclamation of 1986 as International Year of Peace, in the light of the presence at United Nations Headquarters of a number of heads of State or Government.

Extraordinary session of the Special Committee

4. The Special Committee shall organize an extraordinary session away from Headquarters in 1985, as appropriate.

Special declaration/final document to be adopted by the General Assembly

5. The Special Committee shall prepare in 1985 the draft text of a special declaration/final document with a view to facilitating the full and speedy implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples, for submission to the General Assembly at its fortieth session.

Seminars to be held by the Special Committee

6. The Special Committee shall hold in 1985 two regional seminars on the subject of decolonization.

7. The Special Committee shall organize, in close consultation with the Department of Public Information of the Secretariat, a seminar on dissemination of information on decolonization and on the struggle of the peoples of southern Africa and their national liberation movements, to be held at United Nations Headquarters in close co-operation with the Special Committee against *Apartheid*, the United Nations Council for Namibia, the Organization of African Unity and the national liberation movements, with the participation of press agencies, newspapers and other mass communication media.

Activities by the specialized agencies and other organizations of the United Nations system, other international organizations and the non-governmental organizations concerned

8. The organizations concerned are requested to undertake various activities in commemoration of the anniversary during 1985. These activities may include the preparation of special publications and studies and the holding of exhibits, seminars and symposia. An account of the activities undertaken should be given the widest possible publicity.

9. The organizations concerned are requested to draw up concrete programmes of assistance to the peoples of colonial Territories and the national liberation movements, as well as to the refugees from Territories under colonial domination. In particular, they are requested to launch new projects for assisting the Namibian people and seek additional funds in support of such projects.

Dissemination of information on decolonization

10. The Secretary-General is requested to take concrete measures through all the media at his disposal to give widespread and intensified publicity to the situation in the Territories concerned and to the work of the United Nations in the field of decolonization. In particular, the Department of Public Information, the Department of Political Affairs, Trusteeship and Decolonization and the Office of the United Nations Commissioner for Namibia are requested, in consultation with the Special Committee:

(*a*) To prepare special publications devoted to the twenty-fifth anniversary of the Declaration, including special issues of *Decolonization*, *Objective: Justice*, the *Namibia Bulletin* and the *United Nations and Decolonization*;

(*b*) To produce a special film on the theme of decolonization and to hold public screenings of the film, as well as other films concerning the process of decolonization;

(*c*) To prepare and distribute to national radio and television stations audio-visual materials on decolonization;

(*d*) To hold exhibitions of photographs and publications related to decolonization, both at United Nations Headquarters and at various United Nations information centres;

(*e*) To organize special briefings of non-governmental organizations on the subject of decolonization.

Other activities

11. The motto "Decolonization, Freedom, Independence" shall mark the anniversary.

12. The Secretary-General is requested:

(*a*) To arrange for a special postal cancellation and the issuance of a special cachet, through the United Nations Postal Administration;

(*b*) To issue a commemorative medal marking the anniversary, to be conferred upon eminent personalities by the Special Committee;

(*c*) To publicize the foregoing through the appropriate media.

B. ACTIVITIES AT THE REGIONAL LEVEL

13. Intergovernmental regional organizations are requested, in co-operation with the United Nations, to intensify their activities designed to help eliminate the last vestiges of colonialism and, to that end, to increase their collaboration with one another. They may also hold commemorative meetings and seminars, prepare special studies on various aspects of colonial questions and adopt measures to increase moral and material assistance to the peoples concerned.

C. ACTIVITIES AT THE NATIONAL LEVEL

14. Special messages may be issued on the occasion of the anniversary by heads of State or Government and other high-ranking officials, as well as by representatives of political movements, religious organizations, trade unions and other national organizations.

15. Governments are requested to establish, in co-operation with national United Nations associations, national committees for the commemoration of the anniversary to plan and co-ordinate various activities to be undertaken in 1985 within the context of the twenty-fifth anniversary of the Declaration and the fortieth anniversary of the United Nations, such as publicizing the work of the United Nations on decolonization through, *inter alia*, publications, educational programmes in schools and universities, special studies, seminars and radio-television programmes, including the widest possible dissemination in their national languages of the Declaration and the various resolutions and decisions of the United Nations on decolonization; the conferring of national awards or special scholarships for outstanding studies or essays on colonial questions; and the issuance of a commemorative postage stamp and other activities. In particular, Governments are requested to prepare special educational materials on the subject of decolonization for dissemination through schools, universities and other educational institutions, including information on past achievements and the roles played by the national liberation movements, the Organization of African Unity and the United Nations.

16. In undertaking the above activities, particular attention shall be devoted to the various manifestations of colonialism, including racial discrimination and *apartheid*, activities of foreign economic and other interests impeding the implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples and military activities and arrangements by colonial Powers in Territories under their administration impeding the implementation of the Declaration.

39/146. The situation in the Middle East

A

The General Assembly,

Having discussed the item entitled "The situation in the Middle East",

Reaffirming its resolutions 36/226 A and B of 17 December 1981, ES-9/1 of 5 February 1982, 37/123 F of

20 December 1982 and 38/180 A to D of 19 December 1983,

Recalling Security Council resolutions 425 (1978) of 19 March 1978, 497 (1981) of 17 December 1981, 508 (1982) of 5 June 1982, 509 (1982) of 6 June 1982, 511 (1982) of 18 June 1982, 512 (1982) of 19 June 1982, 513 (1982) of 4 July 1982, 515 (1982) of 29 July 1982, 516 (1982) of 1 August 1982, 517 (1982) of 4 August 1982, 518 (1982) of 12 August 1982, 519 (1982) of 17 August 1982, 520 (1982) of 17 September 1982, 521 (1982) of 19 September 1982 and 555 (1984) of 12 October 1984,

Taking note of the reports of the Secretary-General of 13 March 1984,[121] 13 September 1984,[122] 2 October 1984[123] and 26 October 1984,[124]

Welcoming the world-wide support extended to the just cause of the Palestinian people and the other Arab countries in their struggle against Israeli aggression and occupation in order to achieve a comprehensive, just and lasting peace in the Middle East and the full exercise by the Palestinian people of its inalienable national rights, as affirmed by previous resolutions of the General Assembly relating to the question of Palestine and to the situation in the Middle East,

Gravely concerned that the Palestinian and other Arab territories occupied since 1967, including Jerusalem, still remain under Israeli occupation, that the relevant resolutions of the United Nations have not been implemented and that the Palestinian people is still denied the restoration of its land and the exercise of its inalienable national rights in conformity with international law, as reaffirmed by resolutions of the United Nations,

Reaffirming the applicability of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949,[125] to all the occupied Palestinian and other Arab territories, including Jerusalem,

Reiterating all relevant United Nations resolutions which emphasize that the acquisition of territory by force is inadmissible under the Charter of the United Nations and the principles of international law and that Israel must withdraw unconditionally from all the Palestinian and other Arab territories occupied by Israel since 1967, including Jerusalem,

Reaffirming further the imperative necessity of establishing a comprehensive, just and lasting peace in the region, based on full respect for the Charter and the principles of international law,

Gravely concerned also at the continuing Israeli actions involving the escalation and expansion of the conflict in the region, which further violate the principles of international law and endanger international peace and security,

Stressing the great importance of the time factor in the endeavours to achieve a comprehensive, just and lasting peace in the Middle East,

1. *Reaffirms its conviction* that the question of Palestine is the core of the conflict in the Middle East and that no comprehensive, just and lasting peace in the region will be achieved without the full exercise by the Palestinian people of its inalienable national rights and the immediate, unconditional and total withdrawal of Israel from all the Palestinian and other occupied Arab territories;

2. *Reaffirms further* that a just and comprehensive settlement of the situation in the Middle East cannot be achieved without the participation on an equal footing of all the parties to the conflict, including the Palestine Liberation Organization, the representative of the Palestinian people;

3. *Declares once more* that peace in the Middle East is indivisible and must be based on a comprehensive, just and lasting solution of the Middle East problem, under the auspices of the United Nations and on the basis of relevant resolutions of the United Nations, which ensures the complete and unconditional withdrawal of Israel from the Palestinian and other Arab territories occupied since 1967, including Jerusalem, and which enables the Palestinian people, under the leadership of the Palestine Liberation Organization, to exercise its inalienable rights, including the right to return and the right to self-determination, national independence and the establishment of its independent sovereign State in Palestine, in accordance with the resolutions of the United Nations relevant to the question of Palestine, in particular General Assembly resolutions ES-7/2 of 29 July 1980, 36/120 A to F of 10 December 1981, 37/86 A to D of 10 December 1982, 37/86 E of 20 December 1982 and 38/58 A to E of 13 December 1983;

4. *Considers* the Arab Peace Plan adopted unanimously at the Twelfth Arab Summit Conference, held at Fez, Morocco, on 25 November 1981 and from 6 to 9 September 1982,[126] as an important contribution towards the achievement of a comprehensive, just and lasting peace in the Middle East;

5. *Condemns* Israel's continued occupation of the Palestinian and other Arab territories, including Jerusalem, in violation of the Charter of the United Nations, the principles of international law and the relevant resolutions of the United Nations, and demands the immediate, unconditional and total withdrawal of Israel from all the territories occupied since June 1967;

6. *Rejects* all agreements and arrangements which violate the inalienable rights of the Palestinian people and contradict the principles of a just and comprehensive solution to the Middle East problem to ensure the establishment of a just peace in the area;

7. *Deplores* Israel's failure to comply with Security Council resolutions 476 (1980) of 30 June 1980 and 478 (1980) of 20 August 1980 and General Assembly resolutions 35/207 of 16 December 1980 and 36/226 A and B of 17 December 1981, determines that Israel's decision to annex Jerusalem and to declare it as its "capital" as well as the measures to alter its physical character, demographic composition, institutional structure and status are null and void and demands that they be rescinded immediately, and calls upon all Member States, the specialized agencies and all other international organizations to abide by the present resolution and all other relevant resolutions and decisions;

8. *Condemns* Israel's aggression, policies and practices against the Palestinian people in the occupied Palestinian territories and outside these territories, particularly Palestinians in Lebanon, including the expropriation and annexation of territory, the establishment of settlements, assassination attempts and other terrorist, aggressive and repressive measures, which are in violation of the Charter and the principles of international law and the relevant international conventions;

[121] A/39/130-S/16409. For the printed text, see *Official Records of the Security Council, Thirty-ninth Year, Supplement for January, February and March 1984*, document S/16409.

[122] A/39/130/Add.1-S/16409/Add.1. For the printed text, see *Official Records of the Security Council, Thirty-ninth Year, Supplement for July, August and September 1984*, document S/16409/Add.1.

[123] A/39/533.

[124] A/39/600-S/16792. For the printed text, see *Official Records of the Security Council, Thirty-ninth Year, Supplement for October, November and December 1984*, document S/16792.

[125] United Nations, *Treaty Series*, vol. 75, No. 973, p. 287.

[126] See A/37/696-S/15510, annex.

9. *Strongly condemns* the imposition by Israel of its laws, jurisdiction and administration on the occupied Syrian Golan Heights, its annexationist policies and practices, the establishment of settlements, the confiscation of lands, the diversion of water resources and the imposition of Israeli citizenship on Syrian nationals, and declares that all these measures are null and void and constitute a violation of the rules and principles of international law relative to belligerent occupation, in particular the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949;

10. *Considers* that the agreements on strategic co-operation between the United States of America and Israel signed on 30 November 1981, together with the recent accords concluded in this context, would encourage Israel to pursue its aggressive and expansionist policies and practices in the Palestinian and other Arab territories occupied since 1967, including Jerusalem, would have adverse effects on efforts for the establishment of a comprehensive, just and lasting peace in the Middle East and would threaten the security of the region;

11. *Calls upon* all States to put an end to the flow to Israel of any military, economic and financial aid, as well as of human resources, aimed at encouraging it to pursue its aggressive policies against the Arab countries and the Palestinian people;

12. *Strongly condemns* the continuing and increasing collaboration between Israel and the racist régime of South Africa, especially in the economic, military and nuclear fields, which consitutes a hostile act against the African and Arab States and enables Israel to enhance its nuclear capabilities, thus subjecting the States of the region to nuclear blackmail;

13. *Reaffirms* its call for the convening of an International Peace Conference on the Middle East — as specified in paragraph 5 of the Geneva Declaration on Palestine,[127] adopted on 7 September 1983 by the International Conference on the Question of Palestine — under the auspices of the United Nations and on the basis of relevant resolutions of the United Nations;

14. *Requests* the Secretary-General to report to the Security Council periodically on the development of the situation and to submit to the General Assembly at its fortieth session a comprehensive report covering the developments in the Middle East in all their aspects.

101st plenary meeting
14 December 1984

B

The General Assembly,

Having discussed the item entitled "The situation in the Middle East",

Having considered the report of the Secretary-General of 2 October 1984,[123]

Recalling Security Council resolution 497 (1981) of 17 December 1981,

Reaffirming its resolutions 36/226 B of 17 December 1981, ES-9/1 of 5 February 1982, 37/123 A of 16 December 1982 and 38/180 A of 19 December 1983,

Recalling its resolution 3314 (XXIX) of 14 December 1974, in which it defined an act of aggression, *inter alia*, as "the invasion or attack by the armed forces of a State of the territory of another State, or any military occupation, however temporary, resulting from such invasion or attack, or any annexation by the use of force of the territory of another State or part thereof" and provided that "no consideration of whatever nature, whether political, economic, military or otherwise, may serve as a justification for aggression",

Reaffirming the fundamental principle of the inadmissibility of the acquisition of territory by force,

Reaffirming once more the applicability of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949,[125] to the occupied Palestinian and other Arab territories, including Jerusalem,

Noting that Israel's record, policies and actions establish conclusively that it is not a peace-loving Member State and that it has not carried out its obligations under the Charter of the United Nations,

Noting further that Israel has refused, in violation of Article 25 of the Charter, to accept and carry out the numerous relevant decisions of the Security Council, in particular resolution 497 (1981), thus failing to carry out its obligations under the Charter,

1. *Strongly condemns* Israel for its failure to comply with Security Council resolution 497 (1981) and General Assembly resolutions 36/226 B, ES-9/1, 37/123 A and 38/180 A;

2. *Declares once more* that Israel's continued occupation of the Golan Heights and its decision of 14 December 1981 to impose its laws, jurisdiction and administration on the occupied Syrian Golan Heights constitute an act of aggression under the provisions of Article 39 of the Charter of the United Nations and General Assembly resolution 3314 (XXIX);

3. *Declares once more* that Israel's decision to impose its laws, jurisdiction and administration on the occupied Syrian Golan Heights is illegal and therefore null and void and has no validity whatsoever;

4. *Declares* all Israeli policies and practices of, or aimed at, annexation of the occupied Palestinian and other Arab territories, including Jerusalem, to be illegal and in violation of international law and of the relevant United Nations resolutions;

5. *Determines once more* that all actions taken by Israel to give effect to its decision relating to the occupied Syrian Golan Heights are illegal and invalid and shall not be recognized;

6. *Reaffirms its determination* that all relevant provisions of the Regulations annexed to the Hague Convention IV of 1907,[128] and the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, continue to apply to the Syrian territory occupied by Israel since 1967, and calls upon the parties thereto to respect and ensure respect of their obligations under these instruments in all circumstances;

7. *Determines once more* that the continued occupation of the Syrian Golan Heights since 1967 and their annexation by Israel on 14 December 1981, following Israel's decision to impose its laws, jurisdiction and administration on that territory, constitute a continuing threat to international peace and security;

8. *Strongly deplores* the negative vote by a permanent member of the Security Council which prevented the Council from adopting against Israel, under Chapter VII of the Charter, the "appropriate measures" referred to in resolution 497 (1981) unanimously adopted by the Council;

[127] *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. A.

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

9. *Further deplores* any political, economic, financial, military and technological support to Israel that encourages Israel to commit acts of aggression and to consolidate and perpetuate its occupation and annexation of occupied Arab territories;

10. *Firmly emphasizes once more* its demand that Israel, the occupying Power, rescind forthwith its illegal decision of 14 December 1981 to impose its laws, jurisdiction and administration on the Syrian Golan Heights, which resulted in the effective annexation of that territory;

11. *Reaffirms once more* the overriding necessity of the total and unconditional withdrawal by Israel from all the Palestinian and other Arab territories occupied since 1967, including Jerusalem, which is an essential prerequisite for the establishment of a comprehensive and just peace in the Middle East;

12. *Determines once more* that Israel's record, policies and actions confirms that it is not a peace-loving Member State, that it has persistently violated the principles contained in the Charter and that it has carried out neither its obligations under the Charter nor its commitment under General Assembly resolution 273 (III) of 11 May 1949;

13. *Calls once more upon* all Member States to apply the following measures:

(*a*) To refrain from supplying Israel with any weapons and related equipment and to suspend any military assistance that Israel receives from them;

(*b*) To refrain from acquiring any weapons or military equipment from Israel;

(*c*) To suspend economic, financial and technological assistance to and co-operation with Israel;

(*d*) To sever diplomatic, trade and cultural relations with Israel;

14. *Reiterates its call* to all Member States to cease forthwith, individually and collectively, all dealings with Israel in order totally to isolate it in all fields;

15. *Urges* non-Member States to act in accordance with the provisions of the present resolution;

16. *Calls upon* the specialized agencies and other international organizations to conform their relations with Israel to the terms of the present resolution;

17. *Requests* the Secretary-General to report to the General Assembly at its fortieth session on the implementation of the present resolution.

101st plenary meeting
14 December 1984

C

The General Assembly,

Recalling its resolutions 36/120 E of 10 December 1981, 37/123 C of 16 December 1982 and 38/180 C of 19 December 1983, in which it determined that all legislative and administrative measures and actions taken by Israel, the occupying Power, which had altered or purported to alter the character and status of the Holy City of Jerusalem, in particular the so-called "Basic Law" on Jerusalem and the proclamation of Jerusalem as the capital of Israel, were null and void and must be rescinded forthwith,

Recalling Security Council resolution 478 (1980) of 20 August 1980, in which the Council, *inter alia*, decided not to recognize the "Basic Law" and called upon those States that had established diplomatic missions at Jerusalem to withdraw such missions from the Holy City,

Having considered the report of the Secretary-General of 2 October 1984,[123]

1. *Declares once more* that Israel's decision to impose its laws, jurisdiction and administration on the Holy City of Jerusalem is illegal and therefore null and void and has no validity whatsoever;

2. *Deplores* the transfer by some States of their diplomatic missions to Jerusalem in violation of Security Council resolution 478 (1980) and their refusal to comply with the provisions of that resolution;

3. *Calls once again upon* those States to abide by the provisions of the relevant United Nations resolutions, in conformity with the Charter of the United Nations;

4. *Requests* the Secretary-General to report to the General Assembly at its fortieth session on the implementation of the present resolution.

101st plenary meeting
14 December 1984

39/161. Observance of the fortieth anniversary of the United Nations

A

The General Assembly,

Recalling its decision 38/455 of 20 December 1983, by which it established the Preparatory Committee for the Fortieth Anniversary of the United Nations and entrusted it with the task of considering and recommending to the General Assembly at its thirty-ninth session proposals for suitable activities in connection with the observance in 1985 of the fortieth anniversary of the United Nations,

Having considered the report of the Preparatory Committee,[129]

1. *Decides* that the theme of the fortieth anniversary of the United Nations shall be "United Nations for a better world" and expresses the hope and desire that the year 1985 will mark the beginning of an era of durable and global peace and justice, social and economic development and progress and independence of all peoples;

2. *Takes note* of the programmes and activities, including those recommended by the Preparatory Committee for the Fortieth Anniversary of the United Nations, to be undertaken by the United Nations and its related organizations, as well as the programmes and activities suggested for the consideration of Governments of Member States and non-governmental organizations;

3. *Decides* that the Preparatory Committee, established at its thirty-eighth session, shall continue to function in that capacity, under the chairmanship of the President of the thirty-ninth session of the General Assembly, until the observance of the anniversary, with the purpose of drawing up and co-ordinating plans and organizing suitable activities for the anniversary to be undertaken by the United Nations, in the light of the present resolution and the report of the Preparatory Committee;

4. *Decides* that a commemorative session of the General Assembly shall be held for a short period, culminating on 24 October 1985 and coinciding with the proclamation of the International Year of Peace;

5. *Requests* the Preparatory Committee to draw up a suitable text for a final document or documents to be considered for signature and/or adoption during the commemorative session;

[129] *Official Records of the General Assembly, Thirty-ninth Session, Supplement No. 49* (A/39/49).

requests them to expand their assistance in order to provide for the basic needs of the refugees;

17. *Expresses its appreciation* to those specialized agencies and other organizations of the United Nations system which have waived agency support costs in respect of projects in favour of Namibians, financed from the United Nations Fund for Namibia and other sources, and urges those that have not yet done so to take appropriate steps in this regard;

18. *Decides* that Namibians shall continue to be eligible for assistance through the United Nations Educational and Training Programme for Southern Africa and the United Nations Trust Fund for South Africa;

19. *Commends* the progress made in the implementation of the pre-independence components of the Nationhood Programme for Namibia and requests the United Nations Council for Namibia to elaborate and consider policies and contingency plans regarding the transitional and post-independence phases of the Programme;

20. *Commends* the United Nations Institute for Namibia for the effectiveness of its training programmes for Namibians and its research activities on Namibia, which contribute substantially to the struggle for freedom of the Namibian people and to the establishment of an independent State of Namibia;

21. *Urges* the specialized agencies and other organizations and institutions of the United Nations system to co-operate closely with the United Nations Institute for Namibia in strengthening its programme of activities;

22. *Requests* the United Nations Council for Namibia, through the United Nations Institute for Namibia, to finalize, publish and disseminate at an early date a comprehensive reference book on Namibia covering all aspects of the question of Namibia as considered by the United Nations since its inception;

23. *Notes with appreciation* the completion by the United Nations Institute for Namibia, in co-operation with the South West Africa People's Organization, the Office of the United Nations Commissioner for Namibia and the United Nations Development Programme, of a comprehensive document on all aspects of economic planning in an independent Namibia, and commends the Secretary-General for providing substantive support through the Office of the Commissioner for the preparation of that document;

24. *Requests* the United Nations Council for Namibia, in consultation with the Office of the United Nations Commissioner for Namibia, to finalize and publish at an early date a demographic study of the Namibian population and a study of its educational needs;

25. *Requests* the Secretary-General to continue to provide the Office of the United Nations Commissioner for Namibia with the necessary resources for the performance of the responsibilities entrusted to it by the United Nations Council for Namibia as the co-ordinating authority for the implementation of the Nationhood Programme for Namibia, as well as other assistance programmes.

115th plenary meeting
13 December 1985

[102] A/40/668 and Add.1.

F

SPECIAL SESSION OF THE GENERAL ASSEMBLY ON THE QUESTION OF NAMIBIA

The General Assembly,

Taking into consideration its resolution 1514 (XV) of 14 December 1960, containing the Declaration on the Granting of Independence to Colonial Countries and Peoples,

Recalling its resolution 2145 (XXI) of 27 October 1966, by which it decided to terminate the Mandate of South Africa over Namibia,

Recalling its resolution 2248 (S-V) of 19 May 1967, by which it established the United Nations Council for Namibia as the legal Administering Authority for Namibia until independence,

Recalling Security Council resolutions relating to Namibia, particularly resolutions 385 (1976) of 30 January 1976 and 435 (1978) of 29 September 1978, as well as subsequent resolutions relating to Namibia,

Gravely concerned that, twenty years after the termination by the General Assembly of the Mandate of South Africa over Namibia and the assumption by the United Nations of direct responsibility for the Territory, the racist régime of South Africa continues illegally to occupy the Territory in violation of the relevant resolutions and decisions of the United Nations,

Indignant at the continued non-implementation of Security Council resolution 435 (1978), owing to South Africa's intransigence,

Strongly condemning South Africa for its persistent and arrogant defiance of the resolutions and decisions of the United Nations,

Decides to hold a special session on the question of Namibia before its forty-first session, on a date to be determined by the Secretary-General in consultation with the United Nations Council for Namibia.

115th plenary meeting
13 December 1985

40/168. The situation in the Middle East

A

The General Assembly,

Having discussed the item entitled "The situation in the Middle East",

Reaffirming its resolutions 36/226 A and B of 17 December 1981, ES-9/1 of 5 February 1982, 37/123 F of 20 December 1982, 38/58 A to E of 13 December 1983, 38/180 A to D of 19 December 1983 and 39/146 A to C of 14 December 1984,

Recalling Security Council resolutions 425 (1978) of 19 March 1978, 497 (1981) of 17 December 1981, 508 (1982) of 5 June 1982, 509 (1982) of 6 June 1982, 511 (1982) of 18 June 1982, 512 (1982) of 19 June 1982, 513 (1982) of 4 July 1982, 515 (1982) of 29 July 1982, 516 (1982) of 1 August 1982, 517 (1982) of 4 August 1982, 518 (1982) of 12 August 1982, 519 (1982) of 17 August 1982, 520 (1982) of 17 September 1982, 521 (1982) of 19 September 1982 and 555 (1984) of 12 October 1984,

Taking note of the reports of the Secretary-General of 11 March 1985,[80] 24 September 1985[102] and 22 October 1985,[81]

Reaffirming the need for continued collective support for the resolutions adopted by the Twelfth Arab Summit Conference, held at Fez, Morocco, on 25 November 1981 and from 6 to 9 September 1982,[103] reiterating its previous resolutions regarding the Palestinian question and its support for the Palestine Liberation Organization as the sole, legitimate representative of the Palestinian people, and considering that the convening of an International Peace Conference on the Middle East, under the auspices of the United Nations, in accordance with General Assembly resolution 38/58 C and other relevant resolutions related to the question of Palestine, would contribute to the promotion of peace in the region,

Welcoming all efforts contributing towards the realization of the inalienable rights of the Palestinian people through the achievement of a comprehensive, just and lasting peace in the Middle East, in accordance with the United Nations resolutions relating to the question of Palestine and to the situation in the Middle East,

Welcoming the world-wide support extended to the just cause of the Palestinian people and the other Arab countries in their struggle against Israeli aggression and occupation in order to achieve a comprehensive, just and lasting peace in the Middle East and the full exercise by the Palestinian people of its inalienable national rights, as affirmed by previous resolutions of the General Assembly relating to the question of Palestine and to the situation in the Middle East,

Gravely concerned that the Palestinian and other Arab territories occupied since 1967, including Jerusalem, still remain under Israeli occupation, that the relevant resolutions of the United Nations have not been implemented and that the Palestinian people is still denied the restoration of its land and the exercise of its inalienable national rights in conformity with international law, as reaffirmed by resolutions of the United Nations,

Reaffirming the applicability of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949,[104] to all the occupied Palestinian and other Arab territories, including Jerusalem,

Reaffirming also all relevant United Nations resolutions which stipulate that the acquisition of territory by force is inadmissible under the Charter of the United Nations and the principles of international law and that Israel must withdraw unconditionally from all the Palestinian and other Arab territories occupied by Israel since 1967, including Jerusalem,

Reaffirming further the imperative necessity of establishing a comprehensive, just and lasting peace in the region, based on full respect for the Charter and the principles of international law,

Gravely concerned also at the continuing Israeli policies involving the escalation and expansion of the conflict in the region, which further violate the principles of international law and endanger international peace and security,

Stressing once again the great importance of the time factor in the endeavours to achieve an early comprehensive, just and lasting peace in the Middle East,

1. *Reaffirms its conviction* that the question of Palestine is the core of the conflict in the Middle East and that no comprehensive, just and lasting peace in the region will be achieved without the full exercise by the Palestinian people of its inalienable national rights and the immediate, unconditional and total withdrawal of Israel from all the Palestinian and other occupied Arab territories;

2. *Reaffirms further* that a just and comprehensive settlement of the situation in the Middle East cannot be achieved without the participation on an equal footing of all the parties to the conflict, including the Palestine Liberation Organization, the representative of the Palestinian people;

3. *Declares once more* that peace in the Middle East is indivisible and must be based on a comprehensive, just and lasting solution of the Middle East problem, under the auspices and on the basis of the relevant resolutions of the United Nations, which ensures the complete and unconditional withdrawal of Israel from the Palestinian and other Arab territories occupied since 1967, including Jerusalem, and which enables the Palestinian people, under the leadership of the Palestine Liberation Organization, to exercise its inalienable rights, including the right to return and the right to self-determination, national independence and the establishment of its independent sovereign State in Palestine, in accordance with the resolutions of the United Nations relevant to the question of Palestine, in particular General Assembly resolutions ES-7/2 of 29 July 1980, 36/120 A to F of 10 December 1981, 37/86 A to D of 10 December 1982, 37/86 E of 20 December 1982, 38/58 A to E of 13 December 1983 and 39/49 A to D of 11 December 1984;

4. *Considers* the Arab Peace Plan adopted unanimously at the Twelfth Arab Summit Conference, held at Fez, Morocco, on 25 November 1981 and from 6 to 9 September 1982,[103] and reiterated by the Extraordinary Summit Conference of the Arab States held at Casablanca, Morocco, from 7 to 9 August 1985,[105] as well as relevant efforts and action to implement the Fez Plan, as an important contribution towards the realization of the inalienable rights of the Palestinian people through the achievement of a comprehensive, just and lasting peace in the Middle East;

5. *Condemns* Israel's continued occupation of the Palestinian and other Arab territories, including Jerusalem, in violation of the Charter of the United Nations, the principles of international law and the relevant resolutions of the United Nations, and demands the immediate, unconditional and total withdrawal of Israel from all the territories occupied since 1967;

6. *Rejects* all agreements and arrangements which violate the inalienable rights of the Palestinian people and contradict the principles of a just and comprehensive solution to the Middle East problem to ensure the establishment of a just peace in the area;

7. *Deplores* Israel's failure to comply with Security Council resolutions 476 (1980) of 30 June 1980 and 478 (1980) of 20 August 1980 and General Assembly resolutions 35/207 of 16 December 1980 and 36/226 A and B of 17 December 1981; determines that Israel's decision to annex Jerusalem and to declare it as its "capital" as well as the measures to alter its physical character, demographic composition, institutional structure and status are null and void and demands that they be rescinded immediately; and calls upon all Member States, the specialized agencies and all other international organizations to abide by the present resolution and all other relevant resolutions and decisions;

8. *Condemns* Israel's aggression, policies and practices against the Palestinian people in the occupied Palestinian territories and outside these territories, including expropriation, the establishment of settlements, annexation and other terrorist, aggressive and repressive measures, which

[103] See A/37/696-S/15510, annex.

[104] United Nations, *Treaty Series*, vol. 75, No. 973, p. 287.

[105] See A/40/564 and Corr.1, annex.

are in violation of the Charter and the principles of international law and the relevant international conventions;

9. *Strongly condemns* the imposition by Israel of its laws, jurisdiction and administration on the occupied Syrian Golan Heights, its annexationist policies and practices, the establishment of settlements, the confiscation of lands, the diversion of water resources and the imposition of Israeli citizenship on Syrian nationals, and declares that all these measures are null and void and constitute a violation of the rules and principles of international law relative to belligerent occupation, in particular the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949;

10. *Considers* that the agreements on strategic co-operation between the United States of America and Israel, signed on 30 November 1981, and the continued supply of modern arms and *matériel* to Israel, augmented by substantial economic aid, including the recently concluded Agreement on the Establishment of a Free Trade Area between the two Governments, have encouraged Israel to pursue its aggressive and expansionist policies and practices in the Palestinian and other Arab territories occupied since 1967, including Jerusalem, have had adverse effects on efforts for the establishment of a comprehensive, just and lasting peace in the Middle East and threaten the security of the region;

11. *Calls once more upon* all States to put an end to the flow to Israel of any military, economic, financial and technological aid, as well as of human resources, aimed at encouraging it to pursue its aggressive policies against the Arab countries and the Palestinian people;

12. *Strongly condemns* the continuing and increasing collaboration between Israel and the racist régime of South Africa, especially in the economic, military and nuclear fields, which constitutes a hostile act against the African and Arab States and enables Israel to enhance its nuclear capabilities, thus subjecting the States of the region to nuclear blackmail;

13. *Reaffirms its call* for the convening of an International Peace Conference on the Middle East under the auspices of the United Nations and on the basis of its relevant resolutions – as specified in paragraph 5 of the Geneva Declaration on Palestine[106] and endorsed by General Assembly resolution 38/58 C of 13 December 1983;

14. *Requests* the Secretary-General to report to the Security Council periodically on the development of the situation and to submit to the General Assembly at its forty-first session a comprehensive report covering the developments in the Middle East in all their aspects.

118th plenary meeting
16 December 1985

B

The General Assembly,

Having discussed the item entitled "The situation in the Middle East",

Taking note of the report of the Secretary-General of 22 October 1985,[81]

Recalling Security Council resolution 497 (1981) of 17 December 1981,

Reaffirming its resolutions 36/226 B of 17 December 1981, ES-9/1 of 5 February 1982, 37/123 A of 16 December 1982, 38/180 A of 19 December 1983 and 39/146 B of 14 December 1984,

Recalling its resolution 3314 (XXIX) of 14 December 1974, in which it defined an act of aggression, *inter alia*, as "the invasion or attack by the armed forces of a State of the territory of another State, or any military occupation, however temporary, resulting from such invasion or attack, or any annexation by the use of force of the territory of another State or part thereof" and provided that "no consideration of whatever nature, whether political, economic, military or otherwise, may serve as a justificaton for aggression",

Reaffirming the fundamental principle of the inadmissibility of the acquisition of territory by force,

Reaffirming once more the applicability of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949,[104] to the occupied Palestinian and other Arab territories, including Jerusalem,

Noting that Israel's record, policies and actions establish conclusively that it is not a peace-loving Member State and that it has not carried out its obligations under the Charter of the United Nations,

Noting further that Israel has refused, in violation of Article 25 of the Charter, to accept and carry out the numerous relevant decisions of the Security Council, in particular resolution 497 (1981), thus failing to carry out its obligations under the Charter,

1. *Strongly condemns* Israel for its failure to comply with Security Council resolution 497 (1981) and General Assembly resolutions 36/226 B, ES-9/1, 37/123 A, 38/180 A and 39/146 B;

2. *Declares once more* that Israel's continued occupation of the Golan Heights and its decision of 14 December 1981 to impose its laws, jurisdiction and administration on the occupied Syrian Golan Heights constitute an act of aggression under the provisions of Article 39 of the Charter of the United Nations and General Assembly resolution 3314 (XXIX);

3. *Declares once more* that Israel's decision to impose its laws, jurisdiction and administration on the occupied Syrian Golan Heights is illegal and therefore null and void and has no validity whatsoever;

4. *Declares* all Israeli policies and practices of, or aimed at, annexation of the occupied Palestinian and other Arab territories, including Jerusalem, to be illegal and in violation of international law and of the relevant United Nations resolutions;

5. *Determines once more* that all actions taken by Israel to give effect to its decision relating to the occupied Syrian Golan Heights are illegal and invalid and shall not be recognized;

6. *Reaffirms its determination* that all relevant provisions of the Regulations annexed to the Hague Convention IV of 1907,[107] and the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, continue to apply to the Syrian territory occupied by Israel since 1967, and calls upon the parties thereto to respect and ensure respect for their obligations under these instruments in all circumstances;

7. *Determines once more* that the continued occupation of the Syrian Golan Heights since 1967 and their annexation by Israel on 14 December 1981, following Israel's decision to impose its laws, jurisdiction and

[106] *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. A.

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

administration on that territory, constitute a continuing threat to international peace and security;

8. *Strongly deplores* the negative vote by a permanent member of the Security Council which prevented the Council from adopting against Israel, under Chapter VII of the Charter, the "appropriate measures" referred to in resolution 497 (1981) unanimously adopted by the Council;

9. *Further deplores* any political, economic, financial, military and technological support to Israel that encourages Israel to commit acts of aggression and to consolidate and perpetuate its occupation and annexation of occupied Arab territories;

10. *Firmly emphasizes once more* its demand that Israel, the occupying Power, rescind forthwith its illegal decision of 14 December 1981 to impose its laws, jurisdiction and administration on the Syrian Golan Heights, which resulted in the effective annexation of that territory;

11. *Reaffirms once more* the overriding necessity of the total and unconditional withdrawal by Israel from all the Palestinian and other Arab territories occupied since 1967, including Jerusalem, which is an essential prerequisite for the establishment of a comprehensive and just peace in the Middle East;

12. *Determines once more* that Israel's record, policies and actions confirm that it is not a peace-loving Member State, that it has persistently violated the principles contained in the Charter and that it has carried out neither its obligations under the Charter nor its commitment under General Assembly resolution 273 (III) of 11 May 1949;

13. *Calls once more upon* all Member States to apply the following measures:

(*a*) To refrain from supplying Israel with any weapons and related equipment and to suspend any military assistance that Israel receives from them;

(*b*) To refrain from acquiring any weapons or military equipment from Israel;

(*c*) To suspend economic, financial and technological assistance to and co-operation with Israel;

(*d*) To sever diplomatic, trade and cultural relations with Israel;

14. *Reiterates its call* to all Member States to cease forthwith, individually and collectively, all dealings with Israel in order totally to isolate it in all fields;

15. *Urges* non-member States to act in accordance with the provisions of the present resolution;

16. *Calls upon* the specialized agencies and other international organizations to conform their relations with Israel to the terms of the present resolution;

17. *Requests* the Secretary-General to report to the General Assembly at its forty-first session on the implementation of the present resolution.

118th plenary meeting
16 December 1985

C

The General Assembly,

Recalling its resolutions 36/120 E of 10 December 1981, 37/123 C of 16 December 1982, 38/180 C of 19 December 1983 and 39/146 C of 14 December 1984, in which it determined that all legislative and administrative measures and actions taken by Israel, the occupying Power, which had altered or purported to alter the character and status of the Holy City of Jerusalem, in particular the so-called "Basic Law" on Jerusalem and the proclamation of Jerusalem as the capital of Israel, were null and void and must be rescinded forthwith,

Recalling Security Council resolution 478 (1980) of 20 August 1980, in which the Council, *inter alia*, decided not to recognize the "Basic Law" and called upon those States that had established diplomatic missions at Jerusalem to withdraw such missions from the Holy City,

Having considered the report of the Secretary-General of 22 October 1985,[81]

1. *Determines* that Israel's decision to impose its laws, jurisdiction and administration on the Holy City of Jerusalem is illegal and therefore null and void and has no validity whatsoever;

2. *Deplores* the transfer by some States of their diplomatic missions to Jerusalem in violation of Security Council resolution 478 (1980) and their refusal to comply with the provisions of that resolution;

3. *Calls once again upon* those States to abide by the provisions of the relevant United Nations resolutions, in conformity with the Charter of the United Nations;

4. *Requests* the Secretary-General to report to the General Assembly at its forty-first session on the implementation of the present resolution.

118th plenary meeting
16 December 1985

40/237. Review of the efficiency of the administrative and financial functioning of the United Nations

The General Assembly,

Recalling the purposes and principles of the Charter of the United Nations,

Recognizing that the Organization is based on the principle of the sovereign equality of all its Members,

Mindful of the vital role of the United Nations in the maintenance of international peace and security and in the promotion of development and international co-operation,

Convinced that the improvement of the efficiency of the administrative and financial functioning of the United Nations could help it to attain the purposes and implement the principles of the Charter,

Considering the unanimous support for the United Nations, expressed by Heads of State or Government or their special envoys and by the representatives of Member States during the commemoration of the fortieth anniversary of the United Nations,

Noting that all participants stressed the need to promote confidence in the United Nations and enhance the political will of Member States to render more positive support to the Organization,

Reaffirming the necessity of securing, in the employment of the Secretariat staff, the highest standards of efficiency, competence and integrity, and the importance of recruiting the staff based on the principle of equitable geographical distribution,

Noting with appreciation the efforts of the Secretary-General, as the chief administrative officer of the Organization, to improve the efficiency and effectiveness of the Secretariat,

Bearing in mind the work of the relevant subsidiary organs of the General Assembly,

Taking fully into account the views expressed during the fortieth session,

1. *Expresses its conviction* that an overall increase in efficiency would further enhance the capacity of the United

Taking note, in particular, of the information contained in paragraphs 102 to 111 of that report,

Recalling its resolution 40/96 C of 12 December 1985,

Convinced that the world-wide dissemination of accurate and comprehensive information and the role of non-governmental organizations and institutions remain of vital importance in heightening awareness of and support for the inalienable rights of the Palestinian people to self-determination and to the establishment of an independent sovereign Palestinian State,

1. *Takes note with appreciation* of the action taken by the Department of Public Information of the Secretariat in compliance with General Assembly resolution 40/96 C,

2. *Requests* the Department of Public Information, in full co-operation and co-ordination with the Committee on the Exercise of the Inalienable Rights of the Palestinian People, to continue its special information programme on the question of Palestine for the biennium 1986-1987 and, in particular:

(*a*) To disseminate information on all the activities of the United Nations system relating to the question of Palestine;

(*b*) To continue to update publications on the facts and developments pertaining to the question of Palestine;

(*c*) To publish brochures and booklets on the various aspects of the question of Palestine, including Israeli violations of the human rights of the Arab inhabitants of the occupied territories;

(*d*) To expand its audio-visual material on the question of Palestine, including the production of a new film in 1987 and special series of radio programmes and television broadcasts;

(*e*) To organize fact-finding news missions to the area for journalists;

(*f*) To organize regional and national encounters for journalists.

93rd plenary meeting
2 December 1986

D

The General Assembly,

Recalling its resolutions 38/58 C of 13 December 1983, 39/49 D of 11 December 1984 and 40/96 D of 12 December 1985, in which it, *inter alia*, endorsed the call for convening the International Peace Conference on the Middle East,

Recalling also the relevant resolutions of the Security Council,

Reaffirming its resolutions 39/49 D and 40/96 D, in which it, *inter alia*, requested the Secretary-General, in consultation with the Security Council, to continue his efforts with a view to convening the Conference,

Having considered the report of the Secretary-General of 14 March 1986, in which he, *inter alia*, stated that "the obstacles which have so far prevented the convening of the International Peace Conference on the Middle East as called for by the General Assembly still exist",[99] and his report of 29 October 1986,[100]

Expressing its regret that, owing to the negative attitude of some Member States, the difficulties regarding the convening of the Conference "have remained essentially the same",[101] and expressing its hope that those Member States will reconsider their attitude,

Having heard the constructive statements made by numerous representatives, including that of the Palestine Liberation Organization,

Emphasizing the need to bring about a just and comprehensive settlement to the Arab-Israeli conflict which has persisted for nearly four decades,

Recognizing that the persistence of the Arab-Israeli conflict in the Middle East constitutes a threat to security and stability in the region and to world peace, and therefore directly involves the responsibility of the United Nations,

Stressing its conviction that the convening of the Conference will constitute a major contribution by the United Nations towards the realization of a just solution to the question of Palestine conducive to the achievement of a comprehensive, just and lasting solution to the Arab-Israeli conflict,

Appreciating the concern about the exacerbating situation in the Middle East as voiced in a great many statements during the general debate at the current session and at previous sessions,

1. *Takes note with appreciation* of the reports of the Secretary-General;

2. *Determines* that the question of Palestine is the core of the Arab-Israeli conflict in the Middle East;

3. *Reaffirms once again* its endorsement of the call for convening the International Peace Conference on the Middle East in conformity with the provisions of the resolution 38/58 C;

4. *Stresses* the urgent need for additional concrete and constructive efforts by all Governments in order to convene the Conference without further delay;

5. *Endorses the call* for setting up a preparatory committee, within the framework of the Security Council, with the participation of the permanent members of the Council, to take the necessary action to convene the Conference;

6. *Requests* the Secretary-General, in consultation with the Security Council, to continue his efforts with a view to convening the Conference and to report thereon to the General Assembly not later than 15 May 1987;

7. *Decides* to consider at its forty-second session the report of the Secretary-General on the implementation of the present resolution.

93rd plenary meeting
2 December 1986

41/162. The situation in the Middle East

A

The General Assembly,

Having discussed the item entitled "The situation in the Middle East",

Reaffirming its resolutions 36/226 A and B of 17 December 1981, ES-9/1 of 5 February 1982, 37/123 F of 20 December 1982, 38/58 A to E of 13 December 1983,

[99] A/41/215-S/17916. For the printed text, see *Official Records of the Security Council, Forty-first Year, Supplement for January, February and March 1986*, document S/17916.

[100] A/41/768-S/18427. For the printed text, see *Official Records of the Security Council, Forty-first Year, Supplement for October, November and December 1986*, document S/18427.

[101] *Ibid.*, para. 31.

38/180 A to D of 19 December 1983, 39/146 A to C of 14 December 1984 and 40/168 A to C of 16 December 1985,

Recalling Security Council resolutions 425 (1978) of 19 March 1978, 497 (1981) of 17 December 1981, 508 (1982) of 5 June 1982, 509 (1982) of 6 June 1982, 511 (1982) of 18 June 1982, 512 (1982) of 19 June 1982, 513 (1982) of 4 July 1982, 515 (1982) of 29 July 1982, 516 (1982) of 1 August 1982, 517 (1982) of 4 August 1982, 518 (1982) of 12 August 1982, 519 (1982) of 17 August 1982, 520 (1982) of 17 September 1982, 521 (1982) of 19 September 1982 and 555 (1984) of 12 October 1984,

Taking note of the reports of the Secretary-General of 14 March 1986,[99] 16 July 1986[102] and 29 October 1986,[103]

Reaffirming the need for continued collective support for the decisions adopted by the Twelfth Arab Summit Conference, held at Fez, Morocco, on 25 November 1981 and from 6 to 9 September 1982[104] reiterating its previous resolutions regarding the Palestinian question and its support for the Palestine Liberation Organization as the sole, legitimate representative of the Palestinian people, and considering that the convening of the International Peace Conference on the Middle East, under the auspices of the United Nations, in accordance with General Assembly resolution 38/58 C and other relevant resolutions related to the question of Palestine, would contribute to the promotion of peace in the region,

Welcoming all efforts contributing towards the realization of the inalienable rights of the Palestinian people through the achievement of a comprehensive, just and lasting peace in the Middle East, in accordance with the United Nations resolutions relating to the question of Palestine and to the situation in the Middle East,

Welcoming the world-wide support extended to the just cause of the Palestinian people and the other Arab countries in their struggle against Israeli aggression and occupation in order to achieve a comprehensive, just and lasting peace in the Middle East and the full exercise by the Palestinian people of its inalienable national rights, as affirmed by previous resolutions of the General Assembly relating to the question of Palestine and to the situation in the Middle East,

Gravely concerned that the Palestinian and other Arab territories occupied since 1967, including Jerusalem, still remain under Israeli occupation, that the relevant resolutions of the United Nations have not been implemented and that the Palestinian people is still denied the restoration of its land and the exercise of its inalienable national rights in conformity with international law, as reaffirmed by resolutions of the United Nations,

Reaffirming the applicability of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949,[105] to all the Palestinian and other occupied Arab territories, including Jerusalem,

Reaffirming also all relevant United Nations resolutions which stipulate that the acquisition of territory by force is inadmissible under the Charter of the United Nations and the principles of international law and that Israel must withdraw unconditionally from all the Palestinian and other Arab territories it has occupied since 1967, including Jerusalem,

Reaffirming further the imperative necessity of establishing a comprehensive, just and lasting peace in the region, based on full respect for the Charter and the principles of international law,

Gravely concerned also at the continuing Israeli policies involving the escalation and expansion of the conflict in the region, which further violate the principles of international law and endanger international peace and security,

Stressing once again the great importance of the time factor in the endeavours to achieve an early comprehensive, just and lasting peace in the Middle East,

1. *Reaffirms its conviction* that the question of Palestine is the core of the conflict in the Middle East and that no comprehensive, just and lasting peace in the region will be achieved without the full exercise by the Palestinian people of its inalienable national rights and the immediate, unconditional and total withdrawal of Israel from all the Palestinian and other occupied Arab territories;

2. *Reaffirms further* that a just and comprehensive settlement of the situation in the Middle East cannot be achieved without the participation on an equal footing of all the parties to the conflict, including the Palestine Liberation Organization, the representative of the Palestinian people;

3. *Declares once more* that peace in the Middle East is indivisible and must be based on a comprehensive, just and lasting solution of the Middle East problem, under the auspices of the United Nations and on the basis of its relevant resolutions, which ensures the complete and unconditional withdrawal of Israel from the Palestinian and other Arab territories occupied since 1967, including Jerusalem, and which enables the Palestinian people, under the leadership of the Palestine Liberation Organization, to exercise its inalienable rights, including the right to return and the right to self-determination, national independence and the establishment of its independent sovereign State in Palestine, in accordance with the resolutions of the United Nations relating to the question of Palestine, in particular General Assembly resolutions ES-7/2 of 29 July 1980, 36/120 A to F of 10 December 1981, 37/86 A to D of 10 December 1982, 37/86 E of 20 December 1982, 38/58 A to E of 13 December 1983, 39/49 A to D of 11 December 1984 and 40/96 A to D of 12 December 1985;

4. *Considers* the Arab Peace Plan adopted unanimously at the Twelfth Arab Summit Conference, held at Fez, Morocco, on 25 November 1981 and from 6 to 9 September 1982,[104] and reiterated by the Extraordinary Summit Conference of the Arab States held at Casablanca, Morocco, from 7 to 9 August 1985,[106] as well as relevant efforts and action to implement the Fez plan, as an important contribution towards the realization of the inalienable rights of the Palestinian people through the achievement of a comprehensive, just and lasting peace in the Middle East;

5. *Condemns* Israel's continued occupation of the Palestinian and other Arab territories, including Jerusalem, in violation of the Charter of the United Nations, the principles of international law and the relevant resolutions of the United Nations, and demands the immediate, unconditional and total withdrawal of Israel from all the territories occupied since 1967;

6. *Rejects* all agreements and arrangements which violate the inalienable rights of the Palestinian people and contradict the principles of a just and comprehensive solu-

[102] A/41/453 and Add.1.
[103] A/41/768-S/18427.
[104] See A/37/696-S/15510, annex. For the printed text, see *Official Records of the Security Council, Thirty-seventh Year, Supplement for October, November and December 1982*, document S/15510, annnex.
[105] United Nations, *Treaty Series*, vol. 75, No. 973, p. 287.
[106] See A/40/564 and Corr.1, annex.

tion to the Middle East problem to ensure the establishment of a just peace in the area;

7. *Deplores* Israel's failure to comply with Security Council resolutions 476 (1980) of 30 June 1980 and 478 (1980) of 20 August 1980 and General Assembly resolutions 35/207 of 16 December 1980 and 36/226 A and B of 17 December 1981; determines that Israel's decision to annex Jerusalem and to declare it as its "capital" as well as the measures to alter its physical character, demographic composition, institutional structure and status are null and void and demands that they be rescinded immediately; and calls upon all Member States, the specialized agencies and all other international organizations to abide by the present resolution and all other relevant resolutions and decisions;

8. *Condemns* Israel's aggression, policies and practices against the Palestinian people in the occupied Palestinian territories and outside these territories, including expropriation, establishment of settlements, annexation and other terrorist, aggressive and repressive measures, which are in violation of the Charter and the principles of international law and the relevant international conventions;

9. *Strongly condemns* the imposition by Israel of its laws, jurisdiction and administration on the occupied Syrian Golan Heights, its annexationist policies and practices, the establishment of settlements, the confiscation of lands, the diversion of water resources and the imposition of Israeli citizenship on Syrian nationals, and declares that all these measures are null and void and constitute a violation of the rules and principles of international law relative to belligerent occupation, in particular the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949;

10. *Considers* that the agreements on strategic cooperation between the United States of America and Israel, signed on 30 November 1981, and the continued supply of modern arms and *matériel* to Israel, augmented by substantial economic aid, including the recently concluded Agreement on the Establishment of a Free Trade Area between the two Governments, have encouraged Israel to pursue its aggressive and expansionist policies and practices in the Palestinian and other Arab territories occupied since 1967, including Jerusalem, and have had adverse effects on efforts for the establishment of a comprehensive, just and lasting peace in the Middle East and pose a threat to the security of the region;

11. *Calls once more upon* all States to put an end to the flow to Israel of any military, economic, financial and technological aid, as well as of human resources, aimed at encouraging it to pursue its aggressive policies against the Arab countries and the Palestinian people;

12. *Strongly condemns* the continuing and increasing collaboration between Israel and the racist régime of South Africa, especially in the economic, military and nuclear fields, which constitutes a hostile act against the African and Arab States and enables Israel to enhance its nuclear capabilities, thus subjecting the States of the region to nuclear blackmail;

13. *Reaffirms its call* for the convening of the International Peace Conference on the Middle East, under the auspices of the United Nations and on the basis of its relevant resolutions, as specified in paragraph 5 of the Geneva Declaration on Palestine[107] and endorsed by the General Assembly in its resolution 38/58 C of 13 December 1983;

14. *Endorses the call* for setting up a preparatory committee, within the framework of the Security Council, with the participation of the permanent members of the Council, to take the necessary action to convene the Conference;

15. *Requests* the Secretary-General to report to the Security Council periodically on the development of the situation and to submit to the General Assembly at its forty-second session a comprehensive report covering the developments in the Middle East in all their aspects.

97th plenary meeting
4 December 1986

B

The General Assembly,

Having discussed the item entitled "The situation in the Middle East",

Taking note of the report of the Secretary-General of 29 October 1986,[103]

Recalling Security Council resolution 497 (1981) of 17 December 1981,

Reaffirming its resolutions 36/226 B of 17 December 1981, ES-9/1 of 5 February 1982, 37/123 A of 16 December 1982, 38/180 A of 19 December 1983, 39/146 B of 14 December 1984 and 40/168 B of 16 December 1985,

Recalling its resolution 3314 (XXIX) of 14 December 1974, in which it defined an act of aggression, *inter alia*, as "the invasion or attack by the armed forces of a State of the territory of another State, or any military occupation, however temporary, resulting from such invasion or attack, or any annexation by the use of force of the territory of another State or part thereof" and provided that "no consideration of whatever nature, whether political, economic, military or otherwise, may serve as a justification for aggression",

Reaffirming the fundamental principles of the inadmissibility of the acquisition of territory by force,

Reaffirming once more the applicability of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949,[105] to the Palestinian and other occupied Arab territories, including Jerusalem,

Noting that Israel's record, policies and actions establish conclusively that it is not a peace-loving Member State and that it has not carried out its obligations under the Charter of the United Nations,

Noting further that Israel has refused, in violation of Article 25 of the Charter, to accept and carry out the numerous relevant decisions of the Security Council, in particular resolution 497 (1981), thus failing to carry out its obligations under the Charter,

1. *Strongly condemns* Israel for its failure to comply with Security Council resolution 497 (1981) and General Assembly resolutions 36/226 B, ES-9/1, 37/123 A, 38/180 A, 39/146 B and 40/168 B;

2. *Declares once more* that Israel's continued occupation of the Golan Heights and its decision of 14 December 1981 to impose its laws, jurisdiction and administration on the occupied Syrian Golan Heights constitute an act of aggression under the provisions of Article 39 of the Charter of the United Nations and General Assembly resolution 3314 (XXIX);

3. *Declares once more* that Israel's decision to impose its laws, jurisdiction and administration on the occupied

[107] *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. A.

Syrian Golan Heights is illegal and therefore null and void and has no validity whatsoever;

4. *Declares* all Israeli policies and practices of, or aimed at, annexation of the Palestinian and other occupied Arab territories, including Jerusalem, to be illegal and in violation of international law and of the relevant United Nations resolutions;

5. *Determines once more* that all actions taken by Israel to give effect to its decision relating to the occupied Syrian Golan Heights are illegal and invalid and shall not be recognized;

6. *Reaffirms its determination* that all relevant provisions of the Regulations annexed to the Hague Convention IV of 1907,[108] and the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, continue to apply to the Syrian territory occupied by Israel since 1967, and calls upon the parties thereto to respect and ensure respect for their obligations under these instruments in all circumstances;

7. *Determines once more* that the continued occupation of the Syrian Golan Heights since 1967 and their annexation by Israel on 14 December 1981, following Israel's decision to impose its laws, jurisdiction and administration on that territory, constitute a continuing threat to international peace and security;

8. *Strongly deplores* the negative vote by a permanent member of the Security Council which prevented the Council from adopting against Israel, under Chapter VII of the Charter, the "appropriate measures" referred to in resolution 497 (1981) unanimously adopted by the Council;

9. *Further deplores* any political, economic, financial, military and technological support to Israel that encourages Israel to commit acts of aggression and to consolidate and perpetuate its occupation and annexation of occupied Arab territories;

10. *Firmly emphasizes once more* its demand that Israel, the occupying Power, rescind forthwith its illegal decision of 14 December 1981 to impose its laws, jurisdiction and administration on the Syrian Golan Heights, which resulted in the effective annexation of that territory;

11. *Reaffirms once more* the overriding necessity of the total and unconditional withdrawal by Israel from all the Palestinian and other Arab territories occupied since 1967, including Jerusalem, which is an essential prerequisite for the establishment of a comprehensive and just peace in the Middle East;

12. *Determines once more* that Israel's record, policies and actions confirm that it is not a peace-loving Member State, that it has persistently violated the principles contained in the Charter and that it has carried out neither its obligations under the Charter nor its commitment under General Assembly resolution 273 (III) of 11 May 1949;

13. *Calls once more upon* all Member States to apply the following measures:

(*a*) To refrain from supplying Israel with any weapons and related equipment and to suspend any military assistance that Israel receives from them;

(*b*) To refrain from acquiring any weapons or military equipment from Israel;

(*c*) To suspend economic, financial and technological assistance to and co-operation with Israel;

(*d*) To sever diplomatic, trade and cultural relations with Israel;

14. *Reiterates its call* to all Member States to cease forthwith, individually and collectively, all dealings with Israel in order totally to isolate it in all fields;

15. *Urges* non-member States to act in accordance with the provisions of the present resolution;

16. *Calls upon* the specialized agencies and other international organizations to conform their relations with Israel to the terms of the present resolution;

17. *Requests* the Secretary-General to report to the General Assembly at its forty-second session on the implementation of the present resolution.

97th plenary meeting
4 December 1986

C

The General Assembly,

Recalling its resolutions 36/120 E of 10 December 1981, 37/123 C of 16 December 1982, 38/180 C of 19 December 1983, 39/146 C of 14 December 1984 and 40/168 C of 16 December 1985, in which it determined that all legislative and administrative measures and actions taken by Israel, the occupying Power, which had altered or purported to alter the character and status of the Holy City of Jerusalem, in particular the so-called "Basic Law" on Jerusalem and the proclamation of Jerusalem as the capital of Israel, were null and void and must be rescinded forthwith,

Recalling Security Council resolution 478 (1980) of 20 August 1980, in which the Council, *inter alia*, decided not to recognize the "Basic Law" and called upon those States that had established diplomatic missions at Jerusalem to withdraw such missions from the Holy City,

Having considered the report of the Secretary-General of 29 October 1986,[103]

1. *Determines* that Israel's decision to impose its laws, jurisdiction and administration on the Holy City of Jerusalem is illegal and therefore null and void and has no validity whatsoever;

2. *Deplores* the transfer by some States of their diplomatic missions to Jerusalem in violation of Security Council resolution 478 (1980) and their refusal to comply with the provisions of that resolution;

3. *Calls once again upon* those States to abide by the provisions of the relevant United Nations resolutions, in conformity with the Charter of the United Nations;

4. *Requests* the Secretary-General to report to the General Assembly at its forty-second session on the implementation of the present resolution.

97th plenary meeting
4 December 1986

41/212. United Nations Conference for the Promotion of International Co-operation in the Peaceful Uses of Nuclear Energy

A

The General Assembly,

Reaffirming the principles and provisions of its resolution 32/50 of 8 December 1977,

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

4. *Reaffirms* that the implementation of the Programme of Action based on mutual commitments and shared responsibility requires that all parties concerned respect their commitments and discharge their responsibilities accordingly, and in this regard reaffirms the determination of all parties to continue to honour their commitments under the Programme;

5. *Regrets* that overall net resource flows to African countries have declined, in real terms, while their terms of trade have worsened, export earnings from commodities have decreased substantially and debt-servicing obligations have risen significantly;

6. *Notes with concern* that some African countries are currently net transferors of resources to certain multilateral financial institutions;

7. *Calls upon* donor countries in this regard to continue their support to multilateral financial and development institutions to enable them to increase their resources to African countries and to improve the possibilities of adopting flexible and effective measures that will assist African countries in dealing with their financial obligations, giving due regard to the economic, social and development needs of each country, and, in this respect, notes that the International Monetary Fund is undertaking a thorough examination of adjustment programmes and their supporting arrangements, including a comprehensive review of conditionality;

8. *Calls upon* the international community to intensify its efforts to provide the necessary resource flows to African countries and underlines the importance of increasing urgently official development assistance to Africa, as well as the need for all countries to work to create the terms and conditions which would encourage the flow of non-concessional resources with a view to meeting the commitments under the Programme of Action as soon as possible, with the aim of making progress towards this end by the mid-term review of the Programme of Action in 1988;

9. *Welcomes* the use of existing subregional economic groupings in Africa in the implementation of the Programme of Action, and invites the donor community, multilateral institutions and the operational bodies of the United Nations system to provide resources for projects and programmes identified at the subregional level in the priority areas of the Programme;

10. *Urges* the international community, in particular the creditor countries, to take into consideration development and investment needs of African countries as well as the repayment capacity of each country, its export earnings, import requirements and external resource flows when considering terms and conditions of debt rescheduling, and to ensure that such terms and conditions do not preclude the flow of additional resources;

11. *Calls upon* the international community to continue its efforts, *inter alia* in the context of the Paris Club, to grant adequate terms of rescheduling and other effective debt-relief measures as appropriate to African countries undertaking growth-oriented adjustment and reform efforts, in particular for the poorest and the most indebted of them retroactive terms adjustment, including converting into grants the official development assistance loans or taking equivalent actions having the same impact, and also considering the possibility of applying lower interest rates to their existing debt;

12. *Appeals* to the international community, in order to deal effectively with problems in the commodity area, to seek lasting solutions aimed at:

(*a*) Improving the functioning of commodity markets and achieving stable and more predictable conditions in commodity trade, including avoidance of excessive price fluctuations;

(*b*) Adequate expansion of resources for diversification and participation in the processing, marketing, distribution and transportation of the commodities of African countries;

(*c*) Improving market access conditions for commodities of export interest to African countries;

(*d*) Promoting diversification programmes in the context of growth-oriented structural adjustment, taking fully into account the developmental objectives of each country and long-term dynamic comparative advantage considerations of all countries;

13. *Calls upon* the international community to extend, as a matter of priority, humanitarian, economic and financial assistance to the countries of southern Africa;

14. *Decides* to establish an *Ad Hoc* Committee of the Whole of the General Assembly as the most appropriate mechanism to prepare the review and the appraisal of the Programme of Action to meet for a period of ten working days in September 1988 prior to the forty-third session;

15. *Requests* the Secretary-General, in close co-operation with the concerned organs and organizations of the United Nations system, to ensure the necessary preparation of this meeting;

16. *Also requests* the Secretary-General, in accordance with paragraph 24 (*c*) of the Programme of Action, to submit to the General Assembly at its forty-third session a report including concrete recommendations for a speedy and full implementation of the Programme of Action and taking into account provisions of this resolution, which should be made available to the *Ad Hoc* Committee of the Whole;

17. *Further requests* the Secretary-General of the United Nations to continue to ensure closer co-operation and co-ordination with the Secretary-General of the Organization of African Unity in the implementation and monitoring of the Programme of Action;

18. *Requests* the Economic and Social Council at its organizational session of 1988 to consider the appropriate contributions to be submitted to the *Ad Hoc* Committee of the Whole by all parties concerned and to make provisions for proper co-ordination of the contributions;

19. *Further requests* the Economic and Social Council at its first and second regular sessions of 1988 to consider, as appropriate, the adoption of the necessary arrangements for the meeting of the *Ad Hoc* Committee of the Whole.

95th plenary meeting
8 December 1987

42/209. The situation in the Middle East

A

The General Assembly,

Having discussed the item entitled "The situation in the Middle East",

Recalling its relevant resolutions on the question of Palestine and the situation in the Middle East,

Recalling also the relevant resolutions of the Security Council,

Recalling the report of the Secretary-General of 13 November 1987,[83]

Taking note with appreciation of the resolutions of the Extraordinary Arab Summit Conference, held at Amman from 8 to 11 November 1987, on the Arab-Israeli conflict and on the International Peace Conference on the Middle East,

Taking note with appreciation of the growing international consensus in favour of convening the Conference to resolve the Arab-Israeli conflict, of which the question of Palestine is the core,

1. *Reaffirms once again* that the convening of the International Peace Conference on the Middle East under the auspices of the United Nations and at the invitation of the Secretary-General of the United Nations, with the participation of the five permanent members of the Security Council and all the parties to the Arab-Israeli conflict, including the Palestine Liberation Organization, the sole legitimate representative of the Palestinian people, on an equal footing, is the appropriate way to a peaceful, comprehensive and just settlement of the conflict which will ensure the restoration of the occupied Arab territories and the solution of the Palestinian question in all its aspects and guarantee the realization of the inalienable national rights of the Palestinian Arab people;

2. *Calls upon* all States that have not done so to lend their support to the convening of the Conference;

3. *Requests* the Secretary-General, in consultation with the Security Council, to continue his efforts with a view to convening the Conference and to apprise the General Assembly of the results of his consultations no later than September 1988.

97th plenary meeting
11 December 1987

B

The General Assembly,

Having discussed the item entitled "The situation in the Middle East",

Reaffirming its resolutions 36/226 A and B of 17 December 1981, ES-9/1 of 5 February 1982, 37/123 F of 20 December 1982, 38/58 A to E of 13 December 1983, 38/180 A to D of 19 December 1983, 39/146 A to C of 14 December 1984, 40/168 A to C of 16 December 1985 and 41/162 A to C of 4 December 1986,

Recalling Security Council resolutions 425 (1978) of 19 March 1978, 497 (1981) of 17 December 1981, 508 (1982) of 5 June 1982, 509 (1982) of 6 June 1982, 511 (1982) of 18 June 1982, 512 (1982) of 19 June 1982, 513 (1982) of 4 July 1982, 515 (1982) of 29 July 1982, 516 (1982) of 1 August 1982, 517 (1982) of 4 August 1982, 518 (1982) of 12 August 1982, 519 (1982) of 17 August 1982, 520 (1982) of 17 September 1982, 521 (1982) of 19 September 1982 and 555 (1984) of 12 October 1984,

Taking note of the reports of the Secretary-General of 7 May 1987,[82] 10 August 1987[90] and 13 November 1987,[83]

Reaffirming the need for continued collective support for the decisions adopted by the Twelfth Arab Summit Conference, held at Fez, Morocco, on 25 November 1981 and from 6 to 9 September 1982,[91] reiterating its previous resolutions on the question of Palestine and its support for the Palestine Liberation Organization as the sole, legitimate representative of the Palestinian people, and considering that the convening of the International Peace Conference on the Middle East, under the auspices of the United Nations, in accordance with General Assembly resolution 38/58 C and other relevant resolutions related to the question of Palestine, would contribute to the promotion of peace in the region,

Welcoming all efforts contributing towards the realization of the inalienable rights of the Palestinian people through the achievement of a comprehensive, just and lasting peace in the Middle East, in accordance with the United Nations resolutions relating to the question of Palestine and to the situation in the Middle East,

Welcoming the world-wide support extended to the just cause of the Palestinian people and the other Arab countries in their struggle against Israeli aggression and occupation in order to achieve a comprehensive, just and lasting peace in the Middle East and the full exercise by the Palestinian people of its inalienable national rights, as affirmed by previous resolutions of the General Assembly on the question of Palestine and on the situation in the Middle East,

Gravely concerned that the Palestinian and other Arab territories occupied since 1967, including Jerusalem, still remain under Israeli occupation, that the relevant resolutions of the United Nations have not been implemented and that the Palestinian people is still denied the restoration of its land and the exercise of its inalienable national rights in conformity with international law, as reaffirmed by resolutions of the United Nations,

Reaffirming the applicability of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949,[44] to all the Palestinian and other occupied Arab territories, including Jerusalem,

Reaffirming also all relevant United Nations resolutions which stipulate that the acquisition of territory by force is inadmissible under the Charter of the United Nations and the principles of international law and that Israel must withdraw unconditionally from all the Palestinian and other Arab territories it has occupied since 1967, including Jerusalem,

Reaffirming further the imperative necessity of establishing a comprehensive, just and lasting peace in the region, based on full respect for the Charter and the principles of international law,

Gravely concerned also at the continuing Israeli policies involving the escalation and expansion of the conflict in the region, which further violate the principles of international law and endanger international peace and security,

Stressing once again the great importance of the time factor in the endeavours to achieve an early comprehensive, just and lasting peace in the Middle East,

1. *Reaffirms its conviction* that the question of Palestine is the core of the conflict in the Middle East and that no comprehensive, just and lasting peace in the region will be achieved without the full exercise by the Palestinian people of its inalienable national rights and the immediate, unconditional and total withdrawal of Israel from all the Palestinian and other occupied Arab territories;

2. *Reaffirms further* that a just and comprehensive settlement of the situation in the Middle East cannot be achieved without the participation on an equal footing of all the parties to the conflict, including the Palestine Liberation Organization, the representative of the Palestinian people;

[90] A/42/465 and Add.1.

[91] See A/37/696-S/15510, annex. For the printed text, see *Official Records of the Security Council, Thirty-seventh Year, Supplement for October, November and December 1982*, document S/15510, annex

3. *Declares once more* that peace in the Middle East is indivisible and must be based on a comprehensive, just and lasting solution of the Middle East problem, under the auspices of the United Nations and on the basis of its relevant resolutions, which ensures the complete and unconditional withdrawal of Israel from the Palestinian and other Arab territories occupied since 1967, including Jerusalem, and which enables the Palestinian people, under the leadership of the Palestine Liberation Organization, to exercise its inalienable rights, including the right to return and the right to self-determination, national independence and the establishment of its independent sovereign State in Palestine, in accordance with the resolutions of the United Nations relating to the question of Palestine, in particular General Assembly resolutions ES-7/2 of 29 July 1980, 36/120 A to F of 10 December 1981, 37/86 A to D of 10 December 1982, 37/86 E of 20 December 1982, 38/58 A to E of 13 December 1983, 39/49 A to D of 11 December 1984, 40/96 A to D of 12 December 1985 and 41/43 A to D of 2 December 1986;

4. *Considers* the Arab Peace Plan adopted unanimously at the Twelfth Arab Summit Conference, held at Fez, Morocco, on 25 November 1981 and from 6 to 9 September 1982,[91] and reiterated by the Extraordinary Summit Conference of the Arab States, held at Casablanca, Morocco, from 7 to 9 August 1985,[92] as well as relevant efforts and action to implement the Fez plan, as an important contribution towards the realization of the inalienable rights of the Palestinian people through the achievement of a comprehensive, just and lasting peace in the Middle East;

5. *Condemns* Israel's continued occupation of the Palestinian and other Arab territories, including Jerusalem, in violation of the Charter of the United Nations, the principles of international law and the relevant resolutions of the United Nations, and demands the immediate, unconditional and total withdrawal of Israel from all the territories occupied since 1967;

6. *Rejects* all agreements and arrangements which violate the inalienable rights of the Palestinian people and contradict the principles of a just and comprehensive solution to the Middle East problem to ensure the establishment of a just peace in the area;

7. *Deplores* Israel's failure to comply with Security Council resolutions 476 (1980) of 30 June 1980 and 478 (1980) of 20 August 1980 and General Assembly resolutions 35/207 of 16 December 1980 and 36/226 A and B of 17 December 1981; determines that Israel's decision to annex Jerusalem and to declare it as its "capital" as well as the measures to alter its physical character, demographic composition, institutional structure and status are null and void and demands that they be rescinded immediately; and calls upon all Member States, the specialized agencies and all other international organizations to abide by the present resolution and all other relevant resolutions and decisions;

8. *Condemns* Israel's aggression, policies and practices against the Palestinian people in the occupied Palestinian territories and outside these territories, including expropriation, establishment of settlements, annexation and other terrorist, aggressive and repressive measures, which are in violation of the Charter and the principles of international law and the relevant international conventions;

9. *Strongly condemns* the imposition by Israel of its laws, jurisdiction and administration on the occupied Syrian Arab Golan, its annexationist policies and practices, the establishment of settlements, the confiscation of lands, the diversion of water resources and the imposition of Israeli citizenship on Syrian nationals, and declares that all these measures are null and void and constitute a violation of the rules and principles of international law relative to belligerent occupation, in particular the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949;

10. *Considers* that the agreements on strategic cooperation between the United States of America and Israel, signed on 30 November 1981, and the continued supply of modern arms and *matériel* to Israel, augmented by substantial economic aid, including the recently concluded Agreement on the Establishment of a Free Trade Area between the two Governments, have encouraged Israel to pursue its aggressive and expansionist policies and practices in the Palestinian and other Arab territories occupied since 1967, including Jerusalem, and have had adverse effects on efforts for the establishment of a comprehensive, just and lasting peace in the Middle East and pose a threat to the security of the region;

11. *Calls once more upon* all States to put an end to the flow to Israel of any military, economic, financial and technological aid, as well as of human resources, aimed at encouraging it to pursue its aggressive policies against the Arab countries and the Palestinian people;

12. *Strongly condemns* the continuing and increasing collaboration between Israel and the racist régime of South Africa, especially in the economic, military and nuclear fields, which constitutes a hostile act against the African and Arab States and enables Israel to enhance its nuclear capabilities, thus subjecting the States of the region to nuclear blackmail;

13. *Reaffirms its call* for the convening of the International Peace Conference on the Middle East, under the auspices of the United Nations and on the basis of its relevant resolutions, as specified in paragraph 5 of the Geneva Declaration on Palestine[93] and endorsed by the General Assembly in its resolution 38/58 C;

14. *Endorses the call* for setting up a preparatory committee, within the framework of the Security Council, with the participation of the permanent members of the Council, to take the necessary action to convene the Conference;

15. *Requests* the Secretary-General to report to the Security Council periodically on the development of the situation and to submit to the General Assembly at its forty-third session a comprehensive report covering the developments in the Middle East in all their aspects.

97th plenary meeting
11 December 1987

C

The General Assembly,

Having discussed the item entitled "The situation in the Middle East",

Taking note of the report of the Secretary-General of 13 November 1987,[83]

Recalling Security Council resolution 497 (1981) of 17 December 1981,

[92] See A/40/564 and Corr.1, annex.

[93] *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. A.

Reaffirming its resolutions 36/226 B of 17 December 1981, ES-9/1 of 5 February 1982, 37/123 A of 16 December 1982, 38/180 A of 19 December 1983, 39/146 B of 14 December 1984, 40/168 B of 16 December 1985 and 41/162 B of 4 December 1986,

Recalling its resolution 3314 (XXIX) of 14 December 1974, in which it defined an act of aggression, *inter alia*, as "the invasion or attack by the armed forces of a State of the territory of another State, or any military occupation, however temporary, resulting from such invasion or attack, or any annexation by the use of force of the territory of another State or part thereof" and provided that "no consideration of whatever nature, whether political, economic, military or otherwise, may serve as a justification for aggression",

Reaffirming the fundamental principles of the inadmissibility of the acquisition of territory by force,

Reaffirming once more the applicability of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949,[44] to the Palestinian and other occupied Arab territories, including Jerusalem,

Noting that Israel's record, policies and actions establish conclusively that it is not a peace-loving Member State and that it has not carried out its obligations under the Charter of the United Nations,

Noting further that Israel has refused, in violation of Article 25 of the Charter, to accept and carry out the numerous relevant decisions of the Security Council, in particular resolution 497 (1981), thus failing to carry out its obligations under the Charter,

1. *Strongly condemns* Israel for its failure to comply with Security Council resolution 497 (1981) and General Assembly resolutions 36/226 B, ES-9/1, 37/123 A, 38/180 A, 39/146 B, 40/168 B and 41/162 B;

2. *Declares once more* that Israel's continued occupation of the Syrian Arab Golan and its decision of 14 December 1981 to impose its laws, jurisdiction and administration on the occupied Syrian Arab Golan constitute an act of aggression under the provisions of Article 39 of the Charter of the United Nations and General Assembly resolution 3314 (XXIX);

3. *Declares once more* that Israel's decision to impose its laws, jurisdiction and administration on the occupied Syrian Arab Golan is illegal and therefore null and void and has no validity whatsoever;

4. *Declares* all Israeli policies and practices of, or aimed at, annexation of the Palestinian and other occupied Arab territories, including Jerusalem, to be illegal and in violation of international law and of the relevant United Nations resolutions;

5. *Determines once more* that all actions taken by Israel to give effect to its decision relating to the occupied Syrian Arab Golan are illegal and invalid and shall not be recognized;

6. *Reaffirms its determination* that all relevant provisions of the Regulations annexed to the Hague Convention IV of 1907,[94] and the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, continue to apply to the Syrian territory occupied by Israel since 1967, and calls upon the parties thereto to respect and ensure respect for their obligations under these instruments in all circumstances;

7. *Determines once more* that the continued occupation of the Syrian Arab Golan since 1967 and its annexation by Israel on 14 December 1981, following Israel's decision to impose its laws, jurisdiction and administration on that territory, constitute a continuing threat to international peace and security;

8. *Strongly deplores* the negative vote by a permanent member of the Security Council which prevented the Council from adopting against Israel, under Chapter VII of the Charter, the "appropriate measures" referred to in resolution 497 (1981) unanimously adopted by the Council;

9. *Further deplores* any political, economic, financial, military and technological support to Israel that encourages it to commit acts of aggression and to consolidate and perpetuate its occupation and annexation of the occupied Arab territories;

10. *Firmly emphasizes once more* its demand that Israel, the occupying Power, rescind forthwith its illegal decision of 14 December 1981 to impose its laws, jurisdiction and administration on the Syrian Arab Golan, which resulted in the effective annexation of that territory;

11. *Reaffirms once more* the overriding necessity of the total and unconditional withdrawal by Israel from all the Palestinian and other Arab territories occupied since 1967, including Jerusalem, which is an essential prerequisite for the establishment of a comprehensive and just peace in the Middle East;

12. *Determines once more* that Israel's record, policies and actions confirm that it is not a peace-loving Member State, that it has persistently violated the principles contained in the Charter and that it has carried out neither its obligations under the Charter nor its commitment under General Assembly resolution 273 (III) of 11 May 1949;

13. *Calls once more upon* all Member States to apply the following measures:

(*a*) To refrain from supplying Israel with any weapons and related equipment and to suspend any military assistance that Israel receives from them;

(*b*) To refrain from acquiring any weapons or military equipment from Israel;

(*c*) To suspend economic, financial and technological assistance to and co-operation with Israel;

(*d*) To sever diplomatic, trade and cultural relations with Israel;

14. *Reiterates its call* to all Member States to cease forthwith, individually and collectively, all dealings with Israel in order totally to isolate it in all fields;

15. *Urges* non-member States to act in accordance with the provisions of the present resolution;

16. *Calls upon* the specialized agencies and other international organizations to conform their relations with Israel to the terms of the present resolution;

17. *Requests* the Secretary-General to report to the General Assembly at its forty-third session on the implementation of the present resolution.

97th plenary meeting
11 December 1987

D

The General Assembly,

Recalling its resolutions 36/120 E of 10 December 1981, 37/123 C of 16 December 1982, 38/180 C of 19 Decem-

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

ber 1983, 39/146 C of 14 December 1984, 40/168 C of 16 December 1985 and 41/162 C of 4 December 1986, in which it determined that all legislative and administrative measures and actions taken by Israel, the occupying Power, which had altered or purported to alter the character and status of the Holy City of Jerusalem, in particular the so-called "Basic Law" on Jerusalem and the proclamation of Jerusalem as the capital of Israel, were null and void and must be rescinded forthwith,

Recalling Security Council resolution 478 (1980) of 20 August 1980, in which the Council, *inter alia*, decided not to recognize the "Basic Law" and called upon those States that had established diplomatic missions at Jerusalem to withdraw such missions from the Holy City,

Having considered the report of the Secretary-General of 13 November 1987,[83]

1. *Determines* that Israel's decision to impose its laws, jurisdiction and administration on the Holy City of Jerusalem is illegal and therefore null and void and has no validity whatsoever;

2. *Deplores* the transfer by some States of their diplomatic missions to Jerusalem in violation of Security Council resolution 478 (1980), and their refusal to comply with the provisions of that resolution;

3. *Calls once more upon* those States to abide by the provisions of the relevant United Nations resolutions, in conformity with the Charter of the United Nations;

4. *Requests* the Secretary-General to report to the General Assembly at its forty-third session on the implementation of the present resolution.

97th plenary meeting
11 December 1987

43/54. The situation in the Middle East

A

The General Assembly,

Having discussed the item entitled "The situation in the Middle East",

Reaffirming its resolutions 36/226 A and B of 17 December 1981, ES-9/1 of 5 February 1982, 37/123 F of 20 December 1982, 38/58 A to E of 13 December 1983, 38/180 A to D of 19 December 1983, 39/146 A to C of 14 December 1984, 40/168 A to C of 16 December 1985, 41/162 A to C of 4 December 1986 and 42/209 A to D of 11 December 1987,

Recalling Security Council resolutions 425 (1978) of 19 March 1978, 497 (1981) of 17 December 1981, 508 (1982) of 5 June 1982, 509 (1982) of 6 June 1982, 511 (1982) of 18 June 1982, 512 (1982) of 19 June 1982, 513 (1982) of 4 July 1982, 515 (1982) of 29 July 1982, 516 (1982) of 1 August 1982, 517 (1982) of 4 August 1982, 518 (1982) of 12 August 1982, 519 (1982) of 17 August 1982, 520 (1982) of 17 September 1982, 521 (1982) of 19 September 1982 and 555 (1984) of 12 October 1984 and other relevant resolutions,

Taking note of the reports of the Secretary-General of 31 March 1988,[109] 30 September 1988,[110] 11 October 1988,[111] and 28 November 1988,[112]

Reaffirming the need for continued collective support for the decisions adopted by the Twelfth Arab Summit Conference, held at Fez, Morocco, on 25 November 1981 and from 6 to 9 September 1982,[113] which were confirmed by subsequent Arab summit conferences, including the Arab Summit Conference held at Algiers from 7 to 9 June 1988,[114] reiterating its previous resolutions on the question of Palestine and its support for the Palestine Liberation Organization as the sole legitimate representative of the Palestinian people, and considering that the convening of the International Peace Conference on the Middle East, under the auspices of the United Nations, in accordance with General Assembly resolution 38/58 C and other relevant resolutions related to the question of Palestine, would contribute to the promotion of peace in the region,

Welcoming all efforts contributing towards the realization of the inalienable rights of the Palestinian people through the achievement of a comprehensive, just and lasting peace in the Middle East, in accordance with the United Nations resolutions relating to the question of Palestine and to the situation in the Middle East,

Welcoming the world-wide support extended to the just cause of the Palestinian people and the other Arab countries in their struggle against Israeli aggression and occupation in order to achieve a comprehensive, just and lasting peace in the Middle East and the full exercise by the Palestinian people of its inalienable national rights, as affirmed by previous resolutions of the General Assembly on the question of Palestine and on the situation in the Middle East,

Gravely concerned that the Palestinian territory occupied since 1967, including Jerusalem, and the other occupied Arab territories still remain under Israeli occupation, that the relevant resolutions of the United Nations have not been implemented and that the Palestinian people is still denied the restoration of its land and the exercise of its inalienable national rights in conformity with international law, as reaffirmed by resolutions of the United Nations,

Reaffirming the applicability of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949,[47] to the Palestinian territory occupied since 1967, including Jerusalem, and the other occupied Arab territories,

Reaffirming also all relevant United Nations resolutions which stipulate that the acquisition of territory by force is inadmissible under the Charter of the United Nations and the principles of international law and that Israel must withdraw unconditionally from the Palestinian territory occupied since 1967, including Jerusalem, and the other occupied Arab territories,

Reaffirming further the imperative necessity of establishing a comprehensive, just and lasting peace in the region, based on full respect for the Charter and the principles of international law,

Gravely concerned also at the continuing Israeli policies involving the escalation and expansion of the conflict in the region, which further violate the principles of international law and endanger international peace and security,

Stressing once again the great importance of the time factor in the endeavours to achieve an early comprehensive, just and lasting peace in the Middle East,

1. *Reaffirms its conviction* that the question of Palestine is the core of the conflict in the Middle East and that no comprehensive, just and lasting peace in the region will be achieved without the full exercise by the Palestinian people of its inalienable national rights and the immediate, unconditional and total withdrawal of Israel from the Palestinian territory occupied since 1967, including Jerusalem, and the other occupied Arab territories;

2. *Reaffirms further* that a just and comprehensive settlement of the situation in the Middle East cannot be achieved without the participation on an equal footing of all the parties to the conflict, including the Palestine Liberation Organization, the representative of the Palestinian people;

3. *Declares once more* that peace in the Middle East is indivisible and must be based on a comprehensive, just and lasting solution of the Middle East problem, under the auspices of the United Nations and on the basis of its relevant resolutions, which ensures the complete and unconditional withdrawal of Israel from the Palestinian territory occupied since 1967, including Jerusalem, and the other occupied Arab territories, and which enables the Palestinian people, under the leadership of the Palestine Liberation Organization, to exercise its inalienable rights, including the right to return and the right to self-determination, national independence and the establishment of its independent sovereign State in Palestine, in accordance with the resolutions of the United Nations relating to the question of Palestine, in particular General Assembly resolutions ES-7/2 of 29 July 1980, 36/120 A to F of 10 December 1981, 37/86 A to D of 10 December 1982, 37/86 E of 20 December 1982, 38/58 A to E of 13 December 1983, 39/49 A to D of 11 December 1984, 40/96 A to D of

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[109] A/43/272-S/19719. For the printed text, see *Official Records of the Security Council, Forty-third Year, Supplement for January, February and March 1988*, document S/19719.

[110] A/43/691-S/20219. For the printed text, see *Official Records of the Security Council, Forty-third Year, Supplement for July, August and September 1988*, document S/20219.

[111] A/43/683 and Add.1.

[112] A/43/867-S/20294. For the printed text, see *Official Records of the Security Council, Forty-third Year, Supplement for July, August and September 1988*, document S/20294.

[113] See A/37/696-S/15510, annex. For the printed text, see *Official Records of the Security Council, Thirty-seventh Year, Supplement for October, November and December 1982*, document S/15510, annex.

[114] A/43/407-S/19938, annex.

12 December 1985, 41/43 A to D of 2 December 1986 and 42/66 A to D of 2 December 1987;

4. *Considers* the Arab Peace Plan adopted unanimously at the Twelfth Arab Summit Conference, held at Fez, Morocco, on 25 November 1981 and from 6 to 9 September 1982,[113] and reiterated by the Extraordinary Summit Conference of the Arab States, held at Casablanca, Morocco, from 7 to 9 August 1985,[115] as well as relevant efforts and action to implement the Fez plan, as an important contribution towards the realization of the inalienable rights of the Palestinian people through the achievement of a comprehensive, just and lasting peace in the Middle East;

5. *Condemns* Israel's continued occupation of the Palestinian territory occupied since 1967, including Jerusalem, and the other occupied Arab territories, in violation of the Charter of the United Nations, the principles of international law and the relevant resolutions of the United Nations, and demands the immediate, unconditional and total withdrawal of Israel from all the territories occupied since 1967;

6. *Rejects* all agreements and arrangements which violate the inalienable rights of the Palestinian people and contradict the principles of a just and comprehensive solution to the Middle East problem to ensure the establishment of a just peace in the area;

7. *Deplores* Israel's failure to comply with Security Council resolutions 476 (1980) of 30 June 1980 and 478 (1980) of 20 August 1980 and General Assembly resolutions 35/207 of 16 December 1980 and 36/226 A and B of 17 December 1981; determines that Israel's decision to annex Jerusalem and to declare it as its "capital" as well as the measures to alter its physical character, demographic composition, institutional structure and status are null and void and demands that they be rescinded immediately; and calls upon all Member States, the specialized agencies and all other international organizations to abide by the present resolution and all other relevant resolutions and decisions;

8. *Condemns* Israel's aggression, policies and practices against the Palestinian people in the occupied Palestinian territory and outside this territory including expropriation, establishment of settlements, annexation and other terrorist, aggressive and repressive measures, which are in violation of the Charter and the principles of international law and the relevant international conventions;

9. *Strongly condemns* the imposition by Israel of its laws, jurisdiction and administration on the occupied Syrian Arab Golan, its annexationist policies and practices, the establishment of settlements, the confiscation of lands, the diversion of water resources and the imposition of Israeli citizenship on Syrian nationals, and declares that all these measures are null and void and constitute a violation of the rules and principles of international law relative to belligerent occupation, in particular the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949;

10. *Considers* that the agreements on strategic cooperation between the United States of America and Israel, signed on 30 November 1981, and the continued supply of modern arms and *matériel* to Israel, augmented by substantial economic aid, including the Agreement on the Establishment of a Free Trade Area between the two Governments, have encouraged Israel to pursue its aggressive and expansionist policies and practices in the Palestinian territory occupied since 1967, including Jerusalem, and the other occupied Arab territories, and have had adverse effects on efforts for the establishment of a comprehensive, just and lasting peace in the Middle East and pose a threat to the security of the region;

11. *Calls once more upon* all States to put an end to the flow to Israel of any military, economic, financial and technological aid, as well as of human resources, aimed at encouraging it to pursue its aggressive policies against the Arab countries and the Palestinian people;

12. *Strongly condemns* the continuing and increasing collaboration between Israel and the racist régime of South Africa, especially in the economic, military and nuclear fields, which constitutes a hostile act against the African and Arab States and enables Israel to enhance its nuclear capabilities, thus subjecting the States of the region to nuclear blackmail;

13. *Reaffirms its call* for convening the International Peace Conference on the Middle East, under the auspices of the United Nations, with the participation of the five permanent members of the Security Council and all parties to the conflict, including the Palestine Liberation Organization, the sole legitimate representative of the Palestinian people, on an equal footing, and that the Conference should be effective with full authority, in order to achieve a comprehensive and just solution based on the withdrawal of Israel from the occupied Palestinian territory, including Jerusalem, and the other occupied Arab territories, and the attainment of the inalienable rights of the Palestinian people in accordance with United Nations resolutions relevant to the question of Palestine and the situation in the Middle East;

14. *Endorses the call* for setting up a preparatory committee, within the framework of the Security Council, with the participation of the permanent members of the Council, to take the necessary action to convene the Conference;

15. *Requests* the Secretary-General to report to the Security Council periodically on the development of the situation and to submit to the General Assembly at its forty-fourth session a comprehensive report covering the developments in the Middle East in all their aspects.

71st plenary meeting
6 December 1988

B

The General Assembly,

Having discussed the item entitled "The situation in the Middle East",

Taking note of the report of the Secretary-General of 28 November 1988,[112]

Recalling Security Council resolution 497 (1981) of 17 December 1981,

Reaffirming its resolutions 36/226 B of 17 December 1981, ES-9/1 of 5 February 1982, 37/123 A of 16 December 1982, 38/180 A of 19 December 1983, 39/146 B of 14 December 1984, 40/168 B of 16 December 1985, 41/162 B of 4 December 1986 and 42/209 C of 11 December 1987,

Recalling its resolution 3314 (XXIX) of 14 December 1974, in which it defined an act of aggression, *inter alia*, as "the invasion or attack by the armed forces of a State of the territory of another State, or any military occupation, however temporary, resulting from such invasion or attack, or any annexation by the use of force of the territory of another State or part thereof" and provided that "no consideration of whatever nature, whether political, eco-

[115] A/40/564 and Corr.1, annex.

nomic, military or otherwise, may serve as a justification for aggression",

Reaffirming the fundamental principle of the inadmissibility of the acquisition of territory by force,

Reaffirming once more the applicability of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949,[47] to the Palestinian territory occupied since 1967, including Jerusalem, and the other occupied Arab territories,

Noting that Israel's record, policies and actions establish conclusively that it is not a peace-loving Member State and that it has not carried out its obligations under the Charter of the United Nations,

Noting also that Israel has refused, in violation of Article 25 of the Charter, to accept and carry out the numerous relevant decisions of the Security Council, in particular resolution 497 (1981), thus failing to carry out its obligations under the Charter,

1. *Strongly condemns* Israel for its failure to comply with Security Council resolution 497 (1981) and General Assembly resolutions 36/226 B, ES-9/1, 37/123 A, 38/180 A, 39/146 B, 40/168 B, 41/162 B and 42/209 C;

2. *Declares once more* that Israel's continued occupation of the Syrian Arab Golan and its decision of 14 December 1981 to impose its laws, jurisdiction and administration on the occupied Syrian Arab Golan constitute an act of aggression under the provisions of Article 39 of the Charter of the United Nations and General Assembly resolution 3314 (XXIX);

3. *Declares once more* that Israel's decision to impose its laws, jurisdiction and administration on the occupied Syrian Arab Golan is illegal and therefore null and void and has no validity whatsoever;

4. *Declares* all Israeli policies and practices of, or aimed at, annexation of the Palestinian territory occupied since 1967, including Jerusalem, and of the other occupied Arab territories, to be illegal and in violation of international law and of the relevant United Nations resolutions;

5. *Determines once more* that all actions taken by Israel to give effect to its decision relating to the occupied Syrian Arab Golan are illegal and invalid and shall not be recognized;

6. *Reaffirms its determination* that all relevant provisions of the Regulations annexed to the Hague Convention IV of 1907,[116] and the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, continue to apply to the Syrian territory occupied by Israel since 1967, and calls upon the parties thereto to respect and ensure respect for their obligations under these instruments in all circumstances;

7. *Determines once more* that the continued occupation of the Syrian Arab Golan since 1967 and its annexation by Israel on 14 December 1981, following Israel's decision to impose its laws, jurisdiction and administration on that territory, constitute a continuing threat to international peace and security;

8. *Strongly deplores* the negative vote by a permanent member of the Security Council which prevented the Council from adopting against Israel, under Chapter VII of the Charter, the "appropriate measures" referred to in resolution 497 (1981) unanimously adopted by the Council;

9. *Further deplores* any political, economic, financial, military and technological support to Israel that encourages it to commit acts of aggression and to consolidate and perpetuate its occupation and annexation of the Palestinian territory occupied since 1967, including Jerusalem, and the other occupied Arab territories;

10. *Firmly emphasizes once more* its demand that Israel, the occupying Power, rescind forthwith its illegal decision of 14 December 1981 to impose its laws, jurisdiction and administration on the Syrian Arab Golan, which resulted in the effective annexation of that territory;

11. *Reaffirms once more* the overriding necessity of the total and unconditional withdrawal by Israel from the Palestinian territory occupied since 1967, including Jerusalem, and the other occupied Arab territories, which is an essential prerequisite for the establishment of a comprehensive and just peace in the Middle East;

12. *Determines once more* that Israel's record, policies and actions confirm that it is not a peace-loving Member State, that it has persistently violated the principles contained in the Charter and that it has carried out neither its obligations under the Charter nor its commitment under General Assembly resolution 273 (III) of 11 May 1949;

13. *Calls once more upon* all Member States to apply the following measures:

(*a*) To refrain from supplying Israel with any weapons and related equipment and to suspend any military assistance that Israel receives from them;

(*b*) To refrain from acquiring any weapons or military equipment from Israel;

(*c*) To suspend economic, financial and technological assistance to and co-operation with Israel;

(*d*) To sever diplomatic, trade and cultural relations with Israel;

14. *Reiterates its call* to all Member States to cease forthwith, individually and collectively, all dealings with Israel in order totally to isolate it in all fields;

15. *Urges* non-member States to act in accordance with the provisions of the present resolution;

16. *Calls upon* the specialized agencies and other international organizations to conform their relations with Israel to the terms of the present resolution;

17. *Requests* the Secretary-General to report to the General Assembly at its forty-fourth session on the implementation of the present resolution.

71st plenary meeting
6 December 1988

C

The General Assembly,

Recalling its resolutions 36/120 E of 10 December 1981, 37/123 C of 16 December 1982, 38/180 C of 19 December 1983, 39/146 C of 14 December 1984, 40/168 C of 16 December 1985, 41/162 C of 4 December 1986 and 42/209 D of 11 December 1987, in which it determined that all legislative and administrative measures and actions taken by Israel, the occupying Power, which had altered or purported to alter the character and status of the Holy City of Jerusalem, in particular the so-called "Basic Law" on Jerusalem and the proclamation of Jerusalem as the capital of Israel, were null and void and must be rescinded forthwith,

Recalling Security Council resolution 478 (1980) of 20 August 1980, in which the Council, *inter alia*, decided

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

not to recognize the "Basic Law" and called upon those States that had established diplomatic missions at Jerusalem to withdraw such missions from the Holy City,

Having considered the report of the Secretary-General of 28 November 1988,[112]

1. *Determines* that Israel's decision to impose its laws, jurisdiction and administration on the Holy City of Jerusalem is illegal and therefore null and void and has no validity whatsoever;

2. *Deplores* the transfer by some States of their diplomatic missions to Jerusalem in violation of Security Council resolution 478 (1980), and their refusal to comply with the provisions of that resolution;

3. *Calls once more upon* those States to abide by the provisions of the relevant United Nations resolutions, in conformity with the Charter of the United Nations;

4. *Requests* the Secretary-General to report to the General Assembly at its forty-fourth session on the implementation of the present resolution.

71st plenary meeting
6 December 1988

43/90. Fortieth anniversary of the Universal Declaration of Human Rights

The General Assembly,

Reaffirming on the occasion of the fortieth anniversary of the Universal Declaration of Human Rights[50] its significance as a source of inspiration for national and international efforts for the protection and promotion of human rights and fundamental freedoms,

Welcoming the progress made so far in the promotion and protection of human rights and fundamental freedoms since the proclamation of the Declaration,

Recalling that Member States have pledged themselves to achieve, in co-operation with the United Nations, the promotion of universal respect for and observance of human rights and fundamental freedoms,

Recalling also the obligations of Member States under the Charter of the United Nations to respect the principle of equal rights and self-determination of peoples as a basis for the creation of conditions of stability and well-being, which are necessary for peaceful and friendly relations among nations,

Acknowledging that, despite efforts made by the international community to promote and protect human rights, there is a need for constant vigilance by the international community in this field,

Recalling the responsibility of the international community to promote understanding, friendship and peaceful co-operation among peoples, and to ensure that everyone enjoys the inherent right to life, liberty and security of person,

Recalling the International Covenant on Economic, Social and Cultural Rights[117] and the International Covenant on Civil and Political Rights,[117] and reaffirming that all human rights and fundamental freedoms are indivisible and interrelated and that the promotion and protection of one category of rights should never exempt or excuse States from the promotion and protection of the other,

Underlining the importance of the teaching of human rights at all levels,

1. *Stresses* the important role of the Universal Declaration of Human Rights in encouraging Member States to enshrine the principles of the inherent dignity and of the equal and inalienable rights of all members of the human family in national constitutions and laws;

2. *Notes with satisfaction* the progress made so far in the field of human rights, including standard setting and codification, since the proclamation of the Declaration and reaffirms its commitment to further progress in this respect;

3. *Expresses grave concern* at mass and flagrant violations of human rights, including those stemming from racism, all forms of racial discrimination and *apartheid*, and at all violations of human rights that continue to take place in many parts of the world;

4. *Affirms* the responsibility of the United Nations in protecting and promoting human rights and fundamental freedoms and expresses the determination of the United Nations to deal, through appropriate United Nations bodies, with violations of human rights and fundamental freedoms;

5. *Urges* all States to observe the rights and freedoms set forth in the Declaration and appeals to those States which have not yet done so to consider ratifying or acceding to the Convention on the Prevention and Punishment of the Crime of Genocide,[118] the International Convention on the Elimination of All Forms of Racial Discrimination,[119] the International Covenant on Economic, Social and Cultural Rights,[117] the International Covenant on Civil and Political Rights and the Optional Protocol thereto,[117] the International Convention on the Suppression and Punishment of the Crime of *Apartheid*,[120] the Convention on the Elimination of all Forms of Discrimination against Women,[121] and the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment;[122]

6. *Reaffirms* the importance of the observance and effective implementation of universally recognized standards in the field of human rights as contained in international human rights instruments;

7. *Invites* the Commission on Human Rights to consider a programme of action in the field of human rights, including:

(*a*) Measures to promote the univeral ratification of or accession to United Nations instruments in the field of human rights and to strengthen United Nations machinery for the promotion and protection of human rights and fundamental freedoms enshrined in the Declaration;

(*b*) Activities to develop human rights institutions and infrastructures, drawing upon the assistance of the United Nations programme of advisory services in the field of human rights, including the Voluntary Fund for Advisory Services and Technical Assistance in the Field of Human Rights, and drawing also upon the relevant capabilities of the specialized agencies in this field, and other available multilateral and bilateral assistance;

(*c*) Activities in the area of public information as may be determined by the Commission in considering the world campaign for human rights;

(*d*) Measures to enhance national and existing regional institutions for the promotion of human rights, through

[117] See resolution 2200 A (XXI), annex.

[118] Resolution 260 A (III), annex.
[119] Resolution 2106 A (XX), annex.
[120] Resolution 3068 (XXVIII), annex.
[121] Resolution 34/180, annex.
[122] Resolution 39/46, annex.

December 1977 by which it adopted the International Declaration against *Apartheid* in Sports and resolution 40/64 G of 10 December 1985, the annex to which contains the International Convention against *Apartheid* in Sports,

Having considered the report of the Commission against *Apartheid* in Sports[91] and the relevant sections of the report of the Special Committee against *Apartheid*,[86]

1. *Takes note* of the report of the Commission against *Apartheid* in Sports;

2. *Calls upon* those States that have signed the International Convention against *Apartheid* in Sports to ratify it and also calls upon other States to accede to it as soon as possible;

3. *Commends* those Governments, organizations and individual sportsmen and sportswomen that have taken action in accordance with the Register of Sports Contacts with South Africa with a view to achieving a total isolation of *apartheid* in sports;

4. *Requests* the Special Committee against *Apartheid* to continue issuing the Register of Sports Contacts with South Africa;

5. *Calls upon* those international sports organizations and federations that have not yet expelled South Africa or suspended its membership to do so without further delay;

6. *Requests* the Secretary-General to provide the Commission against *Apartheid* in Sports with all needed assistance.

63rd plenary meeting
22 November 1989

44/40. The situation in the Middle East

A

The General Assembly,

Having discussed the item entitled "The situation in the Middle East",

Reaffirming its resolutions 36/226 A and B of 17 December 1981, ES-9/1 of 5 February 1982, 37/123 F of 20 December 1982, 38/58 A to E of 13 December 1983, 38/180 A to D of 19 December 1983, 39/146 A to C of 14 December 1984, 40/168 A to C of 16 December 1985, 41/162 A to C of 4 December 1986, 42/209 A to D of 11 December 1987 and 43/54 A to C of 6 December 1988,

Recalling Security Council resolutions 425 (1978) of 19 March 1978, 497 (1981) of 17 December 1981, 508 (1982) of 5 June 1982, 509 (1982) of 6 June 1982, 511 (1982) of 18 June 1982, 512 (1982) of 19 June 1982, 513 (1982) of 4 July 1982, 515 (1982) of 29 July 1982, 516 (1982) of 1 August 1982, 517 (1982) of 4 August 1982, 518 (1982) of 12 August 1982, 519 (1982) of 17 August 1982, 520 (1982) of 17 September 1982, 521 (1982) of 19 September 1982 and 555 (1984) of 12 October 1984 and other relevant resolutions,

Taking note of the reports of the Secretary-General of 27 October 1989,[101] 16 November 1989[102] and 22 November 1989,[103]

Reaffirming the need for continued collective support for the decisions adopted by the Twelfth Arab Summit Conference, held at Fez, Morocco, on 25 November 1981 and from 6 to 9 September 1982,[104] which were confirmed by subsequent Arab summit conferences, including the Extraordinary Arab Summit Conference held at Casablanca, Morocco, from 23 to 26 May 1989, reiterating its previous resolutions on the question of Palestine and its support for the Palestine Liberation Organization as the sole legitimate representative of the Palestinian people, and considering that the convening of the International Peace Conference on the Middle East, under the auspices of the United Nations, in accordance with General Assembly resolution 38/58 C and other resolutions related to the question of Palestine, would contribute to the promotion of peace in the region,

Welcoming all efforts contributing towards the realization of the inalienable rights of the Palestinian people through the achievement of a comprehensive, just and lasting peace in the Middle East, in accordance with the United Nations resolutions relating to the question of Palestine and to the situation in the Middle East,

Welcoming the world-wide support extended to the just cause of the Palestinian people and the other Arab countries in their struggle against Israeli aggression and occupation in order to achieve a comprehensive, just and lasting peace in the Middle East and the full exercise by the Palestinian people of its inalienable national rights, as affirmed by previous resolutions of the General Assembly on the question of Palestine and on the situation in the Middle East,

Gravely concerned that the Palestinian territory occupied since 1967, including Jerusalem, and the other occupied Arab territories still remain under Israeli occupation, that the relevant resolutions of the United Nations have not been implemented and that the Palestinian people is still denied the restoration of its land and the exercise of its inalienable national rights in conformity with international law, as reaffirmed by resolutions of the United Nations,

Reaffirming the applicability of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949,[2] to the Palestinian territory occupied since 1967, including Jerusalem, and the other occupied Arab territories,

Reaffirming also all relevant United Nations resolutions which stipulate that the acquisition of territory by force is inadmissible under the Charter of the United Nations and the principles of international law and that Israel must withdraw unconditionally from the Palestinian territory occupied since 1967, including Jerusalem, and the other occupied Arab territories,

Reaffirming further the imperative necessity of establishing a comprehensive, just and lasting peace in the re-

[101] A/44/690 and Add.1.
[102] A/44/731-S/20968; see *Official Records of the Security Council, Forty-fourth Year, Supplement for October, November and December 1989*, document S/20968.
[103] A/44/737-S/20971; see *Official Records of the Security Council, Forty-fourth Year, Supplement for October, November and December 1989*, document S/20971.
[104] See A/37/696-S/15510, annex. For the printed text, see *Official Records of the Security Council, Thirty-seventh Year, Supplement for October, November and December 1982*, document S/15510, annex.

gion, based on full respect for the Charter and the principles of international law,

Gravely concerned also at the continuing Israeli policies involving the escalation and expansion of the conflict in the region, which further violate the principles of international law and endanger international peace and security,

Stressing once again the great importance of the time factor in the endeavours to achieve an early comprehensive, just and lasting peace in the Middle East,

1. *Reaffirms its conviction* that the question of Palestine is the core of the conflict in the Middle East and that no comprehensive, just and lasting peace in the region will be achieved without the full exercise by the Palestinian people of its inalienable national rights and the immediate, unconditional and total withdrawal of Israel from the Palestinian territory occupied since 1967, including Jerusalem, and the other occupied Arab territories;

2. *Reaffirms* that a just and comprehensive settlement of the situation in the Middle East cannot be achieved without the participation on an equal footing of all the parties to the conflict, including the Palestine Liberation Organization, the representative of the Palestinian people;

3. *Declares once more* that peace in the Middle East is indivisible and must be based on a comprehensive, just and lasting solution of the Middle East problem, under the auspices of the United Nations and on the basis of its relevant resolutions, which ensures the complete and unconditional withdrawal of Israel from the Palestinian territory occupied since 1967, including Jerusalem, and the other occupied Arab territories, and which enables the Palestinian people, under the leadership of the Palestine Liberation Organization, to exercise its inalienable rights, including the right to return and the right to self-determination, national independence and the establishment of its independent sovereign State in Palestine, in accordance with the resolutions of the United Nations relating to the question of Palestine, in particular General Assembly resolutions ES-7/2 of 29 July 1980, 36/120 A to F of 10 December 1981, 37/86 A to D of 10 December 1982, 37/86 F of 20 December 1982, 38/58 A to E of 13 December 1983, 39/49 A to D of 11 December 1984, 40/96 A to D of 12 December 1985, 41/43 A to D of 2 December 1986, 42/66 A to D of 2 December 1987, 43/54 A to C of 6 December 1988, and 43/175 A to C, 43/176 and 43/177 of 15 December 1988;

4. *Considers* the Arab peace plan adopted unanimously at the Twelfth Arab Summit Conference, held at Fez, Morocco, on 25 November 1981 and from 6 to 9 September 1982,[104] which was confirmed by subsequent Arab summit conferences, including the Extraordinary Arab Summit Conference held at Casablanca, Morocco, from 23 to 26 May 1989, as well as relevant efforts and action to implement the Fez plan, as an important contribution towards the realization of the inalienable rights of the Palestinian people through the achievement of a comprehensive, just and lasting peace in the Middle East;

5. *Condemns* Israel's continued occupation of the Palestinian territory occupied since 1967, including Jerusalem, and the other occupied Arab territories, in violation of the Charter of the United Nations, the principles of international law and the relevant resolutions of the United Nations, and demands the immediate, unconditional and total withdrawal of Israel from all the territories occupied since 1967;

6. *Rejects* all agreements and arrangements which violate the inalienable rights of the Palestinian people and contradict the principles of a just and comprehensive solution to the Middle East problem to ensure the establishment of a just peace in the area;

7. *Deplores* Israel's failure to comply with Security Council resolutions 476 (1980) of 30 June 1980 and 478 (1980) of 20 August 1980 and General Assembly resolutions 35/207 of 16 December 1980 and 36/226 A and B of 17 December 1981; determines that Israel's decision to annex Jerusalem and to declare it as its "capital" as well as the measures to alter its physical character, demographic composition, institutional structure and status are null and void and demands that they be rescinded immediately; and calls upon all Member States, the specialized agencies and all other international organizations to abide by the present resolution and all other relevant resolutions and decisions;

8. *Condemns* Israel's aggression, policies and practices against the Palestinian people in the occupied Palestinian territory and outside this territory, including expropriation, establishment of settlements, annexation and other terrorist, aggressive and repressive measures, which are in violation of the Charter and the principles of international law and the relevant international conventions;

9. *Strongly condemns* the imposition by Israel of its laws, jurisdiction and administration on the occupied Syrian Arab Golan, its annexationist policies and practices, the establishment of settlements, the confiscation of lands, the diversion of water resources and the imposition of Israeli citizenship on Syrian nationals, and declares that all these measures are null and void and constitute a violation of the rules and principles of international law relative to belligerent occupation, in particular the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949;

10. *Considers* that the agreements on strategic cooperation between the United States of America and Israel, signed on 30 November 1981, and the continued supply of modern arms and *matériel* to Israel, augmented by substantial economic aid, including the Agreement on the Establishment of a Free Trade Area between the two Governments, have encouraged Israel to pursue its aggressive and expansionist policies and practices in the Palestinian territory occupied since 1967, including Jerusalem, and the other occupied Arab territories, and have had adverse effects on efforts for the establishment of a comprehensive, just and lasting peace in the Middle East and pose a threat to the security of the region;

11. *Calls once more upon* all States to put an end to the flow to Israel of any military, economic, financial and technological aid, as well as of human resources, aimed at encouraging it to pursue its aggressive policies against the Arab countries and the Palestinian people;

12. *Strongly condemns* the continuing and increasing collaboration between Israel and the racist régime of South Africa, especially in the economic, military and nuclear fields, which constitutes a hostile act against the African and Arab States and enables Israel to enhance its nuclear capabilities, thus subjecting the States of the region to nuclear blackmail;

13. *Reaffirms its call* for convening the International Peace Conference on the Middle East, under the auspices of the United Nations, with the participation of the five permanent members of the Security Council and all parties to the conflict, including the Palestine Liberation Organization, the sole legitimate representative of the Palestinian people, on an equal footing, and that the Conference should be effective with full authority, in order to achieve a comprehensive and just solution based on the withdrawal of Israel from the occupied Palestinian territory,

including Jerusalem, and the other occupied Arab territories, and the attainment of the inalienable rights of the Palestinian people in accordance with United Nations resolutions relevant to the question of Palestine and the situation in the Middle East;

14. *Endorses the call* for setting up a preparatory committee, within the framework of the Security Council, with the participation of the permanent members of the Council, to take the necessary action to convene the Conference;

15. *Requests* the Secretary-General to report to the Security Council periodically on the development of the situation and to submit to the General Assembly at its forty-fifth session a comprehensive report covering the developments in the Middle East in all their aspects.

73rd plenary meeting
4 December 1989

B

The General Assembly,

Having discussed the item entitled "The situation in the Middle East",

Taking note of the report of the Secretary-General of 22 November 1989,[103]

Recalling Security Council resolution 497 (1981) of 17 December 1981,

Reaffirming its resolutions 36/226 B of 17 December 1981, ES-9/1 of 5 February 1982, 37/123 A of 16 December 1982, 38/180 A of 19 December 1983, 39/146 B of 14 December 1984, 40/168 B of 16 December 1985, 41/162 B of 4 December 1986, 42/209 C of 11 December 1987 and 43/54 B of 6 December 1988,

Recalling its resolution 3314 (XXIX) of 14 December 1974, in which it defined an act of aggression, *inter alia*, as "the invasion or attack by the armed forces of a State of the territory of another State, or any military occupation, however temporary, resulting from such invasion or attack, or any annexation by the use of force of the territory of another State or part thereof" and provided that "no consideration of whatever nature, whether political, economic, military or otherwise, may serve as a justification for aggression",

Reaffirming the fundamental principle of the inadmissibility of the acquisition of territory by force,

Reaffirming once more the applicability of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949,[2] to the Palestinian territory occupied since 1967, including Jerusalem, and the other occupied Arab territories,

Noting that Israel's record, policies and actions establish conclusively that it is not a peace-loving Member State and that it has not carried out its obligations under the Charter of the United Nations,

Noting also that Israel has refused, in violation of Article 25 of the Charter, to accept and carry out the numerous relevant decisions of the Security Council, in particular resolution 497 (1981), thus failing to carry out its obligations under the Charter,

1. *Strongly condemns* Israel for its failure to comply with Security Council resolution 497 (1981) and General Assembly resolutions 36/226 B, ES-9/1, 37/123 A, 38/180 A, 39/146 B, 40/168 B, 41/162 B, 42/209 C and 43/54 B;

2. *Declares once more* that Israel's continued occupation of the Syrian Arab Golan and its decision of 14 December 1981 to impose its laws, jurisdiction and administration on the occupied Syrian Arab Golan constitute an act of aggression under the provisions of Article 39 of the Charter of the United Nations and General Assembly resolution 3314 (XXIX);

3. *Declares once more* that Israel's decision to impose its laws, jurisdiction and administration on the occupied Syrian Arab Golan is illegal and therefore null and void and has no validity whatsoever;

4. *Declares* all Israeli policies and practices of, or aimed at, annexation of the Palestinian territory occupied since 1967, including Jerusalem, and of the other occupied Arab territories to be illegal and in violation of international law and of the relevant United Nations resolutions;

5. *Determines once more* that all actions taken by Israel to give effect to its decision relating to the occupied Syrian Arab Golan are illegal and invalid and shall not be recognized;

6. *Reaffirms its determination* that all relevant provisions of the Regulations annexed to the Hague Convention IV of 1907,[75] and the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, continue to apply to the Syrian territory occupied by Israel since 1967, and calls upon the parties thereto to respect and ensure respect for their obligations under these instruments in all circumstances;

7. *Determines once more* that the continued occupation of the Syrian Arab Golan since 1967 and its annexation by Israel on 14 December 1981, following Israel's decision to impose its laws, jurisdiction and administration on that territory, constitute a continuing threat to international peace and security;

8. *Strongly deplores* the negative vote by a permanent member of the Security Council which prevented the Council from adopting against Israel, under Chapter VII of the Charter, the "appropriate measures" referred to in resolution 497 (1981) unanimously adopted by the Council;

9. *Further deplores* any political, economic, financial, military and technological support to Israel that encourages it to commit acts of aggression and to consolidate and perpetuate its occupation and annexation of the Palestinian territory occupied since 1967, including Jerusalem, and the other occupied Arab territories;

10. *Firmly emphasizes once more* its demand that Israel, the occupying Power, rescind forthwith its illegal decision of 14 December 1981 to impose its laws, jurisdiction and administration on the Syrian Arab Golan, which resulted in the effective annexation of that territory;

11. *Reaffirms once more* the overriding necessity of the total and unconditional withdrawal by Israel from the Palestinian territory occupied since 1967, including Jerusalem, and the other occupied Arab territories, which is an essential prerequisite for the establishment of a comprehensive and just peace in the Middle East;

12. *Determines once more* that Israel's record, policies and actions confirm that it is not a peace-loving Member State, that it has persistently violated the principles contained in the Charter and that it has carried out neither its obligations under the Charter nor its commitment under General Assembly resolution 273 (III) of 11 May 1949;

13. *Calls once more upon* all Member States to apply the following measures:

(*a*) To refrain from supplying Israel with any weapons and related equipment and to suspend any military assistance that Israel receives from them;

(*b*) To refrain from acquiring any weapons or military equipment from Israel;

(*c*) To suspend economic, financial and technological assistance to and co-operation with Israel;

(*d*) To sever diplomatic, trade and cultural relations with Israel;

14. *Reiterates its call* to all Member States to cease forthwith, individually and collectively, all dealings with Israel in order totally to isolate it in all fields;

15. *Urges* non-member States to act in accordance with the provisions of the present resolution;

16. *Calls upon* the specialized agencies and other international organizations to conform their relations with Israel to the terms of the present resolution;

17. *Requests* the Secretary-General to report to the General Assembly at its forty-fifth session on the implementation of the present resolution.

73rd plenary meeting
4 December 1989

C

The General Assembly,

Recalling its resolutions 36/120 E of 10 December 1981, 37/123 C of 16 December 1982, 38/180 C of 19 December 1983, 39/146 C of 14 December 1984, 40/168 C of 16 December 1985, 41/162 C of 4 December 1986, 42/209 D of 11 December 1987 and 43/54 C of 6 December 1988, in which it determined that all legislative and administrative measures and actions taken by Israel, the occupying Power, which had altered or purported to alter the character and status of the Holy City of Jerusalem, in particular the so-called "Basic Law" on Jerusalem and the proclamation of Jerusalem as the capital of Israel, were null and void and must be rescinded forthwith,

Recalling Security Council resolution 478 (1980) of 20 August 1980, in which the Council, *inter alia*, decided not to recognize the "Basic Law" and called upon those States that had established diplomatic missions at Jerusalem to withdraw such missions from the Holy City,

Having considered the report of the Secretary-General of 22 November 1989,[103]

1. *Determines* that Israel's decision to impose its laws, jurisdiction and administration on the Holy City of Jerusalem is illegal and therefore null and void and has no validity whatsoever;

2. *Deplores* the transfer by some States of their diplomatic missions to Jerusalem in violation of Security Council resolution 478 (1980), and their refusal to comply with the provisions of that resolution;

3. *Calls once more upon* those States to abide by the provisions of the relevant United Nations resolutions, in conformity with the Charter of the United Nations;

4. *Requests* the Secretary-General to report to the General Assembly at its forty-fifth session on the implementation of the present resolution.

73rd plenary meeting
4 December 1989

44/41. Question of Palestine

A

The General Assembly,

Recalling its resolutions 181 (II) of 29 November 1947, 194 (III) of 11 December 1948, 3236 (XXIX) of 22 November 1974, 3375 (XXX) and 3376 (XXX) of 10 November 1975, 31/20 of 24 November 1976, 32/40 of 2 December 1977, 33/28 of 7 December 1978, 34/65 A and B of 29 November 1979 and 34/65 C and D of 12 December 1979, ES-7/2 of 29 July 1980, 35/169 of 15 December 1980, 36/120 of 10 December 1981, ES-7/4 of 28 April 1982, ES-7/5 of 26 June 1982, ES-7/9 of 24 September 1982, 37/86 A of 10 December 1982, 38/58 A of 13 December 1983, 39/49 A of 11 December 1984, 40/96 A of 12 December 1985, 41/43 A of 2 December 1986, 42/66 A of 2 December 1987 and 43/175 A of 15 December 1988,

Having considered the report of the Committee on the Exercise of the Inalienable Rights of the Palestinian People,[105]

1. *Expresses its appreciation* to the Committee on the Exercise of the Inalienable Rights of the Palestinian People for its efforts in performing the tasks assigned to it by the General Assembly;

2. *Endorses* the recommendations of the Committee contained in paragraphs 110 to 118 of its report and draws the attention of the Security Council to the fact that action on the Committee's recommendations, as repeatedly endorsed by the General Assembly at its thirty-first session and subsequently, is still awaited;

3. *Requests* the Committee to continue to keep under review the situation relating to the question of Palestine as well as the implementation of the Programme of Action for the Achievement of Palestinian Rights[106] and to report and make suggestions to the General Assembly or the Security Council, as appropriate;

4. *Authorizes* the Committee to continue to exert all efforts to promote the implementation of its recommendations, including representation at conferences and meetings and the sending of delegations, to make such adjustments in its approved programme of seminars and symposia and meetings for non-governmental organizations as it may consider necessary, and to report thereon to the General Assembly at its forty-fifth session and thereafter;

5. *Also requests* the Committee to continue to extend its co-operation to non-governmental organizations in their contribution towards heightening international awareness of the facts relating to the question of Palestine and creating a more favourable atmosphere for the full implementation of the Committee's recommendations, and to take the necessary steps to expand its contacts with those organizations;

6. *Requests* the United Nations Conciliation Commission for Palestine, established under General Assembly resolution 194 (III), as well as other United Nations bodies associated with the question of Palestine, to continue to co-operate fully with the Committee and to make available to it, at its request, the relevant information and documentation which they have at their disposal;

[105] *Official Records of the General Assembly, Forty-fourth Session, Supplement No. 35* (A/44/35).

[106] *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.

3. *Also requests* the Secretary-General to ensure the continued co-operation of the Department of Public Information and other units of the Secretariat in enabling the Division for Palestinian Rights to perform its tasks and in covering adequately the various aspects of the question of Palestine;

4. *Invites* all Governments and organizations to lend their co-operation to the Committee on the Exercise of the Inalienable Rights of the Palestinian People and the Division for Palestinian Rights in the performance of their tasks;

5. *Takes note with appreciation* of the action taken by Member States to observe annually on 29 November the International Day of Solidarity with the Palestinian People.

59th plenary meeting
6 December 1990

C

The General Assembly,

Having considered the report of the Committee on the Exercise of the Inalienable Rights of the Palestinian People,[60]

Taking note, in particular, of the information contained in paragraphs 79 to 92 of that report,

Recalling its resolutions 44/41 C and 44/42 of 6 December 1989,

Convinced that the world-wide dissemination of accurate and comprehensive information and the role of non-governmental organizations and institutions remain of vital importance in heightening awareness of and support for the inalienable rights of the Palestinian people to self-determination and to the establishment of an independent sovereign Palestinian State,

1. *Takes note with appreciation* of the action taken by the Department of Public Information of the Secretariat in compliance with General Assembly resolution 44/41 C;

2. *Requests* the Department of Public Information, in full co-operation and co-ordination with the Committee on the Exercise of the Inalienable Rights of the Palestinian People, to continue its special information programme on the question of Palestine for the remainder of the biennium 1990-1991, with particular emphasis on public opinion in Europe and North America and, in particular:

(*a*) To disseminate information on all the activities of the United Nations system relating to the question of Palestine, including reports of the work carried out by the relevant United Nations organs;

(*b*) To continue to issue and update publications on the various aspects of the question of Palestine, including Israeli violations of the human rights of the Palestinian people and other Arab inhabitants of the occupied territories as reported by the relevant United Nations organs;

(*c*) To expand its audio-visual material on the question of Palestine, including the production of such material;

(*d*) To organize and promote fact-finding news missions for journalists to the area, including to the occupied territories;

(*e*) To organize regional and national encounters for journalists.

59th plenary meeting
6 December 1990

45/68. International Peace Conference on the Middle East

The General Assembly,

Having considered the report of the Secretary-General of 12 November 1990,[62]

Having heard the statement made on 3 December 1990 by the chairman of the observer delegation of Palestine,[63]

Stressing that achieving a comprehensive settlement of the Middle East conflict, the core of which is the question of Palestine, will constitute a significant contribution to international peace and security,

Aware of the overwhelming support for the convening of the International Peace Conference on the Middle East,

Noting with appreciation the endeavours of the Secretary-General to achieve the convening of the Conference,

Preoccupied by the increasingly serious situation in the occupied Palestinian territory as a result of persistent policies and practices of Israel, the occupying Power, and by the continuing lack of progress in achieving peace in the Middle East,

Aware of the ongoing uprising (*intifadah*) of the Palestinian people since 9 December 1987, aimed at ending Israeli occupation of Palestinian territory occupied since 1967,

1. *Reaffirms* the urgent need to achieve a just and comprehensive settlement of the Arab-Israeli conflict, the core of which is the question of Palestine;

2. *Calls once again* for the convening of the International Peace Conference on the Middle East, under the auspices of the United Nations, with the participation of all parties to the conflict, including the Palestine Liberation Organization, on an equal footing, and the five permanent members of the Security Council, based on Council resolutions 242 (1967) of 22 November 1967 and 338 (1973) of 22 October 1973 and the legitimate national rights of the Palestinian people, primarily the right to self-determination;

3. *Reaffirms* the following principles for the achievement of comprehensive peace:

(*a*) The withdrawal of Israel from the Palestinian territory occupied since 1967, including Jerusalem, and from the other occupied Arab territories;

(*b*) Guaranteeing arrangements for security of all States in the region, including those named in resolution 181 (II) of 29 November 1947, within secure and internationally recognized boundaries;

(*c*) Resolving the problem of the Palestine refugees in conformity with General Assembly resolution 194

[62] A/45/709-S/21929; see *Official Records of the Security Council, Forty-fifth Year, Supplement for October, November and December 1990,* document S/21929.

[63] See *Official Records of the General Assembly, Forty-fifth Session, Plenary Meetings,* 53rd meeting (A/45/PV.53).

(III) of 11 December 1948, and subsequent relevant resolutions;

(*d*) Dismantling the Israeli settlements in the territories occupied since 1967;

(*e*) Guaranteeing freedom of access to Holy Places, religious buildings and sites;

4. *Notes* the expressed desire and endeavours to place the Palestinian territory occupied since 1967, including Jerusalem, under the supervision of the United Nations for a limited period, as part of the peace process;

5. *Once again invites* the Security Council to consider measures needed to convene the International Peace Conference on the Middle East, including the establishment of a preparatory committee, and to consider guarantees for security measures agreed upon by the Conference for all States in the region;

6. *Requests* the Secretary-General to continue his efforts with the parties concerned, and in consultation with the Security Council, to facilitate the convening of the Conference, and to submit progress reports on developments in this matter.

59th plenary meeting
6 December 1990

45/69. The uprising (*intifadah*) of the Palestinian people

The General Assembly,

Aware of the uprising (*intifadah*) of the Palestinian people since 9 December 1987 against Israeli occupation, which has received significant attention and sympathy from world public opinion,

Deeply concerned at the alarming situation in the Palestinian territory occupied since 1967, as a result of the continued occupation by Israel, the occupying Power, and of its persistent policies and practices against the Palestinian people,

Reaffirming that the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949,[64] is applicable to the Palestinian territory occupied by Israel since 1967, including Jerusalem, and to the other occupied Arab territories,

Expressing its profound shock at the continued measures by Israel, the occupying Power, including the killing and wounding of Palestinian civilians, and at the recent acts of violence committed by the Israeli security forces, which took place on 8 October 1990 at the Haram al-Sharif in Jerusalem, resulting in injuries and loss of human lives,

Stressing the need to promote international protection to the Palestinian civilians in the occupied Palestinian territory,

Recognizing the need for increased support to, aid for and solidarity with the Palestinian people under Israeli occupation,

[64] United Nations, *Treaty Series*, vol. 75, No. 973.

Having considered the recommendations contained in the reports of the Secretary-General of 21 January 1988[65] and 31 October 1990,[66]

Recalling its relevant resolutions as well as the relevant Security Council resolutions,

1. *Condemns* those policies and practices of Israel, the occupying Power, which violate the human rights of the Palestinian people in the occupied Palestinian territory, including Jerusalem, and, in particular, such acts as the opening of fire by the Israeli army and settlers that result in the killing and wounding of defenceless Palestinian civilians, the beating and breaking of bones, the deportation of Palestinian civilians, the imposition of restrictive economic measures, the demolition of houses, the ransacking of real or personal property belonging individually or collectively to private persons, collective punishment and detentions, and so forth;

2. *Demands* that Israel, the occupying Power, abide scrupulously by the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, and desist immediately from those policies and practices which are in violation of the provisions of the Convention;

3. *Calls upon* all the High Contracting Parties to the Convention to ensure respect by Israel, the occupying Power, for the Convention in all circumstances, in conformity with their obligation under article 1 thereof;

4. *Strongly deplores* the continuing disregard by Israel, the occupying Power, of the relevant decisions of the Security Council;

5. *Reaffirms* that the occupation by Israel of the Palestinian territory since 1967, including Jerusalem, and of the other Arab territories in no way changes the legal status of those territories;

6. *Requests* the Security Council to examine with urgency the situation in the occupied Palestinian territory with a view to considering measures needed to provide international protection to the Palestinian civilians in the Palestinian territory occupied by Israel since 1967, including Jerusalem;

7. *Invites* Member States, the organizations of the United Nations system, governmental, intergovernmental and non-governmental organizations, and the mass communications media to continue and enhance their support for the Palestinian people;

8. *Requests* the Secretary-General to examine the present situation in the Palestinian territory occupied since 1967, including Jerusalem, by all means available to him and to submit periodic reports thereon, the first such report as soon as possible.

59th plenary meeting
6 December 1990

[65] S/19443; see *Official Records of the Security Council, Forty-third Year, Supplement for January, February and March 1988*, document S/19443.

[66] S/21919 and Corr.1; see *Official Records of the Security Council, Forty-fifth Year, Supplement for October, November and December 1990*, document S/21919.

(*b*) Setting up joint sectoral inter-agency working groups;

8. *Calls upon* the specialized agencies and other organizations and programmes of the United Nations system:

(*a*) To continue to co-operate with the Secretary-General and the programmes, organizations and agencies concerned within the United Nations system and the League of Arab States and its specialized organizations in the follow-up of multilateral proposals aimed at strengthening and expanding co-operation in all fields between the United Nations system and the League of Arab States and its specialized organizations;

(*b*) To maintain and increase contacts and consultations with the counterpart programmes, organizations and agencies concerned regarding projects of a bilateral nature, in order to facilitate their implementation;

(*c*) To associate whenever possible with organizations and institutions of the League of Arab States in the execution and implementation of development projects in the Arab region;

(*d*) To inform the Secretary-General, not later than 15 May 1991, of the progress of their co-operation with the League of Arab States and its specialized organizations, in particular the follow-up action taken on the multilateral and bilateral proposals adopted at the Tunis, Amman and Geneva meetings;

9. *Decides* that, in order to intensify co-operation and for the purpose of review and appraisal of progress as well as to prepare comprehensive periodic reports, a general meeting between the United Nations system and the League of Arab States should take place once every two years and inter-agency sectoral meetings should be organized annually on areas of priority and wide importance in the development of the Arab States and the meeting of the sectoral co-ordinators should be held during 1991, the time and place to be determined by consultations between the United Nations and the League of Arab States;

10. *Recommends* that the United Nations and the other organizations of the United Nations system should utilize Arab expertise to the extent possible in projects undertaken in the Arab region;

11. *Requests* the Secretary-General of the United Nations, in co-operation with the Secretary-General of the League of Arab States, to encourage periodic consultations between representatives of the Secretariat of the United Nations and of the General Secretariat of the League of Arab States to review and strengthen co-ordination mechanisms with a view to accelerating implementation and follow-up action of multilateral projects and proposals adopted by the general meeting of the two organizations;

12. *Recommends* that a joint meeting between representatives of the organizations of the United Nations system and of the League of Arab States and its specialized organizations should be organized in 1992 in order to review the progress achieved in the implementation of the two-year plan of action adopted at the 1990 meeting;

13. *Further requests* the Secretary-General to submit to the General Assembly at its forty-sixth session a progress report on the implementation of the present resolution;

14. *Decides* to include in the provisional agenda of its forty-sixth session the item entitled "Co-operation between the United Nations and the League of Arab States".

67th plenary meeting
13 December 1990

45/83. The situation in the Middle East

A

The General Assembly,

Having discussed the item entitled "The situation in the Middle East",

Reaffirming its resolutions 36/226 A and B of 17 December 1981, ES-9/1 of 5 February 1982, 37/123 F of 20 December 1982, 38/58 A to E of 13 December 1983, 38/180 A to D of 19 December 1983, 39/146 A to C of 14 December 1984, 40/168 A to C of 16 December 1985, 41/162 A to C of 4 December 1986, 42/209 A to D of 11 December 1987, 43/54 A to C of 6 December 1988 and 44/40 A to C of 4 December 1989,

Recalling Security Council resolutions 425 (1978) of 19 March 1978, 497 (1981) of 17 December 1981, 508 (1982) of 5 June 1982, 509 (1982) of 6 June 1982, 659 (1990) of 31 July 1990, and other relevant resolutions,

Taking note of the reports of the Secretary-General of 15 October 1990,[73] 12 November 1990[62] and 26 November 1990,[74]

Reaffirming the need for continued collective support for the decisions adopted by the Twelfth Arab Summit Conference, held at Fez, Morocco, on 25 November 1981 and from 6 to 9 September 1982,[75] which were confirmed by subsequent Arab summit conferences, including the Extraordinary Arab Summit Conference held at Casablanca, Morocco, from 23 to 26 May 1989,

Reiterating its previous resolutions on the question of Palestine and its support for the Palestine Liberation Organization as the sole legitimate representative of the Palestinian people,

Considering that the convening of the International Peace Conference on the Middle East, under the auspices of the United Nations, in accordance with General Assembly resolution 44/42 of 6 December 1989 and other resolutions related to the question of Palestine, would contribute to the promotion of peace in the region,

Welcoming all efforts contributing towards the realization of the inalienable rights of the Palestinian people through the achievement of a comprehensive, just and lasting peace in the Middle East, in accordance with the United Nations resolutions relating to the question of Palestine and to the situation in the Middle East,

Welcoming also the world-wide support extended to the just cause of the Palestinian people and the other Arab countries in their struggle against Israeli aggres-

[73] A/45/595.

[74] A/45/726-S/21947; see *Official Records of the Security Council, Forty-fifth Year; Supplement for October, November and December 1990*, document S/21947.

[75] See A/37/696-S/15510, annex. For the printed text, see *Official Records of the Security Council, Thirty-seventh Year, Supplement for October, November and December 1982*, document S/15510, annex.

sion and occupation in order to achieve a comprehensive, just and lasting peace in the Middle East and the full exercise by the Palestinian people of its inalienable national rights, as affirmed by previous resolutions of the General Assembly on the question of Palestine and on the situation in the Middle East,

Gravely concerned that the Palestinian territory occupied since 1967, including Jerusalem, and the other occupied Arab territories still remain under Israeli occupation, that the relevant resolutions of the United Nations have not been implemented and that the Palestinian people is still denied the restoration of its land and the exercise of its inalienable national rights in conformity with international law, as reaffirmed by resolutions of the United Nations,

Reaffirming the applicability of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949,[64] to the Palestinian territory occupied since 1967, including Jerusalem, and the other occupied Arab territories,

Reaffirming also all relevant United Nations resolutions which stipulate that the acquisition of territory by force is inadmissible under the Charter of the United Nations and the principles of international law and that Israel must withdraw unconditionally from the Palestinian territory occupied since 1967, including Jerusalem, and the other occupied Arab territories,

Reaffirming further the imperative necessity of establishing a comprehensive, just and lasting peace in the region, based on full respect for the Charter and the principles of international law,

Gravely concerned also at the continuing Israeli policies involving the escalation and expansion of the conflict in the region, which further violate the principles of international law and endanger international peace and security,

Stressing once again the great importance of the time factor in the endeavours to achieve an early comprehensive, just and lasting peace in the Middle East,

1. *Reaffirms its conviction* that the question of Palestine is the core of the conflict in the Middle East and that no comprehensive, just and lasting peace in the region will be achieved without the full exercise by the Palestinian people of its inalienable national rights and the immediate, unconditional and total withdrawal of Israel from the Palestinian territory occupied since 1967, including Jerusalem, and the other occupied Arab territories;

2. *Reaffirms* that a just and comprehensive settlement of the situation in the Middle East cannot be achieved without the participation on an equal footing of all the parties to the conflict, including the Palestine Liberation Organization, the representative of the Palestinian people;

3. *Declares once more* that peace in the Middle East is indivisible and must be based on a comprehensive, just and lasting solution of the Middle East problem, under the auspices of the United Nations and on the basis of its relevant resolutions, which ensures the complete and unconditional withdrawal of Israel from the Palestinian territory occupied since 1967, including Jerusalem, and the other occupied Arab territories, and which enables the Palestinian people, under the leadership of the Palestine Liberation Organization, to exercise its inalienable rights, including the right to return and the right to self-determination, national independence and the establishment of its independent sovereign State in Palestine, in accordance with the resolutions of the United Nations relating to the question of Palestine, in particular General Assembly resolutions ES-7/2 of 29 July 1980, 36/120 A to F of 10 December 1981, 37/86 A to D of 10 December 1982, 37/86 E of 20 December 1982, 38/58 A to E of 13 December 1983, 39/49 A to D of 11 December 1984, 40/96 A to D of 12 December 1985, 41/43 A to D of 2 December 1986, 42/66 A to D of 2 December 1987, 43/54 A to C of 6 December 1988, and 43/175 A to C, 43/176, 43/177 of 15 December 1988 and 44/42;

4. *Considers* the Arab peace plan adopted unanimously at the Twelfth Arab Summit Conference, held at Fez, Morocco, on 25 November 1981 and from 6 to 9 September 1982,[75] which was confirmed by subsequent Arab summit conferences, including the Extraordinary Arab Summit Conference held at Casablanca, Morocco, from 23 to 26 May 1989, as well as relevant efforts and action to implement the Fez plan, as an important contribution towards the realization of the inalienable rights of the Palestinian people through the achievement of a comprehensive, just and lasting peace in the Middle East;

5. *Condemns* Israel's continued occupation of the Palestinian territory occupied since 1967, including Jerusalem, and the other occupied Arab territories, in violation of the Charter of the United Nations, the principles of international law and the relevant resolutions of the United Nations, and demands the immediate, unconditional and total withdrawal of Israel from all the territories occupied since 1967;

6. *Rejects* all agreements and arrangements which violate the inalienable rights of the Palestinian people and contradict the principles of a just and comprehensive solution to the Middle East problem to ensure the establishment of a just peace in the area;

7. *Deplores* Israel's failure to comply with Security Council resolutions 476 (1980) of 30 June 1980 and 478 (1980) of 20 August 1980 and General Assembly resolutions 35/207 of 16 December 1980 and 36/226 A and B of 17 December 1981; determines that Israel's decision to annex Jerusalem and to declare it as its "capital" as well as the measures to alter its physical character, demographic composition, institutional structure and status are null and void and demands that they be rescinded immediately; and calls upon all Member States, the specialized agencies and all other international organizations to abide by the present resolution and all other relevant resolutions and decisions;

8. *Condemns* Israel's aggression, policies and practices against the Palestinian people in the occupied Palestinian territory and outside this territory, including expropriation, establishment of settlements, annexation and other terrorist, aggressive and repressive measures, which are in violation of the Charter and the principles of international law and the relevant international conventions;

9. *Strongly condemns* the imposition by Israel of its laws, jurisdiction and administration on the occupied Syrian Arab Golan, its annexationist policies and practices, the establishment of settlements, the confiscation of lands, the diversion of water resources and the im-

position of Israeli citizenship on Syrian nationals, and declares that all these measures are null and void and constitute a violation of the rules and principles of international law relative to belligerent occupation, in particular the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949;

10. *Considers* that the agreements on strategic cooperation between the United States of America and Israel, signed on 30 November 1981, and the continued supply of modern arms and *matériel* to Israel, augmented by substantial economic aid, including the Agreement on the Establishment of a Free Trade Area between the two Governments, have encouraged Israel to pursue its aggressive and expansionist policies and practices in the Palestinian territory occupied since 1967, including Jerusalem, and the other occupied Arab territories, and have had adverse effects on efforts for the establishment of a comprehensive, just and lasting peace in the Middle East and pose a threat to the security of the region;

11. *Calls once more upon* all States to put an end to the flow to Israel of any military, economic, financial and technological aid, as well as of human resources, aimed at encouraging it to pursue its aggressive policies against the Arab countries and the Palestinian people;

12. *Strongly condemns* the continuing and increasing collaboration between Israel and the racist régime of South Africa, especially in the economic, military and nuclear fields, which constitutes a hostile act against the African and Arab States and enables Israel to enhance its nuclear capabilities, thus subjecting the States of the region to nuclear blackmail;

13. *Reaffirms its call* for convening the International Peace Conference on the Middle East, under the auspices of the United Nations, with the participation of the five permanent members of the Security Council and all parties to the conflict, including the Palestine Liberation Organization, the sole legitimate representative of the Palestinian people, on an equal footing, and that the Conference should be effective with full authority, in order to achieve a comprehensive and just solution based on the withdrawal of Israel from the occupied Palestinian territory, including Jerusalem, and the other occupied Arab territories, and the attainment of the inalienable rights of the Palestinian people in accordance with the United Nations resolutions relevant to the question of Palestine and the situation in the Middle East;

14. *Endorses the call* for setting up a preparatory committee, within the framework of the Security Council, with the participation of the permanent members of the Council, to take the necessary action to convene the Conference;

15. *Requests* the Secretary-General to report to the Security Council periodically on the development of the situation and to submit to the General Assembly at its forty-sixth session a comprehensive report covering the developments in the Middle East in all their aspects.

67th plenary meeting
13 December 1990

B

The General Assembly,

Having discussed the item entitled "The situation in the Middle East",

Taking note of the report of the Secretary-General of 15 October 1990,[73]

Recalling Security Council resolution 497 (1981) of 17 December 1981,

Reaffirming its resolutions 36/226 B of 17 December 1981, ES-9/1 of 5 February 1982, 37/123 A of 16 December 1982, 38/180 A of 19 December 1983, 39/146 B of 14 December 1984, 40/168 B of 16 December 1985, 41/162 B of 4 December 1986, 42/209 C of 11 December 1987, 43/54 B of 6 December 1988 and 44/40 B of 4 December 1989,

Recalling its resolution 3314 (XXIX) of 14 December 1974, in which it defined an act of aggression, *inter alia,* as "the invasion or attack by the armed forces of a State of the territory of another State, or any military occupation, however temporary, resulting from such invasion or attack, or any annexation by the use of force of the territory of another State or part thereof" and provided that "no consideration of whatever nature, whether political, economic, military or otherwise, may serve as a justification for aggression",

Reaffirming the fundamental principle of the inadmissibility of the acquisition of territory by force,

Reaffirming once more the applicability of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949,[64] to the Palestinian territory occupied since 1967, including Jerusalem, and the other occupied Arab territories,

Noting that Israel's record, policies and actions establish conclusively that it is not a peace-loving Member State and that it has not carried out its obligations under the Charter of the United Nations,

Noting also that Israel has refused, in violation of Article 25 of the Charter, to accept and carry out the numerous relevant decisions of the Security Council, in particular resolution 497 (1981), thus failing to carry out its obligations under the Charter,

1. *Strongly condemns* Israel for its failure to comply with Security Council resolution 497 (1981) and General Assembly resolutions 36/226 B, ES-9/1, 37/123 A, 38/180 A, 39/146 B, 40/168 B, 41/162 B, 42/209 C, 43/54 B and 44/40 B;

2. *Declares once more* that Israel's continued occupation of the Syrian Arab Golan and its decision of 14 December 1981 to impose its laws, jurisdiction and administration on the occupied Syrian Arab Golan constitute an act of aggression under the provisions of Article 39 of the Charter of the United Nations and General Assembly resolution 3314 (XXIX);

3. *Declares once more* that Israel's decision to impose its laws, jurisdiction and administration on the occupied Syrian Arab Golan is illegal and therefore null and void and has no validity whatsoever;

4. *Declares* all Israeli policies and practices of, or aimed at, annexation of the Palestinian territory occupied since 1967, including Jerusalem, and of the other occupied Arab territories to be illegal and in violation of international law and of the relevant United Nations resolutions;

5. *Determines once more* that all actions taken by Israel to give effect to its decision relating to the occupied Syrian Arab Golan are illegal and invalid and shall not be recognized;

6. *Reaffirms its determination* that all relevant provisions of the Regulations annexed to the Hague Convention IV of 1907,[76] and the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, continue to apply to the Syrian territory occupied by Israel since 1967, and calls upon the parties thereto to respect and ensure respect for their obligations under these instruments in all circumstances;

7. *Determines once more* that the continued occupation of the Syrian Arab Golan since 1967 and its annexation by Israel on 14 December 1981, following Israel's decision to impose its laws, jurisdiction and administration on that territory, constitute a continuing threat to international peace and security;

8. *Strongly deplores* the negative vote by a permanent member of the Security Council which prevented the Council from adopting against Israel, under Chapter VII of the Charter, the "appropriate measures" referred to in resolution 497 (1981) unanimously adopted by the Council;

9. *Further deplores* any political, economic, financial, military and technological support to Israel that encourages it to commit acts of aggression and to consolidate and perpetuate its occupation and annexation of the Palestinian territory occupied since 1967, including Jerusalem, and the other occupied Arab territories;

10. *Firmly emphasizes once more* its demand that Israel, the occupying Power, rescind forthwith its illegal decision of 14 December 1981 to impose its laws, jurisdiction and administration on the Syrian Arab Golan, which resulted in the effective annexation of that territory;

11. *Reaffirms once more* the overriding necessity of the total and unconditional withdrawal by Israel from the Palestinian territory occupied since 1967, including Jerusalem, and the other occupied Arab territories, which is an essential prerequisite for the establishment of a comprehensive and just peace in the Middle East;

12. *Determines once more* that Israel's record, policies and actions confirm that it is not a peace-loving Member State, that it has persistently violated the principles contained in the Charter and that it has carried out neither its obligations under the Charter nor its commitment under General Assembly resolution 273 (III) of 11 May 1949;

13. *Calls upon* all Member States to put an end to the flow to Israel of any military, economic, financial and technological aid, as well as human resources, aimed at prolonging Israeli occupation of the Arab territories or encouraging Israel to pursue its aggressive policy against the Arab countries and the Palestinian people;

14. *Urges* non-member States to act in accordance with the provisions of the present resolution;

15. *Calls upon* the specialized agencies and other international organizations to conform their relations with Israel to the terms of the present resolution;

16. *Requests* the Secretary-General to report to the General Assembly at its forty-sixth session on the implementation of the present resolution.

67th plenary meeting
13 December 1990

C

The General Assembly,

Recalling its resolutions 36/120 E of 10 December 1981, 37/123 C of 16 December 1982, 38/180 C of 19 December 1983, 39/146 C of 14 December 1984, 40/168 C of 16 December 1985, 41/162 C of 4 December 1986, 42/209 D of 11 December 1987, 43/54 C of 6 December 1988 and 44/40 C of 4 December 1989, in which it determined that all legislative and administrative measures and actions taken by Israel, the occupying Power, which had altered or purported to alter the character and status of the Holy City of Jerusalem, in particular the so-called "Basic Law" on Jerusalem and the proclamation of Jerusalem as the capital of Israel, were null and void and must be rescinded forthwith,

Recalling Security Council resolution 478 (1980) of 20 August 1980, in which the Council, *inter alia,* decided not to recognize the "Basic Law" and called upon those States that had established diplomatic missions at Jerusalem to withdraw such missions from the Holy City,

Having considered the report of the Secretary-General of 15 October 1990,[73]

1. *Determines* that Israel's decision to impose its laws, jurisdiction and administration on the Holy City of Jerusalem is illegal and therefore null and void and has no validity whatsoever;

2. *Deplores* the transfer by some States of their diplomatic missions to Jerusalem in violation of Security Council resolution 478 (1980), and their refusal to comply with the provisions of that resolution;

3. *Calls once more upon* those States to abide by the provisions of the relevant United Nations resolutions, in conformity with the Charter of the United Nations;

4. *Requests* the Secretary-General to report to the General Assembly at its forty-sixth session on the implementation of the present resolution.

67th plenary meeting
13 December 1990

45/145. Law of the sea

The General Assembly,

Recalling its previous resolutions, including resolution 44/26 of 20 November 1989, regarding the law of the sea,

Recognizing that, as stated in the third preambular paragraph of the United Nations Convention on the Law of the Sea,[59] the problems of ocean space are closely interrelated and need to be considered as a whole,

Convinced that it is important to safeguard the unified character of the Convention and related resolutions adopted therewith and to apply them in a manner

[76] See Carnegie Endowment for International Peace, *The Hague Conventions and Declarations of 1899 and 1907* (New York, Oxford University Press, 1915).

Recalling, on the occasion of the twenty-fifth anniversary of the adoption of the Covenants, the fundamental importance and special status of these basic human rights instruments of the United Nations,

Reaffirming the importance of the observance and effective implementation of the universally recognized standards in the field of human rights as contained in the Covenants,

Solemnly declares that acceptance of the International Covenants on Human Rights contributes greatly to the protection of human rights and fundamental freedoms, and urges all States that have not yet done so to become parties to the International Covenant on Economic, Social and Cultural Rights[94] and the International Covenant on Civil and Political Rights[94] and to consider acceding to the Optional Protocols to the latter at the earliest moment.

73rd plenary meeting
16 December 1991

46/82. The situation in the Middle East

A

The General Assembly,

Having discussed the item entitled "The situation in the Middle East",

Recalling its resolutions 36/226 A and B of 17 December 1981, ES-9/1 of 5 February 1982, 37/123 F of 20 December 1982, 38/58 A to E of 13 December 1983, 38/180 A to D of 19 December 1983, 39/146 A to C of 14 December 1984, 40/168 A to C of 16 December 1985, 41/162 A to C of 4 December 1986, 42/209 A to D of 11 December 1987, 43/54 A to C of 6 December 1988, 44/40 A to C of 4 December 1989, 45/83 A to C of 13 December 1990 and 45/68 of 6 December 1990,

Recalling Security Council resolutions 425 (1978) of 19 March 1978, 497 (1981) of 17 December 1981, 508 (1982) of 5 June 1982, 509 (1982) of 6 June 1982, 701 (1991) of 31 July 1991 and other relevant resolutions,

Taking note of the reports of the Secretary-General of 22 October 1991,[95] 8 November 1991[59] and 15 November 1991,[96]

Reaffirming the need for continued collective support for the decisions adopted by the Twelfth Arab Summit Conference, held at Fez, Morocco, on 25 November 1981 and from 6 to 9 September 1982,[97] which were confirmed by subsequent Arab summit conferences, including the Extraordinary Arab Summit Conference held at Casablanca, Morocco, from 23 to 26 May 1989,

Reiterating its previous resolutions on the question of Palestine and its support for the Palestine Liberation Organization as the sole legitimate representative of the Palestinian people,

Welcoming all efforts contributing towards the realization of the inalienable rights of the Palestinian people through the achievement of a comprehensive, just and lasting peace in the Middle East, in accordance with the United Nations resolutions relating to the question of Palestine and to the situation in the Middle East, including Security Council resolutions 242 (1967) of 22 November 1967 and 338 (1973) of 22 October 1973,

Welcoming also the world-wide support extended to the just cause of the Palestinian people and the other Arab countries in their struggle against Israeli aggression and occupation in order to achieve a comprehensive, just and lasting peace in the Middle East and the full exercise by the Palestinian people of its inalienable national rights, as affirmed by previous resolutions of the General Assembly on the question of Palestine and on the situation in the Middle East,

Gravely concerned that the Palestinian territory occupied since 1967, including Jerusalem, and the other occupied Arab territories still remain under Israeli occupation, that the relevant resolutions of the United Nations have not been implemented and that the Palestinian people is still denied the restoration of its land and the exercise of its inalienable national rights in conformity with international law, as reaffirmed by resolutions of the United Nations,

Reaffirming the applicability of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949,[61] to the Palestinian territory occupied since 1967, including Jerusalem, and the other occupied Arab territories,

Reaffirming also all relevant United Nations resolutions which stipulate that the acquisition of territory by force is inadmissible under the Charter of the United Nations and the principles of international law and that Israel must withdraw unconditionally from the Palestinian territory occupied since 1967, including Jerusalem, and the other occupied Arab territories,

Gravely concerned also at Israeli policies involving the escalation and expansion of the conflict in the region, which further violate the principles of international law and endanger international peace and security,

Reaffirming further the imperative necessity and urgency of establishing a comprehensive, just and lasting peace in the region, based on full respect for the Charter and the principles of international law,

1. *Reaffirms its conviction* that the question of Palestine is the core of the conflict in the Middle East and that no comprehensive, just and lasting peace in the region will be achieved without the full exercise by the Palestinian people of its inalienable national rights and the immediate, unconditional and total withdrawal of Israel from the Palestinian territory occupied since 1967, including Jerusalem, and the other occupied Arab territories;

2. *Reaffirms* that a just and comprehensive settlement of the situation in the Middle East cannot be achieved without the participation on an equal footing of all the parties to the conflict, including the Palestine Liberation Organization, the representative of the Palestinian people;

3. *Declares once more* that peace in the Middle East is indivisible and must be based on a comprehensive, just and lasting solution of the Middle East problem under the auspices of the United Nations and on the basis of its relevant resolutions, which ensures the complete and unconditional withdrawal of Israel from the Palestinian territory occupied since 1967, including Jerusalem, and the other occupied Arab territories, and which enables the Palestinian people, under the leadership of the Palestine Liberation Organization, to exercise its inalienable rights, including the right to return and the right to self-determination, national independence and the establishment of its independent sovereign State in Palestine, in accordance with the resolutions of the United Nations relating to the question of Palestine, in particular General Assembly resolutions ES-7/2 of 29

July 1980, 36/120 A to F of 10 December 1981, 37/86 A to D of 10 December 1982, 37/86 E of 20 December 1982, 38/58 A to E of 13 December 1983, 39/49 A to D of 11 December 1984, 40/96 A to D of 12 December 1985, 41/43 A to D of 2 December 1986, 42/66 A to D of 2 December 1987, 43/54 A to C of 6 December 1988, 43/175 A to C, 43/176 and 43/177 of 15 December 1988, 44/42 of 6 December 1989 and 45/68;

4. *Considers* the Arab peace plan adopted unanimously at the Twelfth Arab Summit Conference, held at Fez, Morocco, on 25 November 1981 and from 6 to 9 September 1982,[97] which was confirmed by subsequent Arab summit conferences, including the Extraordinary Arab Summit Conference held at Casablanca, Morocco, from 23 to 26 May 1989, as an important contribution towards the realization of the inalienable rights of the Palestinian people through the achievement of a comprehensive, just and lasting peace in the Middle East;

5. *Condemns* Israel's continued occupation of the Palestinian territory occupied since 1967, including Jerusalem, and the other occupied Arab territories, in violation of the Charter of the United Nations, the principles of international law and the relevant resolutions of the United Nations, and demands the immediate, unconditional and total withdrawal of Israel from all the territories occupied since 1967;

6. *Rejects* all agreements and arrangements which violate the inalienable rights of the Palestinian people and contradict the principles of a just and comprehensive solution to the Middle East problem to ensure the establishment of a just peace in the area;

7. *Deplores* Israel's failure to comply with Security Council resolutions 476 (1980) of 30 June 1980 and 478 (1980) of 20 August 1980 and General Assembly resolutions 35/207 of 16 December 1980 and 36/226 A and B; determines that Israel's decision to annex Jerusalem and to declare it as its "capital" as well as the measures to alter its physical character, demographic composition, institutional structure and status are null and void and demands that they be rescinded immediately; and calls upon all Member States, the specialized agencies and all other international organizations to abide by the present resolution and all other relevant resolutions and decisions;

8. *Condemns* Israel's aggression, policies and practices against the Palestinian people in the occupied Palestinian territory and outside this territory, including expropriation, establishment of settlements, annexation and other aggressive and repressive measures, which are in violation of the Charter and the principles of international law and the relevant international conventions;

9. *Strongly condemns* the imposition by Israel of its laws, jurisdiction and administration on the occupied Syrian Golan, its annexationist policies and practices, the establishment of settlements, the confiscation of lands, the diversion of water resources and the imposition of Israeli citizenship on Syrian nationals, and declares that all these measures are null and void and constitute a violation of the rules and principles of international law relative to belligerent occupation, in particular the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949;

10. *Calls upon* all States not to provide Israel with any assistance to be used specifically in connection with settlements in the occupied territories;

11. *Strongly deplores* the continuing and increasing collaboration between Israel and South Africa, especially in the economic, military and nuclear fields, which constitutes a hostile act against the African and Arab States and enables Israel to enhance its nuclear capabilities;

12. *Requests* the Secretary-General to report to the Security Council periodically on the development of the situation and to submit to the General Assembly at its forty-seventh session a comprehensive report covering the developments in the Middle East pertaining to the present resolution.

73rd plenary meeting
16 December 1991

B

The General Assembly,

Recalling its resolutions 36/120 E of 10 December 1981, 37/123 C of 16 December 1982, 38/180 C of 19 December 1983, 39/146 C of 14 December 1984, 40/168 C of 16 December 1985, 41/162 C of 4 December 1986, 42/209 D of 11 December 1987, 43/54 C of 6 December 1988, 44/40 C of 4 December 1989 and 45/83 C of 13 December 1990, in which it determined that all legislative and administrative measures and actions taken by Israel, the occupying Power, which had altered or purported to alter the character and status of the Holy City of Jerusalem, in particular the so-called "Basic Law" on Jerusalem and the proclamation of Jerusalem as the capital of Israel, were null and void and must be rescinded forthwith,

Recalling Security Council resolution 478 (1980) of 20 August 1980, in which the Council, *inter alia*, decided not to recognize the "Basic Law" and called upon those States that had established diplomatic missions at Jerusalem to withdraw such missions from the Holy City,

Having considered the report of the Secretary-General of 22 October 1991,[95]

1. *Determines* that Israel's decision to impose its laws, jurisdiction and administration on the Holy City of Jerusalem is illegal and therefore null and void and has no validity whatsoever;

2. *Deplores* the transfer by some States of their diplomatic missions to Jerusalem in violation of Security Council resolution 478 (1980), and their refusal to comply with the provisions of that resolution;

3. *Calls once more upon* those States to abide by the provisions of the relevant United Nations resolutions, in conformity with the Charter of the United Nations;

4. *Requests* the Secretary-General to report to the General Assembly at its forty-seventh session on the implementation of the present resolution.

73rd plenary meeting
16 December 1991

46/86. Elimination of racism and racial discrimination

The General Assembly

Decides to revoke the determination contained in its resolution 3379 (XXX) of 10 November 1975.

74th plenary meeting
16 December 1991

B

The General Assembly,

Having considered the report of the Committee on the Exercise of the Inalienable Rights of the Palestinian People,[57]

Taking note, in particular, of the relevant information contained in paragraphs 53 to 74 of that report,

Recalling its resolutions 32/40 B of 2 December 1977, 33/28 C of 7 December 1978, 34/65 D of 12 December 1979, 35/169 D of 15 December 1980, 36/120 B of 10 December 1981, 37/86 B of 10 December 1982, 38/58 B of 13 December 1983, 39/49 B of 11 December 1984, 40/96 B of 12 December 1985, 41/43 B of 2 December 1986, 42/66 B of 2 December 1987, 43/175 B of 15 December 1988, 44/41 B of 6 December 1989 and 45/67 B of 6 December 1990,

1. *Takes note with appreciation* of the action taken by the Secretary-General in compliance with its resolution 45/67 B;

2. *Requests* the Secretary-General to provide the Division for Palestinian Rights of the Secretariat with the necessary resources, including a computer-based information system, and to ensure that it continues to discharge the tasks detailed in paragraph 1 of resolution 32/40 B, paragraph 2 (*b*) of resolution 34/65 D, paragraph 3 of resolution 36/120 B, paragraph 3 of resolution 38/58 B, paragraph 3 of resolution 40/96 B, paragraph 2 of resolution 42/66 B and paragraph 2 of resolution 44/41 B, in consultation with the Committee on the Exercise of the Inalienable Rights of the Palestinian People and under its guidance;

3. *Also requests* the Secretary-General to ensure the continued cooperation of the Department of Public Information and other units of the Secretariat in enabling the Division for Palestinian Rights to perform its tasks and in covering adequately the various aspects of the question of Palestine;

4. *Invites* all Governments and organizations to lend their cooperation to the Committee on the Exercise of the Inalienable Rights of the Palestinian People and the Division for Palestinian Rights in the performance of their tasks;

5. *Takes note with appreciation* of the action taken by Member States to observe annually on 29 November the International Day of Solidarity with the Palestinian People.

69th plenary meeting
11 December 1991

C

The General Assembly,

Having considered the report of the Committee on the Exercise of the Inalienable Rights of the Palestinian People,[57]

Taking note, in particular, of the information contained in paragraphs 75 to 86 of that report,

Recalling its resolutions 45/67 C and 45/68 of 6 December 1990,

Convinced that the world-wide dissemination of accurate and comprehensive information and the role of non-governmental organizations and institutions remain of vital importance in heightening awareness of and support for the inalienable rights of the Palestinian people to self-determination and to the establishment of an independent sovereign Palestinian State,

1. *Takes note with appreciation* of the action taken by the Department of Public Information of the Secretariat in compliance with General Assembly resolution 45/67 C;

2. *Requests* the Department of Public Information, in full cooperation and coordination with the Committee on the Exercise of the Inalienable Rights of the Palestinian People, to continue, with the necessary flexibility as may be required by developments affecting the question of Palestine, its special information programme on the question of Palestine for the biennium 1992-1993, with particular emphasis on public opinion in Europe and North America and, in particular:

(*a*) To disseminate information on all the activities of the United Nations system relating to the question of Palestine, including reports of the work carried out by the relevant United Nations organs;

(*b*) To continue to issue and update publications on the various aspects of the question of Palestine, including Israeli violations of the human rights of the Palestinian people and other Arab inhabitants of the occupied territories as reported by the relevant United Nations organs;

(*c*) To expand its audiovisual material on the question of Palestine, including the production of such material;

(*d*) To organize and promote fact-finding news missions for journalists to the area, including to the occupied territories;

(*e*) To organize international, regional and national encounters for journalists.

69th plenary meeting
11 December 1991

46/75. International Peace Conference on the Middle East

The General Assembly,

Having considered the report of the Secretary-General of 8 November 1991,[59]

Having heard the statement made on 21 November 1991 by the chairman of the observer delegation of Palestine,[60]

Stressing that achieving a comprehensive settlement of the Middle East conflict, the core of which is the question of Palestine, will constitute a significant contribution to international peace and security,

Aware of the overwhelming support for the convening of an International Peace Conference on the Middle East and noting the endeavours of the Secretary-General in this regard,

Noting the convening at Madrid, on 30 October 1991, of the Peace Conference on the Middle East,

Preoccupied by the increasingly serious situation in the occupied Palestinian territory as a result of persistent policies and practices of Israel, the occupying Power,

Aware of the ongoing uprising (*intifadah*) of the Palestinian people since 9 December 1987, aimed at ending Israeli occupation of Palestinian territory occupied since 1967,

1. *Reaffirms* the urgent need to achieve a just and comprehensive settlement of the Arab-Israeli conflict, the core of which is the question of Palestine;

2. *Considers* that the convening of an International Peace Conference on the Middle East, under the auspices of the United Nations, with the participation of all parties to the conflict, including the Palestine Liberation Organization, on an equal footing, and the five permanent members of the Security Council, based on Council resolutions 242 (1967) of 22 November 1967 and 338 (1973) of 22 October 1973 and the legitimate national rights of the Palestinian people, primarily the right to self-determination, would contribute to the promotion of peace in the region;

3. *Reaffirms* the following principles for the achievement of comprehensive peace:

(*a*) The withdrawal of Israel from the Palestinian territory occupied since 1967, including Jerusalem, and from the other occupied Arab territories;

(*b*) Guaranteeing arrangements for security of all States in the region, including those named in resolution 181 (II) of 29 November 1947, within secure and internationally recognized boundaries;

(*c*) Resolving the problem of the Palestine refugees in conformity with General Assembly resolution 194 (III) of 11 December 1948, and subsequent relevant resolutions;

(*d*) Dismantling the Israeli settlements in the territories occupied since 1967;

(*e*) Guaranteeing freedom of access to Holy Places, religious buildings and sites;

4. *Welcomes* the convening at Madrid, on 30 October 1991, of the Peace Conference on the Middle East, which constitutes a significant step towards the establishment of a comprehensive, just and lasting peace in the region;

5. *Notes* the expressed desire and endeavours to place the Palestinian territory occupied since 1967, including Jerusalem, under the supervision of the United Nations for a transitional period, as part of the peace process;

6. *Requests* the Secretary-General to continue his efforts with the parties concerned, and in consultation with the Security Council, for the promotion of peace in the region, and to submit progress reports on developments in this matter.

69th plenary meeting
11 December 1991

46/76. The uprising (*intifadah*) of the Palestinian people

The General Assembly,

Aware of the uprising (*intifadah*) of the Palestinian people since 9 December 1987 against Israeli occupation, which has received significant attention and sympathy from world public opinion,

Deeply concerned about the alarming situation in the Palestinian territory occupied since 1967, as a result of the continued occupation by Israel, the occupying Power, and of its persistent policies and practices against the Palestinian people,

Reaffirming that the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949,[61] is applicable to the Palestinian territory occupied by Israel since 1967, including Jerusalem, and to the other occupied Arab territories,

Expressing its profound shock at the continued measures by Israel, the occupying Power, including the killing and wounding of Palestinian civilians, and at the acts of violence committed by the Israeli security forces, which took place on 8 October 1990 at the Haram al-Sharif in Jerusalem, resulting in injuries and loss of human lives, and on 29 December 1990 at Rafah,

Stressing the need to promote international protection to the Palestinian civilians in the occupied Palestinian territory,

Recognizing the need for increased support to, and aid for and solidarity with, the Palestinian people under Israeli occupation,

Having considered the recommendations contained in the reports of the Secretary-General of 21 January 1988,[62] 31 October 1990[63] and 9 April 1991,[64]

Recalling its relevant resolutions as well as the relevant Security Council resolutions, in particular Council resolution 681 (1990) of 20 December 1990, in paragraph 6 of which the Council requested "the Secretary-General, in cooperation with the International Committee of the Red Cross, to develop further the idea, expressed in his report, of convening a meeting of the High Contracting Parties to the said Convention to discuss possible measures that might be taken by them under the Convention and, for this purpose, to invite the Parties to submit their views on how the idea could contribute to the goals of the Convention, as well as on other relevant matters, and to report thereon to the Council",

1. *Condemns* those policies and practices of Israel, the occupying Power, which violate the human rights of the Palestinian people in the occupied Palestinian territory, including Jerusalem, and, in particular, such acts as the opening of fire by the Israeli army and settlers that result in the killing and wounding of defenceless Palestinian civilians, the beating and breaking of bones, the deportation of Palestinian civilians, the imposition of restrictive economic measures, the demolition of houses, the ransacking of real or personal property belonging individually or collectively to private persons, collective punishment and detentions, and so forth;

2. *Demands* that Israel, the occupying Power, abide scrupulously by the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, and desist immediately from those policies and practices which are in violation of the provisions of the Convention;

3. *Calls upon* all the High Contracting Parties to the Convention to ensure respect by Israel, the occupying Power, for the Convention in all circumstances, in conformity with their obligation under article 1 thereof;

4. *Urges* all the High Contracting Parties to the Geneva Convention to respond to the note verbale submitted to them by the Secretary-General in accordance with paragraph 6 of Security Council resolution 681 (1990);

5. *Strongly deplores* the continuing disregard by Israel, the occupying Power, of the relevant decisions of the Security Council;

6. *Reaffirms* that the occupation by Israel of the Palestinian territory since 1967, including Jerusalem, and of the other Arab territories in no way changes the legal status of those territories;

7. *Requests* the Security Council to examine with urgency the situation in the occupied Palestinian territory with a view to considering measures needed to provide in-

UNITED NATIONS **A**

General Assembly

Distr.
GENERAL

A/RES/47/63
22 March 1993

Forty-seventh session
Agenda item 35

RESOLUTIONS ADOPTED BY THE GENERAL ASSEMBLY

[without reference to a Main Committee (A/47/L.42 and Add.1, A/47/L.43 and Add.1)]

47/63. The situation in the Middle East

A

The General Assembly,

Having considered the item entitled "The situation in the Middle East",

Taking note of the report of the Secretary-General of 25 November 1992, 1/

Recalling Security Council resolution 497 (1981) of 17 December 1981,

Recalling its relevant resolutions, the last of which is 45/83 B of 13 December 1990,

Recalling also its resolution 3314 (XXIX) of 14 December 1974, in the annex to which it defined an act of aggression, inter alia, as "the invasion or attack by the armed forces of a State of the territory of another State, or any military occupation, however temporary, resulting from such invasion or attack, or any annexation by the use of force of the territory of another State or part thereof" and provided that "no consideration of whatever nature, whether political, economic, military or otherwise, may serve as a justification for aggression",

Reaffirming the fundamental principle of the inadmissibility of the acquisition of territory by force,

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1/ A/47/673.

Reaffirming once more the applicability of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, 2/ to the occupied Syrian Golan and the Palestinian territory occupied since 1967, including Jerusalem, and the other occupied Arab territories,

Noting that Israel has refused, in violation of Article 25 of the Charter of the United Nations, to accept and carry out the numerous relevant resolutions of the Security Council, in particular resolution 497 (1981),

Deeply concerned that Israel has not withdrawn from the Syrian Golan, which has been under occupation since 1967, contrary to the relevant Security Council and General Assembly resolutions,

Taking note with satisfaction of the convening at Madrid of the Peace Conference on the Middle East on the basis of Security Council resolutions 242 (1967) of 22 November 1967 and 338 (1973) of 22 October 1973, but regretting that the desired substantial results have not been achieved,

1. Declares that Israel has failed so far to comply with Security Council resolution 497 (1981) and the relevant resolutions of the General Assembly;

2. Declares once more that Israel's decision to impose its laws, jurisdiction and administration on the occupied Syrian Golan is illegal and therefore null and void and has no validity whatsoever;

3. Declares that the Knesset decision of 11 November 1991 annexing the occupied Syrian Golan constitutes a grave violation of Security Council resolution 497 (1981) and therefore is null and void and has no validity whatsoever;

4. Declares all Israeli policies and practices of, or aimed at, annexation of the occupied Arab territories and the Palestinian territories occupied since 1967, including Jerusalem, and the occupied Syrian Golan to be illegal and in violation of international law and of the relevant United Nations resolutions;

5. Determines once more that all actions taken by Israel to give effect to its decisions relating to the occupied Syrian Golan are illegal and invalid and shall not be recognized;

6. Reaffirms its determination that all relevant provisions of the Regulations annexed to the Hague Convention IV of 1907, 3/ and the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, 2/ continue to apply to the Syrian territory occupied by Israel since 1967, and calls upon the parties thereto to respect and ensure respect for their obligations under these instruments in all circumstances;

2/ United Nations, Treaty Series, vol. 75, No. 973.

3/ See Carnegie Endowment for International Peace, The Hague Conventions and Declarations of 1899 and 1907 (New York, Oxford University Press, 1915).

7. Determines once more that the continued occupation of the Syrian Golan since 1967 and its de facto annexation by Israel on 14 December 1981, following Israel's decision to impose its laws, jurisdiction and administration on that territory, constitute a continuing threat to peace and security in the region;

8. Firmly emphasizes once more its demand that Israel, the occupying Power, rescind forthwith its illegal decision of 14 December 1981 to impose its laws, jurisdiction and administration on the Syrian Golan, and its decision of 11 November 1991, which resulted in the effective annexation of that territory;

9. Demands once more that Israel withdraw from the occupied Syrian Golan in implementation of the relevant Security Council and General Assembly resolutions;

10. Calls upon the international community to urge Israel to withdraw from the occupied Syrian Golan and other occupied Arab territories for the establishment of a just, comprehensive and lasting peace in the region;

11. Requests the Secretary-General to report to the General Assembly at its forty-eighth session on the implementation of the present resolution.

84th plenary meeting
11 December 1992

B

The General Assembly,

Recalling its resolutions 36/120 E of 10 December 1981, 37/123 C of 16 December 1982, 38/180 C of 19 December 1983, 39/146 C of 14 December 1984, 40/168 C of 16 December 1985, 41/162 C of 4 December 1986, 42/209 D of 11 December 1987, 43/54 C of 6 December 1988, 44/40 C of 4 December 1989, 45/83 C of 13 December 1990 and 46/82 B of 16 December 1991, in which it determined that all legislative and administrative measures and actions taken by Israel, the occupying Power, which had altered or purported to alter the character and status of the Holy City of Jerusalem, in particular the so-called "Basic Law" on Jerusalem and the proclamation of Jerusalem as the capital of Israel, were null and void and must be rescinded forthwith,

Recalling Security Council resolution 478 (1980) of 20 August 1980, in which the Council, inter alia, decided not to recognize the "Basic Law" and called upon those States that had established diplomatic missions at Jerusalem to withdraw such missions from the Holy City,

Having considered the report of the Secretary-General of 25 November 1992, 1/

1. Determines that Israel's decision to impose its laws, jurisdiction and administration on the Holy City of Jerusalem is illegal and therefore null and void and has no validity whatsoever;

2. Deplores the transfer by some States of their diplomatic missions to Jerusalem in violation of Security Council resolution 478 (1980), and their refusal to comply with the provisions of that resolution;

3. Calls once more upon those States to abide by the provisions of the relevant United Nations resolutions, in conformity with the Charter of the United Nations;

4. Requests the Secretary-General to report to the General Assembly at its forty-eighth session on the implementation of the present resolution.

84th plenary meeting
11 December 1992

Fund to enhance rapid response coordination where insufficient capacity exists at the field level;

13. *Also requests* the Inter-Agency Standing Committee to provide recommendations on other issues related to field coordination, including measures taken for clear allocations of responsibilities at an early stage of an emergency, in particular by entrusting the primary responsibility to the operational agencies, as appropriate, and on standardized procedures for joint emergency needs assessment missions, under the overall leadership and coordination of the Emergency Relief Coordinator;

14. *Requests* the Secretary-General to include in his annual report on the coordination of humanitarian emergency assistance recommendations on practical measures to enhance the coordinated system-wide support for efforts to facilitate the transition from emergency relief to rehabilitation and development and, particularly in the context of activities of the International Decade for Natural Disaster Reduction, the promotion of national capacity-building to help prevent and mitigate future emergencies;

15. *Also requests* the Secretary-General to continue to strengthen the consolidated appeals process, making it more field-oriented, and to ensure that such appeals are based on specific priorities resulting from comprehensive and realistic projections of relief requirements for natural disasters and other emergencies requiring a coordinated response, and in this context invites all concerned operational and humanitarian organizations and agencies to cooperate and fully participate in the preparation of these appeals;

16. *Calls upon* States to respond quickly and generously to consolidated appeals for humanitarian assistance, taking into account rehabilitation and long-term development requirements;

17. *Invites* the Secretary-General to examine further all possible ways and means to provide, within existing resources, adequate qualified personnel and administrative resources commensurate with the responsibilities of the Department of Humanitarian Affairs in dealing with the increasing number of natural disasters and other emergencies;

18. *Stresses* the importance of the Emergency Relief Coordinator participating fully in the overall United Nations planning of responses to emergencies in order to serve as the humanitarian advocate in ensuring that the humanitarian dimension, particularly the principles of humanity, neutrality and impartiality of relief assistance, is taken fully into account;

19. *Emphasizes* the importance of the role of the Emergency Relief Coordinator in facilitating access by the operational organizations to emergency areas for the rapid provision of emergency assistance by obtaining the consent of all parties concerned, through modalities such as the establishment of temporary relief corridors where needed, days and zones of tranquillity and other forms, including facilitating for those organizations the return of refugees and displaced persons;

20. *Requests* the Secretary-General to include in his annual report to the General Assembly at its forty-ninth session recommendations on ways and means to improve the operational capacity of the emergency stockpiles, as well as an analysis of the advantages or disadvantages, including promptness of the response and cost-effectiveness, of the establishment of regional warehouses, taking into account the existing facilities and the possibility of strengthening them;

21. *Also requests* the Secretary-General to include in his report to the Economic and Social Council at its substantive session of 1994 the recommendations of the Inter-Agency Standing Committee requested in paragraphs 11 and 13 of the present resolution;

22. *Further requests* the Secretary-General to include in his annual report on the coordination of humanitarian emergency assistance to the General Assembly at its forty-ninth session information on the progress made in the implementation of the present resolution and on ways of further strengthening coordination of humanitarian emergency assistance within the United Nations system.

78th plenary meeting
14 December 1993

48/58. Middle East peace process

The General Assembly,

Stressing that the achievement of a comprehensive, just and lasting settlement of the Middle East conflict will constitute a significant contribution to strengthening international peace and security,

Recalling the convening of the Peace Conference on the Middle East at Madrid on 30 October 1991, on the basis of Security Council resolutions 242 (1967) of 22 November 1967 and 338 (1973) of 22 October 1973, and the subsequent bilateral negotiations, as well as the meetings of the multilateral working groups, and noting with satisfaction the broad international support for the peace process,

Noting the continuing positive participation of the United Nations as a full extraregional participant in the work of the multilateral working groups,

Bearing in mind the Declaration of Principles on Interim Self-Government Arrangements, signed by the Government of the State of Israel and the Palestine Liberation Organization in Washington, D.C., on 13 September 1993,[89]

Also bearing in mind the Agreement between Israel and Jordan on the Common Agenda, signed in Washington, D.C., on 14 September 1993,

1. *Welcomes* the peace process started at Madrid, and supports the subsequent bilateral negotiations;

2. *Stresses* the importance of, and need for, achieving a comprehensive, just and lasting peace in the Middle East;

3. *Expresses its full support* for the achievements of the peace process thus far, in particular the Declaration of Principles on Interim Self-Government Arrangements signed by the State of Israel and the Palestine Liberation Organization, and the Agreement between Israel and Jordan on the Common Agenda, which constitute an important initial step in achieving a comprehensive, just and lasting peace in the Middle East, and urges all parties to implement agreements reached;

4. *Stresses* the need for achieving rapid progress on the other tracks of the Arab-Israeli negotiations within the peace process;

5. *Welcomes* the results of the Conference to Support Middle East Peace, convened in Washington, D.C., on 1 October 1993, and the establishment of the high-level United Nations task force to support the economic and social development of the Palestinian people, and urges Member States to provide economic, financial and technical assistance to the Palestinian people during the interim period;

6. *Calls upon* all Member States also to extend economic, financial and technical assistance to States in the region and to render support for the peace process;

7. *Considers* that an active United Nations role in the Middle East peace process and in assisting in the implementation of the Declaration of Principles can make a positive contribution;

8. *Encourages* regional development and cooperation in the areas where work has already begun within the framework of the Madrid Conference.

79th plenary meeting
14 December 1993

48/59. The situation in the Middle East

A

JERUSALEM

The General Assembly,

Recalling its resolutions 36/120 E of 10 December 1981, 37/123 C of 16 December 1982, 38/180 C of 19 December 1983, 39/146 C of 14 December 1984, 40/168 C of 16 December 1985, 41/162 C of 4 December 1986, 42/209 D of 11 December 1987, 43/54 C of 6 December 1988, 44/40 C of 4 December 1989, 45/83 C of 13 December 1990, 46/82 B of 16 December 1991 and 47/63 B of 11 December 1992, in which it determined that all legislative and administrative measures and actions taken by Israel, the occupying Power, which had altered or purported to alter the character and status of the Holy City of Jerusalem, in particular the so-called "Basic Law" on Jerusalem and the proclamation of Jerusalem as the capital of Israel, were null and void and must be rescinded forthwith,

Recalling also Security Council resolution 478 (1980) of 20 August 1980, in which the Council, *inter alia*, decided not to recognize the "Basic Law" and called upon those States that had established diplomatic missions at Jerusalem to withdraw such missions from the Holy City,

Having considered the report of the Secretary-General of 25 October 1993,[90]

1. *Determines* that the decision of Israel to impose its laws, jurisdiction and administration on the Holy City of Jerusalem is illegal and therefore null and void and has no validity whatsoever;

2. *Deplores* the transfer by some States of their diplomatic missions to Jerusalem in violation of Security Council resolution 478 (1980), and their refusal to comply with the provisions of that resolution;

3. *Calls once more upon* those States to abide by the provisions of the relevant United Nations resolutions, in conformity with the Charter of the United Nations;

4. *Requests* the Secretary-General to report to the General Assembly at its forty-ninth session on the implementation of the present resolution.

79th plenary meeting
14 December 1993

B

SYRIAN GOLAN

The General Assembly,

Having considered the item entitled "The situation in the Middle East",

Taking note of the report of the Secretary-General of 25 October 1993,[90]

Recalling Security Council resolution 497 (1981) of 17 December 1981,

Recalling also its resolution 3314 (XXIX) of 14 December 1974, in the annex to which it defined an act of aggression, *inter alia*, as "the invasion or attack by the armed forces of a State of the territory of another State, or any military occupation, however temporary, resulting from such invasion or attack, or any annexation by the use of force of the territory of another State or part thereof" and provided that "no consideration of whatever nature, whether political, economic, military or otherwise, may serve as a justification for aggression",

Reaffirming the fundamental principle of the inadmissibility of the acquisition of territory by force,

Reaffirming once more the applicability of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949,[91] to the occupied Syrian Golan,

Noting that Israel has refused, in violation of Article 25 of the Charter of the United Nations, to accept and carry out Security Council resolution 497 (1981),

Deeply concerned that Israel has not withdrawn from the Syrian Golan, which has been under occupation since 1967, contrary to the relevant Security Council and General Assembly resolutions,

Noting with satisfaction the convening at Madrid of the Peace Conference on the Middle East on the basis of Security Council resolutions 242 (1967) of 22 November 1967 and 338 (1973) of 22 October 1973, but regretting that a just and comprehensive peace has not yet been achieved after two years of negotiation in Washington, D.C.,

1. *Declares* that Israel has failed so far to comply with Security Council resolution 497 (1981);

2. *Declares once more* that Israel's decision to impose its laws, jurisdiction and administration on the occupied Syrian

UNITED NATIONS **A**

General Assembly

Distr.
GENERAL

A/RES/48/59
31 January 1994

Forty-eighth session
Agenda item 34

RESOLUTIONS ADOPTED BY THE GENERAL ASSEMBLY

[without reference to a Main Committee
(A/48/L.34 and Add.1 and A/48/L.46 and Add.)]

48/59. The situation in the Middle East

A

Jerusalem

The General Assembly,

Recalling its resolutions 36/120 E of 10 December 1981, 37/123 C of 16 December 1982, 38/180 C of 19 December 1983, 39/146 C of 14 December 1984, 40/168 C of 16 December 1985, 41/162 C of 4 December 1986, 42/209 D of 11 December 1987, 43/54 C of 6 December 1988, 44/40 C of 4 December 1989, 45/83 C of 13 December 1990, 46/82 B of 16 December 1991 and 47/63 B of 11 December 1992, in which it determined that all legislative and administrative measures and actions taken by Israel, the occupying Power, which had altered or purported to alter the character and status of the Holy City of Jerusalem, in particular the so-called "Basic Law" on Jerusalem and the proclamation of Jerusalem as the capital of Israel, were null and void and must be rescinded forthwith,

Recalling also Security Council resolution 478 (1980) of 20 August 1980, in which the Council, inter alia, decided not to recognize the "Basic Law" and called upon those States that had established diplomatic missions at Jerusalem to withdraw such missions from the Holy City,

Having considered the report of the Secretary-General of 25 October 1993, 1/

1. Determines that the decision of Israel to impose its laws, jurisdiction and administration on the Holy City of Jerusalem is illegal and therefore null and void and has no validity whatsoever;

2. Deplores the transfer by some States of their diplomatic missions to Jerusalem in violation of Security Council resolution 478 (1980), and their refusal to comply with the provisions of that resolution;

3. Calls once more upon those States to abide by the provisions of the relevant United Nations resolutions, in conformity with the Charter of the United Nations;

4. Requests the Secretary-General to report to the General Assembly at its forty-ninth session on the implementation of the present resolution.

79th plenary meeting
14 December 1993

B

Syrian Golan

The General Assembly,

Having considered the item entitled "The situation in the Middle East",

Taking note of the report of the Secretary-General of 25 October 1993, 1/

Recalling Security Council resolution 497 (1981) of 17 December 1981,

Recalling also its resolution 3314 (XXIX) of 14 December 1974, in the annex to which it defined an act of aggression, inter alia, as "the invasion or attack by the armed forces of a State of the territory of another State, or any military occupation, however temporary, resulting from such invasion or attack, or any annexation by the use of force of the territory of another State or part thereof" and provided that "no consideration of whatever nature, whether political, economic, military or otherwise, may serve as a justification for aggression",

Reaffirming the fundamental principle of the inadmissibility of the acquisition of territory by force,

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1/ A/48/522.

Reaffirming once more the applicability of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, 2/ to the occupied Syrian Golan,

Noting that Israel has refused, in violation of Article 25 of the Charter of the United Nations, to accept and carry out Security Council resolution 497 (1981),

Deeply concerned that Israel has not withdrawn from the Syrian Golan, which has been under occupation since 1967, contrary to the relevant Security Council and General Assembly resolutions,

Taking note with satisfaction of the convening at Madrid of the Peace Conference on the Middle East on the basis of Security Council resolutions 242 (1967) of 22 November 1967 and 338 (1973) of 22 October 1973, but regretting that a just and comprehensive peace has not yet been achieved after two years of negotiation in Washington, D.C.,

1. Declares that Israel has failed so far to comply with Security Council resolution 497 (1981);

2. Declares once more that Israel's decision to impose its laws, jurisdiction and administration on the occupied Syrian Golan is illegal and therefore null and void and has no validity whatsoever;

3. Declares also that the Knesset decision of 11 November 1991 annexing the occupied Syrian Golan constitutes a grave violation of Security Council resolution 497 (1981) and therefore is null and void and has no validity whatsoever;

4. Declares further all Israeli policies and practices of, or aimed at, annexation of the occupied Arab territories since 1967, including the occupied Syrian Golan, to be illegal and in violation of international law and of the relevant United Nations resolutions;

5. Determines once more that all actions taken by Israel to give effect to its decisions relating to the occupied Syrian Golan are illegal and invalid and shall not be recognized;

6. Reaffirms its determination that all relevant provisions of the Regulations annexed to the Hague Convention IV of 1907, 3/ and the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, continue to apply to the Syrian territory occupied by Israel since 1967, and calls upon the parties thereto to respect and ensure respect for their obligations under those instruments in all circumstances;

2/ United Nations, Treaty Series, vol. 75, No. 973.

3/ See Carnegie Endowment for International Peace, The Hague Conventions and Declarations of 1899 and 1907 (New York, Oxford University Press, 1915).

7. Determines once more that the continued occupation of the Syrian Golan since 1967 and its de facto annexation by Israel on 14 December 1981, following Israel's decision to impose its laws, jurisdiction and administration on that territory, constitute a continuing threat to peace and security in the region;

8. Firmly emphasizes once more its demand that Israel, the occupying Power, rescind forthwith its illegal decision of 14 December 1981 to impose its laws, jurisdiction and administration on the Syrian Golan, and its decision of 11 November 1991, which resulted in the effective annexation of that territory;

9. Demands once more that Israel withdraw from the occupied Syrian Golan in implementation of the relevant Security Council resolutions;

10. Calls upon the international community to urge Israel to withdraw from the occupied Syrian Golan and other occupied Arab territories for the establishment of a just, comprehensive and lasting peace in the region;

11. Requests the Secretary-General to report to the General Assembly at its forty-ninth session on the implementation of the present resolution.

79th plenary meeting
14 December 1993

UNITED NATIONS **A**

General Assembly

Distr.
GENERAL

A/RES/49/87
7 February 1995

Forty-ninth session
Agenda item 38

RESOLUTIONS ADOPTED BY THE GENERAL ASSEMBLY

[without reference to a Main Committee (A/49/L.59 and A/49/L.60)]

49/87. The situation in the Middle East

A

Jerusalem

The General Assembly,

Recalling its resolutions 36/120 E of 10 December 1981, 37/123 C of 16 December 1982, 38/180 C of 19 December 1983, 39/146 C of 14 December 1984, 40/168 C of 16 December 1985, 41/162 C of 4 December 1986, 42/209 D of 11 December 1987, 43/54 C of 6 December 1988, 44/40 C of 4 December 1989, 45/83 C of 13 December 1990, 46/82 B of 16 December 1991, 47/63 B of 11 December 1992 and 48/59 A of 14 December 1993, in which it determined that all legislative and administrative measures and actions taken by Israel, the occupying Power, which had altered or purported to alter the character and status of the Holy City of Jerusalem, in particular the so-called "Basic Law" on Jerusalem and the proclamation of Jerusalem as the capital of Israel, were null and void and must be rescinded forthwith,

Recalling also Security Council resolution 478 (1980) of 20 August 1980, in which the Council, inter alia, decided not to recognize the "Basic Law" and called upon those States that had established diplomatic missions at Jerusalem to withdraw such missions from the Holy City,

Having considered the report of the Secretary-General of 20 October 1994, 1/

1/ A/49/556.

1. Determines that the decision of Israel to impose its laws, jurisdiction and administration on the Holy City of Jerusalem is illegal and therefore null and void and has no validity whatsoever;

2. Deplores the transfer by some States of their diplomatic missions to Jerusalem in violation of Security Council resolution 478 (1980), and their refusal to comply with the provisions of that resolution;

3. Calls once more upon those States to abide by the provisions of the relevant United Nations resolutions, in conformity with the Charter of the United Nations;

4. Requests the Secretary-General to report to the General Assembly at its fiftieth session on the implementation of the present resolution.

91st plenary meeting
16 December 1994

B

The Syrian Golan

The General Assembly,

Having considered the item entitled "The situation in the Middle East",

Taking note of the report of the Secretary-General of 20 October 1994, 1/

Recalling Security Council resolution 497 (1981) of 17 December 1981,

Reaffirming the fundamental principle of the inadmissibility of the acquisition of territory by force,

Reaffirming once more the applicability of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, 2/ to the occupied Syrian Golan,

Deeply concerned that Israel has not withdrawn from the Syrian Golan, which has been under occupation since 1967, contrary to the relevant Security Council and General Assembly resolutions,

Noting with satisfaction the convening at Madrid of the Peace Conference on the Middle East on the basis of Security Council resolutions 242 (1967) of 22 November 1967 and 338 (1973) of 22 October 1973, with the hope that substantial and concrete progress will be achieved on the Syrian and Lebanese tracks for the realization of a just, comprehensive and lasting peace in the region,

1. Declares that Israel has failed so far to comply with Security Council resolution 497 (1981);

2/ United Nations, Treaty Series, vol. 75, No. 973.

2. Declares also that the Knesset decision of 11 November 1991 annexing the occupied Syrian Golan constitutes a grave violation of Security Council resolution 497 (1981) and therefore is null and void and has no validity whatsoever, and calls upon Israel to rescind it;

3. Reaffirms its determination that all relevant provisions of the Regulations annexed to the Hague Convention of 1907, 3/ and the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, continue to apply to the Syrian territory occupied by Israel since 1967, and calls upon the parties thereto to respect and ensure respect for their obligations under those instruments in all circumstances;

4. Determines once more that the continued occupation of the Syrian Golan and its de facto annexation constitute a stumbling-block in the way of achieving a just, comprehensive and lasting peace in the region;

5. Demands once more that Israel withdraw from all the occupied Syrian Golan in implementation of the relevant Security Council resolutions;

6. Requests the Secretary-General to report to the General Assembly at its fiftieth session on the implementation of the present resolution.

91st plenary meeting
16 December 1994

3/ See Carnegie Endowment for International Peace, The Hague Conventions and Declarations of 1899 and 1907 (New York, Oxford University Press, 1915).

and the proclamation of Jerusalem as the capital of Israel, were null and void and must be rescinded forthwith,

Recalling also Security Council resolution 478 (1980) of 20 August 1980, in which the Council, *inter alia*, decided not to recognize the "Basic Law" and called upon those States that had established diplomatic missions at Jerusalem to withdraw such missions from the Holy City,

Having considered the report of the Secretary-General of 20 October 1994,[124]

1. *Determines* that the decision of Israel to impose its laws, jurisdiction and administration on the Holy City of Jerusalem is illegal and therefore null and void and has no validity whatsoever;

2. *Deplores* the transfer by some States of their diplomatic missions to Jerusalem in violation of Security Council resolution 478 (1980), and their refusal to comply with the provisions of that resolution;

3. *Calls once more upon* those States to abide by the provisions of the relevant United Nations resolutions, in conformity with the Charter of the United Nations;

4. *Requests* the Secretary-General to report to the General Assembly at its fiftieth session on the implementation of the present resolution.

91st plenary meeting
16 December 1994

B

THE SYRIAN GOLAN

The General Assembly,

Having considered the item entitled "The situation in the Middle East",

Taking note of the report of the Secretary-General of 20 October 1994,[124]

Recalling Security Council resolution 497 (1981) of 17 December 1981,

Reaffirming the fundamental principle of the inadmissibility of the acquisition of territory by force,

Reaffirming once more the applicability of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949,[125] to the occupied Syrian Golan,

Deeply concerned that Israel has not withdrawn from the Syrian Golan, which has been under occupation since 1967, contrary to the relevant Security Council and General Assembly resolutions,

Noting with satisfaction the convening at Madrid of the Peace Conference on the Middle East on the basis of Security Council resolutions 242 (1967) of 22 November 1967 and 338 (1973) of 22 October 1973, with the hope that substantial and concrete progress will be achieved on the Syrian and Lebanese tracks for the realization of a just, comprehensive and lasting peace in the region,

1. *Declares* that Israel has failed so far to comply with Security Council resolution 497 (1981);

2. *Declares also* that the Knesset decision of 11 November 1991 annexing the occupied Syrian Golan constitutes a grave violation of Security Council resolution 497 (1981) and therefore is null and void and has no validity whatsoever, and calls upon Israel to rescind it;

3. *Reaffirms its determination* that all relevant provisions of the Regulations annexed to the Hague Convention of 1907,[126] and the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, continue to apply to the Syrian territory occupied by Israel since 1967, and calls upon the parties thereto to respect and ensure respect for their obligations under those instruments in all circumstances;

4. *Determines once more* that the continued occupation of the Syrian Golan and its de facto annexation constitute a stumbling-block in the way of achieving a just, comprehensive and lasting peace in the region;

5. *Demands once more* that Israel withdraw from all the occupied Syrian Golan in implementation of the relevant Security Council resolutions;

6. *Requests* the Secretary-General to report to the General Assembly at its fiftieth session on the implementation of the present resolution.

91st plenary meeting
16 December 1994

49/88. Middle East peace process

The General Assembly,

Recalling its resolution 48/58 of 14 December 1993 and Economic and Social Council resolution 1994/29 of 27 July 1994,

Stressing that the achievement of a comprehensive, just and lasting settlement of the Middle East conflict will constitute a significant contribution to strengthening international peace and security,

Recalling the convening of the Peace Conference on the Middle East at Madrid on 30 October 1991, on the basis of Security Council resolutions 242 (1967) of 22 November 1967 and 338 (1973) of 22 October 1973, and the subsequent bilateral negotiations, as well as the meetings of the multilateral working groups, and noting with satisfaction the broad international support for the peace process,

Noting the continuing positive participation of the United Nations as a full extraregional participant in the work of the multilateral working groups,

Bearing in mind the Declaration of Principles on Interim Self-Government Arrangements, signed by the Government of the State of Israel and the Palestine Liberation Organization in Washington on 13 September 1993,[43] and the subsequent Agreement on the Gaza Strip and the Jericho Area, signed by the Government of the State of Israel and the Palestine Liberation Organization, the representative of the Palestinian people, at Cairo on 4 May 1994,[44] and their 29 August 1994 Agreement on the Preparatory Transfer of Powers and Responsibilities,

Also bearing in mind the Agreement between Israel and Jordan on the Common Agenda, signed in Washington on 14 September 1993, the Washington Declaration,[127] signed by Jordan and Israel on 25 July 1994, and the Jordan-Israel Treaty of Peace of 26 October 1994,

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[124] A/49/556.

[125] United Nations, *Treaty Series*, vol. 75, No. 973.

[126] See Carnegie Endowment for International Peace, *The Hague Conventions and Declarations of 1899 and 1907* (New York, Oxford University Press, 1915).

[127] A/49/300-S/1994/939, annex; see *Official Records of the Security Council, Forty-ninth Year, Supplement for July, August and September 1994*, document S/1994/939.

Welcoming the Declaration of Casablanca, adopted at the Middle East/North Africa Economic Summit,[128] held at Casablanca from 30 October to 1 November 1994,

1. *Welcomes* the peace process started at Madrid, and supports the subsequent bilateral negotiations;

2. *Stresses* the importance of, and need for, achieving a comprehensive, just and lasting peace in the Middle East;

3. *Expresses its full support* for the achievements of the peace process thus far, in particular the Declaration of Principles on Interim Self-Government Arrangements, signed by the Government of the State of Israel and the Palestine Liberation Organization, the subsequent Agreement on the Gaza Strip and the Jericho Area, signed by the Government of the State of Israel and the Palestine Liberation Organization, the representative of the Palestinian people, their 29 August 1994 Agreement on the Preparatory Transfer of Powers and Responsibilities, the Agreement between Israel and Jordan on the Common Agenda, the Washington Declaration, signed by Jordan and Israel on 25 July 1994, and the Jordan-Israel Treaty of Peace of 26 October 1994, which constitute important steps in achieving a comprehensive, just and lasting peace in the Middle East, and urges all parties to implement the agreements reached;

4. *Stresses* the need to achieve rapid progress on the other tracks of the Arab-Israeli negotiations within the peace process;

5. *Welcomes* the results of the Conference to Support Middle East Peace, convened in Washington on 1 October 1993, including the establishment of the Ad Hoc Liaison Committee, and the subsequent work of the World Bank Consultative Group, welcomes also the appointment by the Secretary-General of the United Nations Special Coordinator in the Occupied Territories, and urges Member States to expedite economic, financial and technical assistance to the Palestinian people during the interim period;

6. *Calls upon* all Member States to extend economic, financial and technical assistance to parties in the region and to render support for the peace process;

7. *Considers* that an active United Nations role in the Middle East peace process and in assisting in the implementation of the Declaration of Principles can make a positive contribution;

8. *Encourages* regional development and cooperation in the areas where work has begun within the framework of the Madrid Conference.

91st plenary meeting
16 December 1994

49/89. Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples

The General Assembly,

Having examined the report of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples,[129]

Recalling its resolution 1514 (XV) of 14 December 1960, containing the Declaration on the Granting of Independence to Colonial Countries and Peoples, and all its subsequent resolutions concerning the implementation of the Declaration, most recently resolution 48/52 of 10 December 1993, as well as the relevant resolutions of the Security Council,

Recognizing that the eradication of colonialism is one of the priorities of the Organization for the decade that began in 1990,

Deeply conscious of the need to take, speedily, measures to eliminate the last vestiges of colonialism by the year 2000, as called for in its resolution 43/47 of 22 November 1988,

Reiterating its conviction of the need for the elimination of colonialism, as well as of the need for the total eradication of racial discrimination and violations of basic human rights,

Welcoming the accession to independence of Palau on 1 October 1994,

Noting with satisfaction the achievements of the Special Committee in contributing to the effective and complete implementation of the Declaration and other relevant resolutions of the United Nations on decolonization,

Stressing the importance of the participation of the administering Powers in the work of the Special Committee,

Also noting with satisfaction the cooperation and active participation of some administering Powers in the work of the Special Committee, as well as their continued readiness to receive United Nations visiting missions in the Territories under their administration,

Noting with concern the negative impact which the non-participation of certain administering Powers has had on the work of the Special Committee, depriving it of an important source of information on the Territories under their administration,

Aware of the pressing need of newly independent and emerging States for assistance from the United Nations and its system of organizations in the economic, social and other fields,

Aware also of the pressing need of the remaining Non-Self-Governing Territories, including particularly the small island Territories, for economic, social and other assistance from the United Nations and the organizations within its system,

1. *Reaffirms* its resolution 1514 (XV) and all other resolutions on decolonization, including its resolution 43/47, in which it declared the decade that began in 1990 as the International Decade for the Eradication of Colonialism, and calls upon the administering Powers, in accordance with those resolutions, to take all necessary steps to enable the peoples of the Territories concerned to exercise fully as soon as possible their right to self-determination and independence;

2. *Affirms once again* that the continuation of colonialism in any form or manifestation - including racism and economic exploitation - is incompatible with the Charter of the United Nations, the Universal Declaration of Human Rights[130] and the Declaration on the Granting of Independence to Colonial Countries and Peoples;

3. *Reaffirms its determination* to continue to take all steps necessary to bring about the complete and speedy eradication of colonialism and the faithful observance by all States of the relevant provisions of the Charter, the Declaration on the Granting of Independence to Colonial Countries and Peoples and the Universal Declaration of Human Rights;

4. *Affirms once again its support* for the aspirations of the peoples under colonial rule to exercise their right to self-determination and independence;

5. *Approves* the report of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples

[128] A/49/645, annex.

[129] *Official Records of the General Assembly, Forty-ninth Session, Supplement No. 23* (A/49/23).

[130] Resolution 217 A (III).

humanitarian relief, rehabilitation and technical cooperation for development, as well as of the initial projects undertaken in the implementation of resolution 49/139 B;

2. *Commends* the activities and experiences of the United Nations Volunteers, including the White Helmets, deployed in the context of the implementation of resolution 49/139 B, as well as other experiences developed to improve, in accordance with resolutions 46/182 and 49/139 B, the capability for a quick and coordinated response to natural disasters and other emergencies, while preserving the non-political, neutral and impartial character of humanitarian action;

3. *Encourages* voluntary national and regional actions aimed at making available to the United Nations system, through the United Nations Volunteers, national volunteer corps such as the White Helmets on a stand-by basis, in accordance with accepted United Nations procedures and practices, in order to provide specialized human and technical resources for emergency relief and rehabilitation, and in this regard notes with satisfaction the establishment, in particular in developing countries, of national volunteer corps such as the White Helmets;

4. *Encourages also* the Department of Humanitarian Affairs of the Secretariat, as part of its function of coordination of humanitarian assistance, and the relevant bodies of the United Nations, in accordance with their respective mandates, to make use of the White Helmets and other United Nations volunteers in the area of humanitarian emergency assistance, as well as to support a smooth transition from relief to rehabilitation, reconstruction and development;

5. *Recognizes*, in this context, the operational role of the United Nations Volunteers in the selection, training, deployment and effective utilization of the White Helmets at the field level;

6. *Calls upon* countries in a position to do so to contribute to the distinct window created to this end, in accordance with paragraph 6 (*b*) of resolution 49/139 B, within the Special Voluntary Fund of the United Nations Volunteers;

7. *Requests* the Secretary-General to report to the General Assembly at its fifty-second session, in the context of the cluster of issues related to the item "Strengthening of the coordination of humanitarian and disaster relief assistance of the United Nations, including special economic assistance", on the technical, institutional and financial viability of the initiative.

72nd plenary meeting
28 November 1995

50/21. Middle East peace process

The General Assembly,

Recalling its resolution 49/88 of 16 December 1994 and Economic and Social Council resolution 1995/52 of 28 July 1995,

Stressing that the achievement of a comprehensive, just and lasting settlement of the Middle East conflict will constitute a significant contribution to strengthening international peace and security,

Recalling the convening of the Peace Conference on the Middle East at Madrid on 30 October 1991, on the basis of Security Council resolutions 242 (1967) of 22 November 1967 and 338 (1973) of 22 October 1973, and the subsequent bilateral negotiations, as well as the meetings of the multilateral working groups, and noting with satisfaction the broad international support for the peace process,

Noting the continuing positive participation of the United Nations as a full extraregional participant in the work of the multilateral working groups,

Bearing in mind the Declaration of Principles on Interim Self-Government Arrangements, signed by the Government of the State of Israel and the Palestine Liberation Organization, the representative of the Palestinian people, in Washington on 13 September 1993,[45] and the subsequent Agreement on the Gaza Strip and the Jericho Area, signed by the Government of the State of Israel and the Palestine Liberation Organization at Cairo on 4 May 1994,[46] their 29 August 1994 Agreement on the Preparatory Transfer of Powers and Responsibilities, the Protocol on Further Transfer of Powers and Responsibilities signed by the Government of Israel and the Palestine Liberation Organization at Cairo on 27 August 1995, and the Interim Agreement on the West Bank and Gaza Strip, signed by the Government of Israel and the Palestine Liberation Organization in Washington on 28 September 1995,

Also bearing in mind the Agreement between Israel and Jordan on the Common Agenda, signed in Washington on 14 September 1993, the Washington Declaration, signed by Jordan and Israel on 25 July 1994,[47] and the Treaty of Peace between the State of Israel and the Hashemite Kingdom of Jordan, of 26 October 1994,[48]

Welcoming the Declaration of the Middle East/North Africa Economic Summit held at Casablanca from 30 October to 1 November 1994,[49] as well as the Declaration of the Middle East/North Africa Economic Summit held at Amman from 29 to 31 October 1995,

1. *Welcomes* the peace process started at Madrid, and supports the subsequent bilateral negotiations;

2. *Stresses* the importance of, and need for, achieving a comprehensive, just and lasting peace in the Middle East;

3. *Expresses its full support* for the achievements of the peace process thus far, in particular the Declaration of Principles on Interim Self-Government Arrangements, signed by the Government of the State of Israel and the Palestine Liberation Organization, the representative of the Palestinian People, the subsequent Agreement on the Gaza Strip and the Jericho Area, signed by the Government of the State of Israel and the Palestine Liberation Organization, their 29 August 1994 Agreement on the Preparatory Transfer of Powers and Responsibilities, the Protocol on Further Transfer of Powers and Responsibilities signed by the Government of Israel and the Palestine Liberation Organization at Cairo on 27 August 1995, the Interim Agreement on the West Bank and Gaza Strip, signed by the Government of Israel and the Palestine Liberation Organization

[45] 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.

[46] 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.

[47] A/49/300-S/1994/939, annex; see *Official Records of the Security Council, Forty-ninth Year, Supplement for July, August and September 1994*, document S/1994/939.

[48] A/50/73-S/1995/83, enclosure; see *Official Records of the Security Council, Fiftieth Year, Supplement for January, February and March 1995*, document S/1995/83.

[49] A/49/645, annex.

in Washington on 28 September 1995, the Agreement between Israel and Jordan on the Common Agenda, the Washington Declaration, signed by Jordan and Israel on 25 July 1994, and the Treaty of Peace between the State of Israel and the Hashemite Kingdom of Jordan, of 26 October 1994, which constitute important steps in achieving a comprehensive, just and lasting peace in the Middle East, and urges all parties to implement the agreements reached;

4. *Stresses* the need to achieve rapid progress on the other tracks of the Arab-Israeli negotiations within the peace process;

5. *Welcomes* the results of the Conference to Support Middle East Peace, convened in Washington on 1 October 1993, including the establishment of the Ad Hoc Liaison Committee, and the subsequent work of the World Bank Consultative Group, welcomes also the appointment by the Secretary-General of the "United Nations Special Coordinator in the Occupied Territories", and urges Member States to expedite economic, financial and technical assistance to the Palestinian people during the interim period;

6. *Calls upon* all Member States to extend economic, financial and technical assistance to parties in the region and to render support for the peace process;

7. *Considers* that an active United Nations role in the Middle East peace process and in assisting in the implementation of the Declaration of Principles can make a positive contribution;

8. *Encourages* regional development and cooperation in areas where work has begun within the framework of the Madrid Conference.

79th plenary meeting
4 December 1995

50/22. The situation in the Middle East

A

JERUSALEM

The General Assembly,

Recalling its resolutions 36/120 E of 10 December 1981, 37/123 C of 16 December 1982, 38/180 C of 19 December 1983, 39/146 C of 14 December 1984, 40/168 C of 16 December 1985, 41/162 C of 4 December 1986, 42/209 D of 11 December 1987, 43/54 C of 6 December 1988, 44/40 C of 4 December 1989, 45/83 C of 13 December 1990, 46/82 B of 16 December 1991, 47/63 B of 11 December 1992, 48/59 A of 14 December 1993 and 49/87 A of 16 December 1994, in which it determined that all legislative and administrative measures and actions taken by Israel, the occupying Power, which had altered or purported to alter the character and status of the Holy City of Jerusalem, in particular the so-called "Basic Law" on Jerusalem and the proclamation of Jerusalem as the capital of Israel, were null and void and must be rescinded forthwith,

Recalling also Security Council resolution 478 (1980) of 20 August 1980, in which the Council, *inter alia*, decided not to recognize the "Basic Law" and called upon those States that had established diplomatic missions at Jerusalem to withdraw such missions from the Holy City,

Having considered the report of the Secretary-General of 24 October 1995,[50]

[50] A/50/574.

1. *Determines* that the decision of Israel to impose its laws, jurisdiction and administration on the Holy City of Jerusalem is illegal and therefore null and void and has no validity whatsoever;

2. *Deplores* the transfer by some States of their diplomatic missions to Jerusalem in violation of Security Council resolution 478 (1980), and their refusal to comply with the provisions of that resolution;

3. *Calls once more upon* those States to abide by the provisions of the relevant United Nations resolutions, in conformity with the Charter of the United Nations;

4. *Requests* the Secretary-General to report to the General Assembly at its fifty-first session on the implementation of the present resolution.

79th plenary meeting
4 December 1995

B

THE SYRIAN GOLAN

The General Assembly,

Having considered the item entitled "The situation in the Middle East",

Taking note of the report of the Secretary-General of 24 October 1995,[50]

Recalling Security Council resolution 497 (1981) of 17 December 1981,

Reaffirming the fundamental principle of the inadmissibility of the acquisition of territory by force,

Reaffirming once more the applicability of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949,[51] to the occupied Syrian Golan,

Deeply concerned that Israel has not withdrawn from the Syrian Golan, which has been under occupation since 1967, contrary to the relevant Security Council and General Assembly resolutions,

Noting with satisfaction the convening at Madrid of the Peace Conference on the Middle East on the basis of Security Council resolutions 242 (1967) of 22 November 1967 and 338 (1973) of 22 October 1973, with the hope that substantial and concrete progress will be achieved on the Syrian and Lebanese tracks for the realization of a just, comprehensive and lasting peace in the region,

1. *Declares* that Israel has failed so far to comply with Security Council resolution 497 (1981);

2. *Declares also* that the Knesset decision of 11 November 1991 annexing the occupied Syrian Golan constitutes a grave violation of resolution 497 (1981) and therefore is null and void and has no validity whatsoever, and calls upon Israel to rescind it;

3. *Reaffirms its determination* that all relevant provisions of the Regulations annexed to the Hague Convention of 1907,[52] and the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, continue to apply to the Syrian territory occupied by Israel since 1967, and calls upon the parties thereto to respect and ensure respect for their obligations under those instruments in all circumstances;

[51] United Nations, *Treaty Series*, vol. 75, No. 973.

[52] See Carnegie Endowment for International Peace, *The Hague Conventions and Declarations of 1899 and 1907* (New York, Oxford University Press, 1915).

UNITED NATIONS **A**

General Assembly

Distr.
GENERAL

A/RES/50/22
12 December 1995

Fiftieth session
Agenda item 44

RESOLUTIONS ADOPTED BY THE GENERAL ASSEMBLY

[without reference to a Main Committee (A/50/L.37 and Add.1 and A/50/L.38 and Add.1)]

50/22. The situation in the Middle East

A

Jerusalem

The General Assembly,

Recalling its resolutions 36/120 E of 10 December 1981, 37/123 C of 16 December 1982, 38/180 C of 19 December 1983, 39/146 C of 14 December 1984, 40/168 C of 16 December 1985, 41/162 C of 4 December 1986, 42/209 D of 11 December 1987, 43/54 C of 6 December 1988, 44/40 C of 4 December 1989, 45/83 C of 13 December 1990, 46/82 B of 16 December 1991, 47/63 B of 11 December 1992, 48/59 A of 14 December 1993 and 49/87 A of 16 December 1994, in which it determined that all legislative and administrative measures and actions taken by Israel, the occupying Power, which had altered or purported to alter the character and status of the Holy City of Jerusalem, in particular the so-called "Basic Law" on Jerusalem and the proclamation of Jerusalem as the capital of Israel, were null and void and must be rescinded forthwith,

Recalling also Security Council resolution 478 (1980) of 20 August 1980, in which the Council, inter alia, decided not to recognize the "Basic Law" and called upon those States that had established diplomatic missions at Jerusalem to withdraw such missions from the Holy City,

Having considered the report of the Secretary-General of 24 October 1995, 1/

1/ A/50/574.

1. Determines that the decision of Israel to impose its laws, jurisdiction and administration on the Holy City of Jerusalem is illegal and therefore null and void and has no validity whatsoever;

2. Deplores the transfer by some States of their diplomatic missions to Jerusalem in violation of Security Council resolution 478 (1980), and their refusal to comply with the provisions of that resolution;

3. Calls once more upon those States to abide by the provisions of the relevant United Nations resolutions, in conformity with the Charter of the United Nations;

4. Requests the Secretary-General to report to the General Assembly at its fifty-first session on the implementation of the present resolution.

79th plenary meeting
4 December 1995

B

The Syrian Golan

The General Assembly,

Having considered the item entitled "The situation in the Middle East",

Taking note of the report of the Secretary-General of 24 October 1995, 1/

Recalling Security Council resolution 497 (1981) of 17 December 1981,

Reaffirming the fundamental principle of the inadmissibility of the acquisition of territory by force,

Reaffirming once more the applicability of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, 2/ to the occupied Syrian Golan,

Deeply concerned that Israel has not withdrawn from the Syrian Golan, which has been under occupation since 1967, contrary to the relevant Security Council and General Assembly resolutions,

Noting with satisfaction the convening at Madrid of the Peace Conference on the Middle East on the basis of Security Council resolutions 242 (1967) of 22 November 1967 and 338 (1973) of 22 October 1973, with the hope that substantial and concrete progress will be achieved on the Syrian and Lebanese tracks for the realization of a just, comprehensive and lasting peace in the region,

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2/ United Nations, Treaty Series, vol. 75, No. 973.

1. Declares that Israel has failed so far to comply with Security Council resolution 497 (1981);

2. Declares also that the Knesset decision of 11 November 1991 annexing the occupied Syrian Golan constitutes a grave violation of resolution 497 (1981) and therefore is null and void and has no validity whatsoever, and calls upon Israel to rescind it;

3. Reaffirms its determination that all relevant provisions of the Regulations annexed to the Hague Convention of 1907, 3/ and the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, continue to apply to the Syrian territory occupied by Israel since 1967, and calls upon the parties thereto to respect and ensure respect for their obligations under those instruments in all circumstances;

4. Determines once more that the continued occupation of the Syrian Golan and its de facto annexation constitute a stumbling-block in the way of achieving a just, comprehensive and lasting peace in the region;

5. Demands once more that Israel withdraw from all the occupied Syrian Golan to the line of 4 June 1967 in implementation of the relevant Security Council resolutions;

6. Requests the Secretary-General to report to the General Assembly at its fifty-first session on the implementation of the present resolution.

79th plenary meeting
4 December 1995

3/ See Carnegie Endowment for International Peace, The Hague Conventions and Declarations of 1899 and 1907 (New York, Oxford University Press, 1915).

2. *Deplores* the transfer by some States of their diplomatic missions to Jerusalem in violation of Security Council resolution 478 (1980) and their refusal to comply with the provisions of that resolution;

3. *Calls once more upon* those States to abide by the provisions of the relevant United Nations resolutions, in conformity with the Charter of the United Nations;

4. *Requests* the Secretary-General to report to the General Assembly at its fifty-second session on the implementation of the present resolution.

72nd plenary meeting
4 December 1996

51/28. The Syrian Golan

The General Assembly,

Having considered the item entitled "The situation in the Middle East",

Taking note of the report of the Secretary-General,[58]

Recalling Security Council resolution 497 (1981) of 17 December 1981,

Reaffirming the fundamental principle of the inadmissibility of the acquisition of territory by force,

Reaffirming once more the applicability of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949,[59] to the occupied Syrian Golan,

Deeply concerned that Israel has not withdrawn from the Syrian Golan, which has been under occupation since 1967, contrary to the relevant Security Council and General Assembly resolutions,

Noting with satisfaction the convening at Madrid on 30 October 1991 of the Peace Conference on the Middle East 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,

Expressing deep concern about the stumbling of the peace process on the Syrian and Lebanese tracks, and hoping that talks for ensuring a just and comprehensive peace in the region will soon be resumed from the point that has been reached,

1. *Declares* that Israel has failed so far to comply with Security Council resolution 497 (1981);

2. *Declares also* that the Knesset decision of 11 November 1981 annexing the occupied Syrian Golan constitutes a grave violation of resolution 497 (1981) and therefore is null and void and has no validity whatsoever, and calls upon Israel to rescind it;

3. *Reaffirms its determination* that all relevant provisions of the Regulations annexed to the Hague Convention of 1907,[60] and the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949,[59] continue to apply to the Syrian territory occupied by Israel since 1967, and calls upon the parties thereto to respect and ensure respect for their obligations under those instruments in all circumstances;

4. *Determines once more* that the continued occupation of the Syrian Golan and its de facto annexation constitute a stumbling block in the way of achieving a just, comprehensive and lasting peace in the region;

5. *Calls* for the resumption of the talks on the Syrian and Lebanese tracks and for the respect for the commitments and guarantees reached during the previous talks;

6. *Demands once more* that Israel withdraw from all the occupied Syrian Golan to the line of 4 June 1967 in implementation of the relevant Security Council resolutions;

7. *Requests* the Secretary-General to report to the General Assembly at its fifty-second session on the implementation of the present resolution.

72nd plenary meeting
4 December 1996

51/29. The Middle East peace process

The General Assembly,

Recalling its resolution 50/21 of 4 December 1995,

Stressing that the achievement of a comprehensive, just and lasting settlement of the Middle East conflict will constitute a significant contribution to strengthening international peace and security,

Recalling the convening of the Peace Conference on the Middle East at Madrid on 30 October 1991 on the basis of Security Council resolutions 242 (1967) of 22 November 1967 and 338 (1973) of 22 October 1973 and the subsequent bilateral negotiations as well as the meetings of the multilateral working groups, and noting with satisfaction the broad international support for the peace process,

Noting the continuing positive participation of the United Nations as a full extraregional participant in the work of the multilateral working groups,

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[58] Ibid.

[59] United Nations, *Treaty Series*, vol. 75, No. 973.

[60] See Carnegie Endowment for International Peace, *The Hague Conventions and Declarations of 1899 and 1907* (New York, Oxford University Press, 1915).

Bearing in mind the Declaration of Principles on Interim Self-Government Arrangements[61] signed by the Government of the State of Israel and the Palestine Liberation Organization, the representative of the Palestinian people, in Washington, D.C., on 13 September 1993 and the subsequent Agreement on the Gaza Strip and the Jericho Area[62] signed by the Government of the State of Israel and the Palestine Liberation Organization at Cairo on 4 May 1994, their 29 August 1994 Agreement on the Preparatory Transfer of Powers and Responsibilities, the Protocol of Further Transfer of Powers and Responsibilities signed by the Government of Israel and the Palestine Liberation Organization at Cairo on 27 August 1995 and the Interim Agreement on the West Bank and Gaza Strip, signed by the Government of Israel and the Palestine Liberation Organization in Washington, D.C., on 28 September 1995,

Also bearing in mind the Agreement between Israel and Jordan on the Common Agenda, signed in Washington, D.C., on 14 September 1993, the Washington Declaration[63] signed by Jordan and Israel on 25 July 1994 and the Treaty of Peace between the State of Israel and the Hashemite Kingdom of Jordan[64] of 26 October 1994,

Welcoming the Declaration of the Middle East/North Africa Economic Summit[65] held at Casablanca from 30 October to 1 November 1994, the Declaration of the Middle East/North Africa Economic Summit held at Amman from 29 to 31 October 1995 and the Middle East/North Africa Economic Conference held at Cairo from 12 to 14 November 1996,

Welcoming also the declared commitment of the parties concerned to overcome remaining difficulties and proceed with negotiations,

1. *Welcomes* the peace process started at Madrid, and supports the subsequent bilateral negotiations;

2. *Stresses* the importance of, and need for, achieving a comprehensive, just and lasting peace in the Middle East;

3. *Expresses its full support* for all the achievements of the peace process thus far, which constitute important steps in achieving a comprehensive, just and lasting peace in the Middle East;

4. *Urges* all parties to fulfil their obligations and to implement the agreements already reached;

5. *Calls* for the immediate acceleration of negotiations within the Middle East peace process on its agreed basis;

6. *Stresses* the need to achieve rapid progress on all tracks of the Arab-Israeli negotiations within the peace process;

7. *Welcomes* the results of the Conference to Support Middle East Peace, convened in Washington, D.C., on 1 October 1993, including the establishment of the Ad Hoc Liaison Committee, and the subsequent work of the World Bank Consultative Group, welcomes also the appointment by the Secretary-General of the "United Nations Special Coordinator in the Occupied Territories", and urges Member States to expedite economic, financial and technical assistance to the Palestinian people during the interim period;

8. *Calls upon* all Member States to extend economic, financial and technical assistance to parties in the region and to render support for the peace process;

9. *Considers* that an active United Nations role in the Middle East peace process and in assisting in the implementation of the Declaration of Principles can make a positive contribution;

10. *Encourages* regional development and cooperation in areas where work has begun within the framework of the Madrid Conference.

72nd plenary meeting
4 December 1996

51/30. Strengthening of the coordination of humanitarian and disaster relief assistance of the United Nations, including special economic assistance: special economic assistance to individual countries or regions

A

Economic assistance to States affected by the implementation of the Security Council resolutions imposing sanctions on the Federal Republic of Yugoslavia

The General Assembly,

Recalling the provisions of Articles 25, 48, 49 and 50 of the Charter of the United Nations,

Recalling also Security Council resolutions 724 (1991) of 15 December 1991 and 843 (1993) of 18 June 1993,

Recalling further Security Council resolution 1074 (1996) of 1 October 1996 terminating the measures suspended by resolution 1022 (1995) of 22 November 1995 and imposed by or reaffirmed in resolutions 757 (1992) of 30 May 1992, 787 (1992) of 16 November 1992, 820 (1993) of 17 April 1993, 942 (1994) and 943 (1994) of 23 September 1994, 988 (1995) of 21 April 1995, 992 (1995) of 11 May 1995, 1003 (1995) of 5 July 1995 and 1015 (1995) of 15 September 1995,

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[61] 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.

[62] 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.

[63] A/49/300-S/1994/939, annex; see *Official Records of the Security Council, Forty-ninth Year, Supplement for July, August and September 1994*, document S/1994/939.

[64] A/50/73-S/1995/83, enclosure; see *Official Records of the Security Council, Fiftieth Year, Supplement for January, February and March 1995*, document S/1995/83.

[65] See A/49/645, annex.

United Nations A/RES/73/89

General Assembly

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Agenda item 38

Resolution adopted by the General Assembly on 6 December 2018

[*without reference to a Main Committee (A/73/L.49)*]

73/89. Comprehensive, just and lasting peace in the Middle East

The General Assembly,

Recalling its relevant resolutions,

Guided by the purposes and principles of the Charter of the United Nations,

Reiterates its call for the achievement, without delay, of a comprehensive, just and lasting peace in the Middle East on the basis of the relevant United Nations resolutions, including Security Council resolution 2334 (2016) of 23 December 2016, the Madrid terms of reference, including the principle of land for peace, the Arab Peace Initiative[1] and the Quartet road map,[2] and an end to the Israeli occupation that began in 1967, including of East Jerusalem, and reaffirms in this regard its unwavering support, in accordance with international law, for the two-State solution of Israel and Palestine, living side by side in peace and security within recognized borders, based on the pre-1967 borders.

47th plenary meeting
6 December 2018

[1] A/56/1026-S/2002/932, annex II, resolution 14/221.
[2] S/2003/529, annex.

emporary nature—indeed, three months—was to use s best efforts to prevent a recurrence of fighting and, as ecessary, to contribute to the maintenance and restoration of law and order and a return to normal conditions". The mediator, in the meantime, was to "use his best endeavours with the representatives of the communities" and with the Governments concerned to achieve the peaceful solution and agreed settlement o which I have already referred. Not only did the nediation called for in the Security Council meet with o success but it also proved impossible to resume he search for an agreed solution in full measure.

110. Thus the hopes and expectations of 1964 are yet to be fulfilled. After nearly eight years, the solution of the Cyprus problem is still not in sight, conditions n the island remain precarious and I have to come once more before the Security Council—in fact for the wentieth time—to recommend a further extension of he mandate of UNFICYP. It is obvious that this situation cannot continue indefinitely, to the detriment of the people of Cyprus and as a lingering threat to international peace and security.

convinced that, given the necessary goodwill, the Cyprus problem is capable of solution. It is my earnest hope that, in accordance with the principles of the Charter, the parties to this problem will soon find it possible, in the interest of the well-being of the people of Cyprus and the cause of international peace and security, to make those necessary compromises and accommodations without which no settlement can be achieved.

112. In concluding this report, I wish to express my deep appreciation to the Governments which have provided contingents and personnel for UNFICYP and to those which have made voluntary contributions for the support of the operation. I also wish to pay tribute to my Special Representative, to the Force Commander and to all the officers and men of UNFICYP as well as its civilian staff. They have continued to carry out with exemplary efficiency and devotion the important task assigned to them by the Security Council.

ANNEX

[Map showing the deployment of the United Nations Peace-keeping Force in Cyprus on 1 December 1971. See page 55.]

DOCUMENT S/10403* 294 722

Report of the Secretary-General on the activities of his Special Representative to the Middle East

[Original: English]
[30 November 1971]

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INTRODUCTION

1. By its resolution 242 (1967) of 22 November 1967, the Security Council affirmed the principles and provisions which should be applied in establishing a just and lasting peace in the Middle East and requested me to designate a special representative to establish and maintain contacts with the States concerned in order to promote agreement and assist efforts to achieve a peaceful and accepted settlement in accordance with these provisions and principles. I designated Ambassador Gunnar V. Jarring of Sweden as my Special Representative and submitted progress reports from time to time to the Security Council on his efforts.[17]

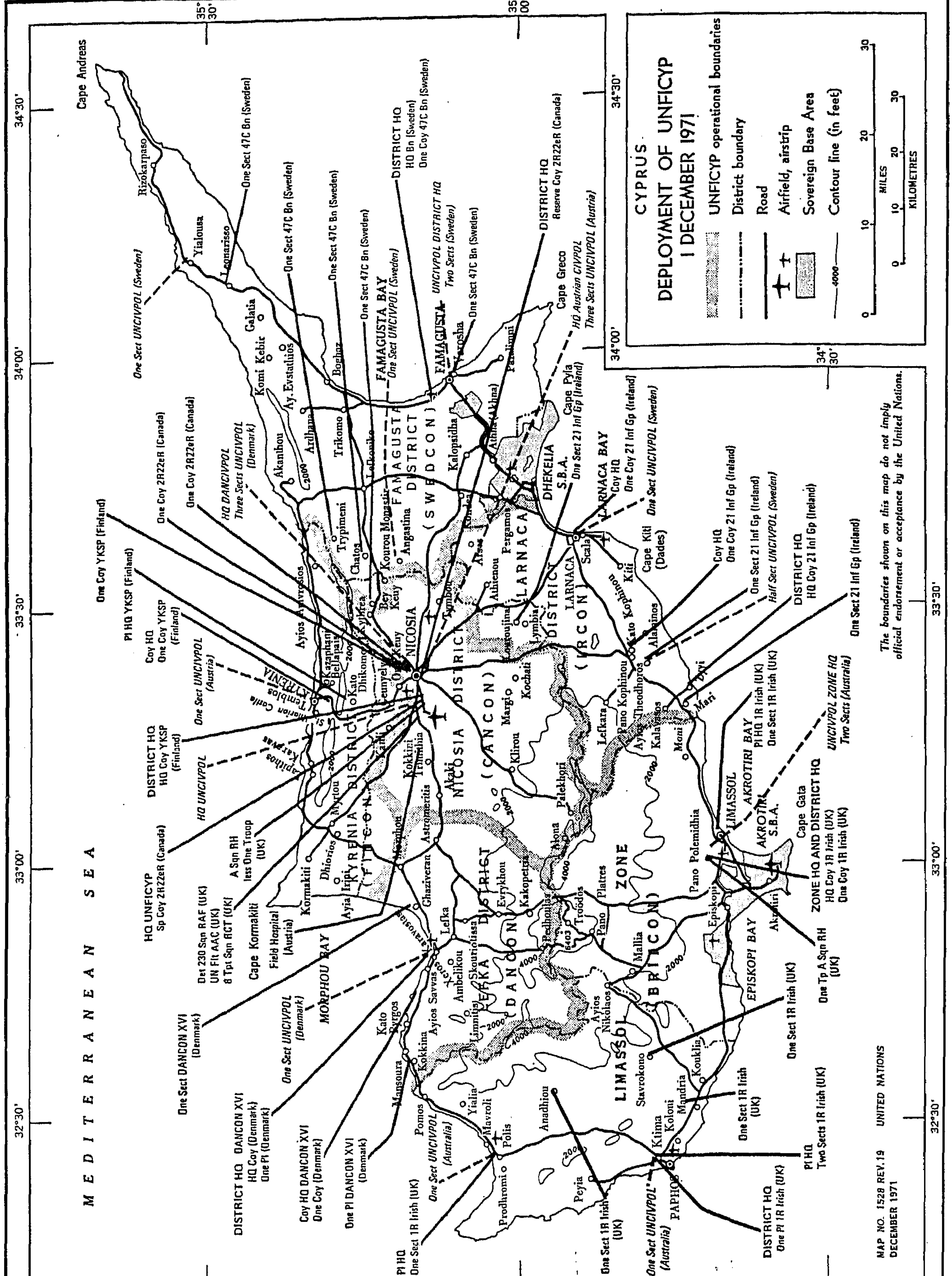
2. By its resolution 2628 (XXV) of 4 November 1970, the General Assembly, after expressing its views on the principles which should govern the establishment of a just and lasting peace in the Middle East, called upon the parties directly concerned to resume contact with the Special Representative of the Secretary-General with a view to giving effect to Security Council resolution 242 (1967) and requested me to report to the Security Council within a period of two months, and to the General Assembly as appropriate, on the efforts of the Special Representative and on the implementation of Security Council resolution 242 (1967).

3. In accordance with my responsibilities under Security Council resolution 242 (1967) and with the request contained in General Assembly resolution 2628 (XXV), I submitted to the Security Council on 4 January 1971 a comprehensive report [*S/10070*] on the activities of the Special Representative up to that date. Subsequently, on 1 February and 5 March, I submitted further progress reports [*S/10070/Add.1 and 2*] on his activities.

4. In view of the fact that the General Assembly is about to debate again the situation in the Middle East and of the request contained in General Assembly resolution 2628 (XXV) that I should report to it as appropriate on the efforts of the Special Representative and on the implementation of Security Council resolution 242 (1967), I am arranging to have my report of 4 January 1971 available to the Members of the General Assembly; I am also submitting the present report on the implementation of Security Council resolution 242 (1967) to both the Security Council and the General Assembly in order to give a more comprehensive account of the activities of the Special Representative at the beginning of 1971 than that given in documents S/10070/Add.1 and 2 and to bring that account up to date.

* Also circulated as a General Assembly document under the symbol A/8541.

[17] *Ibid., Twenty-second Year, Supplement for October, November and December 1967*, document S/8309; *ibid., Twenty-third Year, Supplement for January, February and March 1968*, documents S/8309/Add.1 and 2; *ibid., Supplement for July, August and September 1968*, document S/8309/Add.3; *ibid., Supplement for October, November and December 1968*, document S/8309/Add.4; and *ibid., Twenty-fifth Year, Supplement for July, August and September 1970*, document S/9902.


CYPRUS
DEPLOYMENT OF UNFICYP
1 DECEMBER 1971
UNFICYP operational boundaries
District boundary
Road
Airfield, airstrip
Sovereign Base Area
Contour line (in feet)
MILES
KILOMETRES
The boundaries shown on this map do not imply official endorsement or acceptance by the United Nations.
MAP NO. 1528 REV.19 UNITED NATIONS
DECEMBER 1971
MEDITERRANEAN SEA
Cape Andreas
Rizokarpaso
Yialousa
Leonarisso
Galatia
Komi Kebir
Ay. Evstathios
Akanthou
Ardhana
Trikomo
Boghaz
FAMAGUSTA BAY
FAMAGUSTA
Varosha
Cape Greco
Paralimni
Cape Pyla
DHEKELIA S.B.A.
LARNACA BAY
LARNACA
Kiti
Cape Kiti (Dades)
Scala
NICOSIA
KYRENIA
Morphou
MORPHOU BAY
Cape Kormakiti
Kormakiti
Lefka
Xeros
Polis
Pomos
Mansoura
Kokkina
Kato Pyrgos
Peyia
PAPHOS
Prodhromi
Kouklia
Mandria
Pissouri
EPISKOPI BAY
Episkopi
Akrotiri
AKROTIRI BAY
Cape Gata
AKROTIRI S.B.A.
LIMASSOL
Troodos
Platres
Kalavasos
Mari
Zyyi
Kato Kophinou
Pano Kophinou
Lefkara
Athienou
Kalopsidha
Famagusta District (Swedcon)
Larnaca District (Ircon)
Nicosia District (Cancon)
Kyrenia District (Fincon)
Lefka District (Dancon)
Limassol Zone (Bricon)
HQ UNFICYP
Sp Coy 2R22eR (Canada)
DISTRICT HQ
HQ Bn (Sweden)
One Coy 47C Bn (Sweden)
One Sect 47C Bn (Sweden)
HQ DANCIVPOL (Denmark)
HQ Austrian CIVPOL
HQ UNCIVPOL
UNCIVPOL ZONE HQ Two Sects (Australia)
ZONE HQ AND DISTRICT HQ
HQ Coy 1R Irish (UK)
One Coy 1R Irish (UK)
One Coy 21 Inf Gp (Ireland)
One Coy YKSP (Finland)
Pl HQ YKSP (Finland)
Field Hospital (Austria)
Det 230 Sqn RAF (UK)
UN Flt AAC (UK)
8 Tpt Sqn RCT (UK)
A Sqn RH less One Troop (UK)
One Tp A Sqn RH (UK)
DISTRICT HQ DANCON XVI
HQ Coy (Denmark)
One Pl (Denmark)
Coy HQ DANCON XVI
One Coy (Denmark)
One Pl DANCON XVI (Denmark)
One Sect DANCON XVI (Denmark)
One Sect UNCIVPOL (Australia)
One Sect UNCIVPOL (Sweden)
One Sect UNCIVPOL (Austria)
One Sect UNCIVPOL (Denmark)
Reserve Coy 2R22eR (Canada)
One Coy 2R22eR (Canada)
DISTRICT HQ
One Pl 1R Irish (UK)
One Sect 1R Irish (UK)
Pl HQ
Two Sects 1R Irish (UK)

I. THE HOLDING OF DISCUSSIONS UNDER THE SPECIAL REPRESENTATIVE'S AUSPICES (JANUARY-MARCH 1971)

5. It will be recalled that at the close of 1970 it was possible to arrange for the resumption of the discussions under the auspices of Ambassador Jarring with Israel, Jordan and the United Arab Republic for the purpose of reaching agreement on a just and lasting peace between them.

6. Ambassador Jarring resumed his discussions with the parties at Headquarters on 5 January 1971 and pursued them actively. He held a series of meetings with the representatives of Israel (including meetings with the Prime Minister and Foreign Minister during a brief visit to Israel made from 8 to 10 January 1971 at the request of that Government), of Jordan, and of the United Arab Republic. In addition, he held meetings with the Permanent Representative of Lebanon, which is also one of the States directly concerned with the Middle East settlement.

7. At an early stage in these meetings Israel presented to Ambassador Jarring, for transmission to the Governments concerned, papers containing its views on the "Essentials of peace". Subsequently, the United Arab Republic and Jordan having received the respective Israeli views, presented papers containing their own views concerning the implementation of the provisions of Security Council resolution 242 (1967).

8. During the remainder of January, Ambassador Jarring held further meetings with the representatives of Israel, Jordan and the United Arab Republic, in the course of which he received further memoranda elaborating the positions of the parties. Unfortunately, these indicated that the parties held differing views on the order in which items should be discussed. More importantly, each side was insisting that the other should be ready to make certain commitments before being ready to proceed to the stage of formulating the provisions of a peace settlement.

9. On the Israeli side there was insistence that the United Arab Republic should give specific, direct and reciprocal commitments towards Israel that it would be ready to enter into a peace agreement with Israel and to make towards Israel the various undertakings referred to in paragraph 1 (ii) of Security Council resolution 242 (1967). When agreement was reached on those points, it would be possible to discuss others, including the refugee problem; such items as secure and recognized boundaries, withdrawal and additional arrangements for ensuring security should be discussed in due course.

10. The United Arab Republic continued to regard the Security Council resolution as containing provisions to be implemented by the parties and to express its readiness to carry out its obligations under the resolution in full, provided that Israel did likewise. However it held that Israel persisted in its refusal to implement the Security Council resolution, since it would not commit itself to withdraw from all Arab territories occupied in June 1967. Furthermore in the view of the United Arab Republic Israel had not committed itself to the implementation of the United Nations resolutions relevant to a just settlement to the refugee problem.

11. The papers received by Ambassador Jarring from Israel and Jordan relating to peace between these two countries showed a similar divergence of views. Israel stressed the importance of Jordan's giving an undertaking to enter into a peace agreement with it which would specify the direct and reciprocal obligations undertaken by each of them. Jordan emphasized the inadmissibility of the acquisition of territory by war and expressed the view that the essential first step towards peace lay in an Israeli commitment to evacuate all Arab territories.

12. Ambassador Jarring felt that at this stage of the talks he should make clear his views on what he believed to be the necessary steps to be taken in order to achieve a peaceful and accepted settlement in accordance with the provisions and principles of Security Council resolution 242 (1967), which the parties had agreed to carry out in all its parts. He reached the conclusion, which I shared, that the only possibility of breaking the imminent deadlock arising from the differing views of Israel and the United Arab Republic as to the priority to be given to commitments and undertakings—which seemed to him to be the real cause for the existing immobility in the talks—was for him to seek from each side the parallel and simultaneous commitments which seemed to be inevitable prerequisites of an eventual peace settlement between them. It should thereafter be possible to proceed at once to formulate the provisions and terms of a peace agreement not only for those topics covered by the commitments, but with equal priority for other topics, and in particular the refugee question.

13. In identical aide-mémoires handed to the representatives of the United Arab Republic and Israel on 8 February 1971 Ambassador Jarring requested those Governments to make to him certain prior commitments. Ambassador Jarring's initiative was on the basis that the commitments should be made simultaneously and reciprocally and subject to the eventual satisfactory determination of all other aspects of a peace settlement, including in particular a just settlement of the refugee problem. Israel would give a commitment to withdraw its forces from occupied United Arab Republic territory to the former international boundary between Egypt and the British Mandate of Palestine. The United Arab Republic would give a commitment to enter into a peace agreement with Israel and to make explicitly therein to Israel, on a reciprocal basis, various undertakings and acknowledgements arising directly or indirectly from paragraph 1 (ii) of Security Council resolution 242 (1967). [*For the full text of the aide-mémoires, see annex I below.*]

14. On 15 February, Ambassador Jarring received from the representative of the United Arab Republic an aide-mémoire in which it was indicated that the United Arab Republic would accept the specific commitments requested of it, as well as other commitments arising directly or indirectly from Security Council resolution 242 (1967). If Israel would give, likewise, commitments covering its own obligations under the Security Council resolution, including commitments for the withdrawal of its armed forces from Sinai and the Gaza Strip and for the achievement of a just settlement for the refugee problem in accordance with United Nations resolutions, the United Arab Republic would be ready to enter into a peace agreement with Israel. Finally the United Arab Republic expressed the view that a just and lasting peace could not be realized without the full and scrupulous implementation of Security Council resolution 242 (1967) and the withdrawal of the Israeli armed forces from all the territories occupied since 5 June 1967. [*For the full text of the United Arab Republic reply, see annex II below.*]

15. On 17 February, Ambassador Jarring informed the Israeli representative of the contents of the United Arab Republic reply to his aide-mémoire.

16. On 26 February, Ambassador Jarring received a communication from the representative of Israel, in which, without specific reference to the commitment which he had sought from that Government, Israel stated that it viewed favourably "the expression by the United Arab Republic of its readiness to enter into a peace agreement with Israel" and reiterated that it was prepared for meaningful negotiations on all subjects relevant to a peace agreement between the two countries. Israel gave details of the undertakings which in its opinion should be given by the two countries in such a peace agreement, which should be expressed in a binding treaty in accordance with normal international law and precedent. Israel considered that both parties, having presented their basic positions, should now pursue the negotiations in a detailed and concrete manner without prior conditions.

17. On the crucial question of withdrawal on which Ambassador Jarring had sought a commitment from Israel, the Israeli position was that it would give an undertaking covering withdrawal of Israeli armed forces from "the Israeli-United Arab Republic cease-fire line" to the secure, recognized and agreed boundaries to be established in the peace agreement; Israel would not withdraw to the pre-5 June 1967 lines. [*For the full text of the Israeli paper, see annex III below.*]

18. On 28 February, Ambassador Jarring informed the United Arab Republic representative of the contents of the Israeli communication. The latter held that it was improper for the Israeli authorities to have responded to his Government's reply, which had been addressed to Ambassador Jarring and would have full effect only if the Israeli authorities gave the commitment requested of them by Ambassador Jarring.

19. In accepting the United States proposal for renewed discussions under Ambassador Jarring's auspices [*see S/10070, paras. 33 and 34*], the parties had agreed that they would observe strictly, for a period of 90 days from 7 August 1970, the cease-fire resolutions of the Security Council. In response to the recommendation of the General Assembly in resolution 2628 (XXV), the cease-fire had been extended for a further period of three months. In my report of 1 February submitted as that period was expiring, I appealed to the parties at that stage of the discussions, to withhold fire, to exercise military restraint and to maintain the quiet which had prevailed in the area since August 1970.

20. In response to that appeal, the Foreign Ministry of Israel, in a communiqué released in Jerusalem on 2 February, announced that Israel would observe the cease-fire on a mutual basis; in a speech to the National Assembly on 4 February, the President of the United Arab Republic declared the decision of the United Arab Republic to refrain from opening fire for a period of 30 days ending on 7 March.

21. In submitting my report of 5 March 1971, I commented as follows:

"Ambassador Jarring has been very active over the past month and some further progress has been made towards a peaceful solution of the Middle East question. The problems to be settled have been more clearly identified and on some there is general agreement. I wish moreover to note with satisfaction the positive reply given by the United Arab Republic to Ambassador Jarring's initiative. However, the Government of Israel has so far not responded to the request of Ambassador Jarring that it should give a commitment on withdrawal to the international boundary of the United Arab Republic.

"While I still consider that the situation has considerable elements of promise, it is a matter for increasing concern that Ambassador Jarring's attempt to break the deadlock has not so far been successful. I appeal, therefore, to the Government of Israel to give further consideration to this question and to respond favourably to Ambassador Jarring's initiative.

"To give time for further consideration and in the hope that the way forward may be reopened, I once more appeal to the parties to withhold fire, to exercise military restraint and to maintain the quiet which has prevailed in the area since August 1970." [*S/10070/Add.2, paras. 14-16.*]

II. Further developments (March-November 1971)

22. In response to my appeal, the Israeli Government once again made clear its willingness to continue to observe the cease-fire on a basis of reciprocity. The President of the United Arab Republic, in a statement to the nation on 7 March 1971, declared that his country no longer considered itself further committed to a cease-fire or to withholding fire. This did not, however, mean that political action would cease.

23. On 11 March, the Israeli representative informed Ambassador Jarring that his Government was awaiting the reaction of the United Arab Republic Government to the Israeli invitation in its reply of 26 February to enter into detailed and concrete discussions. When that statement of the Israeli representative was brought to the attention of the United Arab Republic representative, he maintained that his Government was still awaiting an Israeli reply to Ambassador Jarring's aide-mémoire.

24. Subsequently, the talks under Ambassador Jarring's auspices lapsed. He therefore left Headquarters to resume his post as Ambassador of Sweden in Moscow on 25 March.

25. Although he returned to Headquarters from 5 to 12 May and from 21 September to 27 October and has held certain consultations elsewhere, he has found himself faced with the same deadlock and with no possibility of actively pursuing his mission.

26. Indeed, during much of this time the promotion of agreement between the parties was the object of two separate initiatives, first, an effort by the United States of America to promote an interim agreement providing for the reopening of the Suez Canal, which has not, so far, achieved any positive results, and, secondly, a mission of inquiry conducted by certain African Heads of States on behalf of the Organization of African Unity, which is still in progress as this report is being prepared. Both initiatives were described to Ambassador Jarring and myself by the sponsors as designed to facilitate the resumption of Ambassador Jarring's mission. Nevertheless, while they were being pursued, they obviously constituted an additional reason for him not to take personal initiatives.

27. In the introduction to my report on the work of the Organization I expressed certain views on the situation in the Middle East. After recalling the responses of the United Arab Republic and Israel to Ambassador Jarring's initiative of 8 February, I said

that I continued to hope—as I still do—that Israel would find it possible before too long to make a response that would enable the search for a peaceful settlement under Ambassador Jarring's auspices to continue.

28. After noting the relative quiet which has continued to exist in the area, I went on to say:

"It is not possible to predict how long this quiet will last, but there can be little doubt that, if the present impasse in the search for a peaceful settlement persists, new fighting will break out sooner or later. Since the parties have taken advantage of the present lull to strengthen considerably their military capabilities, it is only too likely that the new round of fighting will be more violent and dangerous than the previous ones, and there is always the danger that it may not be possible to limit it to the present antagonists and to the confines of the Middle East.

"I see no other way to forestall such a disastrous eventuality than by intensifying the search for a peaceful and agreed settlement. I believe there is still a chance of achieving such a settlement. I do not overlook the formidable difficulty of the problems to be tackled, but there exist several important assets on the side of peace efforts as well. The Security Council's cease-fire resolutions of June 1967 and its resolution 242 (1967) of 22 November 1967, if implemented simultaneously and fully, should provide the framework for achieving a peaceful and agreed settlement of the present conflict. To promote agreement for such a settlement, we are fortunate to have the services of Ambassador Jarring, who is uniquely qualified for this almost impossible task.

"Ambassador Jarring has clearly defined the minimum conditions that are required to move the peace talks ahead and, until those conditions are met, it is hard to see what else he can do to further his efforts. Steps to ensure that those conditions are met must be taken by the parties concerned and, failing this, by the Security Council itself or by States Members of the United Nations and, particularly, the permanent members of the Security Council, both because of their special responsibility within the United Nations and of their influence on the parties concerned."[18]

29. Recent developments have added to the urgency of my remarks. It therefore seems to me that the appropriate organs of the United Nations must review the situation once again and find ways and means to enable the Jarring mission to move forward.

ANNEXES

ANNEX I

Aide-mémoire presented to Israel and the United Arab Republic by Ambassador Jarring on 8 February 1971[a]

I have been following with a mixture of restrained optimism and growing concern the resumed discussions under my auspices for the purpose of arriving at a peaceful settlement of the Middle East question. My restrained optimism arises from the fact that in my view the parties are seriously defining their positions and wish to move forward to a permanent peace. My growing concern is that each side unyieldingly insists that the other make certain commitments before being ready to proceed to the stage of formulating the provisions to be included in a final peace agreement. There is, as I see it, a serious risk that we shall find ourselves in the same deadlock that existed during the first three years of my mission.

I therefore feel that I should at this stage make clear my views on what I believe to be the necessary steps to be taken in order to achieve a peaceful and accepted settlement in accordance with the provisions and principles of Security Council resolution 242 (1967), which the parties have agreed to carry out in all its parts.

I have come to the conclusion that the only possibility to break the imminent deadlock arising from the differing views of Israel and the United Arab Republic as to the priority to be given to commitments and undertakings—which seems to me to be the real cause for the present immobility—is for me to seek from each side the parallel and simultaneous commitments which seem to be inevitable prerequisites of an eventual peace settlement between them. It should thereafter be possible to proceed at once to formulate the provisions and terms of a peace agreement not only for those topics covered by the commitments, but with equal priority for other topics, and in particular the refugee question.

Specifically, I wish to request the Governments of Israel and the United Arab Republic to make to me at this stage the following prior commitments simultaneously and on condition that the other party makes its commitment and subject to the eventual satisfactory determination of all other aspects of a peace settlement, including in particular a just settlement of the refugee problem.

1. *Israel*

Israel would give a commitment to withdraw its forces from occupied United Arab Republic territory to the former international boundary between Egypt and the British Mandate of Palestine on the understanding that satisfactory arrangements are made for:

(*a*) Establishing demilitarized zones;

(*b*) Practical security arrangements in the Sharm el Sheikh area for guaranteeing freedom of navigation through the Straits of Tiran;

(*c*) Freedom of navigation through the Suez Canal.

2. *United Arab Republic*

The United Arab Republic would give a commitment to enter into a peace agreement with Israel and to make explicitly therein to Israel, on a reciprocal basis, undertakings and acknowledgements covering the following subjects:

(*a*) Termination of all claims or states of belligerency;

(*b*) Respect for and acknowledgement of each other's sovereignty, territorial integrity and political independence;

(*c*) Respect for and acknowledgement of each other's right to live in peace within secure and recognized boundaries;

(*d*) Responsibility to do all in their power to ensure that acts of belligerency or hostility do not originate from or are not committed from within their respective territories against the population, citizens or property of the other party;

(*e*) Non-interference in each other's domestic affairs.

In making the above-mentioned suggestion I am conscious that I am requesting both sides to make serious commitments but I am convinced that the present situation requires me to take this step.

ANNEX II

Aide-mémoire presented to Ambassador Jarring by the United Arab Republic on 15 February 1971

The United Arab Republic has informed you that it accepts to carry out—on a reciprocal basis—all its obligations as provided for in Security Council resolution 242 (1967) with a view to achieving a peaceful settlement in the Middle East. On the same basis, Israel should carry out all its obligations contained in this resolution.

[18] *Official Records of the General Assembly, Twenty-sixth Session, Supplement No. 1A*, paras. 221-223.

[a] In presenting the aide-mémoire, Ambassador Jarring added the following interpretation:

"I interpret practical security measures in the Sharm el Sheikh area for guaranteeing freedom of navigation through the Straits of Tiran to mean arrangements for stationing a United Nations force in the area for this purpose."

Referring to your aide-mémoire of 8 February 1971, the United Arab Republic would give a commitment covering the following:

1. Termination of all claims of states of belligerency.

2. Respect for and acknowledgement of each other's sovereignty, territorial integrity and political independence.

3. Respect for and acknowledgement of each other's right to live in peace within secure and recognized boundaries.

4. Responsibility to do all in their power to ensure that acts of belligerency or hostility do not originate from or are committed from within the respective territories against the population, citizens or property of the other party.

5. Non-interference in each other's domestic affairs.

The United Arab Republic would also give a commitment that:

6. It ensures the freedom of navigation in the Suez Canal in accordance with the 1888 Constantinople Convention.

7. It ensures the freedom of navigation in the Straits of Tiran in accordance with the principles of international law.

8. It accepts the stationing of a United Nations peace-keeping force in the Sharm el Seikh.

9. To guarantee the peaceful settlement and the territorial inviolability of every State in the area, the United Arab Republic would accept:

(*a*) The establishment of demilitarized zones astride the borders in equal distances;

(*b*) The establishment of a United Nations peace-keeping force in which the four permanent members of the Security Council would participate.

Israel should, likewise, give a commitment to implement all the provisions of Security Council resolution 242 (1967). Hence, Israel should give a commitment covering the following:

1. Withdrawal of its armed forces from Sinai and the Gaza Strip.

2. Achievement of a just settlement for the refugee problem in accordance with United Nations resolutions.

3. Termination of all claims of states of belligerency.

4. Respect for and acknowledgement of each other's sovereignty, territorial integrity and political independence.

5. Respect for and acknowledgement of each other's right to live in peace within secure and recognized boundaries.

6. Responsibility to do all in their power to ensure that acts of belligerency or hostility do not originate from or are committed from within the respective territories against the population, citizens or property of the other party.

7. Non-interference in each other's domestic affairs.

8. To guarantee the peaceful settlement and the territorial inviolability of every State in the area, Israel would accept:

(*a*) The establishment of demilitarized zones astride the borders in equal distances;

(*b*) The establishment of a United Nations peace-keeping force in which the four permanent members of the Security Council would participate.

When Israel gives these commitments, the United Arab Republic will be ready to enter into a peace agreement with Israel containing all the aforementioned obligations as provided for in Security Council resolution 242 (1967).

The United Arab Republic considers that the just and lasting peace cannot be realized without the full and scrupulous implementation of Security Council resolution 242 (1967) and the withdrawal of the Israel armed forces from all the territories occupied since 5 June 1967.

ANNEX III

Communication presented to Ambassador Jarring by Israel on 26 February 1971

Pursuant to our meetings on 8 and 17 February, I am instructed to convey the following to you, and through you to the United Arab Republic.

Israel views favourably the expression by the United Arab Republic of its readiness to enter into a peace agreement with Israel and reiterates that it is prepared for meaningful negotiations on all subjects relevant to a peace agreement between the two countries.

The Government of Israel wishes to state that the peace agreement to be concluded between Israel and the United Arab Republic should, *inter alia*, include the provisions set out below.

A. *Israel*

Israel would give undertakings covering the following:

1. Declared and explicit decision to regard the conflict between Israel and the United Arab Republic as finally ended, and termination of all claims and states of war and acts of hostility or belligerency between Israel and the United Arab Republic.

2. Respect for and acknowledgement of the sovereignty, territorial integrity and political independence of the United Arab Republic.

3. Respect for and acknowledgement of the right of the United Arab Republic to live in peace within secure and recognized boundaries.

4. Withdrawal of Israel armed forces from the Israel-United Arab Republic cease-fire line to the secure, recognized and agreed boundaries to be established in the peace agreement. Israel will not withdraw to the pre-5 June 1967 lines.

5. In the matter of the refugees and the claims of both parties in this connexion, Israel is prepared to negotiate with the Governments directly involved on:

(*a*) The payment of compensation for abandoned lands and property;

(*b*) Participation in the planning of the rehabilitation of the refugees in the region. Once the obligation of the parties towards the settlement of the refugee issue has been agreed neither party shall be under claims from the other inconsistent with its sovereignty.

6. The responsibility for ensuring that no war-like act, or act of violence, by any organization, group or individual originates from or is committed in the territory of Israel against th population, armed forces or property of the United Ar Republic.

7. Non-interference in the domestic affairs of the Unit Arab Republic.

8. Non-participation by Israel in hostile alliances against the United Arab Republic and the prohibition of stationing of troops of other parties which maintain a state of belligerency against the United Arab Republic.

B. *United Arab Republic*

The United Arab Republic undertakings in the peace agreement with Israel would include:

1. Declared and explicit decision to regard the conflict between the United Arab Republic and Israel as finally ended and termination of all claims and states of war and acts of hostility or belligerency between the United Arab Republic and Israel.

2. Respect for and acknowledgement of the sovereignty, territorial integrity and political independence of Israel.

3. Respect for and acknowledgement of the right of Israel to live in peace within secure and recognized boundaries to be determined in the peace agreement.

4. The responsibility for ensuring that no war-like act, or act of violence, by any organization, group or individual originates from or is committed in the territory of the United Arab Republic against the population, armed forces or property of Israel.

5. Non-interference in the domestic affairs of Israel.

6. An explicit undertaking to guarantee free passage for Israel ships and cargoes through the Suez Canal.

7. Termination of economic warfare in all its manifestations, including boycott, and of interference in the normal international relations of Israel.

8. Non-participation by the United Arab Republic in hostile alliances against Israel and the prohibition of stationing of troops of other parties which maintain a state of belligerency against Israel.

The United Arab Republic and Israel should enter into a peace agreement with each other to be expressed in a binding treaty in accordance with normal international law and precedent, and containing the above undertakings.

The Government of Israel believes that now that the United Arab Republic has through Ambassador Jarring expressed its willingness to enter into a peace agreement with Israel, and both parties have presented their basic positions, they should now pursue their negotiations in a detailed and concrete manner without prior conditions so as to cover all the points listed in their respective documents with a view to concluding a peace agreement.

DOCUMENT S/10405

Letter dated 1 December 1971 from the representative of the United Kingdom of Great Britain and Northern Ireland to the President of the Security Council

[Original: English]
[1 December 1971]

I have the honour to transmit herewith for the information of the members of the Security Council the text of a White Paper entitled "Rhodesia: Proposals for a Settlement"[19] presented to Parliament by the Secretary of State for Foreign and Commonwealth Affairs on 26 November 1971. This contains the text of the proposals which I told the Council on 25 November that I should make available as soon as possible. As several delegations have told me that they would find it convenient to have this and other information available in the working languages, I should be grateful if you could arrange for the translation and circulation of this letter and its enclosure.

(*Signed*) C. T. CROWE
Permanent Representative of the United Kingdom of Great Britain and Northern Ireland to the United Nations

RHODESIA: PROPOSALS FOR A SETTLEMENT

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RHODESIA

Report on discussions with the régime since November 1970

The five Principles

1. Successive British Governments have been prepared to grant independence to Southern Rhodesia if certain essential requirements were met. These formed the basis of discussions with the Rhodesians during 1963 and 1964 and were subsequently formulated as the Five Principles. They are:

1. The principle and intention of unimpeded progress to majority rule, already enshrined in the 1961 Constitution, would have to be maintained and guaranteed.
2. There would also have to be guarantees against retrogressive amendment of the Constitution.
3. There would have to be immediate improvement in the political status of the African population.
4. There would have to be progress towards ending racial discrimination.
5. The British Government would need to be satisfied that any basis proposed for independence was acceptable to the people of Rhodesia as a whole.

Previous negotiations

2. A series of negotiations conducted by the previous Administration with the Rhodesians failed to reach an agreement in accordance with these Principles.(1) Contacts were finally discontinued in May 1969.(2)

Subsequent developments in Rhodesia

3. In a referendum in June 1969 the predominantly European electorate in Rhodesia endorsed proposals for a republican form of Government and a new Constitution. Shortly afterwards the Governor, Sir Humphrey Gibbs, obtained The Queen's permission to resign and both the British residual mission in Salisbury and its counterpart in London were withdrawn. The Republican Constitution had no legal status, but it was brought into effect by the Rhodesians on 2 March, 1970. Its main provisions are summarised at Annex A.

Her Majesty's Government's policy

4. When the present Government took office in June 1970, they confirmed their determination to seek a just and sensible solution to the Rhodesian problem in accordance with the Five Principles. For they recognised that while sanctions and international ostracism were having some effect on the economic situation in Rhodesia these measures had not brought about, nor seemed likely to bring about, the political changes that were confidently expected at the outset. Moreover, it was evident that the prospects for the African population as a whole could only deteriorate if the present situation remained unchanged. The economic, social and political advance of the Africans could take place

[19] London, Her Majesty's Stationery Office, 1971, Cmnd. 835.

(1) Cmnd. 3159, Cmnd. 3171 and Cmnd. 3793.
(2) Cmnd. 4065.

DOCUMENT S/10792*

Report of the Secretary-General on the activities of the Special Representative to the Middle East

[*Original: English*]
[*15 September 1972*]

1. In accordance with his responsibilities under Security Council resolution 242 (1967) of 22 November 1967, the Secretary-General has, from time to time, submitted to the Security Council progress reports on the activities of Ambassador Gunnar V. Jarring, the Special Representative to the Middle East, in pursuit of his mandate of promoting agreement and assisting efforts to achieve a peaceful and accepted settlement of the Middle East situation.

2. On 13 December 1971, the General Assembly adopted resolution 2799 (XXVI) on the situation in the Middle East. In paragraph 3 of that resolution, the Assembly requested the Secretary-General to take the necessary measures to reactivate the mission of the Special Representative and assist efforts to reach a peace agreement as envisaged in the Special Representative's aide-mémoire of 8 February 1971.[20] In paragraph 8, the Secretary-General was requested to report to the Security Council and to the General Assembly, as appropriate, on the progress made by the Special Representative in the implementation of Security Council resolution 242 (1967) and of General Assembly resolution 2799 (XXVI).

3. Immediately after the adoption of the resolution, Ambassador Jarring held meetings with the Ministers for Foreign Affairs of Egypt and Israel, who were still in New York, and with the Permanent Representative of Jordan to the United Nations to discuss arrangements for the reactivation of his mission. Further inconclusive talks took place in New York from 10 to 27 January 1972. From 28 to 31 January, Ambassador Jarring was in West Africa at the invitation of President Senghor of Senegal, who had been the Chairman of the group of four African Heads of State which had visited Egypt and Israel towards the end of 1971, and he also met President Ould Daddah of Mauritania, who had been Chairman of the Committee of Ten, to which the group of four had reported.

4. After further consultations with me in Rome on 5 February, Ambassador Jarring visited Cairo, where he met the Minister for Foreign Affairs of Egypt on 19 and 20 February. He held discussions with the Jordanian authorities, at their request, on 23 February, and with the Israeli authorities, at his suggestion, on 25 February. After reporting to me at Geneva on 27 February, Ambassador Jarring returned to New York, where he continued to see representatives of the parties until 24 March. Subsequently, Ambassador Jarring returned to Headquarters from 1 to 4 May and from 1 to 12 August for a further review of the positions of the parties and consultations with all concerned. He also had other contacts elsewhere with representatives of the parties and met twice with me in July 1972 in Geneva to discuss what further useful action might be taken.

5. In spite of our continued efforts, it has not been possible to make any substantial progress. As can be seen from published statements of the parties, an agreed basis for discussions under Ambassador Jarring's auspices does not seem to exist at the present time. Despite this situation, we shall continue our efforts.

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* Also circulated as a General Assembly document under the symbol A/8815.

[20] See *Official Records of the Security Council, Twenty-sixth Year, Supplement for October, November and December 1971*, document S/10403, annex I.

DOCUMENT S/10794

Letter dated 16 September 1972 from the representative of Israel to the President of the Security Council

[*Original: English*]
[*16 September 1972*]

On instructions from my Government I have the honour to draw your attention to the murderous terror attacks perpetrated from Lebanon in the last few days, resulting in the death of three Israelis.

On 6 September a murder squad which had penetrated from Lebanese territory attacked an Israeli patrol in the area of Kibbutz Baram. An Israeli soldier was killed.

On 14 September two Israeli soldiers were killed in a similar attack in the Har Dov area.

Yesterday evening a murder squad from Lebanon carried out another attack in the same area. Two Israeli soldiers were wounded.

These assaults are part of the Arab campaign of atrocity and slaughter, carried on in the Middle East and elsewhere, culminating in the barbaric massacres at Lod Airport and at Munich.

According to information in our possession the murder squads have been concentrating in recent days along the Lebanese frontier in preparation for further attacks.

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THE SITUATION IN THE MIDDLE EAST

SECURITY COUNCIL
Thirty-first year

Report of the Secretary-General

1. The General Assembly, at its 2429th plenary meeting held on 5 December 1975, adopted resolution 3414 (XXX) on the situation in the Middle East. In paragraph 5 of that resolution, the Assembly requested the Secretary-General to inform all concerned, including the Co-Chairmen of the Peace Conference on the Middle East, about the resolution, to follow up its implementation and to report thereon to the Security Council and to the General Assembly at its thirty-first session.

2. By identical letters dated 18 December 1975, addressed respectively to the Minister for Foreign Affairs of the Union of Soviet Socialist Republics and the Secretary of State of the United States of America in their capacity as Co-Chairmen of the Peace Conference on the Middle East, the Secretary-General brought resolution 3414 (XXX) to their attention. On the same day the Secretary-General transmitted the text of the resolution to the Security Council. In so doing, he drew particular attention to paragraph 4, in which the General Assembly requested the Council to take all necessary measures for the speedy implementation of all relevant resolutions of the Assembly and the Security Council aiming at the establishment of a just and lasting peace in the Middle East through a comprehensive settlement, worked out with the participation of all the parties concerned, including the Palestine Liberation Organization (PLO), and within the framework of the United Nations.

3. In accordance with a decision taken in its resolution 381 (1975) of 30 November 1975, the Security Council reconvened on 12 January 1976 to continue the debate on the Middle East problem, including the Palestinian question, taking into account all relevant United Nations resolutions. The Council devoted 10 meetings to this debate held from 12 to 26 January, 1/ but no resolution was adopted. It is relevant to mention also that subsequently the Security Council

1/ See S/PV.1870-1879.

held three series of meetings, one on the "request by the Libyan Arab Republic and Pakistan for consideration of the serious situation arising from recent developments in the occupied Arab territories" from 22 to 25 March 1976, 2/ another on "the situation in the occupied Arab territories" from 4 to 26 May 1976 3/ and the third series on "the question of the exercise by the Palestinian people of its inalienable rights" from 9 to 29 June 1976. 4/ Likewise, no resolutions were adopted by the Security Council on these occasions.

4. On 26 January 1976, at the conclusion of the Security Council's debate on the Middle East problem including the Palestinian question, the Secretary-General made a statement in which he noted that the discussions of the Council had emphasized the Palestinian dimension of the Middle East problem and had reaffirmed the right of every State in the area to live in peace within secure and recognized boundaries. He informed the Council that he would be in touch with the Co-Chairmen of the Peace Conference on the Middle East and the parties concerned on further steps to resume the negotiating process. The next day the Secretary-General addressed identical letters to the Co-Chairmen in which he stated that he was concerned not only at the evident dangers of stalemate and stagnation of the Middle East problem, but also at the prospect of the difficulties which might arise when new deadlines were faced on peace-keeping in the absence of any progress towards a settlement. He then requested the Co-Chairmen to inform him of their views on ways of making progress towards a solution of the Middle East problem.

5. In response to the Secretary-General's communication, the Minister for Foreign Affairs of the Soviet Union, in a letter dated 12 February 1976 (A/31/53-S/11985, annex), stated that there was no other reliable way to achieve agreement on all the questions involved in a Middle East settlement except through the resumption of the work of the Geneva Peace Conference. He further indicated that the Geneva Peace Conference should be well prepared and that all the parties directly concerned, including the PLO, as well as the Soviet Union and the United States as the Co-Chairmen of the Conference, should participate in its work.

6. In his reply to the Secretary-General dated 20 February 1976 (see A/31/54-S/11991), the Secretary of State of the United States indicated that there would be no chance of progress if the negotiating framework, erected fundamentally around Security Council resolutions 242 (1967) of 22 November 1967 and 338 (1973) of 22 October 1973, were disrupted. The Secretary of State recalled that the United States had agreed that a resumption of the Geneva Peace Conference, after careful preparation, would serve the goal of achieving progress in the negotiating process and that in this connexion it had proposed, as a practical

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2/ See S/PV.1893-1899.

3/ See S/PV.1916-1922.

4/ See S/PV.1924, 1928 and 1933-1938.

way of proceeding, the convening of a preparatory conference of those who had participated so far in negotiations looking towards a settlement within the Geneva Conference framework. The Secretary of State went on to state that the United States was prepared to consider holding bilateral consultations with the Soviet Union in advance of such a preparatory conference.

7. As a follow-up to the communication addressed to the Co-Chairmen, the Secretary-General requested his Personal Representative for the Peace Conference on the Middle East, Under-Secretary-General Roberto E. Guyer, to undertake an exploratory mission to the Middle East. Mr. Guyer visited the area from 25 February to 2 March 1976 and held talks with the parties concerned in Amman, Cairo, Damascus and Jerusalem. Following his visit to the Middle East he met with senior Soviet officials in Moscow on 10 March 1976 and senior American officials in Washington on 26 March 1976 in view of the responsibilities of the Soviet Union and the United States as Co-Chairmen of the Geneva Peace Conference.

8. On the basis of the findings of Mr. Guyer's exploratory mission, the Secretary-General decided to continue his efforts to find ways and means to resume the negotiating process. Initially he felt it appropriate to make contacts with the representatives of the parties at United Nations Headquarters. In this connexion, identical aide-mémoires were handed to each of those representatives, including that of the PLO, on 1 April 1976. In these aide-mémoires the Secretary-General requested the parties concerned to convey to him any ideas of a procedural or substantive nature which they might have with respect to action to be taken by the United Nations with a view to breaking the impasse in the peace efforts.

9. In their replies all the parties concerned welcomed the Secretary-General's initiative. Egypt, Jordan and the Syrian Arab Republic reiterated their demand for the withdrawal of the Israeli forces from all the Arab territories occupied since June 1967. They further underlined the urgency for a comprehensive solution of the Middle East problem. Egypt stated that they wanted the Secretary-General to continue his efforts to reactivate the negotiating process, which should focus on the resumption of the Geneva Peace Conference with the full participation of the PLO. In its reply, the Soviet Union affirmed that the most appropriate forum for working out a solution to the Middle East problem was the Geneva Peace Conference with the participation of all directly concerned parties, including the PLO and the Co-Chairmen of the Peace Conference. The reply also underlined that the Secretary-General, in his efforts to reactivate the negotiating process, should act in accordance with the relevant decisions of the United Nations, including General Assembly resolution 3375 (XXX) of 10 November 1975. The representative of the United States, in conveying the reply of his Government to the Secretary-General, emphasized that it was the intention of the United States to actively pursue contacts with the parties on efforts to bring about an agreement which would end the state of war in the Middle East as soon as the situation in Lebanon had improved. Israel in its reply emphasized that it favoured the reconvening of the Geneva Peace Conference with the original participants in accordance with Security Council resolutions 242 (1967) and 338 (1973) and with the terms stated in the letters dated

18 December 1973 addressed to the Secretary-General by the Soviet Union and the United States, respectively, concerning the Geneva Peace Conference. 5/

10. It seems clear from the replies mentioned above that, while there is general agreement on the necessity of resuming negotiations for a just and lasting settlement of the Middle East problem, there are still important differences of view among the parties concerned. The Secretary-General will continue his efforts towards the resumption of the negotiating process.

5/ See Official Records of the Security Council, Twenty-eighth Year, Supplement for October, November and December 1973, document S/11161.

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SECURITY COUNCIL
Thirty-second year

RECENT ILLEGAL ISRAELI MEASURES IN THE OCCUPIED ARAB TERRITORIES DESIGNED TO CHANGE THE LEGAL STATUS, GEOGRAPHICAL NATURE AND DEMOGRAPHIC COMPOSITION OF THOSE TERRITORIES IN CONTRAVENTION OF THE PRINCIPLES OF THE CHARTER OF THE UNITED NATIONS, OF ISRAEL'S INTERNATIONAL OBLIGATIONS UNDER THE FOURTH GENEVA CONVENTION OF 1949 AND OF UNITED NATIONS RESOLUTIONS, AND OBSTRUCTION OF EFFORTS AIMED AT ACHIEVING A JUST AND LASTING PEACE IN THE MIDDLE EAST

Report of the Secretary-General

1. This report is submitted in pursuance of General Assembly resolution 32/5 of 28 October 1977, in which the Assembly requested the Secretary-General to undertake urgent contacts with the Government of Israel to ensure the prompt implementation of the resolution and to submit a report to the General Assembly and the Security Council, not later than 31 December 1977, on the results of his contacts. The text of the resolution was circulated on 1 November 1977 as a document of the General Assembly (A/RES/32/5).

2. Following initial contacts with the Permanent Representative of Israel to the United Nations, the Secretary-General addressed to him the following note verbale on 16 November 1977:

> "The Secretary-General of the United Nations presents his compliments to the Permanent Representative of Israel to the United Nations and has the honour to refer to General Assembly resolution 32/5 of 28 October 1977, in which the General Assembly, among other things, requested the Secretary-General to undertake urgent contacts with the Government of Israel to ensure the prompt implementation of the resolution and to submit a report to the General Assembly and the Security Council, not later than 31 December 1977, on the results of his contacts.
>
> "As indicated during recent discussions on this matter and in view of his reporting responsibility under General Assembly resolution 32/5, the

Secretary-General would be grateful if the Government of Israel would provide him with all available information relevant to the implementation of the General Assembly resolution by 12 December 1977."

3. On 9 December 1977, the Permanent Representative of Israel sent the following reply to the Secretary-General:

"The Permanent Representative of Israel to the United Nations presents his compliments to the Secretary-General of the United Nations and, in reference to the latter's note of 16 November 1977 concerning General Assembly resolution 32/5 of 28 October 1977, has the honour to state that the position and views of the Government of Israel were explained in detail in his interventions made in plenary on 26 and 28 October 1977 in the course of the debate on agenda item 126 (A/32/PV.47, pp. 32-67, and A/32/PV.52, pp. 26-28, respectively)."

UNITED NATIONS

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THE SITUATION IN THE MIDDLE EAST

SECURITY COUNCIL
Thirty-third year

Report of the Secretary-General

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I. INTRODUCTION

1. The present report is submitted in pursuance of General Assembly resolution 32/20 of 25 November 1977, in which the Assembly requested the Secretary-General to submit to it at its thirty-third session a comprehensive report covering the developments in the Middle East in all their aspects. A summary of that resolution appears in paragraph 91 of section VI below.

2. It may be recalled that, on 18 May 1973, the Secretary-General submitted a comprehensive report to the Security Council (S/10929) in which he gave an account of the efforts undertaken by the United Nations since June 1967 to deal with the various aspects of the situation in the Middle East. A similar pattern is followed in the present report. Emphasis is given to the search for a peaceful settlement in the Middle East and to the status of the cease-fire which has a direct bearing on the efforts towards such a settlement. The other aspects of the Middle East problem are dealt with more briefly since they will be the subject of separate reports to be submitted to the General Assembly at its thirty-third session in pursuance of the relevant decisions of the Assembly.

3. The present report is based mainly on information available in United Nations documents. In view of the decisions of the General Assembly on the control and limitation of United Nations documentation, reference will be made to the comprehensive report of 18 May 1973 and to other reports of the Secretary-General and official United Nations documents concerning the Middle East, whenever appropriate, in order to avoid duplication.

II. STATUS OF THE CEASE-FIRE

4. The status of the cease-fire in the Middle East up to May 1973 is described in the report of the Secretary-General of 18 May 1973 to the Security Council (S/10929, paras. 3-13). There was only one United Nations peace-keeping operation in the area at that time, namely, the United Nations Truce Supervision Organization in Palestine (UNTSO). Its main activities were to carry out three cease-fire observation operations established in pursuance of the Security Council, one in the Israel-Syria sector (Security Council resolution 235 (1967) of 9 June 1967), another in the Egypt-Israel or Suez Canal sector (consensus approved by the Security Council on 10 July 1967) and a third one in the Israel-Lebanon sector (consensus of the Security Council of 19 April 1972).

A. Establishment of UNEF

5. On 6 October 1973, hostilities broke again in the Egypt-Israel and Israel-Syria sectors. On 22 October the Security Council adopted resolution 338 (1973) in which it called for an immediate cease-fire, called upon the parties concerned to start immediately after the cease-fire the implementation of Security Council resolution 242 (1967) and decided that, immediately and concurrently with the

cease-fire, negotiations start between the parties concerned under appropriate auspices aimed at establishing a just and durable peace in the Middle East. The next day, as fighting continued in the Egypt-Israel sector, the Council adopted resolution 339 (1973) by which it confirmed its call for an immediate cease-fire and requested the Secretary-General to take measures for the immediate dispatch of United Nations observers to supervise the cease-fire between Egyptian and Israeli forces. In pursuance of this resolution, UNTSO observers were dispatched to the battle zone, but fighting continued (S/7930/Add.2219).

6. On 25 October the Security Council met again and adopted resolution 340 (1973) in which it demanded that immediate and complete cease-fire be observed and that the parties return to the positions occupied by them at 1650 hours GMT on 22 October 1973, decided to set up immediately under its authority a United Nations Emergency Force (UNEF) to be composed of personnel drawn from States Members of the United Nations except the permanent members of the Security Council and requested the Secretary-General to report within 24 hours on the steps taken to this effect.

7. On 26 October the Secretary-General submitted to the Security Council a report (S/11052/Rev.1) in which he set forth the terms of reference of UNEF, the general considerations and guidelines for the functioning of the Force and the steps he proposed to take in order to set up the Force without delay. The next day the Security Council, by its resolution 341 (1973), approved the report of the Secretary-General and decided that UNEF should be established for an initial period of six months, subject to extension.

8. Shortly after the adoption of this resolution the first elements of UNEF arrived in the area of operations, and following their arrival tension subsided, and the cease-fire was restored. The situation in the Egypt-Israel sector has remained generally quiet since then. An account of the establishment and the activities of UNEF is contained in the reports of the Secretary-General to the Security Council on the subject (S/11248 and Add.1-7, S/11536 and Add.1, S/11670 and Corr.1 and 2, S/11758, S/11849, S/12212 and S/12416).

9. The mandate of the Force has been extended as necessary by the Security Council on the recommendation of the Secretary-General and with the agreement of the parties concerned. The last extension of UNEF, as decided by the Security Council in its resolution 416 (1977) of 21 October 1977, was for a further period of one year, until 24 October 1978. The general terms of reference of UNEF remain as contained in the Secretary-General's report mentioned in paragraph 7 above, but the tasks of the Force were expanded in the light of subsequent agreements concluded between the parties (see paras. 67-76 below). The present task of the Force is essentially to supervise the Agreement between Egypt and Israel of 4 September 1975. In this connexion, the Force mans and controls a buffer zone between the Egyptian and Israeli forces, inspects areas of limited forces and armaments on both sides of the buffer zone and supervises the demilitarized character of the Abu Rodeis and Ras Sudar oil fields area.

10. The total strength of UNEF was initially to be in the order of 7,000, and this level was reached by January 1974. Later, as the situation in the Egypt-Israel

sector quieted down, the strength of the Force was gradually reduced. At present, the Force is composed of seven contingents, from Australia, Canada, Finland, Ghana, Indonesia, Poland and Sweden, and has a strength of about 4,300. It may be mentioned for the record that four contingents which participated in UNEF at its early stages were withdrawn at the request of their Governments, the Irish contingent in May 1974, the Nepalese in August 1974, the Panamanian in November 1974 and the Senegalese in June 1976. Two other contingents, from Austria and Peru, were transferred to the United Nations Disengagement Observer Force together with parts of the Canadian and Polish logistic components when that Force was established in May 1974.

11. Following the establishment of UNEF, the cease-fire observation operation carried out by UNTSO was discontinued, and UNTSO observers assigned to the area are now assisting UNEF in the performance of its tasks.

B. Establishment of UNDOF

12. Towards the end of the hostilities of October 1973, the Israeli forces moved forward of the 1967 cease-fire lines in the Israel-Syria sector and occupied a salient around the village of Sassa, some 40 kilometres west of Damascus. Following the adoption of Security Council resolutions 338 (1973) and 339 (1973), the cease-fire arrangements were adjusted to the new situation and some of the UNTSO observers were redeployed around the new forward defended localities of the opposing forces (S/11057, para. 9). With these adjustments the cease-fire observation operation in the Israel-Syria sector continued. There was no further forward movement of troops, but the cease-fire was marred by many firing incidents, mainly in the Sassa Salient, during the early months of 1974 (see reports of the Secretary-General in the S/11057/Add. series).

13. As described in paragraph 73 below, an agreement on the disengagement of the Israeli and Syrian forces was concluded on 31 May 1974. This Agreement and its Protocol provided essentially for the strict observance of the cease-fire, a partial withdrawal of the Israeli forces on the Golan Heights, the redeployment of the Israeli and Syrian forces along agreed lines, the establishment of an area of separation between those two lines and of areas of limitation in armaments and forces on both sides of the area of separation. The provisions of the Agreement were to be supervised by a United Nations Disengagement Observer Force.

14. On 31 May, after being informed by the Secretary-General of the signing of the Agreement, the Security Council adopted resolution 350 (1974) in which it decided to set up immediately under its authority the United Nations Disengagement Observer Force (UNDOF) and requested the Secretary-General to take the necessary steps to this effect. The Force was established for an initial period of six months, subject to extension by the Security Council.

15. UNTSO observers in the Israel-Syria sector were immediately assigned to the new Force and were soon joined by contingents transferred from UNEF. The

cease-fire became effective upon the conclusion of the disengagement agreement. The area has remained generally quiet since then. The establishment and the activities of the Force are outlined in the reports of the Secretary-General on the subject (S/11310 and Add.1-4, S/11563 and Add.1, S/11694, S/11883 and Add.1, S/12083 and Add.1, S/12235, S/12453 and S/12710).

16. The mandate of UNDOF has been extended as necessary by the Security Council, on the recommendation of the Secretary-General, in much the same way as for UNEF. The last extension was for a period of six months, until 30 November 1978, in accordance with Security Council resolution 429 (1978) of 31 May 1978.

17. As stipulated in the Agreement on disengagement of forces between Israel and Syria, the strength of UNDOF has been maintained around 1,250. The Force, which is composed of personnel from States Members of the United Nations except the permanent members of the Security Council, consists of four national contingents and 90 observers detailed from UNTSO. Originally the four contingents were the Austrian and Peruvian infantry battalions and the Canadian and Polish logistic elements detached from UNEF. Later, in July 1975, the Peruvian contingent was withdrawn at the request of its Government and replaced by an Iranian contingent.

18. The UNTSO cease-fire observation operation in the Israel-Syria sector was discontinued after the establishment of UNDOF and, as indicated above, 90 observers were incorporated into UNDOF.

19. With the establishment of UNDOF, the United Nations had two peace-keeping forces and one observer mission in the Middle East. Consequently, the Secretary-General felt that it would be desirable to establish a co-ordinating mechanism for the activities and administration of those operations, and in August 1975, with the agreement of the Security Council (S/11808), he appointed Lieutenant-General Ensio Siilasvuo as Chief Co-ordinator of United Nations Peace-keeping Missions in the Middle East.

C. Establishment of UNIFIL

20. The cease-fire observation operation set up by UNTSO in the Israel-Lebanon sector continued to function until March 1978. Following the outbreak of the Lebanese crisis in 1975, the UNTSO area of operations in southern Lebanon came under the control of various de facto forces, and this situation often made the UNTSO operation very difficult. Nevertheless, UNTSO observers continued to man the five observation posts in southern Lebanon as well as their forward headquarters at Naqoura as best they could under exceptionally difficult conditions, and they continued to observe and report on the observance of the cease-fire between Israel and Lebanon along the armistice demarcation line (see reports of the Secretary-General on the S/11663/Add/Series).

21. In a letter dated 13 March addressed to the Secretary General (A/33/64-S/12598), the Permanent Representative of Israel complained about an incident in Israel on

11 March, which resulted in 37 civilians dead and 76 others wounded and for which the Palestine Liberation Organization (PLO) had claimed responsibility. On 15 March the Israeli forces invaded Lebanon and by 19 March they had occupied all territory south of the Litani River except for a pocket around the city of Tyre.

22. On 19 March the Security Council adopted resolution 425 (1978) in which it called upon Israel immediately to cease its military action against Lebanese territorial integrity and to withdraw forthwith its forces from all Lebanese territory, decided to establish immediately under its authority a United Nations Interim Force for southern Lebanon for the purpose of confirming the withdrawal of Israeli forces, restoring international peace and security and assisting the Government of Lebanon in ensuring the return of its effective authority in the area, the Force to be composed of personnel drawn from States Members of the United Nations, and requested the Secretary-General to report to the Council within 24 hours on the implementation of that resolution.

23. On the same day, the Secretary-General submitted a report to the Security Council (S/12611) setting forth the terms of reference of the United Nations Interim Force in Lebanon (UNIFIL), the general considerations and guidelines for the functioning of the Force and a proposed plan of action. The general considerations and guidelines proposed by the Secretary-General are similar to those applied to UNEF and UNDOF. The Secretary-General envisaged the task of UNIFIL as a two-stage operation. In the first stage, the Force would confirm the withdrawal of Israeli forces from Lebanese territory to the international border. Once this was achieved, it would establish and maintain an area of operation as defined. In this connexion, it would supervise the cessation of hostilities, ensure the peaceful character of the area of operation, control movement and take all measures deemed necessary to assure the effective restoration of Lebanese sovereignty. Later on the same day, the Security Council adopted resolution 426 (1978) by which it approved the report of the Secretary-General and decided that UNIFIL should be established for an initial period of six months, subject to extension.

24. The authorized strength of UNIFIL was initially set at 4,000. Subsequently, on the recommendation of the Secretary-General, the Security Council decided to increase it to 6,000 (Security Council resolution 427 (1978) of 3 May 1978). As at the beginning of September 1978, the Force was composed of contingents from Canada, Fiji, France, Iran, Ireland, Nepal, Nigeria, Norway and Senegal and had a total strength of about 5,900.

25. The establishment and activities of UNIFIL have been described in the reports submitted by the Secretary-General to the Security Council on this subject (S/12620 and Add.1-5 and S/12845). As indicated in his periodic report of 13 September 1978 (S/12845), the Israeli forces completed their withdrawal from Lebanese territory on 13 June 1978, but the fact that they handed over control of the border area to Lebanese de facto armed groups, rather than to UNIFIL, has continued to make impossible the full deployment of the Force and the restoration of the authority of the Lebanese Government in the whole area of operation. Thus,

while UNIFIL has made good initial progress, much remains to be done before the task entrusted to UNIFIL by the Security Council is fulfilled.

26. After considering the report of the Secretary-General, the Security Council decided, by its resolution 434 (1978) of 18 September 1978, to extend the mandate of UNIFIL for a further period of four months, until 19 January 1979.

27. Before concluding this section, a reference should be made to a recent development which is not directly related to the United Nations Interim Force in Lebanon. On 6 October 1978, the Security Council adopted resolution 436 (1978) in which the Council, after noting the deteriorating situation in Beirut and its surroundings and the appeal made on 4 October by the President of the Security Council and the Secretary-General, called upon all those involved in hostilities in Lebanon to put an end to acts of violence and observe scrupulously an immediate and effective cease-fire and cessation of hostilities so that internal peace and national reconciliation could be restored, based on the preservation of Lebanese unity, territorial integrity, independence and national sovereignty. In the same resolution the Council also called upon all involved to permit units of the International Committee of the Red Cross into the area of conflict to evacuate the wounded and provide humanitarian assistance, and supported the Secretary-General in his efforts and requested him to continue these efforts to bring about a durable cease-fire. One day earlier the Secretary-General had asked Prince Sadruddin Aga Khan to undertake a humanitarian mission to the area with a view to extending the Secretary-General's good offices to facilitate the cessation of hostilities.

III. SITUATION IN THE OCCUPIED TERRITORIES

28. The efforts undertaken by the United Nations concerning the situation in the occupied territories and the question of Jerusalem from June 1967 until May 1973 have been described in the report of the Secretary-General of 18 May 1973 (S/10929, paras. 14-34).

29. The mandate of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Population of the Occupied Territories has been renewed by the General Assembly at every session since 1973, and the Special Committee has continued to report yearly to the Assembly on the situation in the occupied territories, including East Jerusalem.

30. The General Assembly, at its thirty-second session, after considering the report of the Special Committee (A/32/284) adopted three resolutions on 13 December 1977. By resolution 32/91 A, it reaffirmed that the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, 1/ was applicable to all the Arab territories occupied by Israel since 1967, including Jerusalem, and called again upon Israel to acknowledge and to comply with the provisions of that Convention. By resolution 32/91 B, it condemned "the massive deliberate destruction of Quneitra perpetrated during the Israeli occupation and

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1/ United Nations, Treaty Series, vol. 75, No. 973, p. 287.

prior to the withdrawal of Israeli forces from that city in 1974". By resolution 32/91 C, it condemned certain Israeli policies and practices in the occupied territories and demanded that Israel desist forthwith from those policies and practices.

31. At its thirty-third session, the General Assembly will have before it reports of the Special Committee concerning Israeli policies and practices in the occupied territories, the destruction of Quneitra and the treatment of civilians in detention in the occupied territories and a report of the Secretary-General concerning the facilities made available to the Special Committee to carry out its tasks and to ensure the widest circulation of information regarding its activities and findings.

32. The General Assembly has also given special attention to three problems relating to the situation in the occupied territories, namely, the establishment of Israeli settlements in the occupied territories, the question of permanent sovereignty over natural resources and the living conditions of the Palestinian people.

33. At its thirty-second session, the General Assembly decided to include in its agenda an additional item entitled "Recent illegal Israeli measures in the occupied Arab territories designed to change the legal status, geographical nature and demographic composition of those territories in contravention of the principles of the Charter of the United Nations, of Israel's international obligations under the fourth Geneva Convention of 1949 and of United Nations resolutions, and obstruction of efforts aimed at achieving a just and lasting peace in the Middle East".

34. After considering the item at its 47th to 52nd plenary meetings, the General Assembly, on 28 October 1977, adopted resolution 32/5, in which it deplored the Israeli activities listed in the item, called upon Israel to desist from such action and requested the Secretary-General to undertake urgent contacts with the Government of Israel to ensure the prompt implementation of the resolution and to report to the General Assembly and the Security Council.

35. In pursuance of that resolution, the Secretary-General addressed an appropriate request to the Permanent Representative of Israel to which the latter replied that the position and views of his Government had been explained in detail in his interventions during the debate of the General Assembly on the item. The Secretary-General conveyed this reply to the General Assembly and the Security Council in his report of 30 December 1977 (A/32/498-S/12512).

36. The General Assembly also considered the question of permanent sovereignty over natural resources in occupied territories and the question of the living conditions of the Palestinians in occupied territories at its thirty-second session. By its resolution 32/161 of 19 December 1977, the General Assembly took note of the report of the Secretary-General on the first of these subjects (A/32/204), reaffirmed that all measures undertaken by Israel to exploit the human, natural and all other resources, wealth and economic activities in the occupied Arab territories were illegal, and called upon Israel immediately to desist forthwith from all such

measures. By its resolution 32/171, it requested the Secretary-General to submit to it at its thirty-third session a comprehensive and analytic report on the social and economic impact of the Israeli occupation on the living conditions of the Palestinian people in the occupied territories.

37. The Security Council examined questions relating to the situation in the occupied territories on several occasions. By a letter dated 19 March 1976 (S/12017), the Libyan Arab Jamahiriya and Pakistan requested an urgent meeting of the Security Council to consider the serious situation arising from recent developments in the occupied territories. The Security Council met from 22 to 25 March, but no decision could be adopted, owing to the negative vote of a permanent member (S/PV.1893-1899).

38. In a letter dated 3 May 1976 (S/12066) the representative of Egypt drew the attention of the Security Council to developments in the West Bank and the Gaza Strip, which were "a pitiful result of the continuation of Israeli occupation as well as an outright affirmation of the Palestinian people's refusal of the Israeli terrorist practices", and he requested an urgent meeting of the Security Council to consider the continued deterioration of the situation.

39. The Security Council held seven meetings on this item between 4 and 26 May (S/PV.1916-1922). At the close of the debate on 26 May, the President declared that, after consulting all the members of the Security Council, the majority of the members agreed on the following:

> "Grave anxiety was expressed over the present situation in the occupied Arab territories; concern was also expressed about the well-being of the population of those territories. The Fourth Geneva Convention relative to the Protection of Civilian Persons in Time of War is applicable to the Arab territories occupied by Israel since 1967. The occupying Power was therefore asked strictly to respect the provisions of that text and to refrain from and rescind any measure which would violate them. In this connexion, the measures taken by Israel in the occupied Arab territories, which are such as to modify their demographic composition or geographical character, and in particular the establishment of settlements, were deplored. These measures, which cannot prejudge the outcome of the efforts to achieve peace, constitute an obstacle to peace. The Security Council should continue to follow the situation closely."

40. In a letter dated 20 October 1976 (S/12218), the Permament Representative of Egypt requested a meeting of the Security Council to consider the dangerous and explosive situation in the occupied Arab territories resulting from continuing repressive measures by Israel against the inhabitants of those territories.

41. The Security Council held four meetings on this item between 1 and 11 November 1976. At the conclusion of the debate, the President of the Security Council stated, after consulting all the members, that the Council had agreed on the following:

"(1) To express its grave anxiety and concern over the present serious situation in the occupied Arab territories as a result of continued Israeli occupation;

(2) Reaffirmation of its call upon the Government of Israel to ensure the safety, welfare and security of the inhabitants of the territories and to facilitate the return of those inhabitants who have fled the areas since the outbreak of hostilities;

(3) Its reaffirmation that the Geneva Convention relative to the Protection of Civilian Persons in Time of War is applicable to the Arab territories occupied by Israel since 1967. Therefore, the occupying Power is called upon once again to comply strictly with the provisions of that Convention and to refrain from any measure that violates them. In this regard, the measures taken by Israel in the occupied Arab territories that alter their demographic composition or geographical nature and particularly the establishment of settlements are accordingly strongly deplored. Such measures which have no legal validity and cannot prejudice the outcome of the search for the establishment of peace constitute an obstacle to peace;

(4) It considers once more that all legislative and administrative measures and actions taken by Israel, including expropriation of land and properties thereon and the transfer of populations which tend to change the legal status of Jerusalem, are invalid and cannot change that status, and urgently calls upon Israel once more to rescind all such measures already taken and to desist forthwith from taking any further action which tends to change the status of Jerusalem. In this connexion the Council deplores the failure of Israel to show any regard for Security Council resolutions 237 (1967) of 14 June 1967, 252 (1968) of 21 May 1968 and 298 (1971) of 25 September 1971 and General Assembly resolutions 2253 (ES-V) and 2254 (ES-V) of 4 and 14 July 1967;

(5) Its recognition that any act of profanation of the Holy Places, religious buildings and sites or any encouragement of, or connivance at, any such act may seriously endanger international peace and security".

42. The United Nations Commission on Human Rights has continued to give attention to the question of human rights in the occupied territories. Most recently, it adopted resolutions 1 A and B (XXXIV) entitled "Question of the violation of human rights in the occupied Arab territories, including Palestine". Those resolutions, which condemned Israeli policies and practices along lines similar to those of General Assembly resolution 32/91 mentioned above, were brought to the attention of the General Assembly and the Security Council by the Secretary-General at the request of the Commission by a note dated 29 June 1978 (A/33/161-S/12758).

43. Since the General Assembly last discussed the matter, the situation in the occupied territories has been the subject of a number of communications addressed to the President of the Security Council or the Secretary-General and circulated as official documents of the United Nations (S/12563, A/33/60-S/12575, A/33/78-S/12640, A/33/88-S/12669, A/33/116-S/12725, A/33/151, A/33/153-S/12752, A/33/164-S/12762, A/33/165, A/33/175-S/12767, A/33/184-S/12777, A/33/203-S/12805, A/33/204-S/12806, A/33/206, A/33/211-S/12816, A/33/218-S/12820, A/33/230-S/12838, A/33/233-S/12844).

IV. PALESTINE REFUGEE PROBLEM

44. The Palestine refugee problem and the United Nations effort to assist the refugees up to May 1973 were dealt with in the report of the Secretary-General of 18 May 1973 (S/10929, paras. 35-42).

45. The General Assembly has continued to review annually the activities of the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA) on the basis of the reports submitted by the Commissioner-General of the Agency. Following its consideration of the Commissioner-General's report 2/ at its thirty-second session, the Assembly, by resolution 32/90 A of 13 December 1977, reiterated its gratitude to the Agency in providing essential services for the Palestine refugees and, after noting with deep regret that the situation of the refugees continued to be a matter of serious concern, extended the Agency's mandate until 30 June 1981. The Assembly took this action without prejudice to the provisions of paragraph 11 of General Assembly resolution 194 (III), calling for repatriation or compensation of the refugees, which it noted with regret had not been effected. The Assembly also noted with regret that the United Nations Conciliation Commission for Palestine had been unable to find a means of achieving progress in the implementation of paragraph 11 of General Assembly resolution 194 (III) and requested it to continue its work towards that objective.

46. The problem of financing UNRWA's operations has been a matter of increasing concern to the General Assembly. UNRWA's funding is derived almost entirely from voluntary contributions, mainly from Governments, and for many years it has experienced difficulty in securing the financial support necessary to maintain its services. In its resolution 32/90 A, the Assembly noted with profound concern that the level of income available to UNRWA was still insufficient to cover essential budget requirements and called upon all Governments as a matter of urgency to make the most generous efforts possible to meet UNRWA's needs. In particular, it urged non-contributing Governments to contribute regularly and contributing Governments to consider increasing their contributions. In a related decision, in resolution 32/90 D, the Assembly extended for another year the mandate of the Working Group on the Financing of UNRWA and requested it to continue its efforts, in co-operation with the Secretary-General and the Commissioner-General, to assist in assuring the Agency's financial security.

47. The General Assembly has continued to give attention to the population and refugees displaced as a result of the hostilities of June 1967. In its resolution 32/90 B, it endorsed the efforts of UNRWA to provide humanitarian assistance to those persons. After considering a report of the Secretary-General on the matter (A/32/263), the Assembly adopted resolution 32/90 E, it reaffirmed the right of the displaced inhabitants to return to their homes and camps in the territories occupied by Israel since 1967 and called once more upon Israel (a) to take immediate steps for the return of the displaced inhabitants and (b) to desist from all measures that obstruct the return of the displaced inhabitants, including measures affecting the physical and demographic structure of the occupied territories.

2/ Official Records of the General Assembly, Thirty-second Session, Supplement No. 13 (A/32/13).

48. The situation of Palestine refugees in the Gaza Strip has been of special concern to the General Assembly since 1971 when the Commissioner-General reported (A/8383 and Add.1) that, as a result of operations carried out by the Israeli military authorities, large numbers of shelters in refugee camps had been demolished and approximately 15,000 refugees had been removed. At its thirty-second session, after considering the reports of the Secretary-General on this subject (A/32/264 and Add.1), the General Assembly adopted resolution 32/90 E, in which it called once more on Israel (a) to take effective steps immediately for the return of the refugees concerned to the camps from which they had been removed and to provide adequate shelters for their accommodation and (b) to desist from further removal of refugees and destruction of their shelters.

49. At its thirty-second session, the General Assembly also directed attention to two new questions concerning Palestine refugees. By resolution 32/90 F, it appealed to all States to make special allocations of scholarships and grants to Palestine refugees and requested UNRWA to act as recipient and to make awards to qualified Palestinian refugee candidates. By resolution 32/111 on the health needs of Palestinian refugee children, the General Assembly requested the Secretary-General, in collaboration with Governments of host countries and with relevant United Nations bodies, to undertake a sample survey to ascertain the needs of Palestinian children in refugee camps with a view to averting adverse effects on their health.

50. In addition to the annual report of the Commissioner-General of UNRWA, 3/ the Assembly will have before it at its thirty-third session reports of the Secretary-General on the return of refugees to their camps in the Gaza Strip and the provision of shelters for them (A/33/285), on the return of the displaced inhabitants of the territories occupied by Israel since 1967 (A/33/286), on the allocation of scholarships and grants to Palestinian refugees (A/33/287) and on the health needs of Palestinian refugee children (A/33/181), a report of the United Nations Conciliation Commission for Palestine (A/33/276) as well as a report to be submitted by the Working Group on the Financing of UNRWA.

V. PALESTINIAN RIGHTS

51. In its consideration of the problem of the Palestinian refugees, the General Assembly adopted, in 1969, 1970, 1971, 1972 and 1973, resolutions in which it recognized that the problem arose from the denial of the inalienable rights of the Palestinian people under the United Nations Charter and the Universal Declaration of Human Rights and that the full respect for those rights was indispensable for the establishment of a just and lasting peace in the Middle East (resolutions 2535 B (XXIV), 2672 C (XXV), 2792 D (XXVI), 2963 E (XXVII) and 3089 D (XXVIII)).

3/ Ibid., Thirty-third Session, Supplement No. 13 (A/33/13).

52. In 1974, at its twenty-ninth session, the General Assembly included the item "Question of Palestine" in its agenda at the request of 56 States Members. In an explanatory memorandum attached to the request, the sponsors of the item stated that, although the General Assembly had been continuously seized with the question of Palestine since 1947, it had not at any time considered the inalienable rights of the people of Palestine as a separate item. It was therefore deemed incumbent upon the Assembly to consider the question of Palestine in its true and proper form, particularly as the General Assembly had in recent years recognized and reaffirmed the inalienable rights of the Palestinian people.

53. During that session, three resolutions were adopted on the question of Palestine. On 14 October 1974, the General Assembly adopted resolution 3210 (XXIX), in which it invited the Palestine Liberation Organization (PLO), the representative of the Palestinian people, to participate in its deliberations on the question of Palestine in plenary meetings. On 22 November 1974, by resolution 3236 (XXIX), the General Assembly reaffirmed the inalienable rights of the Palestinian people in Palestine, including the right of national independence and sovereignty and the right to return to their homes and properties from which they had been displaced and uprooted, emphasized that full respect for and the realization of the rights of the Palestinian people were indispensable for the solution of the question of Palestine and requested the Secretary-General to establish contacts with the PLO on all matters concerning the question of Palestine. On the same day, the General Assembly also adopted resolution 3237 (XXIX), by which it invited the PLO to participate in the capacity of Observer in the sessions and the work of the General Assembly and of all international conferences convened under its auspices.

54. In accordance with the request contained in resolution 3236 (XXIX), contacts with the PLO were established and members of the Secretariat met with representatives of the PLO as the occasion required. Following the adoption of resolution 3237 (XXIX), the PLO appointed Permanent Observers to the United Nations, both in New York and Geneva. The observers of the PLO have since attended meetings of the General Assembly, the Security Council and other United Nations bodies on various occasions.

55. At its thirtieth session, the General Assembly adopted resolution 3375 (XXX) of 10 November 1975 by which, among other things, it requested the Security Council to consider and adopt the necessary resolutions and measures in order to enable the Palestinian people to exercise its inalienable rights and called for the invitation of PLO in all deliberations on the Middle East held under the auspices of the United Nations. On the same day, the General Assembly adopted resolution 3376 (XXX) by which it decided to establish a Committee on the Exercise of the Inalienable Rights of the Palestinian People, composed of twenty Member States (by resolution 31/318 of 22 December 1976, the General Assembly raised the number of members to 23) and entrusted it with the task of recommending to the General Assembly a programme of implementation of the rights of the Palestinian people. The Committee on the Exercise of the Inalienable Rights of the Palestinian People was requested to submit its report and recommendations not later than 1 June 1976 to the Secretary-General, who was to transmit it to the Security Council for its consideration.

56. In June 1976, the Committee submitted its report requested by General Assembly resolution 3376 (XXX) (S/12090).

57. The Security Council considered the report of the Committee during seven meetings, between 18 and 29 June 1976, but no resolution could be adopted owing to the negative vote of a permanent member (S/PV.1928, 1933-1938). On 21 July the Committee, taking note of the Security Council's action, reaffirmed its recommendations and submitted its report to the General Assembly. 4/

58. At its thirty-first session, the General Assembly, by resolution 31/20 of 29 November 1976, endorsed the recommendations of the Committee on the Exercise of the Inalienable Rights of the Palestinian People, urged the Security Council to consider these recommendations once again and authorized the Committee to exert all efforts to promote the implementation of its recommendations. In pursuance of Assembly resolution 31/20, the Security Council met on 27 October 1977 to consider the question of the exercise by the Palestinian people of its inalienable rights, but it decided to adjourn the debate on this item (S/PV.2041).

59. The Committee on the Exercise of the Inalienable Rights of the Palestinian People, in its report to the General Assembly 5/ at its thirty-second session, stated that it had unanimously decided to reaffirm the validity of its recommendations endorsed by the General Assembly at its thirty-first session. The Assembly endorsed the report of the Committee and adopted two resolutions. By its resolution 32/40 A, it urged the Security Council to take, as soon as possible, a decision on the recommendations endorsed by the General Assembly in its resolution 31/20 as a basis for the solution of the problem of Palestine. By its resolution 32/40 B, the General Assembly requested the Secretary-General to establish within the Secretariat of the United Nations a Special Unit on Palestinian Rights, which would "prepare ... studies and publications relating to the inalienable rights of the Palestinian people" and "promote maximum publicity for such studies and publications". In accordance with that resolution, the Secretary-General established the Special Unit on Palestinian Rights at the beginning of 1978.

60. Since the General Assembly last discussed the matter, the rights of the Palestinian people have been the subject of a number of communications addressed to the Secretary-General and circulated as United Nations official documents (A/33/54, A/33/118, A/33/151, A/33/154, A/33/165, A/33/206). The Committee on the Exercise of the Inalienable Rights of the Palestinian People has submitted a further report to the General Assembly for its consideration at its thirty-third session. 6/

4/ Ibid., Thirty-first Session, Supplement No. 35 (A/31/35).

5/ Ibid., Thirty-second Session, Supplement No. 35 (A/32/35).

6/ Ibid., Thirty-third Session, Supplement No. 35 (A/33/35).

VI. SEARCH FOR A PEACEFUL SETTLEMENT

A. Security Council resolution 242 (1967) and the efforts of the Special Representative of the Secretary-General

61. The search for a peaceful settlement in the Middle East after the June 1967 hostilities was highlighted by the adoption of Security Council resolution 242 (1967) of 22 November 1967 and the efforts of the Special Representative of the Secretary-General, Ambassador Gunnar Jarring, within the framework of that resolution.

62. Resolution 242 (1967), which was unanimously adopted by the Security Council, defined the principles and requirements for the establishment of a just and lasting peace in the Middle East. The efforts of Ambassador Jarring to promote agreement among the parties have been described in detail in the report of the Secretary-General of 18 May 1973 (S/10929, paras. 45-67, 70-72, 99-108). It is sufficient to recall here that in May 1973 the parties continued to maintain irreconcilable positions and thus the basic deadlock in the search for a peaceful settlement of the conflict persisted.

63. The report of the Secretary-General was considered by the Security Council from 6 to 15 June 1973. The debate was adjourned on the understanding that the Council would resume its examination of the situation in the Middle East at a later date.

64. In August 1973 the Secretary-General, after meeting with his Special Representative in Geneva, paid a visit to the Middle East to discuss the situation with the Governments concerned and to determine in what way the United Nations and he as the Secretary-General might be helpful in the search for a peaceful settlement. In the introduction to the annual report to the General Assembly submitted during the same month, 7/ the Secretary-General stated that, despite all the efforts made by him and his Special Representative and the recent deliberations of the Security Council, a peaceful settlement in the Middle East remained elusive. The Secretary-General went on to point out that "time is not on our side in this highly explosive situation". 7/

B. Hostilities of October 1973 and adoption of Security Council resolution 338 (1973)

65. As stated earlier, hostilities broke out again in the Middle East in October 1973. On 22 October, the Security Council adopted resolution 338 (1973) in which, after calling for an immediate cease-fire, the Council called upon all the parties concerned to start immediately after the cease-fire the implementation of Security Council resolution 242 (1967) and decided that, immediately and concurrently with the cease-fire, negotiations start between the parties concerned under appropriate auspices aimed at establishing a just and durable peace in the

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7/ Ibid., Twenty-eighth Session, Supplement No. 1A (A/9001/Add.1).

Middle East. The subsequent decisions of the Security Council, including the establishment of the United Nations Emergency Force in the Egypt-Israel sector, have been dealt with earlier in this report (see paras. 5-11 above).

66. Following the establishment of the Emergency Force and the cessation of hostilities in the area, the Secretary of State of the United States of America launched an initiative to bring about agreements on a disengagement of forces, first between Egypt and Israel, and later between Israel and Syria. In the event, four agreements were concluded between November 1973 and September 1975. In each case, an agreement in principle was achieved through indirect negotiations between the parties, conducted with the assistance of the Secretary of State, and then the detailed implementation of the agreement was worked out in direct discussions between the military representatives of the parties under the auspices of the United Nations.

C. Six-point agreement of 11 November 1973

67. On 9 November the Secretary of State of the United States informed the Secretary-General (S/11091) that the Governments of Egypt and Israel were prepared to accept a six-point agreement under which the two parties would scrupulously observe the cease-fire and would immediately begin discussions to settle the question of the return of forces to the positions that they had occupied on 22 October 1973 in the framework of agreement on the disengagement and separation of forces under the auspices of the United Nations. The Secretary of State also indicated that the parties would hold a meeting under the auspices of the Commander of UNEF to sign this agreement and to provide for its implementation.

68. On 11 November, the six-point agreement was signed by the military representatives of Egypt and Israel and by the Commander of UNEF, Lieutenant-General Ensio Siilasvuo, as witness, at a meeting held at kilometre marker 101 on the Cairo-Suez road. Discussions on the implementation of the agreement began immediately thereafter under the auspices of the United Nations, and on 14 November the parties reached an accord providing for an exchange of prisoners of war, the supply of the Egyptian Third Army by United Nations convoys and the replacement of Israeli checkpoints by UNEF checkpoints on the Cairo-Suez road. Further discussions were held during November for the purpose of bringing about a disengagement of Egyptian and Israeli forces (S/11056/Add.4-6).

D. The Geneva Peace Conference on the Middle East

69. In December 1973, there were diplomatic contacts under the auspices of the Union of Soviet Socialist Republics and the United States of America, aimed at the convening of a peace conference on the Middle East in Geneva. On 15 December, the Security Council held a private meeting to discuss the arrangements for the proposed conference and adopted a resolution 344 (1973), in which, after noting that a peace conference on the Middle East situation was to begin shortly in Geneva under the auspices of the United Nations, the Council expressed its confidence that the Secretary-General would play a full and effective role in the Conference, and that he would preside over its proceedings. The Council also requested the Secretary-

General to keep it informed of the developments in the negotiations at the Geneva Conference and to provide all the necessary assistance and facilities for the work of the Conference.

70. By identical letters dated 18 December 1973 (S/11161), the Permanent Representatives of the Union of Soviet Socialist Republics and the United States of America informed the Secretary-General that agreement had been reached among the parties to the Middle East dispute to participate in the Peace Conference under the auspices of the United Nations and under the co-chairmanship of the USSR and the United States.

71. The Peace Conference on the Middle East was convened in Geneva by the Secretary-General on 21 December 1973. The Conference, in which the Governments of Egypt, Israel, Jordan, the Union of Soviet Socialist Republics and the United States of America were represented, held three meetings, over which the Secretary-General presided. The Conference agreed to continue its work through the setting up of a military working group as well as of other working groups as needed. The Military Working Group was to start discussing forthwith the question of disengagement of forces. The working groups were to report to the Conference, which was to continue at the ambassadorial level, and the Conference at the foreign ministers' level was to convene in Geneva as needed in the light of developments (see S/11169). The Secretary-General appointed Mr. Roberto Guyer, Under-Secretary-General for Special Political Affairs, as his Personal Representative to the Conference.

E. Agreement between Egypt and Israel of 18 January 1974

72. The discussions held by the Military Working Group under the chairmanship of the Commander of UNEF in late December 1973 and early January 1974 led to an agreement on the disengagement of forces between Egypt and Israel. It was signed on 18 January 1974 at kilometre marker 101 by the military representatives of Egypt and Israel and by General Siilasvuo as witness (S/11056/Add.8). The Agreement provided essentially for a limited withdrawal of Israeli forces to the east, for the redeployment of Egyptian and Israeli forces in the Sinai, leaving between them a zone of disengagement where UNEF was to be stationed, and for the establishment of areas of limited armaments and forces on both sides of the zone of disengagement to be inspected by UNEF (S/11198 and Add.1).

F. Agreement between Israel and Syria of 31 May 1974

73. In May 1974, negotiations took place towards a disengagement of forces between Israel and Syria. The agreement was signed on 31 May 1974 by the military representatives of Israel and Syria and by the Commander of UNEF as witness at a meeting of the Egypt-Israel Military Working Group of the Geneva Peace Conference on the Middle East, in which the representatives of the Co-Chairmen of the Conference also participated. In addition to the redeployment of the Israeli and Syrian forces in accordance with arrangements similar to those applied in the Egyptian-Israeli Agreement of 18 January 1974, the Israeli-Syrian Agreement also provided for the return of the Syrian civilian administration to the area of separation and the supervision by a United Nations force of the demilitarized character of that area.

74. On 31 May 1974, the Security Council adopted resolution 350 (1974) by which it welcomed the agreement on disengagement between Israel and Syria, negotiated in implementation of its resolution 338 (1973), and decided to set up the United Nations Disengagement Observer Force (see paras. 12-19 above).

G. Agreement between Egypt and Israel of 4 September 1975

75. In August and September 1975, new negotiations were held under the auspices of the Secretary of State of the United States towards the conclusion of a second agreement between Egypt and Israel. It was signed in Geneva on 4 September 1975 by the representatives of Egypt and Israel and witnessed by General Siilasvuo, now Chief Co-ordinator of United Nations Peace-keeping Missions in the Middle East (S/11818/Add.2). The agreement provided essentially for a further withdrawal of Israeli forces to a line east of the Gidi and Mitla Passes and from the oil fields of Abu Rodeis and Ras Sudar on the coastline of the Gulf of Suez, the establishment of a larger buffer zone controlled by UNEF and the return of Egyptian civilian administration to the oil fields, whose demilitarized character was to be supervised by UNEF. On the same day the military representatives of Egypt and Israel formally accepted a proposal by the Secretary of State of the United States, which provided for the establishment of an early warning system in the UNEF buffer zone to be manned separately by the United States and each of the two parties.

76. The detailed arrangements for the implementation of the above agreement were worked out by the Military Working Group of the Geneva Peace Conference and laid down in a Protocol to the agreement, which was signed by the representatives of the two parties and witnessed by General Siilasvuo (S/11818/Add.5). In his report to the Security Council, dated 17 October 1975 (S/11849), the Secretary-General outlined the implications of the agreement for the operation of UNEF in the Egypt-Israel sector. The Security Council considered the report of the Secretary-General, and by its resolution 378 (1975) of 23 October 1975 decided to renew the mandate of UNEF for a period of one year. The Permanent Mission of the Union of Soviet Socialist Republics to the United Nations informed the Secretary-General by a note verbale dated 30 December 1976 that the Agreement of September 1975 was concluded on a separate basis and actually circumvented the Geneva Peace Conference; consequently the USSR could not bear any responsibility for the implications of the agreement, including the financing of additional expenses of UNEF resulting from it.

H. Efforts to reconvene the Geneva Peace Conference

77. The agreements between Egypt and Israel of 18 January 1974 and of 4 September 1975, as well as the agreement between Israel and Syria of 31 May 1974, contained clauses stating in varying terms that the parties did not consider them as final peace agreements but as steps towards a just and lasting peace in the Middle East, as called for by Security Council resolution 338 (1973). In his

periodic reports on the activities of UNEF and UNDOF, which were submitted to the Security Council before the expiry of the mandates of those Forces, the Secretary-General expressed the view that, although the areas of operations of the two Forces were quiet, the situation in the Middle East as a whole was unstable and would remain so unless and until a comprehensive settlement covering all aspects of the Middle East problem could be reached. The Security Council, in renewing the mandates of the two Forces, expressed its concurrence with this view and called upon the parties concerned to implement immediately its resolution 338 (1973).

78. In 1975, at its thirtieth session, the General Assembly considered both the question of Palestine and the situation in the Middle East. In its resolution 3375 (XXX) of 10 November 1975 on the question of Palestine, which has already been mentioned earlier in this report (see para. 55 above), it requested the Secretary-General to take the necessary steps to secure the invitation of the Palestine Liberation Organization to participate in the work of the Geneva Peace Conference.

79. Later at the same session, the General Assembly considered the situation in the Middle East and on 5 December 1975 adopted resolution 3414 (XXX) whereby it requested the Security Council to take all necessary measures for the speedy implementation of all relevant resolutions of the General Assembly and the Security Council, aiming at the establishment of a just and lasting peace in the region through a comprehensive settlement, worked out with the participation of all parties concerned, including the Palestine Liberation Organization, and within the framework of the United Nations.

80. In pursuance of the request contained in General Assembly resolution 3375 (XXX), the Secretary-General on 19 November 1975 addressed identical letters to the Minister for Foreign Affairs of the Union of Soviet Socialist Republics and the Secretary of State of the United States of America, in their capacity as Co-Chairmen of the Peace Conference on the Middle East, to bring the resolution to their attention. He also requested the Co-Chairmen to keep him informed of any action they might take in relation to the resolution. In his reply to the Secretary-General dated 9 January 1976 (A/31/44-S/11931), the Minister for Foreign Affairs of the USSR advocated the speediest possible resumption of the Geneva Peace Conference with the full and equal participation of the representatives of the PLO.

81. Shortly after the adoption of General Assembly resolution 3375 (XXX), the Security Council met to consider the mandate of the United Nations Disengagement Observer Force (UNDOF). In its resolution 381 (1975) of 30 November 1975 on the renewal of the mandate of UNDOF, the Council also decided to reconvene on 12 January 1976 in order to continue the debate on the Middle East problem, including the Palestinian question. In accordance with its decision of 30 November 1975, the Security Council discussed the Middle East problem, including the Palestinian question, in a series of 10 meetings in January 1976, but no resolution could be adopted, owing to the negative vote of a permanent member (S/PV.1870-1879). At the end of the Security Council debate, on

26 January 1976, the Secretary-General made a statement in which he noted that the discussions of the Council had emphasized the Palestinian dimension of the Middle East problem and had reaffirmed the right of every State in the area to live in peace within secure and recognized boundaries and announced his intention to undertake a new initiative.

82. In identical letters addressed to the Co-Chairmen of the Geneva Peace Conference on 27 January 1976, the Secretary-General requested them to let him know their thinking on ways of making progress towards a solution of the Middle East problem. In his reply the Minister for Foreign Affairs of the Union of Soviet Socialist Republics expressed the view that the only reliable way to achieve agreement on all the questions involved in a settlement was the resumption, after careful preparation, of the work of the Geneva Peace Conference with the participation of all those directly concerned, including the PLO and the Co-Chairmen of the Conference. The Secretary of State of the United States of America took the position that the resumption of the Geneva Peace Conference should be carefully prepared and he proposed a preparatory conference of those that had participated so far in the negotiations.

83. As a follow-up to the communications addressed to the Co-Chairmen, the Secretary-General requested his Personal Representative for the Peace Conference on the Middle East, Under-Secretary-General Roberto E. Guyer, to undertake an exploratory mission to the Middle East. During that mission, which took place from 25 February to 2 March 1976, and the subsequent talks which Mr. Guyer held in Moscow and Washington, a number of issues were discussed, including the question of the participation of the PLO in peace efforts.

84. Following Mr. Guyer's exploratory mission, the Secretary-General addressed, on 1 April 1976, identical aide-mémoires to the parties concerned, including the PLO, requesting their views as to the action which might be taken by the United Nations in order to break the impasse in the peace efforts.

85. As described in the report of the Secretary-General of 18 October 1976 (A/31/270-S/12210), all the parties welcomed his initiative. Egypt, Jordan and Syria reiterated their demand for the withdrawal of the Israeli forces from all the Arab territories occupied since June 1967. They further underlined the urgency of a comprehensive solution of the Middle East problem. Egypt stated that it wanted the Secretary-General to continue his efforts to reactivate the negotiating process, which should focus on the resumption of the Geneva Peace Conference with the full participation of the Palestine Liberation Organization. The Soviet Union affirmed that the most appropriate forum for working out a solution to the Middle East problem was the Geneva Peace Conference with the participation of all directly concerned parties, including the Palestine Liberation Organization and the Co-Chairmen of the Conference. The United States emphasized that it was their intention actively to pursue contacts with the parties in efforts to bring about an agreement which would end the state of war in the Middle East as soon as the situation in Lebanon had improved. Israel, in its reply, emphasized that it favoured the reconvening of the Geneva Peace Conference with the original participants.

86. In the same report the Secretary-General observed that, while there was general agreement on the necessity of resuming negotiations for a just and lasting settlement of the Middle East problem, there were still important differences of view among the parties concerned, which had to be resolved before the negotiating process could be usefully resumed.

87. During its thirty-first session, on 9 December 1976, the General Assembly adopted resolution 31/61 on the situation in the Middle East, in which it requested the Security Council to take effective measures for the implementation of all relevant resolutions of the Council and the Assembly. It also requested the Secretary-General to inform the Co-Chairmen of the Geneva Peace Conference of its resolution and to submit a report on its implementation to the General Assembly at its thirty-second session. On the same day, the General Assembly further adopted resolution 31/62 concerning the Peace Conference on the Middle East. In that resolution, the General Assembly called for the early convening of the Geneva Peace Conference not later than the end of March 1977, requested the Secretary-General to resume contacts with all the parties to the conflict and the Co-Chairmen of the Peace Conference in accordance with his initiative of April 1976, with a view to convening the Peace Conference, and to submit a report to the Security Council on the results of his contacts and on the situation in the Middle East no later than 1 March 1977. The General Assembly further requested the Security Council to convene, subsequent to the submission of the Secretary-General's report, in order to consider the situation in the area and to promote the process towards the establishment of a just and lasting peace in the area.

88. In pursuance of General Assembly resolution 31/62, the Secretary-General held initial consultations with the representatives of the parties and of the two Co-Chairmen. In February 1977 he travelled to the Middle East, where he held extensive consultations with leaders of Egypt, the Syrian Arab Republic, Saudi Arabia, Lebanon, Jordan and Israel, as well as with the Chairman of the PLO. On 28 February 1977, he submitted a detailed report to the Security Council (S/12290 and Corr.1), in which he described the positions of the parties with regard to the questions of participation, timing, terms of reference, agenda, and organization of the work of the Peace Conference. He also reported the views of the two Co-Chairmen on the modalities for reconvening the Geneva Peace Conference. From his consultations, the Secretary-General concluded that, while all concerned were earnestly desirous of moving towards a negotiated settlement, a determined effort was necessary to overcome the lack of confidence and the mutual distrust and fears of all the parties as to the consequences of making compromises and concessions. He stated that although the main elements of the Middle East problem remained intractable, there was an increasing consciousness in the area that an opportunity existed at the time to resume negotiations in a meaningful way, and he warned that, if this opportunity were not seized, there were grave dangers that the situation would deteriorate once again.

89. On 25, 28 and 29 March 1977, the Security Council considered the situation in the Middle East in the light of the Secretary-General's report, but it adjourned the debate without adopting a resolution (S/PV.1993, 1995 and 1997).

90. In the following months, efforts were made at various levels to reach agreement on the modalities for resumption of the Geneva Peace Conference. On 1 October 1977 the Foreign Ministers of the USSR and the United States, as Co-Chairmen of the Conference, issued a joint declaration in which they outlined their common position on substantive as well as procedural questions connected with the search for a just and lasting settlement of the Middle East problem. In particular, they expressed their belief that the only right and effective way for achieving a fundamental solution to all aspects of the Middle East problem in its entirety was negotiation within the framework of the Geneva Peace Conference, specially convened for this purpose, with the participation in its work of the representatives of all the parties involved in the conflict, including those of the Palestinian people. The next day, the Secretary-General issued a statement welcoming the joint declaration.

91. The General Assembly considered again the situation in the Middle East during its thirty-second session. On 25 November 1977 it adopted resolution 32/20 in which, among other things, it reaffirmed that "a just and lasting peace in the Middle East, in which all countries and peoples in the region can live in peace and security within recognized and secure boundaries, cannot be achieved without Israel's withdrawal from all Arab territories occupied since 5 June 1967 and the attainment by the Palestinian people of their inalienable national rights;" called anew "for the early convening of the Peace Conference on the Middle East, under the auspices of the United Nations and the co-chairmanship of the Union of Soviet Socialist Republics and the United States of America, with the participation on an equal footing of all parties concerned, including the Palestine Liberation Organization;" urged "the parties to the conflict and all other interested parties to work towards the achievement of a comprehensive settlement covering all aspects of the problems and worked out with the participation of all parties concerned within the framework of the United Nations."

I. Initiative of the President of Egypt

92. A new element was introduced into the Middle East situation on 9 November 1977, when President Anwar Al-Sadat of Egypt announced that he was prepared to go to Israel in order to achieve progress towards a peaceful settlement. He was subsequently invited by the Government of Israel and travelled to Jerusalem on 19 November 1977 for a two-day visit. After his return to Cairo, President Sadat invited the parties to the Middle East conflict, including the PLO, as well as the two Co-Chairmen of the Geneva Peace Conference on the Middle East and the Secretary-General, to talks in Cairo to prepare for a resumption of the Geneva Peace Conference. This invitation was accepted by Israel and the United States. On 29 November, the Secretary-General designated the Chief Co-ordinator of United Nations Peace-keeping Missions in the Middle East, Lieutenant-General Ensio Siilasvuo, to be present at the meeting in Cairo. At the same time, noting that it was apparent that the meeting in Cairo would not be attended by all those invited and having in mind the urgent need for an early convening of the Geneva Peace Conference, the Secretary-General suggested that consideration be given to the holding of a preparatory meeting at United Nations Headquarters, or any other generally agreed venue, of all those invited to the Cairo meeting.

93. By a letter dated 5 December 1977 (A/32/411), the Permanent Representative of the Libyan Arab Jamahiriya conveyed to the Secretary-General the text of a declaration issued by the representatives of Algeria, Democratic Yemen, the Libyan Arab Jamahiriya, the Syrian Arab Republic and the PLO at the conclusion of their summit conference from 2 to 5 December 1977 at Tripoli. In a letter to the Secretary-General dated 8 December 1977 (A/32/419-S/12478), the Chargé d'Affaires of Egypt responded to this declaration.

94. The Cairo Conference convened on 14 December 1977. After several meetings the Conference recessed to await the result of a summit meeting between Prime Minister Begin and President Sadat, scheduled to be held at Ismailia on 25 and 26 December. At the conclusion of that meeting, it was decided to establish two working groups at the ministerial level - a political committee in Jerusalem, and a military committee in Cairo. Thereupon, the Cairo Conference adjourned sine die.

95. The Military Working Committee began its work on 11 January 1978 and the Political Working Committee on 17 January. The Egyptian delegation withdrew from that Committee on 18 January. Shortly thereafter, the Military Working Committee also became inactive.

96. Subsequently, the Government of the United States undertook an effort to reactivate direct negotiations between Egypt and Israel. This led to a meeting of the Foreign Ministers of Egypt and Israel and the Secretary of State of the United States at Leeds Castle near London from 17 to 19 July 1978, and, later on, from 5 to 17 September, to a summit conference between the President of Egypt, the Prime Minister of Israel and the President of the United States at Camp David near Washington.

97. At the conclusion of the Camp David conference the President of the United States informed the Secretary-General that the President of Egypt and the Prime Minister of Israel had concluded two agreements, one on a framework for peace in the Middle East and the other on a framework for the conclusion of a peace treaty between Egypt and Israel.

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98. In their statements in the general debate of the thirty-third session of the General Assembly, a number of speakers have commented on these agreements. In a letter dated 27 September to the Secretary-General, the Chairman of the PLO expressed his views on the agreements.

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99. I have not received any additional official information on the subject from the parties concerned and therefore do not feel I am in a position to put forward any considered views at this stage, except to express my earnest hope that urgent efforts will be pursued by all concerned until a comprehensive, just and durable peace settlement covering all aspects of the Middle East problem can be fully achieved.

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Thirty-fourth year

Report of the Secretary-General

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I. INTRODUCTION

1. The present report is submitted in pursuance of General Assembly resolution 33/29 of 7 December 1978. In that resolution, which is summarized in paragraph 45 below, the Assembly requested the Secretary-General to report to the Security Council periodically on the development of the situation in the Middle East and to submit to the Assembly at its thirty-fourth session a comprehensive report covering the developments in the region in all their aspects.

2. It may be recalled that, on 17 October 1978, the Secretary-General submitted a comprehensive report to the General Assembly and the Security Council (A/33/311-S/12896), in pursuance of General Assembly resolution 32/20 of 5 November 1977. In that report, the Secretary-General gave an account of the efforts undertaken by the United Nations to deal with various aspects of the situation in the Middle East, namely, the status of the cease-fire, the situation in the occupied territories, the Palestine refugee problem, Palestinian rights and the search for a peaceful settlement. A similar pattern is followed in the present report.

3. The present report is based mainly on information available in United Nations documents. In order to avoid duplication, reference will be made to reports of the Secretary-General and other official United Nations documents concerning the Middle East, whenever appropriate.

II. STATUS OF THE CEASE-FIRE

4. The status of the cease-fire in the Middle East up to October 1978 was described in the report of the Secretary-General (ibid., paras. 4-27). At that time, there were three United Nations peace-keeping forces in the area: the United Nations Emergency Force (UNEF) in the Egypt-Israel sector, the United Nations Disengagement Observer Force (UNDOF) in the Israel-Syria sector, and the United Nations Interim Force in Lebanon (UNIFIL) in the Israel-Lebanon sector. In addition, observers of the United Nations Truce Supervision Organization (UNTSO) assisted and co-operated with the three peace-keeping forces in the performance of their tasks in their respective areas, as separate groups in the case of UNEF and UNIFIL and as an integral part of the Force in the case of UNDOF.

A. Activities of UNEF and expiry of its mandate

5. On 23 October 1978, the Security Council, having considered the report of the Secretary-General on the activities of UNEF for the period from October 1977 to October 1978 (S/12897), adopted resolution 438 (1978) by which it extended the mandate of the Force for a further period of nine months, until 24 July 1979.

6. During this period of its mandate, UNEF continued to operate in accordance with the functions and guidelines of the Force as outlined in the Secretary-General's

report to the Security Council of 27 October 1973 (S/11052/Rev.1) and to discharge the specific tasks entrusted to it by the Agreement between Egypt and Israel of 4 September 1975 (S/11849). In brief, it manned and controlled a buffer zone in the western part of Sinai, and it carried out periodic inspections of the area of limited forces and armaments on both sides of the buffer zone.

7. On 26 March 1979, a peace treaty was concluded by Egypt and Israel and, on 25 May, in pursuance of an agreement reached by Egypt and Israel under that treaty, Israeli forces withdrew from a northern coastal area in the Sinai to the east of El Arish and the Egyptian authorities took over control of that area. UNEF was not involved in this move except by permitting access of Egyptian personnel to the buffer zone and the areas of limited forces and armaments and by providing escorts to the parties within these areas as the Israeli withdrawal was being carried out. Subsequently, two further withdrawals have taken place, on 25 July 1979 from a central area of the western Sinai along the Gulf of Suez and from its adjacent area farther to the east and south on 25 September 1979.

8. During this period as before, UNEF continued to be composed of seven contingents from Australia, Canada, Finland, Ghana, Indonesia, Poland and Sweden. On 15 March 1979, a reinforced company of the Finnish contingent was detached to UNDOF, thus reducing the total strength of UNEF to slightly over 4,000.

9. On 19 July 1979, the Secretary-General submitted to the Security Council a report on the activities of UNEF covering the period from October 1978 to July 1979 (S/13460 and Corr.1). The report noted that the original context in which UNEF had been created and in which it had previously functioned had basically changed during the period under review. While the Governments of Egypt and Israel had both expressed themselves in favour of an extension of the mandate of UNEF, others had expressed opposition to such a course. In this regard the Secretary-General recalled that, under the guidelines approved by the Security Council, all matters which might affect the nature or the continued effective functioning of the Force would be referred to the Council for its decision.

10. The mandate of UNEF was not extended by the Security Council and therefore lapsed at midnight on 24 July 1979. On that day, the Secretary-General conveyed to the President of the Security Council his intention to make all the necessary arrangements for an orderly withdrawal of UNEF (S/13468).

B. Activities of UNDOF

11. The activities of UNDOF since the issuance of the Secretary-General's report of 17 October 1978 (A/33/311-S/12896) are outlined in the two most recent periodic reports of the Secretary-General to the Security Council on the subject (S/12934 and S/13350). The mandate of the Force has been extended twice during this period by the Security Council, on the recommendation of the Secretary-General and with the agreement of the parties concerned. The last extension of UNDOF, as decided by the Security Council in its resolution 449 (1979) of 30 May 1979, was for a further period of six months, until 30 November 1979.

12. The functions and guidelines of UNDOF have remained as outlined in the report of 27 November 1974 (S/11563, paras. 8-10). UNDOF has continued, with the co-operation of the parties, to supervise the area of separation and the areas of limitation in armaments and forces, in accordance with the disengagement agreement of May 1974 between Israel and Syria. The situation in its area of operation has remained generally quiet.

13. In March 1979, the Iranian contingent of UNDOF, consisting of 390 of all ranks, was repatriated at the request of the Government and was partially replaced by a reinforced company of 150 men from the Finnish contingent of UNEF. In August 1979, the Finnish contingent was increased to 390 men. The Force has now a total strength of about 1,250 and is composed of four contingents - from Austria, Canada, Finland and Poland - and 90 observers detailed from UNTSO.

C. Activities of UNIFIL

14. In January 1979, the Security Council decided to extend the mandate of UNIFIL for a period of five months, until 19 June 1979. In June, the mandate was extended for a further period of six months, until 19 December 1979. The activities of UNIFIL since October 1978 are outlined in the Secretary-General's reports on the Force to the Security Council (S/12929, S/13026, S/13254, S/13258, S/13308 and S/13384).

15. UNIFIL has continued to function in accordance with the guidelines set out in the report of 19 March 1978 (S/12611) and approved by the Security Council in its resolution 426 (1978). It will be recalled that UNIFIL was envisaged as a two-stage operation. In the first stage, the Force was to confirm the withdrawal of Israeli forces from Lebanese territory. Once this was achieved, UNIFIL was to establish and maintain an area of operation. In this connexion, the Force was to supervise the cessation of hostilities, ensure the peaceful character of the area of operation, control movement and take all measures deemed necessary to ensure the effective restoration of Lebanese sovereignty in the area. As stated in the last comprehensive report of the Secretary-General (A/33/311-S/12896, para. 25), the Israeli forces completed their withdrawal from Lebanese territory on 13 June 1978. However, they handed over control of the border area to Lebanese *de facto* armed forces, rather than to UNIFIL, thus creating serious problems for the full deployment of the Force in the whole area of operation and to the fulfilment of its mandate.

16. Despite intense and persistent efforts, UNIFIL has not been able to make significant progress in overcoming these difficulties during the period under review. A positive development was the introduction, described in the Secretary-General's report of 19 April 1979 (S/13258), in pursuance of Security Council resolution 444 (1979), of a Lebanese army unit and increased civilian administrative

presence in southern Lebanon in April 1979. 1/ However, Lebanese de facto forces, composed of Christian and allied militias, continue to occupy the border area turned over to them by the Israeli forces in June 1978 and to encroach upon the UNIFIL area of operation and harass UNIFIL personnel and local civilian population. Efforts by UNIFIL to prevent and control infiltration by armed elements, which include the Palestine Liberation Organization (PLO) as well as the Lebanese National Movement and other Lebanese groups, have also led to incidents. Incursions by Israeli forces into southern Lebanon continue to be reported. Heavy exchanges of fire between opposing armed groups over and across the UNIFIL area of operation have been frequent. It is relevant to mention that a cessation of firing was arranged by UNIFIL on 26 August 1979 and the situation has remained generally quiet as of the time of writing, despite isolated cases of firing.

17. In October 1978, the Canadian signals unit was withdrawn from UNIFIL and an Irish headquarters company joined the Force. The Iranian contingent was withdrawn in January 1979. In March 1979, the French infantry battalion was withdrawn and a new contingent from the Netherlands arrived. The Norwegian helicopter wing was withdrawn and replaced by an Italian helicopter unit in July 1979. In September, a new Ghanaian contingent of 300 men was added to the Force. As at the beginning of October 1979, UNIFIL was composed of contingents from Fiji, France, Ghana, Ireland, Italy, Nepal, the Netherlands, Nigeria, Norway and Senegal and had a total strength of about 6,000.

D. Activities of UNTSO

18. Observers of UNTSO have continued to assist and co-operate with UNDOF and UNIFIL in the performance of their tasks. In the Golan Heights, UNTSO observers assigned to UNDOF man observation posts in the area of separation and carry out periodic inspections in the area of limitation of armament and forces. In southern Lebanon, observers assigned to the UNIFIL area of operation man observation posts, conduct patrols as necessary and provide liaison teams with various parties. The headquarters of the Israel/Lebanon Mixed Armistice Commission in Beirut functions also as a liaison office for UNIFIL.

19. Until July 1979, UNTSO observers assigned to the Egypt-Israel sector assisted and co-operated with UNEF in the performance of the latter's tasks. In this connexion, they manned observation posts and checkpoints along the borders of the buffer zone and undertook periodic inspections of the areas of limited forces and armaments established on both sides of the buffer zone. As indicated earlier, the mandate of UNEF lapsed on 24 July 1979. In a statement issued on the same day, the Secretary-General declared that, in view of the fact that the withdrawal of UNEF was without prejudice to the continued presence of the UNTSO observers in the area, it was his intention to make the necessary arrangements to ensure the further functioning of UNTSO, in accordance with existing decisions of the Security Council.

1/ It is relevant to mention in this connexion that, in pursuance of General Assembly resolution 33/146 on the question of assistance for reconstruction and development of Lebanon, the Secretary-General established at Beirut a Committee on Assistance for the Reconstruction and Development of Lebanon to co-ordinate the assistance to Lebanon provided by the specialized agencies and other organizations within the United Nations system. On 17 September 1979, the Secretary-General announced the appointment of Mr. Iqbal A. Akhund as Co-ordinator of Assistance for Reconstruction and Development of Lebanon.

III. SITUATION IN THE OCCUPIED TERRITORIES

20. The efforts undertaken by the United Nations concerning the situation in the occupied territories and the question of Jerusalem are outlined in the Secretary-General's reports of 18 May 1973 (S/10929, paras. 14-34) and of 17 October 1978 (A/33/311-S/12896, paras. 28-43).

21. The General Assembly, at its thirty-third session, after considering the report of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Population of the Occupied Territories (A/33/356), adopted three resolutions on 18 December 1978. By resolution 33/113 A it reaffirmed that the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, 2/ was applicable to all the Arab territories occupied by Israel since 1967, including Jerusalem, and called again upon Israel to acknowledge and to comply with the provisions of that Convention. By resolution 33/113 B, the Assembly determined that all measures and actions taken by Israel designed to change the legal status, geographical nature and demographic composition of the occupied Arab territories had no legal validity and constituted a serious obstruction to efforts aimed at achieving a just and lasting peace in the Middle East. It called once more upon the Government of Israel to desist forthwith from taking such measures, in particular, the establishment of settlements in the Palestinian and other Arab territories. By resolution 33/113 C, the Assembly condemned certain Israeli policies and practices in the occupied territories and demanded that Israel desist forthwith from those policies and practices. It renewed the mandate of the Special Committee and requested it to report to the Secretary-General as soon as possible and whenever the need arose thereafter.

22. In a related decision, the General Assembly, in resolution 33/110, took note of the report of the Secretary-General on the living conditions of the Palestinian people in the occupied Arab territories (A/33/354). The Assembly noted that it had not been possible to prepare the full report called for in its resolution 32/171 of 19 December 1977 and requested the Secretary-General, in collaboration with the relevant United Nations organs and in consultation with the Palestine Liberation Organization, to prepare and submit to the Assembly at its thirty-fourth session a comprehensive and analytical report on the social and economic impact of the Israeli occupation on the living conditions of the Palestinian people in the occupied Arab territories.

23. The United Nations Commission on Human Rights considered, as a matter of priority, the question of human rights in the occupied Arab territories at its thirty-fifth session held from 12 February to 16 March 1979 and adopted resolutions 1 A and B (XXXV). Those resolutions, in which the Commission condemned Israeli policies and practices along lines similar to those of General Assembly resolution 33/113 mentioned above, were brought to the attention of the General Assembly and the Security Council by the Secretary-General at the request of the Commission by a note dated 11 July 1979 (A/34/338-S/13419).

2/ United Nations, Treaty Series, vol. 75, No. 973, p. 287.

24. Questions relating to the situation in the occupied territories were discussed by the Security Council at several meetings. In a letter dated 23 February 1979 (S/13115), the representative of Jordan requested that the Security Council be convened to consider the accelerating erosion of the status of Jerusalem and of the rest of the occupied Arab territories as a result of Israeli policy and practice of settlement and colonization of those territories.

25. The Security Council held eight meetings on this item between 9 and 22 March 1979 (S/PV.2123-2128, 2131 and 2134). At its 2134th meeting, on 22 March, the Security Council adopted resolution 446 (1979), by which it determined that the policy and practices of Israel in establishing settlements in the Palestinian and other Arab territories occupied since 1967 had no legal validity and constituted a serious obstruction to achieving a comprehensive, just and lasting peace in the Middle East. It strongly deplored the failure of Israel to abide by existing decisions of the United Nations and called once more upon Israel to abide scrupulously by the 1949 Fourth Geneva Convention, to rescind its previous measures and to desist from taking any action which would result in changing the legal status and geographical nature and materially affecting the demographic composition of the occupied Arab territories. The Council also decided to establish a Commission consisting of three members of the Security Council to examine the situation relating to settlements in the occupied territories, including Jerusalem.

26. The Commission, composed of the representatives of Portugal (Chairman), Bolivia and Zambia, submitted its report to the Security Council on 12 July (S/13450 and Corr.1 and Add.1).

27. The Security Council considered the report of the Commission at four meetings held between 18 and 20 July 1979 (S/PV.2156-2159). On 20 July, the Council adopted resolution 452 (1979), by which it commended the work of the Commission and accepted the recommendations contained in its report. It called upon the Government and people of Israel to cease, on an urgent basis, the establishment, construction and planning of settlements in the occupied Arab territories, including Jerusalem, and requested the Commission to keep under close survey the implementation of the resolution and to report back to the Security Council before 1 November 1979.

28. As mentioned in paragraph 7 above, following the conclusion of the peace treaty between Egypt and Israel, the Israeli forces withdrew from three areas in the Sinai in the course of 1979 and the Egyptian authorities took over control of those areas.

29. Since the General Assembly last discussed the matter, the situation in the occupied territories has been the subject of a number of communications addressed to the President of the Security Council or the Secretary-General and circulated as official documents of the United Nations. These communications dealt with the question of Jerusalem (A/34/63-S/13034, A/34/75-S/13065, A/34/108-S/13145, A/34/178-S/13243), the question of the closure of the University of Bir Zeit

(A/34/72, A/34/101-S/13126, A/34/159-S/13215, S/13313, S/13316, A/34/304-S/13385, A/34/349-S/13432, A/34/356-S/13441), the question of Israeli settlements and purchase or expropriation of land in occupied territories (A/34/95, A/34/110-S/13149, S/13273, S/13341, S/13378, S/13425, A/34/360-S/13445, S/13465, A/34/384-S/13471, S/13491, A/34/453-S/13528, A/34/501, A/34/505-S/13546, A/34/506-S/13547) and other questions affecting the human rights of the population of the occupied territories (A/34/73, A/34/76-S/13068, A/34/82-S/13080, S/13139, A/34/110-S/13149, A/34/152-S/13207, A/34/166-S/13229, S/13455, A/34/388-S/13476).

30. At its thirty-fourth session, the General Assembly will have before it the report of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Population of the Occupied Territories and a report of the Secretary-General concerning the facilities made available to the Special Committee to carry out its tasks and to ensure the widest circulation of information regarding its activities and findings.

IV. PALESTINE REFUGEE PROBLEM

31. The Palestine refugee problem and the United Nations effort to assist the refugees up to October 1978 were dealt with in the reports of the Secretary-General of 18 May 1973 (S/10929, paras. 35-42) and of 17 October 1978 (A/33/311-S/12896, paras. 44-50).

32. Following its consideration of the report of the Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA) 3/ at its thirty-third session, the General Assembly adopted on 18 December 1978 resolutions 33/112 A to F dealing with various aspects of the problem. By resolution 33/112 A, the Assembly noted with deep regret that the situation of the refugees continued to be a matter of serious concern and reiterated its gratitude to the agency in doing all it could for the Palestine refugees within the limits of available resources. Having noted with regret that part of UNRWA headquarters had been relocated outside the area of UNRWA activities, the Assembly requested the reconsolidation of the headquarters within the area of UNRWA operations as soon as practicable. The Assembly also noted with regret that the United Nations Conciliation Commission for Palestine had been unable to find a means of achieving progress in the implementation of paragraph 11 of General Assembly resolution 194 (III), providing for repatriation or compensation of the refugees, and requested it to continue its work towards that objective.

33. The financing of UNRWA's operations continued to be a matter of increasing concern to the General Assembly. UNRWA's funding is derived almost entirely from voluntary contributions, mainly from Governments, and for many years it has experienced difficulty in securing the financial support necessary to maintain its services. In its resolution 33/112 A, the Assembly directed attention to the continuing seriousness of UNRWA's financial position, noted with profound concern

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3/ Official Records of the General Assembly, Thirty-third Session, Supplement No. 13 (A/33/13).

that, despite the commendable and successful efforts of the Commissioner-General to collect additional contributions, the level of income available to UNRWA was still insufficient to cover essential budget requirements and called upon all Governments as a matter of urgency to make the most generous efforts possible to meet UNRWA's needs. In particular, it urged non-contributing Governments to contribute regularly and contributing Governments to consider increasing their contributions. In a related decision, in resolution 33/112 D, the Assembly extended for another year the mandate of the Working Group on the Financing of UNRWA and requested it to continue its efforts, in co-operation with the Secretary-General and the Commissioner-General, to assist in assuring the agency's financial security.

34. Regarding the problem of the population displaced as a result of the hostilities of June 1967, the General Assembly, in its resolution 33/112 B, endorsed the efforts of UNRWA to provide humanitarian assistance to those persons. After considering a report of the Secretary-General on the matter (A/33/286), the Assembly also adopted resolution 33/112 F, in which it reaffirmed the inalienable right of all the displaced inhabitants to return to their homes or former places of residence in the territories occupied by Israel since 1967, and declared that any attempt to restrict, or to attach conditions to, the free exercise of the right of return by any displaced person was inconsistent with that inalienable right and inadmissible. The Assembly also deplored the continued refusal of the Israeli authorities to take steps for the return of all the displaced inhabitants and called once more upon Israel (a) to take immediate steps for the return of all the displaced inhabitants and (b) to desist from all measures that obstructed their return, including measures affecting the physical and demographic structure of the occupied territories.

35. The situation of Palestine refugees in the Gaza Strip has been of special concern to the General Assembly since 1971 when the Commissioner-General reported (A/8383 and Add.1) that, as a result of operations carried out by the Israeli military authorities, large numbers of shelters in refugee camps had been demolished and approximately 15,000 refugees had been removed. At its thirty-third session, after considering the report of the Secretary-General on this subject (A/33/285), the General Assembly adopted resolution 33/112 E, in which it called once more upon Israel (a) to take effective steps immediately for the return of the refugees concerned to the camps from which they had been removed and to provide adequate shelters for their accommodation and (b) to desist from further removal of refugees and destruction of their shelters.

36. In another decision, the General Assembly, by resolution 33/112 C, again appealed to all States to make special allocations of scholarships and grants to Palestine refugees, invited relevant United Nations agencies, including the United Nations University, to consider the inclusion of assistance for higher education for Palestinian refugee students, appealed to all States, specialized agencies and non-governmental organizations to contribute generously to Palestinian universities in the territories occupied by Israel since 1967, as well as to offer scholarships to Palestinian refugee students in those universities, and requested UNRWA to act as recipient and to make awards to qualified Palestinian refugee candidates.

37. By resolution 33/81 on the health needs of Palestinian refugee children, the General Assembly requested Member States and the agencies concerned to co-operate with UNRWA in taking effective action to remedy the basic deficiencies identified in the annex to the Secretary-General's report on this subject (A/33/181).

38. In addition to the annual report of the Commissioner-General of UNRWA, 4/ the Assembly will have before it at its thirty-fourth session reports of the Secretary-General on the return of refugees to their camps in the Gaza Strip and the provision of shelters for them (A/34/517), on the return of the displaced inhabitants of the territories occupied by Israel since 1967 (A/34/518), on the allocation of scholarships and grants to Palestinian refugees (A/34/480) and on the health needs of Palestinian refugee children (A/34/463), as well as a report of the United Nations Conciliation Commission for Palestine (A/34/549) and a report by the Working Group on the Financing of UNRWA (A/34/567).

4/ Ibid., Thirty-fourth Session, Supplement No. 13 (A/34/13 and Corr.1).

V. PALESTINIAN RIGHTS

39. The developments concerning the question of Palestinian rights up to October 1978 were outlined in the report of the Secretary-General (A/33/311-S/12896, paras. 51-60).

40. At its thirty-third session, the General Assembly considered the report of the Committee on the Exercise of the Inalienable Rights of the Palestinian People, 5/ in which the Committee reaffirmed the validity of its recommendations endorsed by the General Assembly at its thirty-first and thirty-second sessions, and adopted three resolutions. By its resolution 33/28 A, the Assembly expressed its grave concern that no just solution to the problem of Palestine had been achieved and that this problem, therefore, continued to aggravate the Middle East conflict, of which it was the core, and to endanger international peace and security; reaffirmed that a just and lasting peace in the Middle East could not be established without the achievement, inter alia, of a just solution of the problem of Palestine on the basis of the attainment of the inalienable rights of the Palestinian people, including the right of return and the right to national independence and sovereignty in Palestine, and reiterated the call for the participation of the Palestine Liberation Organization in all efforts, deliberations and conferences on the Middle East which were held under the auspices of the United Nations, on an equal footing with other parties. It also declared that the validity of agreements purporting to solve the problem of Palestine required that they be within the framework of the United Nations and its Charter and its resolutions on the basis of the full attainment and exercise of the inalienable rights of the Palestinian people, including the right of return and the right to national independence and sovereignty in Palestine, and with the participation of PLO. The General Assembly endorsed the report of the Committee, and once again urged the Security Council to take, as soon as possible, a decision on the recommendations endorsed by the General Assembly in its resolutions 31/20, 32/40 A and 33/28 A. It also authorized and requested the Committee to consider the situation and make the suggestions it deemed appropriate in the event that the Security Council failed to consider or to take a decision on those recommendations by 1 June 1979. By its resolution 33/28 B the Assembly authorized the Committee to continue its efforts to promote the implementation of its recommendations. By its resolution 33/28 C the Assembly took note of the establishment, within the Secretariat of the United Nations, of the Special Unit on Palestinian Rights, and requested the Secretary-General to ensure that that Unit continued to discharge the tasks assigned to it. It further requested the Secretary-General to consider, in consultation with the Committee, the strengthening and possible reorganization and renaming of the Special Unit.

41. In another decision which has a bearing on the Palestinian question, the General Assembly adopted resolution 33/147 of 20 December 1978 on assistance to the Palestinian people. Having considered the relevant reports of the Secretary-General

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5/ Ibid., Thirty-third Session, Supplement No. 35 (A/33/35 and Corr.1/Rev.1)

(E/6005 and Add.1 and E/1978/55 and Add.1-3), the Assembly endorsed the resolutions of the Economic and Social Council concerning this subject and called upon the United Nations Development Programme, in consultation with relevant organizations within the United Nations system, to intensify efforts to implement the relevant resolutions of the Council in order to improve the social and economic conditions of the Palestinian people by identifying their economic and social needs and by establishing concrete projects to that end, without prejudice to the sovereignty of the respective Arab host countries, and to provide adequate funds for that purpose.

42. As urged by the General Assembly in resolution 33/28 A, the Security Council considered the item "Question of Palestine" at four meetings on 29 June, 27 July, and 23 and 24 August 1979. At the close of the debate on 24 August, the President announced that consideration of the item would be continued at a later date to be fixed after consultation amongst the members of the Council.

43. Since the General Assembly last discussed the matter, a number of communications have been addressed by the Chairman of the Committee on the Exercise of the Inalienable Rights of the Palestinian People to the President of the Security Council or the Secretary-General (A/34/83, S/13132, S/13164, A/34/155-S/13210, S/13291, A/34/238-S/13322, A/34/258-S/13334, S/13418, A/34/395-S/13482, A/34/492-S/13544). In addition, the rights of the Palestinian people have been the subject of a number of communications received from Member States and circulated as United Nations official documents (A/34/111-S/13151, A/34/161-S/13217, A/34/439-S/13515).

VI. SEARCH FOR A PEACEFUL SETTLEMENT

44. The search for a peaceful settlement in the Middle East from the June 1967 hostilities until October 1978 was fully described in the two comprehensive reports of the Secretary-General issued on 18 May 1973 (S/10929, paras. 43-113) and 17 October 1978 (A/33/311-S/12896, paras. 61-99).

A. Consideration at the thirty-third session of the General Assembly

45. The situation in the Middle East was considered again by the General Assembly at its thirty-third session. On 7 December 1978, it adopted resolution 33/29, in which it condemned Israel's continued occupation of Palestinian and other Arab territories and declared that peace was indivisible and a just and lasting settlement of the Middle East problem must be based on a comprehensive solution, under the auspices of the United Nations, which took into account all aspects of the Arab-Israel conflict, in particular the attainment by the Palestinian people of all its inalienable national rights and the Israeli withdrawal from all the occupied Palestinian and other Arab territories. The Assembly called anew for the early convening of the Peace Conference on the Middle East, under the auspices of the

United Nations and the co-chairmanship of the Union of Soviet Socialist Republics and the United States of America, with the participation on an equal footing of all parties concerned, including the Palestine Liberation Organization, and urged the parties to the conflict and all other interested parties to work towards the achievement of a comprehensive settlement covering all aspects of the problem and worked out with the participation of all parties concerned within the framework of the United Nations.

B. Security Council resolutions on the implementation of resolution 338 (1973)

46. During the period covered by the present report, the Secretary-General, in his periodic reports on the activities of UNEF and UNDOF (S/12934, S/13350 and S/13460), reiterated the view that, although the areas of operation of the two Forces were quiet, the situation in the Middle East as a whole was unstable and would remain so unless and until a comprehensive settlement covering all aspects of the Middle East problem could be reached. The Security Council, in renewing the mandate of UNDOF for further periods of six months in November 1978 and again in May 1979, concurred with this view and called upon the parties concerned to implement immediately its resolution 338 (1973).

C. Peace treaty between Egypt and Israel

47. Following the conclusion of the Camp David agreements, the Prime Minister and Minister for Foreign Affairs of Egypt, in a letter dated 16 March 1979 (A/34/124), informed the Secretary-General that a treaty of peace had been negotiated between Egypt and Israel. The letter also referred to a supplementary agreement between Egypt and Israel on negotiations aimed at "establishing Palestinian authority in the West Bank and the Gaza Strip and the realization of the inalienable rights of the Palestinian people". Subsequently, the Permanent Representatives of Egypt (A/34/214) and of Israel (A/34/231) informed the Secretary-General of the approval of the treaty, which had been signed on 26 March 1979, by the legislative organs of their countries and its entry into force on 25 April 1979.

48. In a letter dated 30 March 1979 (A/34/155-S/13210) addressed to the Secretary-General, the Chairman of the Committee on the Exercise of the Inalienable Rights of the Palestinian People conveyed the Committee's concern with regard to these developments "the consequences of which seem to it by no means conducive to the implementation of the inalienable rights of the Palestinian people, as defined by various organs of the United Nations".

49. By a letter dated 2 April 1979 (A/34/160-S/13216 and Corr.1), the Permanent Representative of Iraq transmitted to the Secretary-General the text of the resolutions adopted on 31 March 1979 by the Council of the League of Arab States meeting in Baghdad. In these resolutions, the participating countries called upon all countries to refrain from supporting the treaty between Egypt and Israel. The

same paragraph of the resolutions was also referred to in a letter dated 29 May 1979 (A/34/284-S/13354) addressed to the Secretary-General by the Permanent Representative of the United Arab Emirates in his capacity as the then Chairman of the Arab Group. The letter stated further that the Arab group, accordingly, was opposed to any direct or indirect action which any principal or subsidiary organ of the United Nations, including the Security Council, might take which would "either confer any legitimacy whatsoever or be interpreted to grant recognition, express or implied, to the Egyptian-Israeli peace treaty".

50. The treaty between Egypt and Israel has since been the subject of additional communications addressed to the President of the Security Council or the Secretary-General by certain Member States and circulated as official documents of the United Nations. These communications came from the Permanent Representative of Yemen (S/13169), the Permanent Representative of Iraq (A/34/129-S/13189, A/34/182-S/13248), the Permanent Representative of the Syrian Arab Republic (A/34/133-S/13194), the Permanent Representative of Jordan (A/34/138-S/13201), the Permanent Representative of Sri Lanka in his capacity as the Chairman of the Co-ordinating Bureau of Non-Aligned Countries (A/34/161-S/13217), the Permanent Representative of Kuwait (S/13467, A/34/392-S/13478) and the Permanent Representative of Qatar in his capacity as the Chairman of the Arab Group in September (A/34/520-S/13559).

51. In regard to the over-all situation, it will be recalled that the Secretary-General, in his report on the work of the Organization 6/ stated, inter-alia:

> "A just and lasting peace in the Middle East can ultimately only be achieved through a comprehensive settlement covering all aspects of the question, including in particular the inalienable rights of the Palestinian people. Evidently, all parties concerned must be involved."

52. The Secretary-General is maintaining his contacts with all concerned on this and other matters relating to the situation in the Middle East.

6/ See ibid., Thirty-fourth Session, Supplement No. 1 (A/34/1).

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Report of the Secretary-General

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I. INTRODUCTION

1. The present report is submitted in pursuance of General Assembly resolution 34/70 of 6 December 1979. In that resolution, which is summarized in paragraph 43 below, the General Assembly requested the Secretary-General to report to the Security Council periodically on the development of the situation in the Middle East and to submit to the General Assembly at its thirty-fifth session a report covering, in all their aspects, the developments in the Middle East.

2. It may be recalled that, on 24 October 1979, the Secretary-General submitted a report on the same subject to the General Assembly and the Security Council (A/34/584-S/13578), in pursuance of General Assembly resolution 33/29 of 7 December 1978. In that report, the Secretary-General gave an account of the efforts undertaken by the United Nations to deal with various aspects of the situation in the Middle East, namely, the status of the cease-fire, the situation in the occupied territories, the Palestine refugee problem, Palestinian rights and the search for a peaceful settlement. A similar pattern is followed in the present report.

3. The present report is based mainly on information available in United Nations documents. In order to avoid duplication, reference will be made to reports of the Secretary-General and other official United Nations documents concerning the Middle East, whenever appropriate.

II. STATUS OF THE CEASE-FIRE

4. The status of the cease-fire in the Middle East up to October 1979 was described in the report of the Secretary-General of 24 October 1979 (paras. 4-19). At that time, there were three United Nations peace-keeping operations in the area: an observer mission, the United Nations Truce Supervision Organization (UNTSO), and two peace-keeping forces, the United Nations Disengagement Observer Force (UNDOF), and the United Nations Interim Force in Lebanon (UNIFIL).

A. Activities of UNDOF

5. UNDOF, established by Security Council resolution 350 (1974) of 31 May 1974, is deployed on the Golan Heights in the Israel-Syria sector. Its activities since October 1979 are outlined in the two most recent periodic reports of the Secretary-General to the Security Council on the subject (S/13637 and S/13957). The mandate of the Force has been extended twice during the period under review by the Security Council. The last extension of UNDOF, as decided by the Security Council in its resolution 470 (1980) of 30 May 1980, was for a further period of six months, until 30 November 1980.

6. The functions and guidelines of UNDOF have remained as outlined in the Secretary-General's report of 27 November 1974 (S/11563, paras. 8-10). UNDOF has continued, with the co-operation of the parties, to supervise the area of

separation and the areas of limitation of armaments and forces, in accordance with the disengagement agreement of May 1974 between Israel and Syria. The situation in its area of operation has remained generally quiet.

7. The Force has now a total strength of about 1,290 and is composed of four contingents - from Austria, Canada, Finland and Poland - and 20 observers detailed from UNTSO. In addition, other UNTSO observers assigned to the Israel-Syria Mixed Armistice Commission assist UNDOF as occasion requires.

B. Activities of UNIFIL

8. UNIFIL was set up by Security Council resolutions 425 (1978) and 426 (1978) of 19 March 1978 and operates in southern Lebanon. Its activities since October 1979 are outlined in the Secretary-General's reports on the Force to the Security Council (S/13691, S/13888 and Corr.1 and Add.1-3 and S/13994). The mandate of the Force has been extended by the Security Council twice during the period under review. The last extension of UNIFIL, as decided by the Security Council in its resolution 474 (1980), was for a further period of six months, until 19 December 1980.

9. UNIFIL has continued to function in accordance with the guidelines set out in the Secretary-General's report of 19 March 1978 (S/12611). According to that report, UNIFIL was envisaged as a two-stage operation. In the first stage, UNIFIL was to confirm the withdrawal of Israeli forces from Lebanese territory to the international border. Once that was achieved, UNIFIL was to establish and maintain an area of operation. In this connexion, the Force was to supervise the cessation of hostilities, ensure the peaceful character of the area of operation, control movement and take all measures deemed necessary to ensure the effective restoration of Lebanese sovereignty in the area. As stated in the report of the Secretary-General of 17 October 1978 (A/33/311-S/12896, para. 25), the Israeli forces completed their withdrawal from Lebanese territory on 13 June 1978. However, they handed over control of the border area to Lebanese de facto armed forces, rather than to UNIFIL, thus creating serious problems for the full deployment of the Force in the whole area of operation and to the fulfilment of its mandate.

10. Despite intense and persistent efforts, UNIFIL has not been able to make significant progress in overcoming these problems during the period under review. The de facto forces, which are supported by Israel, have not only prevented a further deployment of UNIFIL in the enclave, but they have maintained four positions previously established in the UNIFIL area of operation and have attempted to establish additional encroachments. These attempts have been resisted by UNIFIL and have led to serious confrontations. The presence of Palestinian and other armed elements, and the general political and security situation in Lebanon itself, have also contributed to the extremely difficult situation in the south. While the leadership of the Palestine Liberation Organization (PLO) has renewed its assurance of co-operation with UNIFIL, the Force has continued to be subjected to attempts by armed elements to infiltrate personnel and weapons into its area. There have been

several incidents in Israel for which the PLO took responsibility. Israeli forces have attacked PLO targets in southern Lebanon both in retaliation and in pre-emptive actions. Further exchanges of fire between opposing armed groups over and across the UNIFIL area of operation have been frequent. In these circumstances, UNIFIL has continued to exert its best efforts to prevent infiltration and encroachment and to restore and maintain the cease-fire in the area. UNIFIL has also continued in its endeavour to consolidate its position and, in co-operation with the Lebanese Government, to increase and make more effective the Lebanese presence, both civilian and military, in its area of operation. As pointed out in his last periodic report on UNIFIL dated 12 June 1980 (S/13994, para. 71), the very complex situation in southern Lebanon is interrelated with the wider problem of the Middle East, which still awaits a just and comprehensive settlement. Despite all the difficulties it faced, UNIFIL is performing an indispensable service to peace, not only in Lebanon, but also in the Middle East as a whole. While continuing to strive to fulfil all the terms of its mandate, UNIFIL provides a vital mechanism for conflict control in an extremely volatile situation.

11. UNIFIL has now a total strength of some 6,000. It is composed of contingents from Fiji, France, Ghana, Ireland, Italy, the Netherlands, Nigeria, Norway, Senegal and Sweden. UNTSO observers in the Israel-Lebanon sector assist and co-operate with UNIFIL in the performance of its tasks.

C. Activities of UNTSO

12. As indicated above, observers of UNTSO have continued to assist and co-operate with UNDOF and UNIFIL in the performance of their tasks. On the Golan Heights, UNTSO observers assigned to UNDOF man observation posts in the area of separation and carry out periodic inspections in the areas of limitation of armament and forces. In addition, observers assigned to the Israel-Syria Mixed Armistice Commission assist UNDOF as occasion requires. In southern Lebanon, observers asigned to the UNIFIL area of operation man observation posts, conduct patrols as necessary and provide liaison teams with various parties. The headquarters of the Israel-Lebanon Mixed Armistice Commission in Beirut functions also as a liaison office of UNIFIL. In pursuance of Security Council resolutions 459 (1979), 467 (1980) and 474 (1980), the Secretary-General has continued his efforts to reactivate the Israel-Lebanon Mixed Armistice Commission. In this connexion, the representative of Lebanon, in letters dated 14 and 18 October 1980, addressed to the President of the Security Council and to the Secretary-General, protested that Israel was continuing to violate Lebanese territory and called for a meeting of the Mixed Armistice Commission to discuss the situation (A/35/534, S/14218, A/35/552-S/14223).

13. Until July 1979, UNTSO observers assigned to the Egypt-Israel sector assisted the United Nations Emergency Force (UNEF) in the performance of the latter's tasks. When the mandate of UNEF lapsed on 24 July 1979, the Secretary-General declared in a statement issued on the same day that, in view of the fact that the withdrawal of UNEF was without prejudice to the continued presence of the UNTSO observers in the area, it was his intention to make the necessary arrangements

to ensure the further functioning of UNTSO, in accordance with existing decisions of the Security Council. Thus, a number of observers continue to be stationed in the area.

14. UNTSO also maintains a liaison office in Amman. The Officer-in Charge of that liaison office is also nominally the Chairman of the Mixed Armistice Commission between Israel and the Hashemite Kingdom of Jordan.

III. SITUATION IN THE OCCUPIED TERRITORIES

15. The action taken prior to October 1979 by the United Nations concerning the situation in the Arab territories occupied by Israel and the question of Jerusalem were outlined in the Secretary-General's report of 24 October 1979 (A/34/584-S/13578, paras. 20-30).

16. The General Assembly, at its thirty-fourth session, after considering the report of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Population of the Occupied Territories (A/34/631), adopted three resolutions on 12 December 1979. By resolution 34/90 A, the Assembly condemned certain Israeli policies and practices in the occupied territories and demanded that Israel desist forthwith from those policies and practices. It renewed the mandate of the Special Committee, which is composed of Senegal, Sri Lanka and Yugoslavia, and requested it to report to the Secretary-General as soon as possible and whenever the need arose thereafter. By resolution 34/90 B, it reaffirmed that the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, 1/ was applicable to all the Arab territories occupied by Israel since 1967, including Jerusalem, and called again upon Israel to acknowledge and to comply with the provisions of that Convention. By resolution 34/90 C, the Assembly determined that all measures and actions taken by Israel designed to change the legal status, geographical nature and demographic composition of the occupied Arab territories had no legal validity and constituted a serious obstruction to efforts aimed at achieving a just and lasting peace in the Middle East. It called once more upon the Government of Israel to desist forthwith from taking such measures, in particular the establishment of settlements in the Palestinian and other Arab territories.

17. The Special Committee was kept informed of developments concerning the human rights situation in the occupied territories by the periodic communication to the members of information gathered or received from several sources. The Special Committee held periodic meetings to review such information and to hear oral testimony of persons from the occupied territories and to assess the human rights situation in the occupied territories with a view to deciding whether any action could be undertaken. The report, submitted by the Special Committee under General Assembly resolution 34/90 A, has been circulated as document A/35/425.

1/ United Nations, Treaty Series, vol. 75, No. 973, p. 287.

18. Earlier in the session, on 16 November 1979, the Assembly adopted resolution 34/29, entitled "Situation in the occupied territories", in which it called upon Israeli authorities to rescind its decision to deport the Mayor of Nablus outside the occupied Palestinian territory. The Assembly also requested the Secretary-General to report to it as soon as possible on the implementation of the resolution. In his report of 24 November 1979 (A/34/720) in pursuance of that resolution, the Secretary-General said that the Prime Minister of Israel, in response to his request for all relevant information, had informed him that the decision in question was based on local regulations in force and would be reviewed by the Supreme Court of Israel in accordance with the due process of law. The Secretary-General added that he was continuing to follow developments closely. On 5 December, the General Assembly was informed by the representative of Israel that the deportation order had been set aside (A/SPC/34/SR.42).

19. During its thirty-fourth session, the General Assembly also adopted, on 14 December 1979, resolution 34/113 on the living conditions of the Palestinian people in the occupied territories. In that resolution, the General Assembly, after taking note of the report of the Secretary-General of 25 October 1979 on this subject (S/34/536 and Corr.1), requested the Secretary-General, in collaboration with the relevant United Nations organs and specialized agencies, to prepare and submit to the General Assembly at its thirty-fifth session a comprehensive and analytical report on the social and economic impact of the Israeli occupation on the living conditions of the Palestinian people in the occupied Arab territories. The Assembly also requested the Secretary-General, in preparing this report, to consult and co-operate with the Palestine Liberation Organization. The requested report of the Secretary-General has been circulated as document A/35/533.

20. In a related decision, the General Assembly, in resolution 34/136 adopted on 14 December 1979, emphasized the right of the Arab States and peoples whose territories were under Israeli occupation to full and effective permanent sovereignty and control over their natural and all other resources, wealth and economic activities; reaffirmed that all measures undertaken by Israel to exploit the human, natural and all other resources, wealth and economic activities in the occupied Arab territories were illegal and called upon Israel immediately to desist forthwith from all such measures; further reaffirmed 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 national resources and called upon Israel to meet their just claims. In this connexion, the Assembly also called upon all States to support and assist the Arab States and peoples and called upon States, international organizations and all other institutions not to recognize, or co-operate with or assist in, any measures undertaken by Israel 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. The Assembly also requested the Secretary-General to prepare and submit to the General Assembly at its thirty-fifth session a report which took into consideration the provisions of paragraph 2 of resolution 32/161. In a note dated 7 October 1980 (A/35/514), the Secretary-General stated that the secretariat of the Economic Commission for Western Asia, to which the task of preparing the report was entrusted, had been unable, despite every

effort to engage the necessary consultant services, to prepare a report for submission to the General Assembly at its thirty-fifth session, and that arrangements were being made to prepare a report for submission to the General Assembly at its thirty-sixth session.

21. On 13 February 1980, the Commission on Human Rights adopted resolutions 1 A and B (XXXVI) concerning the question of the violation of human rights in the occupied Arab territories. These resolutions, in which the Commission condemned Israeli policies and practices in the occupied territories along lines similar to those of General Assembly resolution 34/90 A mentioned above, were brought to the attention of the General Assembly and the Security Council by the Secretary-General in a note dated 10 July 1980 (A/35/325-S/14057).

22. The Security Council held a number of meetings during the period under review to examine various matters relating to the situation in occupied territories and the question of Jerusalem. On 15 February 1980, the Permanent Representative of Jordan requested a meeting of the Security Council to consider Israeli actions in disregard of resolutions 446 (1979) and 452 (1979), by which the Security Council had called on Israel to cease the establishment of settlements in occupied territories (S/13801). On the same date, the Permanent Representative of Morocco, as Chairman of the Islamic Grup, also requested an urgent meeting of the Security Council to consider the grave and disturbing situation created by the measures taken by Israel in the city of Al-Khalil (Hebron) on the West Bank (S/13802). The Security Council held five meetings between 22 February and 1 March 1980 (S/PV.2199-2203). On the latter date, it unanimously adopted resolution 465 (1980), in which the Council, after taking note of the reports of its Commission established under resolution 446 (1979) (S/13450 and Corr.1 and S/13679), determined that all measures taken by Israel to change the physical character, demographic composition, institutional structure or status of the Palestinian and other Arab territories occupied since 1967, including Jerusalem, or any part thereof, had no legal validity and that Israel's policies and practices of settling parts of its population and new immigrants in those territories constituted a flagrant violation of the Fourth Geneva Convention relative to the Protection of Civilian Persons in Time of War and also constituted a serious obstruction to achieving a comprehensive, just and lasting peace in the Middle East; strongly deplored the continuation and persistence of Israel in pursuing those policies and practices and called upon the Government and people of Israel to rescind those measures, to dismantle the existing settlements and in particular to cease, on an urgent basis, the establishment, construction and planning of settlements in the occupied territories, including Jerusalem. In the same resolution, the Security Council called upon all States not to provide Israel with any assistance to be used specifically in connexion with settlements in the occupied territories and requested the Commission to continue to examine the situation relating to settlements in the occupied territories and to report to the Security Council before 1 September 1980. At the request of the Commission, the date of submission of the report was subsequently extended until 25 November 1980 (S/14116).

23. On 6 May 1980, the Permanent Representative of Tunisia requested an urgent meeting of the Security Council to consider the expulsion measure taken by the

Israeli authorities against the Mayors of Al-Khalil (Hebron) and Halhoul and the Sharia judge of Al-Khalil (Hebron) (S/13926). The Security Council met on 8 May (S/PV.2221) and adopted resolution 468 (1980), in which it expressed deep concern at the expulsion by the Israel military occupation authorities of the Mayors of Hebron and Halhoul and of the Sharia judge of Hebron; and called upon the Government of Israel, as occupying Power, to rescind those illegal measures and to facilitate the immediate return of the expelled Palestinian leaders so that they could resume the functions for which they had been elected and appointed. It further requested the Secretary-General to report upon the implementation of the resolution. In his report of 13 May 1980 (S/13938), the Secretary-General said that he had immediately brought the text of resolution 468 (1980) to the attention of the Government of Israel and noted that he had also previously made representations to the Government of Israel in that regard. On 9 May 1980 the Government of Israel had informed him that it was unable to allow the expelled Mayors of Hebron and Halhoul and the Sharia judge of Hebron to return, for reasons indicated in the statement made by the Permanent Representative of Israel before the Security Council (S/PV.2221). The Secretary-General noted in this connexion reports that the three Palestinian leaders had been denied re-entry into the West Bank by the Israeli authorities on 11 May.

24. On 16 May 1980, the Permanent Representative of Jordan requested that the Security Council meet to consider Israel's defiance of its resolution 468 (1980) (S/13941). The Security Council held two meetings on 20 May (S/PV.2222-2223) and, after considering the Secretary-General's report on this matter (S/13938), adopted resolution 469 (1980), in which it strongly deplored the failure of the Government of Israel to implement resolution 468 (1980) and called again upon the Government of Israel, as occupying Power, to rescine the illegal measures taken by the Israel military occupation authorities in expelling the Mayors of Hebron and Halhoul and the Sharia judge of Hebron, and to facilitate the immediate return of the expelled Palestinian leaders. It also requested the Secretary-General to continue his efforts in order to ensure the immediate implementation of that resolution and report to the Security Council at the earliest possible date. In his report of 24 May 1980 (S/13960), the Secretary-General said that he had once again addressed an appeal to the Prime Minister of Israel to take the necessary action to respond to the call of the Security Council. In reply, the Prime Minister of Israel had said that the three men in question had openly incited to violence; however, a petition to allow their return had been submitted to the High Court of Justice and the matter was sub judice in his country. The Secretary-General added that he was continuing to follow closely developments in regard to that important matter. On 10 October, in reply to a letter addressed to him by the Chairman of the Committee on the Exercise of the Inalienable Rights of the Palestinian People (A/35/513-S/14209), the Secretary-General stated that he had continued his efforts in regard to the implementation of Security Council resolution 469 (1980) and had raised this matter on a number of occasions with the Israeli authorities. He had received information, which had been confirmed by the Permanent Mission of Israel to the United Nations, that the Government of Israel had decided on 6 October to allow the Mayors of Hebron and Halhoul to return to the West Bank to appeal their deportation order before a military review board (see A/35/530-S/14215).

25. On 3 June 1980, the Permanent Representative of Bahrain, in his capacity as Chairman of the Group of Arab States, requested an immediate meeting of the Security Council to consider the assassination attempts on the Mayors of Nablus, Ramallah and Al Bireh and the arbitrary detention of a great number of Palestinian students in the occupied territory (S/13977). At a meeting held on 5 June 1980 (S/PV.2226), the Security Council adopted resolution 471 (1980), in which it condemned the assassination attempts on the lives of the Mayors of Nablus, Ramallah and Al Bireh and called for the immediate apprehension and prosecution of the perpetrators of those crimes. In the same resolution, the Council expressed a deep concern that Israel, as occupying Power, had failed to provide adequate protection to the civilian population in the occupied territories in conformity with the provisions of the Fourth Geneva Convention, called upon the Government of Israel to provide the victims with adequate compensation for the damages suffered as a result of those crimes and to respect and comply with the provisions of the Fourth Geneva Convention as well as with the relevant resolutions of the Security Council. The Council further called upon all States not to provide Israel with any assistance to be used specifically in connexion with settlements in the occupied territories, and reaffirmed the overriding necessity to end the prolonged occupation of the occupied Arab territories, including Jerusalem.

26. The situation in the occupied territories, with specific reference to Jerusalem, was considered by the Security Council at eight meetings held between 24 and 30 June (S/PV.2233-2236, 2238, 2239, 2241, 2242), at the request of the Acting Permanent Representative of Pakistan (S/13966), the current Chairman of the Organization of the Islamic Conference, in pursuance of the decision taken by the Eleventh Islamic Conference of Foreign Ministers. On 30 June 1980, the Security Council adopted resolution 476 (1980), in which it reaffirmed the overriding necessity to end the prolonged occupation of the occupied Arab territories, including Jerusalem, and strongly deplored the continued refusal of Israel, the occupying Power, to comply with the relevant resolutions of the Security Council and the General Assembly. The Council reconfirmed that all legislative and administrative measures and actions taken by Israel which purported to alter the character and status of the Holy City of Jerusalem had no legal validity and constituted a flagrant violation of the Fourth Geneva Convention and a serious obstruction to achieving a comprehensive, just and lasting peace in the Middle East, and reiterated that all such measures which had altered the geographic, demographic and historical character and status of the Holy City of Jerusalem were null and void and must be rescinded in compliance with the relevant resolution of the Security Council. The Council urgently called on Israel to abide by this and previous Security Council resolutions and to desist forthwith from persisting in the policies and measures affecting the character and status of the Holy City of Jerusalem, and reaffirmed its determination, in the event of non-compliance of Israel with the resolution, to examine practical ways and means in accordance with relevant provisions of the Charter of the United Nations to secure the full implementation of the resolution.

27. In a letter dated 1 August 1980 (S/14084), the Acting Permanent Representative of Pakistan and current Chairman of the Organization of the Islamic Conference said that Israel, in violation of the Security Council resolutions including 476 (1980),

had persisted in its measures to alter the status of the Holy City of Jerusalem and enacted a law proclaiming it as the capital of Israel. Recalling that the Security Council, in resolution 476 (1980), had reaffirmed its determination, in the event of the non-compliance of Israel, to examine practical ways and means in accordance with relevant provisions of the Charter to secure its full implementation, he requested an immediate meeting of the Security Council. On 20 August 1980 the Security Council adopted (S/PV.2245) resolution 478 (1980), in which it censured in the strongest terms the enactment by Israel of the "basic law" on Jerusalem and the refusal to comply with relevant Security Council resolutions; affirmed that the enactment of the "basic law" by Israel constituted a violation of international law and did not affect the continued application of the Fourth Geneva Convention in the Palestinian and other Arab territories occupied since June 1967, including Jerusalem; determined that all legislative and administrative measures and actions taken by Israel which had altered or purported to alter the character and status of the Holy City of Jerusalem, and, in particular, the recent "basic law" on Jerusalem, were null and void and must be rescinded forthwith; and affirmed also that that action constituted a serious obstruction to achieving a comprehensive, just and lasting peace in the Middle East. The Security Council further decided not to recignize the "basic law" and such other actions by Israel that, as a result of that law, sought to alter the character and status of Jerusalem; called upon all Members of the United Nations to accept this decision and called upon those States that had established diplomatic missions in Jerusalem to withdraw such missions from the Holy City; and requested the Secretary-General to report to it on the implementation of the resolution before 15 November 1980. Since the adoption of resolution 478 (1980), the 10 States which maintained a diplomatic mission in Jerusalem at the time have informed the Secretary-General that they had decided to withdraw their respective diplomatic missions from the Holy City (S/14124, S/14126, S/14127, S/14135, S/14137, S/14138, S/14144, S/14151, S/14163 and S/14168). The Secretary-General's report in pursuance of resolution 478 (1980) will be circulated shortly.

28. Since the General Assembly last discussed the matter, the situation in the occupied territories has been the subject of a number of additional communications addressed to the President of the Security Council or the Secretary-General and circulated as official documents of the United Nations. These communications dealt with the question of Israeli settlements and the expropriation of land in the occupied territories (A/35/102-S/13795, S/13798, A/35/103, S/13811, A/35/111, S/13830, S/13839, S/13843, S/13844, A/35/133-S/13845 and Corr.1, S/13849, S/13851, S/13859, S/13997), the question of expulsion of and attacks against Palestinian leaders in occupied territories (A/35/218-S/13928, S/13936, A/35/225, A/35/278-S/13976, S/13979, A/35/281-S/13983, A/35/283-S/13988), the question of Jerusalem (S/13840, S/14017, S/14018, S/14032, S/14049, S/14098, S/14103, S/14115, S/14169, A/35/508-S/14207) and other questions affecting the human rights of the population of the occupied territories (S/13720, A/35/60-S/13732, A/35/64-S/13738, S/13765, A/35/77-S/13766, A/35/81-S/13772, A/35/87-S/13782, S/13791, A/35/97-S/13792, A/35/98-S/13793, A/35/101, S/13815, S/13854, A/35/155-S/13861, A/35/158, S/13868, A/35/166-S/13874, A/35/206-S/13922 and Corr.1, S/14075, S/14082, S/14096). Communications were also received from Israel regarding violent incidents in

occupied territories for which the PLO was said to have claimed responsibility (A/35/86-S/13781, A/35/186, A/35/207-S/13923, S/14016, A/35/302, A/35/387-S/14101, S/14125).

IV. PALESTINE REFUGEE PROBLEM

29. The Palestine refugee problem and the efforts of the United Nations to assist the refugees up to October 1979 were dealt with in the report of the Secretary-General of 24 October 1979 (A/34/584-S/13578, paras. 31-38).

30. Following its consideration of the report of the Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA) 2/ at its thirty-fourth session, the General Assembly adopted on 23 November 1979 resolutions 34/52 A to F, dealing with various aspects of the problem. By resolution 34/52 A, the Assembly noted with deep regret that the situation of the refugees continued to be a matter of serious concern and expressed its appreciation to the Agency in doing all it could for the Palestine refugees within the limits of available resources. The Assembly reiterated its request that the headquarters of the Agency should be relocated within the area of its operations as soon as practicable. The Assembly also noted with regret that the United Nations Conciliation Commission for Palestine had been unable to find a means of achieving progress in the implementation of paragraph 11 of General Assembly resolution 194 (III), providing for repatriation or compensation of the refugees, and requested it to continue its work towards that objective.

31. The financing of UNRWA's operations continued to be a matter of increasing concern to the General Assembly. UNRWA's funding is derived almost entirely from voluntary contributions, mainly from Governments, and for many years it has experienced difficulty in securing the financial support necessary to maintain its services. In its resolution 34/52 A, the Assembly directed attention to the continuing seriousness of UNRWA's financial position; noted with profound concern that, despite the commendable and successful efforts of the Commissioner-General to collect additional contributions, the level of income available to UNRWA was still insufficient to cover essential budget requirements; and called upon all Governments as a matter of urgency to make the most generous efforts possible to meet UNRWA's needs. In particular, it urged non-contributing Governments to contribute regularly and contributing Governments to consider increasing their contributions. In a related decision, in resolution 34/52 D, the Assembly extended for another year the mandate of the Working Group on the Financing of UNRWA and requested it to continue its efforts, in co-operation with the Secretary-General and the Commissioner-General, to assist in assuring the Agency's financial security.

32. Regarding the problem of the population displaced as a result of the hostilities of June 1967, the General Assembly, in its resolution 34/52 B, endorsed

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2/ Official Records of the General Assembly, Thirty-fourth Session, Supplement No. 13, (A/34/13 and Corr.1).

the efforts of UNRWA to provide humanitarian assistance to those persons. After considering a report of the Secretary-General on the question of the return of the population and refugees displaced since 1967 (A/34/518), the Assembly adopted resolution 34/52 E, in which it reaffirmed the inalienable right of all the displaced inhabitants to return to their homes or former places of residence in the territories occupied by Israel since 1967 and declared once more that any attempt to restrict, or to attach conditions to, the free exercise of the right of return by any displaced person was inconsistent with that inalienable right and inadmissible. The Assembly considered any and all agreements embodying any restriction on or condition for the return of the displaced inhabitants as null and void. The Assembly also deplored the continued refusal of the Israeli authorities to take steps for the return of all the displaced inhabitants and called once more upon Israel (a) to take immediate steps for the return of all the displaced inhabitants and (b) to desist from all measures that obstructed their return, including measures affecting the physical and demographic structure of the occupied territories.

33. The situation of Palestine refugees in the Gaza Strip has been of special concern to the General Assembly since 1971 when the Commissioner-General reported that, as a result of operations carried out by the Israeli military authorities, large numbers of shelters in refugee camps had been demolished and approximately 15,000 refugees had been removed (A/8383 and Add.1). At its thirty-fourth session, after considering the report of the Secretary-General on this subject (A/34/517), the General Assembly adopted resolution 34/52 F, in which it called once more upon Israel to desist from removal and resettlement of Palestinian refugees in the Gaza Strip and from destruction of their shelters.

34. In another decision, the General Assembly, by resolution 34/52 C, appealed to all States, specialized agencies and non-governmental organizations to augment the special allocations for scholarships and grants to Palestinian refugees; invited the relevant United Nations agencies to continue to expand the inclusion within their respective spheres of competence of assistance for higher education for the Palestinian refugee students; appealed to all States, specialized agencies and the United Nations University to contribute generously to the Palestinian universities in the territories occupied by Israel since 1967 and to contribute towards the establishment of vocational training centres for Palestinian refugees. The Assembly requested UNRWA to act as recipient and trustee for such special allocations and scholarships and to award them to qualified Palestinian refugee candidates.

35. In addition to the annual report of the Commissioner-General of UNRWA, 3/ the Assembly will have before it at its thirty-fifth session reports of the Secretary-General on the Palestine refugees in the Gaza Strip (A/35/473), on the return of the displaced inhabitants of the territories occupied by Israel since 1967 (A/35/472) and on the allocation of scholarships and grants to

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3/ Ibid., Thirty-fifth Session, Supplement No. 13 (A/35/13).

Palestinian refugees (A/35/438 and Corr.1), as well as a report of the United Nations Conciliation Commission for Palestine (A/35/474) and a report of the Working Group on the Financing of UNRWA (A/35/526).

V. PALESTINIAN RIGHTS

36. The developments concerning the question of Palestinian rights up to October 1979 were outlined in the report of the Secretary-General of 24 October 1979 (A/34/584-S/13578, paras. 39-43).

37. At its thirty-fourth session, the General Assembly considered the report of the Committee on the Exercise of the Inalienable Rights of the Palestinian People, 4/ and adopted resolutions 34/65 A to D. By its resolution 34/65 A, the General Assembly reaffirmed that a just and lasting peace in the Middle East could not be established without the achievement, inter alia, of a just solution to the problem of Palestine on the basis of the attainment of the inalienable rights of the Palestinian people, including the right of return and the right to national independence and sovereignty in Palestine, in accordance with the Charter of the United Nations; endorsed the recommendations of the Committee on the Exercise of the Inalienable Rights of the Palestinian People and expressed its regret and concern that those recommendations, endorsed by the General Assembly in its resolutions 31/20, 32/40 A and 33/28 A, had not been implemented; once again urged the Security Council to consider and to take, as soon as possible, a decision on the recommendations endorsed by the Assembly; and authorized and requested the Committee, in the event of the Council failing to consider or to take a decision on those recommendations by 31 March 1980, to consider that situation and to make the suggestions it deemed appropriate. By resolution 34/65 B, the Assembly noted with concern that the Camp David accords had been concluded outside the framework of the United Nations and without the participation of the PLO, the representative of the Palestinian people; rejected those provisions of the accords which ignored, infringed upon, violated or denied the inalienable rights of the Palestinian people, and which envisaged and condoned continued Israeli occupation of the Palestinian territories occupied by Israel since 1967; strongly condemned all partial agreements and separate treaties which constituted a flagrant violation of the rights of the Palestinian people, the principles of the Charter and the resolutions adopted in the various international forums on the Palestinian issue; and declared that the Camp David accords and other agreements had no validity in so far as they purported to determine the future of the Palestinian people and of the Palestinian territories occupied by Israel since 1967. The Assembly, by resolution 34/65 C, also requested the Committee to keep the situation relating to the question of Palestine under review and to report and make suggestions to the Assembly or to the Security Council, as appropriate. By resolution 34/65 D, the Assembly requested the Secretary-General to ensure that the Special Unit on Palestinian Rights of the United Nations Secretariat, under the guidance of the Committee, discharged its tasks and undertook an expanded programme of work. Steps are being taken to implement the provisions of that resolution.

4/ Ibid., Thirty-fourth Session, Supplement No. 35 (A/34/35).

38. In a letter to the President of the Security Council dated 6 March 1980 (S/13832), the Acting Chairman of the Committee on the Exercise of the Inalienable Rights of the Palestinian People drew attention to the relevant provisions of General Assembly resolution 34/65 and said that the Committee was convinced that the members of the Security Council would wish to re-examine the Committee's recommendations as urged by the General Assembly in that resolution. On 24 March, the Chairman of the Committee requested that the Security Council convene urgently to consider those recommendations (S/13855). The Security Council held seven meetings between 31 March and 30 April 1980 (S/PV.2204-2208, 2219, 2220) to consider the question, but no resolution was adopted owing to a negative vote of one of the permanent members of the Security Council (S/PV.2220).

39. In a letter to the Secretary-General dated 1 July 1980 (A/ES-7/1, annex), the Permanent Representative of Senegal said that the Committee, over which he presided, had considered the situation as required by resolution 34/65 A, and, having in mind the escalating tension in the area, which further aggravated the serious threat to international peace and security, and the continuing failure of the Security Council to exercise its primary responsibility in this respect, had suggested that an emergency special session of the General Assembly should be held to discuss the question of Palestine. The seventh emergency special session of the General Assembly met from 22 to 29 July 1980 to consider the question of Palestine at the request of Senegal.

40. At its seventh emergency special sesssion, the General Assembly, in its resolution ES-7/2, reaffirmed the inalienable rights in Palestine of the Palestinian people, including the right to self-determination without external interference, and to national independence and sovereignty, and the right to establish its own independent sovereign State. It called upon Israel to withdraw completely and unconditionally from all the Palestinian and other Arab territories occupied since June 1967, including Jerusalem, and urged that such withdrawal from all the occupied territories should start before 15 November 1980. The General Assembly requested and authorized the Secretary-General, in consultation, as appropriate, with the Committee, to take the necessary measures towards the implementation of the recommendations contained in paragraphs 59 to 72 of the report of the Committee to the General Assembly at its thirty-first session 5/ as a basis for the solution of the question of Palestine. It also requested the Secretary-General to report to the General Assembly at its thirty-fifth session on the implementation of the present resolution and requested the Security Council, in the event of non-compliance by Israel with the present resolution, to adopt effective measures under Chapter VII of the Charter. The General Assembly decided to adjourn the seventh emergency special session temporarily and to resume upon request from Member States. In resolution ES-7/3 adopted by the seventh emergency special sesssion, the General Assembly requested the Committee to study thoroughly the reasons for the refusal of Israel to comply with the relevant United Nations resolutions, particularly resolution 31/20 of 24 November 1976, in which the General Assembly endorsed the recommendations of the Committee and the numerous

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5/ Ibid., Thirty-first Session, Supplement No. 35 (A/31/35).

resolutions demanding the withdrawal of Israel from the occupied Palestinian and other Arab territories, including Jerusalem, and to submit the study to the Assembly.

41. Since the General Assembly discussed the matter at its thirty-fourth session, a number of communications have been addressed by the Chairman of the Committee on the Exercise of the Inalienable Rights of the Palestinian People to the President of the Security Council or the Secretary-General (A/35/230, S/13940, A/35/279-S/13978, A/35/377-S/14089, A/35/378-S/14090, A/35/398-S/14110). The rights of the Palestinian people have also been the subject of communications received from Member States (A/35/209, A/ES-7/4, A/ES-7/7, A/ES-7/11, A/35/390). In addition, a number of communications in which Israel expressed its view of the Palestine Liberation Organization have been received and circulated as official documents of the United Nations (S/13872, 6/ A/35/170, S/13985, A/35/282, A/35/395-S/14107).

VI. SEARCH FOR A PEACEFUL SETTLEMENT

42. The search for a peaceful settlement in the Middle East from June 1967 until October 1979 was described in the reports of the Secretary-General of 18 May 1973 (S/10929, paras. 43-113), 17 October 1978 (A/33/311-S/12896, paras. 61-99) and 24 October 1979 (A/34/584-S/13578, paras. 45-53).

43. The situation in the Middle East was considered again by the General Assembly at its thirty-fourth session. On 6 December 1979, the General Assembly adopted resolution 34/70, in which it condemned Israel's continued occupation of Palestinian and other Arab territories; declared once more that peace was indivisible and that a just and lasting settlement of the Middle East question must be based on a comprehensive solution, under the auspices of the United Nations, which took into account all aspects of the Arab-Israeli conflict, in particular the attainment by the Palestinian people of all its inalienable rights and the Israeli withdrawal from all the occupied Arab and Palestinian territories, including Jerusalem; condemned all partial agreements and separate treaties which violated the recognized rights of the Palestinian people and contradicted the principles of just and comprehensive solutions to the Middle East problem; reaffirmed that, until Israel withdrew from all the occupied territories and until the Palestinian people attained and exercised its inalienable national rights, a comprehensive, just and lasting peace in the Middle East, in which all countries and peoples in the region lived in peace and security within recognized and secure boundaries, would not be achieved; called anew for the early convening of the Peace Conference on the Middle East, under the auspices of the United Nations and the co-chairmanship of the Union of Soviet Socialist Republics and the United States of America, with the participation on an equal footing of all parties concerned, including the Palestine Liberation Organization; urged the parties to the conflict and all other interested

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6/ The comments of the PLO on document S/13872 are contained in document S/13898, annex.

parties to work towards the achievement of a comprehensive settlement covering all aspects of the problem and worked out with the participation of all parties concerned within the framework of the United Nations; and requested the Security Council, in the exercise of its responsibilities under the Charter, to take all necessary measures to ensure the implementation of relevant resolutions of both the Security Council and the General Assembly and to facilitate the achievement of such a comprehensive settlement aiming at the establishment of a just and lasting peace in the region.

44. As outlined earlier in this report, the General Assembly also held an emergency special session in July 1980 to discuss the question of Palestine (see paras. 39-40 above), and the Security Council held seven series of meetings to examine various problems relating to the rights of the Palestinian people, the situation in the occupied territories and the question of Jerusalem (see paras. 22-27 and 38 above). The outcome of these meetings is relevant to the search for a comprehensive settlement of the Middle East problem.

45. During the period covered by the present report, the Secretary-General, in his periodic reports on the activities of UNDOF (S/13637 and S/13957), reiterated the view that, although the area of operation of the Force was quiet, the situation in the Middle East as a whole was unstable and would remain so unless and until a comprehensive settlement covering all aspects of the Middle East problem could be reached. The Security Council, in renewing the mandate of UNDOF for further periods of six months in November 1979 and again in May 1980, concurred with this view (S/13662 and S/13970) and called upon the parties concerned to implement immediately its resolution 338 (1973) (resolutions 456 (1979) and 470 (1980)).

46. Since the thirty-fourth session of the General Assembly, a number of communications addressed to the President of the Security Council or the Secretary-General have dealt with the situation in the Middle East or various aspects thereof. By a letter dated 11 February 1980 (A/35/109-S/13810), the representative of Pakistan transmitted the text of the resolutions and the final communiqué of the extraordinary session of the Islamic Conference of Foreign Ministers held at Islamabad from 27 to 29 January 1980. In a letter dated 28 April 1980 (A/35/188-S/13912), the representatives of the Libyan Arab Jamahiriya transmitted the text of the declaration made at the conclusion of the Fourth Summit Conference of the Steadfastness and Confrontation National Front, held at Tripoli between 12 and 15 April 1980. The texts of declarations issued by the European Community, in Luxembourg on 5 May 1980 and in Venice on 16 June 1980 respectively, were transmitted by the representative of Italy (S/13925 and A/35/299-S/14009). By a letter dated 22 July 1980 addressed to the Secretary-General (A/ES-7/8), the representative of Cuba requested the circulation, in connexion with the seventh emergency special session of the General Assembly, of the relevant parts of the final declaration of the Sixth Conference of Heads of State or Government of Non-Aligned Countries, held in Havana from 3 to 9 September 1979. In a letter dated 8 August 1980 (A/35/384-S/14097), the representative of Jordan transmitted the texts of final documents adopted by the Islamic Conference of Ministers for Foreign Affairs at its second extraordinary session, held at Amman on 11 and 12 July 1980. By a letter dated 20 August 1980 (A/35/419-S/14129),

the representative of Pakistan transmitted the texts of resolutions adopted by the Eleventh Islamic Conference of Foreign Ministers, held in Islamabad from 17 to 22 May 1980. The communiqué of the Extraordinary Meeting of the Ministers for Foreign Affairs and Heads of delegations of the non-aligned countries to the thirty-fifth session of the General Assembly, held at Headquarters on 2 and 3 October 1980, was transmitted by the Permanent Mission of Cuba in a note verbale dated 14 October 1980 (A/35/542).

47. The Camp David agreement and subsequent negotiations undertaken between Egypt and Israel have been the subject of a number of communications mentioned above as well as those addressed to the President of the Security Council or the Secretary-General by the representative of Egypt (A/35/102-S/13795, A/35/133-S/13845, S/13945, A/ES-7/12).

48. In his annual report on the work of the Organization, 7/ the Secretary-General has indicated that the main aspects of the Middle East problem are interdependent and cannot be separated. A continuous and determined effort must therefore be made to achieve a comprehensive settlement through negotiations involving all the parties concerned, including the Palestine Liberation Organization. Any future solution of the problem will have to be based on the right of all States in the area to live in peace within secure and recognized boundaries free from threats or acts of force, on the inalienable rights of the Palestinians, including their right to self-determination, and on withdrawal from occupied territories. In this context the question of Jerusalem is of primary importance and cannot be solved through any unilateral decision. The Secretary-General continues to believe that the United Nations can do much to facilitate a settlement, and he earnestly hopes that it will play an increasingly important role in this vital endeavour.

7/ Ibid., Thirty-fifth Session, Supplement No. 1 (A/35/1).

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Report of the Secretary-General

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I. INTRODUCTION

1. The present report is submitted in pursuance of General Assembly resolution 35/207 of 16 December 1980. In that resolution, which is summarized in paragraph 30 below, the General Assembly requested the Secretary-General to report to the Security Council periodically on the development of the situation and to submit to the General Assembly at its thirty-sixth session a report covering the developments in the Middle East in all their aspects. The last report of the Secretary-General on the subject is contained in document A/35/563-S/14234 of 24 October 1980. The present report follows the pattern of that report. It is based mainly on information available in United Nations documents. In order to avoid duplication, only brief references are made to those documents, whenever appropriate.

II. STATUS OF THE CEASE-FIRE

2. The status of the cease-fire in the Middle East up to October 1980 was described in the report of the Secretary-General mentioned above (paras. 4-14). There continue to be three United Nations peace-keeping operations in the area: an observer mission, the United Nations Truce Supervision Organization (UNTSO), and two peace-keeping forces, the United Nations Disengagement Observer Force (UNDOF), and the United Nations Interim Force in Lebanon (UNIFIL). While, during the last 12 months, there have been serious breaches of the cease-fire in the Israel-Lebanon sector (see paras. 10-14), the other sectors have been generally quiet.

A. Activities of UNTSO

3. Military observers of UNTSO have continued to assist and co-operate with UNDOF and UNIFIL in the performance of their tasks. On the Golan Heights, UNTSO observers assigned to UNDOF man observation posts in the area of separation and carry out periodic inspections in the areas of limitation of armament and forces. In addition, observers assigned to the Israel-Syria Mixed Armistice Commission assist UNDOF as occasion requires. In southern Lebanon, observers assigned to the UNIFIL area of operation man observation posts, conduct patrols as necessary and provide liaison teams with various parties. The headquarters of the Israel-Lebanon Mixed Armistice Commission in Beirut functions also as a liaison office of UNIFIL.

4. In pursuance of Security Council resolutions 459 (1979), 467 (1980), 474 (1980), and 483 (1980), the Secretary-General has continued his efforts to reactivate the Israel-Lebanon Mixed Armistice Commission. In the context of those efforts, the Chief of Staff of UNTSO, who is also the Chairman of the Israel-Lebanon Mixed Armistice Commission, convened a meeting at Naqoura on 1 December 1980. Israel and Lebanon were represented by senior military officers. The Israeli delegation maintained its position that Israel no longer recognized that Commission since, in its view, the Armistice Agreement had expired in 1967.

The Lebanese delegation held that the Armistice Agreement was still in force and it was their aim, through this and future meetings, to reactivate the Commission and to implement the Armistice Agreement fully. The Chief of Staff of UNTSO is keeping contact with both sides with a view to arranging another meeting at the earliest opportunity.

5. Until July 1979, UNTSO observers assigned to the Egypt-Israel sector assisted the United Nations Emergency Force (UNEF) in the performance of its tasks. While the mandate of UNEF lapsed on 24 July 1979, a number of observers have remained stationed in the area in accordance with existing decisions of the Security Council. UNTSO also maintains a liaison office in Amman. The Officer-in-Charge of that office is also nominally the Chairman of the Israel-Hashemite Kingdom of Jordan Mixed Armistice Commission.

6. The authorized strength of UNTSO is 298 observers. They are made available by the Governments of Argentina, Australia, Austria, Belgium, Canada, Chile, Denmark, Finland, France, Ireland, Italy, the Netherlands, New Zealand, Norway, Sweden, the Union of Soviet Socialist Republics and the United States of America.

B. Activities of UNDOF

7. UNDOF was established by Security Council resolution 350 (1974) of 31 May 1974 and is deployed on the Golan Heights in the Israel-Syria sector. Its activities since October 1980 are outlined in the Secretary-General's reports to the Security Council on the Force (S/14263 and S/14482). The mandate of the Force has been extended by the Security Council twice during the period under review, most recently by resolution 485 (1981) of 22 May 1981, for a further period of six months, until 30 November 1981.

8. The functions and guidelines of UNDOF have remained as outlined in the Secretary-General's report of 27 November 1974 (S/11563, paras. 8-10). UNDOF has continued, with the co-operation of the parties, to supervise the area of separation and the areas of limitation of armament and forces in accordance with the Disengagement Agreement of May 1974 between Israel and Syria. The situation in its area of operation has remained generally quiet.

9. The Force has a total strength of about 1,280 and is composed of four contingents from Austria, Canada, Finland and Poland as well as 20 observers detailed from UNTSO. As indicated above, UNTSO observers assigned to the Israel-Syria Mixed Armistice Commission also assist UNDOF as occasion requires.

C. Activities of UNIFIL

10. UNIFIL was established by Security Council resolutions 425 (1978) and 426 (1978) of 19 March 1978 and operates in southern Lebanon. Its activities since October 1980 are outlined in the Secretary-General's reports on the Force to the Security Council (S/14295, S/14407 and S/14537). The mandate of the Force

has been extended by the Security Council twice during the period under review, most recently by resolution 488 (1981) of 19 June 1981, for a further period of six months, until 19 December 1981.

11. UNIFIL has continued to function in accordance with the guidelines set out in the Secretary-General's report of 19 March 1978 (S/12611). Despite intensive and persistent efforts, UNIFIL has not yet received the degree of co-operation required of the parties to enable the Force fully to discharge its mandate. It has thus far been unable to deploy throughout the area of operation up to the internationally recognized border, and confrontations with armed groups and forces operating in the area have continued to occur.

12. There have also been at times extensive exchanges of shelling over and across the UNIFIL area of deployment between armed elements (mainly Palestine Liberation Organization (PLO) and Lebanese National Movement) and the de facto forces (Christian and associated militias) and the Israel Defence Forces, as well as air and sea attacks by Israeli forces against targets north of the UNIFIL area. A particularly serious cycle of hostilities took place from 10 to 24 July 1981. In this connexion, the Security Council met on 17 July and launched an urgent appeal for an immediate end to all armed attacks. On 21 July, the Security Council adopted resolution 490 (1981), by which it called for an immediate end of all armed attacks. In pursuance of the decisions of the Security Council, intensive efforts were undertaken to secure a cease-fire. Those efforts are described in the Secretary-General's statement to the Security Council on 21 July (S/PV.2293) and in his report of 23 July 1981 (S/14613 and Corr.1). As a result of these efforts a de facto cease-fire was established on 24 July (see S/14613/Add.1), and the area has remained generally quiet since then.

13. UNIFIL has an authorized strength of 6,000. It is composed of contingents from Fiji, France, Ghana, Ireland, Italy, Nepal, the Netherlands, Nigeria, Norway, Senegal and Sweden. UNTSO observers in the Israel-Lebanon sector assist and co-operate with UNIFIL in the performance of its tasks.

14. A number of communications have been addressed to the President of the Security Council or the Secretary-General concerning hostile activities in and around southern Lebanon. Those communications were from Afghanistan (A/36/405-S/14620), Bangladesh (A/36/398-S/14614), Cuba on behalf of the Non-aligned Countries (A/36/311-S/14508, S/14618), Fiji (S/14568), Israel (A/36/62-S/14322, A/36/88-S/14355, S/14394, A/36/122, S/14398, A/36/130, A/36/212-S/14449, S/14454, A/36/219, S/14591, S/14594, A/36/387, S/14600, S/14602, S/14603, A/36/393, A/36/394, S/14605, S/14606, A/36/400, A/36/401, S/14617, A/36/404), Lebanon (S/14307, S/14354, A/36/87, S/14381, A/36/109, A/36/375, S/14586), the Netherlands on behalf of the 10 member States of the European Community (S/14421), Qatar (S/14612), and PLO (S/14435, annex; A/36/217, annex; S/14470, annex; A/36/310-S/14507, annex; A/36/389-S/14601, annex; A/36/395-S/14609, annex). Communications were also received from the Permanent Representative of Israel regarding violent incidents in Israel and in the occupied Arab territories (A/36/72-S/14328, A/36/127-S/14403, A/36/132-S/14409, A/36/169-S/14427, A/36/186-S/14438, A/36/211-S/14448, A/36/235-S/14476, A/36/292-S/14492, S/14622, A/36/413, A/36/437-S/14631, A/36/464-S/14668, A/36/520-S/14696, A/36/574-S/14714).

III. SITUATION IN THE OCCUPIED TERRITORIES

15. The action taken prior to October 1980 by the United Nations concerning the situation in the occupied territories and the question of Jerusalem was outlined in the Secretary-General's report of 24 October 1980 (A/35/563-S/14234, paras. 15-28).

16. The General Assembly, at its thirty-fifth session, after considering the report of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Population of the Occupied Territories (A/35/425), which is composed of Senegal, Sri Lanka and Yugoslavia, adopted resolutions 35/122 A to F on 11 December 1980. By those resolutions, the General Assembly, inter alia, called upon Israel to acknowledge and to comply with the provisions of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949 1/, in territories it has occupied since 1967, including Jerusalem (resolution 35/122 A); called upon Israel to desist forthwith from taking any action to change the legal status, geographical nature or demographic composition of those territories (resolution 35/122 B); demanded that Israel desist forthwith from certain policies and practices in the occupied territories (resolution 35/122 C); called upon Israel to rescind the illegal measures taken in expelling and imprisoning the Mayors of Hebron and Halhul and in expelling the Sharia Judge of Hebron and to facilitate the immediate return of the expelled Palestinian leaders (resolution 35/122 D); called upon Israel, the occupying Power, to desist from enacting legislation purporting to alter the character and legal status of the Syrian Arab Golan Heights and upon Member States not to recognize such measures (resolution 35/122 E); demanded that Israel rescind all measures against educational institutions in occupied territories and also requested the Security Council to convene urgently to take the necessary measures, in accordance with the provisions of the Charter, to ensure that the Government of Israel rescind the illegal measures taken against the Palestinian mayors and the Sharia Judge (resolution 35/122 F).

17. The Security Council considered the situation in the occupied territories at two meetings on 19 December 1980 (A/PV.2259 and 2260). On the same day, it adopted resolution 484 (1980), in which it reaffirmed the applicability of the Fourth Geneva Convention of 1949 to all the Arab territories occupied by Israel in 1967; called upon Israel, the occupying Power, to adhere to the provisions of the Convention; declared it imperative that the Mayor of Hebron and the Mayor of Halhul be enabled to return to their homes and resume their responsibilities; and requested the Secretary-General to report on the implementation of this resolution as soon as possible. The Secretary-General submitted a report in pursuance of General Assembly resolution 35/122 D and Security Council resolution 484 (1980) on 30 January 1981 (A/36/85-S/14350).

18. The Special Committee was kept informed of developments concerning the human rights situation in the occupied territories by the periodic communication to its

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1/ United Nations, Treaty Series, vol. 75, No. 973, p. 287.

members of information gathered or received from several sources. The Special Committee held periodic meetings to review such information and to hear oral testimony and to assess the human rights situation in the occupied territories with a view to deciding whether any action could be undertaken. The report submitted by the Special Committee under General Assembly resolution 35/122 C will be circulated as a document of the General Assembly (A/36/579). The report of the Secretary-General requested under the same resolution has been circulated under agenda item 64 (A/36/588).

19. On 11 February 1981, the Commission on Human Rights adopted resolutions 1 A and B (XXXVII) concerning the question of the violation of human rights in the occupied territories. These resolutions, in which the Commission condemned Israeli policies and practices in the occupied territories along lines similar to those of General Assembly resolution 35/122 C, were brought to the attention of the General Assembly (A/36/344-S/14567).

20. During its thirty-fifth session, the General Assembly also adopted resolution 35/75 on the living conditions of the Palestinian people in the occupied territories and resolution 35/110 concerning permanent sovereignty over national resources in the occupied territories. These questions are the subject of separate reports which have been circulated under agenda items 69 (k) (A/36/260 and Add.1-3) and 12 (A/36/648) respectively.

21. The situation in the occupied territories has been the subject of a number of communications addressed to the President of the Security Council or the Secretary-General and circulated as official documents of the United Nations. These communications dealt with the question of Israeli settlements and the expropriation of land in the occupied territories (S/14418, A/36/373-S/14585, A/36/399-S/14615, A/36/460-S/14657), Israeli activities affecting the Syrian population in the Golan Heights (A/36/110-S/14383, A/36/126-S/14402, A/36/134-S/14411, A/36/345-S/14569, A/36/369-S/14583), Israeli plans to build a canal across the Gaza Strip linking the Dead Sea and the Mediterranean (A/36/180-S/14432, A/36/187-S/14439, A/36/575-S/14715), matters relating to Jerusalem and the Holy Places (A/36/58-S/14317, A/36/125-S/14400, A/36/137-S/14416, A/36/158-S/14424, A/36/178-S/14431, A/36/489-S/14684, A/36/505-S/14690, A/36/555-S/14708), and other matters relating to the situation in the occupied territories (S/14315, S/14319, A/36/89-S/14356, A/36/94-S/14365, A/36/105-S/14376, A/36/128-S/14404, A/36/381-S/14592, A/36/443-S/14633, A/36/444-S/14634).

IV. PALESTINE REFUGEE PROBLEM

22. The Palestine refugee problem and the efforts of the United Nations to assist the refugees up to October 1980 were dealt with in the report of the Secretary-General of 24 October 1980 (A/35/563-S/14234, paras. 29-35).

23. Following its consideration of the report of the Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East

(UNRWA) 2/ at its thirty-fifth session, the General Assembly adopted resolutions 35/13 a to F on 3 November 1980. These resolutions dealt with assistance to Palestine refugees and the extension of the UNRWA mandate through June 1984 (resolution 35/13 A), offers by Member States of grants and scholarships for higher education for the Palestine refugees and the establishment of a university in Jerusalem to cater to the needs of Palestine refugees in the area (resolution 35/13 B), assistance to persons displaced as a result of the June 1967 hostilities (resolution 35/13 C), the Working Group on the Financing of UNRWA (resolution 35/13 D), the population and refugees displaced since 1967 (resolution 35/13 E) and the Palestine refugees in the Gaza Strip (resolution 35/13 F).

24. In addition to the annual report of the Commissioner-General of UNRWA, 3/ the General Assembly will have before it at its thirty-sixth session reports of the Secretary-General on the offers of scholarships and grants for Palestinian refugees (A/36/385 and Add.1 and 2), on the question of establishing in Jerusalem a university for Palestine refugees (A/36/593), on the population and refugees displaced since 1967 (A/36/558), and on the Palestine refugees in the Gaza Strip (A/36/559), as well as a report of the United Nations Conciliation Commission for Palestine (A/36/529) and a report of the Working Group on the Financing of UNRWA (A/36/615).

V. PALESTINIAN RIGHTS

25. The developments concerning the question of Palestinian rights up to October 1980 were outlined in the report of the Secretary-General (A/35/563-S/14234, paras. 36-41).

26. At its thirty-fifth session, the General Assembly considered the report of the Committee on the Exercise of the Inalienable Rights of the Palestinian People 4/ and adopted, on 15 December 1980, five resolutions 35/169 A to E. In those resolutions, the General Assembly, inter alia, reaffirmed that a just and lasting peace in the Middle East could not be established without the achievement of a just solution of the problem of Palestine on the basis of the attainment of the inalienable rights of the Palestinian people, including the right of return and the right to self-determination, national independence and sovereignty in Palestine (resolution 35/169 A); reaffirmed its rejection of those provisions of the /Camp David/ accords which ignored, infringed, violated or denied the inalienable rights of the Palestinian people and which envisaged and condoned continued Israeli occupation of the Palestinian territories occupied by Israel since 1967 and expressed its strong opposition to all partial agreements and separate treaties

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2/ Official Records of the General Assembly, Thirty-fifth Session, Supplement No. 13 (A/35/13).

3/ Ibid., Thirty-sixth Session, Supplement No. 13 (A/36/13).

4/ Ibid., Thirty-fifth Session, Supplement No. 35 (A/35/35).

which constituted a flagrant violation of the rights of the Palestinian people (resolution 35/169 B); requested the Committee to keep the situation relating to the question of Palestine under review (resolution 35/169 C); requested the Secretary-General to ensure that the Special Unit on Palestine Rights of the Secretariat, in consultation with the Committee and under its guidance, continue to discharge the tasks detailed in previous Assembly decisions (resolution 35/169 D); and determined that all legislative and administrative measures and actions taken by Israel which had altered or purported to alter the character and status of the Holy City of Jerusalem, and, in particular, the "Basic Law" and the proclamation of Jerusalem as the capital of Israel were null and void and must be rescinded forthwith (resolution 35/169 E).

27. On 11 February 1981, the Commission on Human Rights adopted resolution 2 (XXXVII) by which it, inter alia, reaffirmed the inalienable right of the Palestinian people to self-determination without external interference and the establishment of a fully independent and sovereign State in Palestine.

28. The report of the Committee on the Exercise of the Inalienable Rights of the Palestinian People has been submitted to the General Assembly. 5/ In addition, a number of communications have been received from the Chairman of the Committee (A/36/114-S/14389, A/36/177-S/14430, A/36/237-S/14477, A/36/341-S/14566, A/36/382-S/14593, A/36/449-S/14641, A/36/519-S/14695, A/36/521-S/14698, A/36/578-S/14719, A/36/604-S/14730, S/14739). A number of other communications have been circulated under agenda item 31. Some of these are referred to in paragraph 21 and 32 of the present report. In addition, a letter was received from the Permanent Representative of Cuba transmitting the report of a mission of the Co-ordinating Bureau of Non-aligned Countries on its visit to Lebanon in August 1981 (A/36/547-S/14704).

VI. SEARCH FOR A PEACEFUL SETTLEMENT

29. The search for a peaceful settlement in the Middle East up to October 1980 was outlined in the report of the Secretary-General (A/35/563-S/14234, paras. 42-48).

30. The situation in the Middle East was again considered by the General Assembly at its thirty-fifth session. On 16 December 1980, it adopted resolution 35/207, in which it, inter alia, condemned Israel's continued occupation of Palestinian and other Arab territories and renewed its call for the immediate, unconditional and total withdrawal of Israel from all occupied territories; reaffirmed its conviction that the question of Palestine was at the core of the conflict in the Middle East and that no comprehensive, just and lasting peace in the region would be achieved without the full exercise by the Palestinian people of its inalienable national rights; reaffirmed that a settlement could not be achieved without the participation on an equal footing of the parties to the conflict, including the

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5/ Ibid., Thirty-sixth Session, Supplement No. 35 (A/36/35).

Palestine Liberation Organization; declared that peace in the Middle East was indivisible and that a just and lasting settlement of the Middle East problem must be based on a comprehensive solution, under the auspices of the United Nations; rejected all partial agreements and separate treaties which violated the recognized rights of the Palestinian people and contradicted the principles of just and comprehensive solutions to the Middle East problem; reaffirmed its strong rejection of Israel's decision to annex Jerusalem and related measures; strongly condemned Israel's aggression against Lebanon and the Palestinian people as well as its practices in the occupied Palestinian and Arab territories, particularly the Syrian Golan Heights; and called for strict respect for the territorial integrity, sovereignty and political independence of Lebanon.

31. During the period covered by this report, the Secretary-General, in his periodic reports on the activities of UNDOF (S/14263 and S/14482), reiterated the view that, although the area of operation of the Force was quiet, the situation regarding the Middle East as a whole continued to be potentially dangerous and was likely to remain so unless and until a comprehensive settlement covering all aspects of the Middle East problem could be reached. The Security Council, in reviewing the mandate of UNDOF for further periods of six months in November 1980 and again in May 1981, concurred with this view (S/14271 and S/14485) and called upon the parties concerned to implement immediately its resolution 338 (1973) (resolutions 481 (1980) and 485 (1981)).

32. Since the Secretary-General's last report on this question was issued on 24 October 1980, a number of communications have been addressed to him which dealt with the situation in the Middle East or various aspects thereof and have been circulated as documents of the General Assembly and the Security Council. In addition to those referred to in the preceding sections of this report (see paras. 14, 21 and 28 above), communications were received containing the documents of the New Delhi Conference of Ministers for Foreign Affairs of Non-aligned Countries (A/36/116), resolutions adopted at the Third Islamic Summit Conference (A/36/138), recommendations adopted by the Jerusalem Committee of the Organization of the Islamic Conference at its fifth session (A/36/379-S/14590), resolutions of the thirty-fifth ordinary session of the Council of Ministers of the Organization of African Unity (A/35/463 and Corr.1), resolutions of the Twelfth Islamic Conference of Foreign Ministers (A/36/421-S/14626 and Corr.1), the communiqué of the Meeting of the Ministers for Foreign Affairs and Heads of Delegations of the Non-aligned Countries to the thirty-sixth session of the General Assembly (A/36/566-S/14713), the resolutions adopted by the sixty-eighth Inter-Parliamentary Conference (A/36/584), the communiqué and declaration of the Commonwealth Heads of Government Meeting (A/36/587) and the final communiqué of the meeting of the Ministers for Foreign Affairs of the Islamic Conference at United Nations Headquarters (A/36/603 and Add.1). In addition, letters were received from the Permanent Representative of Israel, concerning statements made at the 2299th meeting of the Security Council and in the course of the eighth emergency special session of the General Assembly (A/36/507-S/14691) and concerning the establishment of a nuclear-free zone in the Middle East (A/36/630). Letters were also received from the Permanent Representative of the Soviet Union, concerning a

statement by his Government to the Government of the United States of America (A/36/595-S/14727), and from the Permanent Representative of Egypt on the same subject (A/36/627-S/14736).

33. In his annual report on the work of the Organization, 6/ the Secretary-General has indicated that the situation in the Middle East with all its complexities and ramifications continues to be of central concern to the entire international community, containing as it does an explosive potential of conflict endangering world peace. The heightening of tension between Israel and the Syrian Arab Republic, the Israeli attack on the nuclear facility in Iraq, which was the subject of Security Council resolution 487 (1981) of 19 June 1981, the continuing cycle of violence in and around Lebanon have all underlined the dangers inherent in the absence of progress towards a settlement that ultimately can ensure a peaceful and just future for all the nations and peoples of the region. The Secretary-General continues to believe that the United Nations can do much to facilitate a settlement and that the Organization provides a universal forum in the framework of which efforts to evolve a peaceful settlement may in the end best be pursued.

6/ Ibid., Thirty-sixth Session, Supplement No. 1 (A/36/1).

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QUESTION OF PALESTINE
THE SITUATION IN THE MIDDLE EAST
REPORT OF THE SPECIAL COMMITTEE TO INVESTIGATE ISRAELI PRACTICES AFFECTING THE HUMAN RIGHTS OF THE POPULATION OF THE OCCUPIED TERRITORIES

SECURITY COUNCIL
Thirty-seventh year

Report of the Secretary-General

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I. INTRODUCTION

1. At its thirty-sixth session, the General Assembly adopted resolution 36/226 A of 17 December 1981, in which it, inter alia, condemned Israel's continued occupation of the Palestinian and other Arab territories and demanded the immediate, unconditional and total withdrawal of Israel from all occupied territories; reaffirmed its conviction that the question of Palestine was the core of the conflict in the Middle East and that no comprehensive, just and lasting peace in the region would be achieved without the full exercise of the Palestinian people of its inalienable national rights; reaffirmed further that a settlement could not be achieved without the participation on an equal footing of all the parties to the conflict, including the Palestine Liberation Organization; declared that peace in the Middle East was indivisible and must be based on a comprehensive, just and lasting solution under the auspices of the United Nations; rejected all partial agreements and separate treaties in so far as they violated the recognized rights of the Palestinian people and contradicted the principles of just and comprehensive solutions to the Middle East problem; determined that Israel's decision to annex Jerusalem and to declare it its "capital", as well as the measures to alter its physical character, demographic composition, institutional structure and status, were null and void and should be rescinded immediately; condemned Israel's aggression and practices against the Palestinian people in the occupied Palestinian territories and outside those territories, and condemned Israel; annexationist policies and practices in the occupied Syrian Golan Heights; condemned the Israeli aggression against Lebanon; called for strict respect of the territorial integrity, sovereignty and political independence of Lebanon; deplored Israeli violations of the airspace of various Arab countries and demanded their immediate cessation; considered that the agreements on strategic co-operation between the United States of America and Israel signed on 30 November 1981 would encourage Israel to pursue its aggressive and expansionist policies and practices; and called upon all States to put an end to the flow to Israel of any military, economic or financial resources that would encourage it to pursue its aggressive policies against the Arab countries and the Palestinian people The Assembly requested the Secretary-General to report to the Security Council periodically on the development of the situation and to submit to the General Assembly at its thirty-seventh session a comprehensive report covering the developments in the Middle East in all their aspects.

2. At its thirty-sixth session, its ninth emergency special session and its resumed seventh emergency special session, the General Assembly adopted resolutions 36/147 E, ES-9/1 and ES-7/4. In those resolutions, which are more fully referred to below (see paras. 52, 57 and 74), the Assembly requested the Secretary-General to submit reports on the question of the Syrian Golan Heights and the question of Palestine at its thirty-seventh session.

3. In order to avoid duplication, the reports requested of the Secretary-General in the above-mentioned four resolutions have been combined in the present comprehensive report, which is being submitted to the General Assembly, under agenda items 31, 34 and 61, and also to the Security Council. This report is based mainly on information available in United Nations documents, to which references are made whenever appropriate.

II. MILITARY DEVELOPMENTS AND UNITED NATIONS PEACE-KEEPING OPERATIONS

4. The status of the cease-fire in the Middle East and the activities of the United Nations peace-keeping operations in the area - the United Nations Truce Supervision Organization (UNTSO), the United Nations Disengagement Observer Force (UNDOF) and the United Nations Interim Force in Lebanon (UNIFIL) - up to November 1981 were described in the report of the Secretary-General of 11 November 1981 (A/36/655-S/14746, paras. 2-14).

5. Until May 1982, the area was generally quiet, and the activities of the three United Nations peace-keeping operations remained essentially unchanged. The mandate of UNDOF was extended by the Security Council until 30 November 1982 (resolution 506 1982)). The mandate of UNIFIL was extended until 19 June 1982 (resolution 498 1981)). The Council also approved in February 1982, an increase in the strength of UNIFIL from approximately 6,000 to approximately 7,000 troops (resolution 501 (1982)).

6. In the Israel-Lebanon sector, the cease-fire which had come into effect on 24 July 1981 generally held, although there were serious breaches on 21 April and 9 May 1982, and tension remained at a high level. Intensive efforts were made both in the field and at United Nations Headquarters to maintain the cease-fire and to restore it after hostile acts occurred.

7. In early June 1982, the situation in that sector changed radically, and large-scale hostilities took place in Lebanon. On 4 June, Israeli aircraft attacked targets in the Beirut area. This attack was followed by intense exchanges of fire in southern Lebanon and across the Lebanese-Israeli border, involving the armed elements (mainly the Palestine Liberation Organization and the Lebanese National Movement) on the one hand, and the Israel Defence Forces and the de facto forces (Christian and associated militias) on the other.

8. In the light of these developments, the Secretary-General addressed an appeal to all concerned, on 4 June, for an immediate cease-fire. Later that day, the President of the Security Council made a statement on behalf of its members, urgently appealing to all the parties to adhere strictly to the cease-fire that had been in effect since 24 July 1981 and to refrain immediately from any hostile act likely to provoke an aggravation of the situation (S/15163).

9. On 5 June, the Security Council adopted resolution 508 (1982), calling on all the parties to the conflict to cease immediately and simultaneously all military activities within Lebanon and across the Lebanese-Israeli border and no later than 0600 hours local time on Sunday, 6 June. That same evening, the Palestine Liberation Organization (PLO) reaffirmed its commitment to stop all military operations across the Lebanese border. The Permanent Representative of Israel informed the Secretary-General that the resolution of the Security Council would be brought before the Israeli Cabinet (see S/15174).

10. On the morning of 6 June, Israeli forces moved into Lebanese territory in strength. The Commander of UNIFIL, Lieutenant-General Callaghan, immediately

instructed all UNIFIL units to attempt to prevent the entry and advance of the Israeli forces unless their safety was seriously imperilled. However, given the overwhelming strength of the Israeli forces, UNIFIL positions in the line of the invasion were overrun or bypassed.

11. On the evening of 6 June, the Security Council adopted resolution 509 (1982), in which it demanded that Israel withdraw all its military forces forthwith and unconditionally to the internationally recognized boundaries of Lebanon and that all parties observe strictly the terms of resolution 508 (1982). The next day, the Secretary-General reported to the Security Council on the positions of the Governments of Israel and Lebanon and that of the PLO regarding the implementation of the resolution (see S/15178).

12. By 7 June, Israeli forces, comprising more than two mechanized divisions, with air and naval support, had reached positions north of the UNIFIL area (S/15194/Add.1).

13. On 8 June, the Security Council met again to consider a draft resolution submitted by Spain, according to which the Council would condemn the non-compliance with resolutions 508 (1982) and 509 (1982) by Israel, demand that within six hours all hostilities must be stopped in compliance with those resolutions and decide, in the event of non-compliance, to meet again to consider practical ways and means in accordance with the Charter of the United Nations (S/15185). The draft resolution was not adopted, owing to the negative vote of a permanent member (S/PV.2377).

14. Meanwhile, in the light of the radically altered situation in which UNIFIL had now to function, the Secretary-General instructed the Force to continue to man its positions and, as an interim task, to provide protection and humanitarian assistance to the population of the area. On 9 June, the Secretary-General took measures to co-ordinate United Nations efforts to bring assistance to the population affected by the hostilities (see A/37/508 and Add.1).

15. On 11 June, the Government of Israel and the Syrian Arab Republic separately announced that, beginning 12 noon local time, each would cease fire, subject to certain conditions being met. As hostilities in Lebanon continued, however, the Secretary-General issued a statement in which he expressed concern at the continued hostilities and at reported statements from the Israeli side that the present cease-fire did not apply to their actions against the Palestinians (S/15194/Add.2).

16. Over the week-end of 12 and 13 June, the Secretary-General remained in constant touch, with the Government of Lebanon and other parties, seeking to explore the possibility of sending United Nations observers to monitor the cease-fire in the Beirut area. The Security Council held consultations in the late evening of 13 June, but no decision was reached on this matter.

17. On 18 June, the Security Council considered the report of the Secretary-General on UNIFIL (S/15194 and Add.1 and 2), whose mandate was about to expire. The Council adopted resolution 511 (1982), in which it decided, as an interim measure, to extend the mandate of the Force for a period of two months, until 19 August 1982, and authorized the Force during that period to carry out, in addition, the interim tasks referred to by the Secretary-General, that is, to extend protection and humanitarian assistance to the population of the area.

18. On 19 June, the Council adopted resolution 512 (1982), in which it called upon all the parties to the conflict to respect the rights of the civilian populations, to refrain from all acts of violence against those populations and to take all appropriate measures to alleviate the suffering caused by the conflict, in particular, by facilitating the dispatch and distribution of aid provided by United Nations agencies and by non-governmental organizations, in particular, the International Committee of the Red Cross. In view of the circumstances which made it difficult to obtain precise estimates on relief and rehabilitation needs arising from the hostilities, the Secretary-General appointed, on 25 June, an interagency survey mission, headed by Ambassador Anders Thunborg of Sweden, to assess the situation on the spot (see S/15267).

19. In the early morning of 26 June, the Security Council met to consider a draft resolution submitted by France according to which the Council would demand an immediate cessation of hostilities throughout Lebanon, the immediate withdrawal of the Israeli forces engaged around Beirut, as a first step, to a distance of 10 kilometres from the periphery of that city and the simultaneous withdrawal of Palestinian armed forces to existing camps; the Council would request the Secretary-General, as an immediate measure, to station United Nations military observers, by agreement with the Government of Lebanon, with instructions to supervise the cease-fire and disengagement in and around Beirut (S/15255/Rev.2). The draft resolution was not adopted owing to the negative vote of a permanent member (S/PV.2381).

20. Meeting again on 4 July, the Security Council adopted resolution 513 (1982), in which, alarmed by the continued sufferings of the Lebanese and Palestinian civilian populations in south Lebanon and in West Beirut, the Council called for respect for the rights of the civilian populations without any discrimination and repudiated all acts of violence against those populations. It also called for the restoration of the normal supply of vital facilities such as water, electricity, food and medical provisions, particularly in Beirut.

21. On 29 July, the Security Council met at the request of the Permanent Representatives of Egypt and France, who submitted to the Council a joint draft resolution. According to the draft resolution, the Council would demand an immediate cease-fire throughout Lebanon, call for the departure of all non-Lebanese forces except those authorized by Lebanon, and request the Secretary-General to station United Nations military observers, by agreement with the Government of Lebanon, in order to supervise the cease-fire and disengagement in and around Beirut and to prepare a report on the prospects for the deployment of a United Nations peace-keeping force which could take up positions beside the Lebanese interposition forces. The draft resolution also contained provisions concerning negotiations towards a peaceful settlement of the Middle East conflict (see para. 81 below).

22. The Council did not conclude its consideration of that draft resolution but, on the proposal of the representative of Spain, it adopted that afternoon resolution 515 (1982), in which it demanded that the Government of Israel lift immediately the blockade of the city of Beirut in order to permit the dispatch of supplies to meet the urgent needs of the civilian population and allow the distribution of aid provided by United Nations agencies and by non-governmental organizations, particularly the International Committee of the Red Cross.

23. The Security Council met again on the morning of 1 August and adopted resolution 516 (1982), in which, alarmed by the continuation and intensification of military activities and taking note of the latest massive violations of the cease-fire in and around Beirut, the Council confirmed its previous resolutions and demanded an immediate cease-fire and a cessation of all military activities within Lebanon and across the Lebanese-Israeli border. The Council further authorized the Secretary-General to deploy immediately, on the request of the Government of Lebanon, United Nations observers to monitor the situation in and around Beirut, and requested him to report back to the Council on compliance with the resolution not later than four hours from its adoption.

24. Following the adoption of the resolution, the Permanent Representative of Lebanon requested, on behalf of his Government, the stationing of United Nations observers in the Beirut area to ensure that the cease-fire was fully observed by all concerned (S/15333). The same day, the Secretary-General informed the Council that he had instructed the Chief of Staff of UNTSO, Lieutenant-General Erskine, to make the necessary arrangements, in consultation with the parties concerned, for the immediate deployment of United Nations observers in and around Beirut in accordance with the resolution. He also reported that, while assurances of co-operation were received from the Lebanese Government and the PLO, the Israeli authorities stated that this was a very important matter which had to be brought before the Israeli Cabinet (S/15334).

25. On 3 August, the Secretary-General submitted to the Security Council a second report, informing the Council of the efforts that had continued towards the speedy implementation of resolution 516 (1982). The Israeli authorities had informed the Chief of Staff of UNTSO that the Israeli Cabinet would discuss this subject on 5 August, following the return of the Foreign Minister from abroad. The Secretary-General added that, although the detailed plan for the deployment of United Nations observers in the Beirut area had been ready since 1 August, it could not be put into full effect until the reply from the Israeli Government was received. Meanwhile, as a temporary arrangement, the Secretary-General had instructed General Erskine to take immediate steps to set up initially observation machinery in territory controlled by the Lebanese Government, in close consultation and co-operation with the Lebanese National Army. In this connection, the United Nations observers assigned to the Israel-Lebanon Mixed Armistice Commission were constituted as the Observer Group Beirut (OGB) (S/15334/Add.1).

26. The Security Council held a meeting on the evening of 3 August, at which the President of the Council read out a statement on behalf of the members, expressing their serious concern at the prevailing high state of tension and at reports of military movements and continued outbreaks of firing in and around Beirut, contrary to the demand in resolution 516 (1982) for an immediate cease-fire and cessation of all military activities within Lebanon and across the Lebanese-Israeli border. The members of the Council expressed full support for the efforts of the Secretary-General and for the steps he had taken to secure the immediate deployment of United Nations observers to monitor the situation in and around Beirut. They insisted that all parties must observe strictly the terms of resolution 516 (1982) and called for the immediate lifting of all obstacles to the dispatch of supplies and the distribution of aid to meet the urgent needs of the civilian population (S/15342).

27. On 4 August, the Security Council adopted resolution 517 (1982), in which, expressing deep shock and alarm at the consequences of the Israeli invasion of Beirut on 3 August, it confirmed its demand for an immediate cease-fire and withdrawal of Israeli forces from Lebanon; censured Israel for its failure to comply with its resolutions; and called for the prompt return of Israeli troops which had moved forward subsequent to 1325 hours New York time on 1 August. The Council took note of the decision of the Palestine Liberation Organization to move the Palestinian armed forces from Beirut; authorized the Secretary-General, as an immediate step, to increase the number of United Nations observers in and around Beirut; and requested him to report on the implementation of the resolution not later than 1000 hours EDT on 5 August.

28. The responses of the parties to resolution 517 (1982) were transmitted to the Security Council by the Secretary-General in his report of 5 August 1982 (S/15345 and Add.1 and 2).

29. On the morning of 6 August, the Security Council met to consider the report of the Secretary-General. A draft resolution was submitted by the USSR, by which the Security Council would strongly condemn Israel for not implementing resolutions 516 (1982) and 517 (1982) and decide that, in order to carry out the above-mentioned decisions of the Security Council, all the States Members of the United Nations should refrain from supplying Israel with any weapons and from providing it with any military aid until the full withdrawal of Israeli forces from all Lebanese territory (S/15347/Rev.1). The draft resolution was not adopted owing to the negative vote of a permanent member (S/PV.2391).

30. On 12 August, the Security Council adopted resolution 518 (1982), in which, expressing most serious concern about continued military activities in Lebanon, it demanded that Israel and all parties to the conflict observe strictly the terms of Security Council resolutions relevant to the immediate cessation of all military activities within Lebanon and, particularly, in and around Beirut; demanded the immediate lifting of all restrictions on the city of Beirut in order to permit the free entry of supplies to meet the urgent needs of the civilian population in Beirut and requested the United Nations observers in and in the vicinity of Beirut to report on the situation; and demanded that Israel co-operate fully in the effort to secure the effective deployment of the United Nations observers, as requested by the Government of Lebanon.

31. On 13 August, the Secretary-General reported to the Security Council on the positions of the parties on the resolution. He further informed the Council that efforts were continuing to bring additional observers to the Beirut area and also to enable the 10 United Nations observers of OGB to function effectively for the purposes envisaged by the Security Council in its resolutions. With regard to the situation of the civilian population, Ambassador Thunborg, Chairman of the United Nations Interagency Survey Mission, had return to the area on 10 August at the Secretary-General's request to reassess the immediate needs of the affected population, with special reference to those in West Beirut. The Secretary-General concluded the report by expressing the hope that it would be possible to achieve, without delay, a solution of this urgent humanitarian problem. He also hoped that, with the co-operation of all concerned, the current efforts to resolve the broader aspects of the situation would be successful and would lead to the implementation of the resolutions of the Security Council (S/15362).

32. Also on 13 August, the Secretary-General submitted to the Security Council a report on UNFIL (S/15357), whose mandate was to expire the following week. He observed that, despite the difficulties it had faced, the Force had been deeply engaged in extending protection and humanitarian assistance to the civilian population in its area. It had also extended the fullest co-operation possible to the humanitarian efforts of various United Nations programmes and the International Committee of the Red Cross. There was no doubt in his mind that the presence of UNIFIL had provided an important stabilizing and moderating influence in southern Lebanon during those difficult weeks. The overall situation in the area, however, remained uncertain and fraught with danger. He had been in constant touch with the Government of Lebanon, which had indicated that, in the existing circumstances, UNIFIL should continue to be stationed in the area for an additional interim period of two months, pending further consideration of the situation in the light of pertinent Security Council resolutions. The Permanent Representative of Lebanon, referring to his letter of 26 July 1982 (S/15309), had also reiterated his Government's request that UNIFIL assist the Lebanese authorities in discharging their responsibilities. Taking all factors into account, and bearing in mind the position of the Government of Lebanon, the Secretary-General recommended that the Security Council extend the mandate of UNIFIL for a further interim period.

33. Having studied the Secretary-General's report, the Security Council adopted on 17 August resolution 519 (1982), in which it referred to the need, pending an examination by the Council of the situation in all its aspects, to preserve in place the capacity of the United Nations to assist in the restoration of the peace and of the authority of the Lebanese Government throughout Lebanon and decided to prolong the mandate of UNIFIL for a further interim period of two months, until 19 October 1982. The Council authorized the Force during that period to carry out, in addition, the interim tasks in the humanitarian and administrative fields assigned to it in resolution 511 (1982); called on all concerned to extend full co-operation to the Force in the discharge of its tasks; supported the efforts of the Secretary-General, with a view to optimum use of UNTSO observers, as envisaged by relevant resolutions of the Security Council; and decided to consider the situation fully and in all its aspects before 19 October 1982.

34. On 20 August, the Secretary-General received a letter from the Permanent Representative of Lebanon, informing him that the Government of Lebanon had requested the deployment of a multinational force in Beirut to assist the Lebanese armed forces as they carried out the orderly and safe departure from Lebanon of Palestinian armed personnel in the Beirut area, in a manner which would further the restoration of the sovereignty and authority of the Government of Lebanon over the Beirut area. The Governments of France, Italy and the United States of America had entered into agreement with the Government of Lebanon for the deployment of their troops to participate in that multinational force. In total, the force would consist of approximately 2,000 men and would remain in West Beirut for a period of 30 days. His Government had requested the deployment of the multinational force to make it possible to begin restoring the independence, sovereignty and territorial integrity of Lebanon. It was fully committed to the observance of the purposes and principles of the Charter of the United Nations and the pertinent resolutions adopted by the Security Council relating to the situation in Lebanon, and intended to give all necessary assistance to the United Nations Observer Group Beirut in fulfilling its mission.

35. In a communication dated 20 August (A/37/393-S/15371), the President of the United States of America informed the Secretary-General that, in response to the request of the Lebanese Government, the United States Government had agreed to deploy a force of about 800 men to Beirut for a period not exceeding 30 days. The President indicated that the deployment of the United States force was consistent with the purposes and principles of Articles 1 and 2 of the Charter and that the force would work closely with the United Nations observer group stationed in the Beirut area. The Governments of France and Italy also informed the Secretary-General of the participation of military personnel of their countries in the multinational force.

36. On 2 September, the Secretary-General submitted a report (S/15382) to the Security Council on the situation in the Beirut area. The cease-fire which had gone into effect on 12 August had generally held. The first contingent of the multinational force had arrived in Beirut on 21 August and the remainder on 25 and 26 August. The evacuation of the Palestinian armed elements and the Arab Deterrent Force from the Beirut area began on 21 August and was completed on 1 September.

37. In a second report dated 15 September (S/15382/Add.1) the Secretary-General indicated that the withdrawal of the multinational force started on 10 September and had been completed on 13 September. Between 2 and 8 September, elements of the Lebanese Armed Forces and Internal Security Forces had moved to new positions in West and South Beirut and the situation in the Beirut area had remained generally calm until 13 September. On 14 September, however, tension had greatly increased when President-elect Bashir Gemayel and several others were killed in a bomb explosion. The following day, infantry personnel and armour of the Israel Defence Forces had moved forward from their previous positions in West Beirut and had taken new positions in the area.

38. On 16 September, the Secretary-General issued a statement in which he expressed concern at the developments in Lebanon following the assassination of President-elect Bashir Gemayel and, in particular, at the movement of Israeli forces into West Beirut. The same day, the Security Council met at the request of the Permanent Representative of Lebanon and on 17 September adopted resolution 520 (1982), in which it condemned the recent Israeli incursions into Beirut in violation of the cease-fire agreements and of Security Council resolutions; demanded an immediate return to the positions occupied by Israel before 15 September, as a first step towards the full implementation of Council resolutions; called again for the strict respect for Lebanon's sovereignty, territorial integrity, unity and political independence under the sole and exclusive authority of the Lebanese Government through the Lebanese Army throughout Lebanon; and reaffirmed its resolutions 512 (1982) and 513 (1982) calling for respect for the rights of the civilian population. The Council also expressed its support for the efforts of the Secretary-General to implement resolution 516 (1982) concerning the deployment of United Nations observers to monitor the situation in and around Beirut and requested all the parties concerned to co-operate fully in the application of the resolution.

39. On 18 September, United Nations observers of OGB reported that, on 17 September, fighting in the Sabra Camp in the southern suburbs of Beirut had been

in progress; that the presence of Kataeb (Phalange) units had been observed at Bir Hassan, in the hospital and the airport areas in the vicinity of Sabra Camp; and that West Beirut, with the exception of Sabra Camp, had been under control by the Israel Defence Forces around 1500 hours GMT on 17 September. On the morning of 18 September, all of West Beirut had been under control by the Israel Defence Forces and the presence of Kataeb units had again been observed in the same general areas as on the previous day. Two teams of OGB observers had reached the Sabra Camp at 0830 hours GMT and found many clusters of bodies of men, women and children in civilian clothes who appeared to have been massacred in groups of 10 or 20. Observer Group Beirut had received information from the Lebanese Army that the units seen in the Sabra area and its vicinity were in fact Kataeb units mixed with Lebanese de facto forces coming from southern Lebanon.

40. On the morning of 18 September 1982, the Secretary-General was informed by the Israeli Foreign Ministry that, as previously announced, the presence of the Israel Defence Forces in West Beirut would be of limited duration and that the Government of Israel had instructed those Forces to evacuate their positions in West Beirut when the Lebanese Army was ready to assume control over them. Discussions to that end had been arranged between the Governments of Israel and Lebanon and had resulted in several positions being handed over by the Israel Defence Forces to the Lebanese Army. The Israel Defence Forces surrounded the camps when it became aware of what had happened there during the night, so as to prevent repetition.

41. At 1640 hours on 18 September, the Permanent Representative of Israel informed the Secretary-General that the Israel Defence Forces had been deployed west of the camps and had left the access to the east open in the expectation that the Lebanese Army would enter the camps and take up positions as called for by the Habib plan. When the Israel Defence Forces had found out, on the morning of 18 September, that this had not happened, they had surrounded the camps to protect the population. In a further message, the Permanent Representative of Israel stated that an arrangement had been reached between the Israel Defence Forces and the Lebanese Army for the latter to enter the three camps, Fakhani, Sabra and Chatila, at 1000 hours local time on 19 September.

42. Upon receiving the first reports of the killings, the Secretary-General issued, on the morning of 18 September, a statement expressing shock and horror and calling urgently for an end to the violence.

43. Later the same morning, the Secretary-General submitted a report to the Security Council on the developments mentioned in paragraphs 39 to 42 above (S/15400). In that report, the Secretary-General also informed the Council that he had received a visit by the Permanent Representatives of France, Italy and the United States, who had urged the immediate dispatch of United Nations observers to the Beirut area. After recalling his repeated efforts in this regard since 13 June 1982, the Secretary-General indicated that he had instructed General Erskine to make a renewed approach to the Israeli authorities in order to obtain their co-operation in increasing the number of United Nations observers in Beirut. At the same time, the Secretary-General expressed the view in his report that, in the situation that prevailed, unarmed military observers, however courageous or numerous, were not enough. He also noted that, in the UNIFIL area in the south, conditions had remained quiet and UNIFIL had successfully prevented the harassment of the civilian population by any armed groups.

44. On the evening of 18 September, the Security Council met to consider the above developments. In the early morning of 19 September, it adopted resolution 521 (1982), by which, noting that the Government of Lebanon had agreed to the dispatch of United Nations observers to the sites of the greatest human suffering and losses in and around Beirut, it condemned the criminal massacre of Palestinian civilians in that city; reaffirmed its resolutions 512 (1982) and 513 (1982), which called for respect for the rights of the civilian population; authorized the Secretary-General as an immediate step to increase the number of United Nations observers in and around Beirut from 10 to 50 and insisted that there should be no interference with the deployment of the observers; requested the Secretary-General, in consultation with the Government of Lebanon, to ensure the rapid deployment of those observers in order that they might contribute to the effort to ensure full protection for the civilian population; and requested the Secretary-General to initiate urgent consultations, in particular with the Government of Lebanon, on additional steps which the Council might take, including the possible deployment of United Nations forces, to assist that Government in ensuring full protection for the civilian population in and around Beirut. The Council also insisted that all concerned must permit the United Nations observers and forces established by the Council in Lebanon to be deployed and to discharge their mandates and called attention to the obligation of all Member States under Article 25 of the Charter to accept and carry out the decisions of the Council.

45. On 20 September, the Secretary-General submitted to the Security Council a report in pursuance of resolution 521 (1982) (S/15408). He indicated that, immediately after the adoption of the resolution, he had instructed the Chief of Staff of UNTSO, General Erskine, to contact the Israeli authorities with a view to getting the necessary co-operation for sending 40 additional United Nations observers to Beirut without delay. On the morning of 20 September, General Erskine was informed of the decision of the Israeli Cabinet to concur with the dispatch of the observers and, on the same day, a first group of 25 United Nations military observers was dispatched to Beirut. The Secretary-General also reported that, following the adoption of the resolution, he had requested the Commander of UNIFIL, General Callaghan, to comment on the possibility of sending UNIFIL units to the Beirut area should the Lebanese Government so request and the Security Council so decide. General Callaghan had informed the Secretary-General that he could send some 2,000 men without seriously impairing the capacity of UNIFIL to perform its own interim tasks. On the morning of 20 September, however, the Permanent Representative of Lebanon had informed the Secretary-General that his Government had formally requested the reconstitution of the multinational force. On the same day, the Permanent Observer of the Palestine Liberation Organization had informed him that the PLO insisted that "military forces, or United Nations military forces, or agreed multinational forces, should be deployed immediately to undertake the effective safeguards".

46. On 21 September, the Permanent Representative of France informed the Secretary-General of his Government's decision to accede to the Lebanese Government's request for co-operation in the deployment in and around Beirut of a multinational force (S/15420). Subsequently, the Secretary-General was similarly informed by Italy (S/15442) and by the United States (S/15435). On 1 October, the Minister for Foreign Affairs of Lebanon informed the Secretary-General that his Government had requested the deployment of the Multinational Force to make it

possible to begin restoring the independence, sovereignty and territorial integrity of Lebanon, pending further consultations with the Secretary-General, in accordance with Security Council resolution 521 (1982) (S/15445).

47. On 24 September 1982, the General Assembly, meeting in a resumed seventh emergency special session, adopted resolution ES-7/9, by which it, inter alia, condemned the criminal massacre of Palestinian and other civilians in Beirut on 17 September 1982; urged the Security Council to investigate, through the means available to it, the circumstances and extent of the massacre and to make public the report on its findings as soon as possible; decided to support fully the provisions of Security Council resolutions 508 (1982) and 509 (1982); resolved that, in conformity with its resolution 194 (III) and subsequent relevant resolutions, the Palestinian refugees should be enabled to return to their homes and property, and demanded that Israel comply unconditionally and immediately with the present resolution; urged the Security Council, in the event of continued failure by Israel to comply with Security Council resolutions 508 (1982) and 509 (1982) and the present resolution, to meet in order to consider practical ways and means in accordance with the Charter of the United Nations; and called upon all States and international agencies and organizations to continue to provide the most extensive humanitarian aid possible to the victims of the Israeli invasion of Lebanon.

48. At the end of September, the Secretary-General submitted two further reports in pursuance of resolution 521 (1982) (S/15408/Add.1 and 2). He indicated that 10 additional observers had arrived in Beirut on 21 September and 5 the next day, thus bringing the total strength of OGB to 50. The situation in the Beirut area had remained generally calm. Contingents of the multinational force had started arriving on 24 September and, by 30 September, the total strength of the force, consisting of French, Italian and United States contingents, had reached approximately 4,000. The Lebanese Armed Forces operating in Beirut as of 30 September had a strength of 3,500. The Israeli forces began withdrawing from the Beirut area and, by 30 September, OGB observed only two Israeli check-points near Khalde, south of the Beirut airport. That airport was reopened to civilian traffic on that day.

49. Since the thirty-sixth session of the General Assembly, a number of communications have been addressed to the President of the General Assembly, the President of the Security Council or the Secretary-General concerning military developments and hostile activities in and around Lebanon. Those communications were from Afghanistan (A/37/364), Australia (S/15356), Belgium on behalf of the 10 member States of the European Community (A/37/277-S/15195, A/37/320-S/15265), Brazil (A/37/331-S/15276), China (A/37/293-S/15224, A/37/336-S/15284, A/37/343-S/15297), Cuba on behalf of the Movement of Non-Aligned Countries (A/37/95-S/14880, S/15165,A/37/281-S/15200, S/15233, A/37/299-S/15243, A/37/300, A/37/332, S/15274, S/15322), Cyprus (A/37/294-S/15225), Czechoslovakia (A/37/284-S/15211), Egypt (A/37/270-S/15183), Ethiopia (S/15302), Fiji (A/37/276-S/15190), France (A/37/309, S/15254), the German Democratic Republic (A/37/272-S/15186, A/37/313-S/15262, A/37/383-S/15352), Hungary (A/37/306-S/15251), Iraq on behalf of the Organization of the Islamic Conference (A/37/286-S/15220), Israel (A/37/257-S/15132, S/15271, A/37/327, S/15341), Japan (S/14994, A/37/399-S/15372), Jordan (A/37/304-S/15248, S/15272, S/15328), the Lao People's

Democratic Republic (A/37/303), Lebanon (S/14875, S/14888, S/14962, S/14989, S/15064 and Corr.1, S/15087, A/37/228, S/15161, S/15162, S/15261, A/37/316, A/37/346-S/15300, S/15309, A/37/360, S/15310, S/15324, S/15326, S/15333, S/15353, A/37/491), Madagascar (A/37/312-S/15259), Mauritania (A/37/314-S/15263), Mongolia (S/15034, A/37/280-S/15197), Mozambique (A/37/302), Nicaragua (S/15349, A/37/379), Niger (A/37/282-S/15209), Oman on behalf of the Member States of the League of Arab States at the United Nations (S/15170), Pakistan (A/37/287-S/15221, S/15288), Saudi Arabia on behalf of the Third Islamic Summit Conference (A/37/269-S/15180), Seychelles (A/37/341-S/15294), Sierra Leone (A/37/278), Singapore on behalf of the States members of the Association of South-East Asian Nations (A/37/283-S/15210), Thailand also on behalf of the States members of ASEAN (A/37/324-S/15268, A/37/387-S/15364), the Union of Soviet Socialist Republics (S/15005, S/15187, A/37/289-S/15223, A/37/361-S/15312, A/37/374-S/15346), Viet Nam (A/37/273, A/37/298, A/37/369, A/37/385) and the Palestine Liberation Organization (S/15164, annex; A/37/295-S/15226, annex; A/37/345-S/15299, annex; S/15308, annexes; S/15318, annexes; S/15332, annex; S/15336, annexes; S/15340, annex; S/15348, annex; S/15350, annex; S/15354, annex). A number of communications have also been received from Israel regarding violent incidents in Israel, the Israeli occupied territories and elsewhere (A/37/65-S/14836, A/37/71-S/14842, A/37/79-S/14856, A/37/116-S/14906, A/37/118 and Corr.1-S/14910 and Corr.1, A/37/165, S/14938, S/14939, A/37/166, S/14951, S/14965, A/37/175, S/14972, A/37/190, S/15066, A/37/223, S/15107, A/37/253, S/15158, A/37/266). Communications were also received from the Permanent Representative of Cyprus transmitting the text of the final communiqué of the Extraordinary Ministerial meeting of the Co-ordinating Bureau of Non-Aligned Countries on the Question of Palestine, held at Nicosia from 15 to 17 July 1982 (A/37/366-S/15327) and from the Permanent Observer of the League of Arab States, transmitting the text of the declaration issued by the Committee of Six of the League during its meeting at Jeddah on 28 and 29 July 1982 (S/15329). In addition, two communications were received from the Chairman of the Committee on the Exercise of the Inalienable Rights of the Palestinian People (A/37/274-S/15188, A/37/288-S/15222).

50. Developments in and around Beirut since 15 September 1982 and, in particular, the killing of civilians in Palestine refugee camps in that city were the subject of a number of communications addressed to the President of the Security Council or the Secretary-General. These communications, which were circulated as documents of the Security Council or the General Assembly, were from Austria (S/15416), China (A/37/483-S/15430), Cuba on behalf of the Movement of Non-Aligned Countries (A/37/470-S/15418), Egypt (A/37/464-S/15412), France (S/15407), Guyana (A/37/486-S/15433), Jamaica (A/37/487-S/15434), Jordan (A/37/463-S/15411), the Libyan Arab Jamahiriya (A/37/456-S/15397; A/37/472), Madagascar (A/37/465-S/15413), Mongolia (A/37/480), Pakistan (A/37/502-S/15438), Suriname (S/15406), Tunisia (S/15396), the Union of Soviet Socialist Republics (A/37/471-S/15419), Viet Nam (A/37/489) and the Palestine Liberation Organization (S/15399, annex; S/15404, annex). A communication was also received from the Chairman of the Committee on the Exercise of the Inalienable Rights of the Palestinian People (A/37/462-S/15410). Other communications on the same subject were also addressed to the Secretary-General by Bangladesh, Finland, Israel, Maldives, Mexico, and Romania, as well as by the Secretary-General of Organization of the Islamic Conference.

III. SITUATION IN THE OCCUPIED TERRITORIES

51. The action taken by the United Nations prior to November 1981 on the situation in the occupied territories, including Jerusalem, was outlined in the Secretary-General's report of 11 November 1981 (A/36/655-S/14746, paras. 15-21).

52. The General Assembly, at its thirty-sixth session, after considering the report of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Population of the Occupied Territories (A/36/579), which was composed of Senegal, Sri Lanka and Yugoslavia, adopted resolutions 36/147 A to G on 16 December 1981. By these resolutions, the General Assembly, inter alia, reaffirmed that the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 June 1949, 1/ was applicable to the territories occupied by Israel since 1967, including Jerusalem, and demanded that Israel acknowledge and comply with those provisions (resolution 36/147 A); demanded that the Government of Israel desist forthwith from taking any action which would result in changing the legal status, geographical nature or demographic composition of those territories (resolution 36/147 B); demanded that Israel desist forthwith from a number of policies and practices mentioned in the resolution (resolution 36/147 C); demanded that the Government of Israel rescind the expulsion of the Mayors of Hebron and Halhul and the Sharia Judge of Hebron and that it facilitate their immediate return (resolution 36/147 D); determined that all legislative and administrative measures and actions taken or to be taken by Israel that purport to alter the character and legal status of the Syrian Arab Golan Heights were null and void and constituted a violation of international law (resolution 36/147 E); condemned Israeli policies and practices against Palestinian students and faculty in the educational institutions in the occupied Palestinian territories and demanded that it rescind all actions and measures taken against these institutions, in particular the orders for the closure of the universities of Bir Zeit, Bethlehem and Al-Najah (resolution 36/147 F); and demanded that Israel inform the Secretary-General of the results of the investigations relevant to the assassination attempts against the Mayors of Nablus, Ramallah and El Bireh, after expressing its concern that Israel had failed to apprehend and prosecute the perpetrators of those attempts (resolution A/36/147 G).

53. On 17 December 1981, the General Assembly adopted resolution 36/226 B, by which it declared that Israel's decision to apply Israeli law to the occupied Syrian Golan Heights was null and void; determined that the Geneva Convention of 12 August 1949 continued to apply to the Syrian territory occupied in 1967; and demanded that Israel rescind its decision and all measures relating to it. The Assembly requested the Security Council, in the event of Israel's failure to implement the resolution, to invoke Chapter VII of the Charter of the United Nations.

54. On 17 December 1981, the Security Council adopted resolution 497 (1981) in which it decided that the Israeli decision to impose its laws, jurisdiction and administration in the occupied Syrian Golan Heights was null and void, and demanded that Israel rescind forthwith its decision. The Security Council requested the Secretary-General to report to it on the implementation of this resolution within two weeks and decided that in the event of non-compliance by Israel it would meet urgently, and not later than 5 January 1982, to consider taking appropriate measures.

55. The position of the Israeli Government on Security Council resolution 497 (1981) was set forth in the Secretary-General's reports of 21 December (A/36/846-S/14805 and Corr.1) and 31 December (S/14821).

56. The Security Council held eight meetings on this question in the course of January 1982. On 20 January, it voted on a draft resolution submitted by Jordan, by which the Council would strongly condemn Israel for its failure to comply with resolution 497 (1981) and General Assembly resolution 36/226 B and decide that all Member States should consider applying concrete and effective measures in order to nullify the Israeli annexation of the Syrian Golan Heights and to refrain from providing any assistance to and co-operation with Israel in all fields (S/14832/Rev.1). The draft resolution was not adopted owing to the negative vote of a permanent member. On 28 January, the Council adopted resolution 500 (1982) calling for an emergency special session of the General Assembly to examine this question.

57. On 29 January 1982, the General Assembly met in emergency special session and, on 5 February 1982, adopted resolution ES-9/1, by which it strongly condemned Israel for its failure to comply with Security Council resolution 497 (1981) and Assembly resolution 36/226 B; declared that Israel's decision of 14 December 1981 to impose its laws, jurisdiction and administration on the occupied Syrian Golan Heights constituted an act of aggression under the provisions of Article 39 of the Charter of the United Nations and Assembly resolution 3314 (XXIX); reiterated that this decision, as well as all action taken by Israel to give effect to it, was null and void; determined that the continued occupation of the Golan Heights constituted a continuing threat to international peace and security; called upon all Member States to refrain from supplying Israel with any weapons and to apply other measures to isolate Israel, urged non-member States, specialized agencies of the United Nations system and international institutions to act in conformity with the provisions of the resolution; and requested the Secretary-General to follow up the implementation of the resolution and to report thereon at intervals of two months to Member States as well as to the Security Council and to submit a comprehensive report to the Assembly at its thirty-seventh session.

58. Information on the implementation of the resolution was received, at the request of the Secretary-General, from 14 Member States and 5 specialized agencies. These replies were brought to the attention of the General Assembly and the Security Council (A/37/169-S/14953 and Add.1 and 2).

59. On 11 February 1982, the Commission on Human Rights adopted resolutions 1982/1 A and B concerning the question of violation of human rights in the occupied territories. These resolutions, in which the Commission condemned Israeli policies and practices in the occupied territories along lines similar to those of General Assembly resolution 36/147 C were brought to the attention of the Assembly (A/37/322-S/15269).

60. The situation in the occupied territories was again the subject of consideration by the Security Council at four meetings in March and April 1982. A draft resolution submitted by Jordan (S/14943), by which the Council would have denounced the violation of the liberties and rights of the inhabitants of those territories and called on Israel to rescind its decision disbanding the elected

municipal council of El Bireh and its decision to remove the Mayors of Nablus and Ramallah, was not adopted owing to the negative vote of a permanent member (S/PV.2348).

61. In April, the Security Council held six further meetings to consider a shooting incident which took place on 11 April at the Al-Aqsa Mosque in Jerusalem. On 20 April, the Council voted on the draft resolution (S/14985), by which the Council would condemn in the strongest terms the acts of sacrilege perpetrated within the precincts of al-Haram al-Shareef (Al-Aqsa Mosque). The draft resolution was not adopted owing to the negative vote of a permanent member (S/PV.2357).

62. The Special Committee held periodic meetings in implementation of the request of the General Assembly under resolution 36/147 C. During the period between these meetings, the Special Committee was kept informed of events taking place in the occupied territories relevant to its mandate; the information was gathered from a variety of sources including oral testimonies and written communications. At its periodic meetings, the Special Committee reviewed this information and assessed the human rights situation in the occupied territories with a view to deciding whether any action would be undertaken. The report of the Special Committee under Assembly resolution 36/147 C (A/37/485) will be submitted to the thirty-seventh session of the Assembly.

63. During its thirty-sixth session, the General Assembly adopted three further resolutions which are relevant to the situation in the occupied territories. By its resolution 36/73 of 4 December 1981, the General Assembly took note of the report of the Secretary-General on the living conditions of the Palestinian people (A/36/26 and Add.1, 2 and 3); condemned Israel for the deteriorating living conditions of the Palestinian people in the occupied Palestinian territories; affirmed that the elimination of the Israeli occupation was a prerequisite for the social and economic development of the Palestinian people in those territories; and requested the Secretary-General to submit to the General Assembly at its thirty-seventh session, through the Economic and Social Council, a comprehensive and analytical report on the deteriorating living conditions of the Palestinian people in the occupied territories. The report requested of the Secretary-General will be issued shortly.

64. By its resolution 36/150 of 16 December 1981, the General Assembly demanded that Israel cease forthwith implementation of its project of a canal linking the Mediterranean Sea and the Dead Sea; requested the Security Council to consider initiating measures to halt the execution of this project; called upon all States not to assist in the preparation for and the execution of this project; and requested the Secretary-General to submit to the Assembly and the Security Council, by 30 June 1982, a study on the Israeli canal and its effects on Jordan and the Palestinian territories occupied since 1967. The report of the Secretary-General on this subject was circulated on 30 June (A/37/328-S/15277).

65. Lastly, by its resolution 36/173 of 17 December 1981, the General Assembly emphasized the right of the Arab States and peoples whose territories were under Israeli occupation to full and effective permanent sovereignty and control over their natural and all other resources, wealth and economic activities; reaffirmed 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 were illegal and called upon Israel to desist immediately from such measures; called upon all States to support the Arab States and peoples in the exercise of the above-mentioned rights, and requested the Secretary-General to submit to the Assembly at its thirty-seventh session a comprehensive report on permanent sovereignty over national resources in the occupied territories, including Jerusalem, and make proposals for follow-up and implementation. The report requested of the Secretary-General on this subject will be circulated shortly.

66. The situation in the occupied territories has been the subject of a number of communications addressed to the President of the Security Council or the Secretary-General. These communications dealt with the question of the Golan Heights (A/37/59, S/14825, S/14827, S/14828, A/37/60 and Corr.1-S/14829 and Corr.1, S/14838 and Corr.1, S/14849, A/37/92-S/14876, A/37/106-S/14893, A/37/151-S/14914), the question of Israeli settlements and the purchase or annexation of land in the occupied territories (A/37/81-S/14859, A/37/108-S/14895, A/37/189-S/14983, A/37/215-S/15029, S/15038), matters relating to Jerusalem and the Holy Places (A/37/80-S/14858, A/37/159-S/14928, S/14967, S/14969, S/14982, S/15091, A/37/231-S/15093, S/15109, A/37/239-S/15114, A/37/262, S/15318) and other matters relating to the situation in the occupied territories (S/14884, A/37/101, A/37/153, S/14912, S/14916, S/14917, A/37/155, S/14923, S/14924, S/14930, A/37/168-S/14952, S/14991, A/37/448-S/15391). In addition, two communications were received from the Permanent Representative of Israel expressing reservations concerning the convening of the ninth emergency special session of the General Assembly (A/ES-9/4, S/14852).

IV. PALESTINE REFUGEE PROBLEM

67. The Palestine refugee problem and the efforts of the United Nations to assist the refugees up to October 1981 were dealt with in the report of the Secretary-General of 11 November 1981 (A/36/655-S/14746, paras. 22-24).

68. Following its consideration of the report of the Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA) 2/ at its thirty-sixth session, the General Assembly adopted eight resolutions on 16 December 1981. In resolution 36/146 F, the Assembly noted with regret that repatriation or compensation of the refugees as provided for in paragraph 11 of the Assembly resolution 194 (III) had not been effected, that no substantial progress had been made in the programme endorsed by the Assembly in paragraph 2 of its resolution 513 (VI) for the reintegration of refugees either by repatriation or resettlement and that, therefore, the situation of the refugees continued to be a matter of serious concern; expressed its thanks to the Commissioner-General and to all the staff of UNRWA, recognizing that the Agency was doing all it could within the limits of available resources; reiterated its request that the headquarters of UNRWA should be relocated within the area of its operations as soon as practicable; noted with regret that the United Nations Conciliation Commission for Palestine had been unable to find a means of achieving progress in the implementation of paragraph 11 of Assembly resolution 194 (III) and requested the Commission to exert continued efforts towards the implementation of

that paragraph and to report to the Assembly as appropriate, but not later than 1 October 1982; directed attention to the continuing seriousness of the financial position of UNRWA as outlined in the report of the Commissioner-General; noted with concern that, despite the commendable and successful efforts of the Commissioner-General to collect additional contributions, this increased level of income to UNRWA was still insufficient to cover essential budget requirements in 1981; and called upon all Governments as a matter of urgency to make the most generous efforts possible to meet the anticipated needs of UNRWA.

69. The other resolutions adopted by the General Assembly dealt with the removal and resettlement of Palestine refugees in the Gaza Strip (resolution 36/146 A), population and refugees displaced since 1967 (resolution 36/146 B), the revenues derived from Palestine refugee properties (resolution 36/146 C), assistance to persons displaced as a result of the June 1967 hostilities (resolution 36/146 D), the Working Group on the Financing of UNRWA (resolution 36/146 E), the University of Jerusalem for Palestine refugees (resolution 36/146 G) and offers by Member States of grants and scholarships for higher education for the Palestine refugees (resolution 36/146 H).

70. The developments since the adoption of those resolutions are described in the annual report of the Commissioner-General of UNRWA. 3/ The Commissioner-General has also submitted a special report on the activities of the Agency to provide emergency assistance to the Palestine refugees affected by the recent hostilities in Lebanon (A/37/479). The General Assembly has also before it the reports of the Secretary-General on the offers of scholarships and grants for Palestine refugees (A/37/427), on the population and refugees displaced since 1967 (A/37/426), on the Palestine refugees in the Gaza Strip (A/37/425) and on the revenues derived from Palestine refugee properties (A/37/488 and Corr.1) as well as the report of the United Nations Conciliation Commission for Palestine (A/37/497). In addition, the report of the Secretary-General on the University of Jerusalem for Palestine refugees under resolution 36/146 G and the report of the Working Group on the Financing of UNRWA under resolution 36/146 E will be submitted shortly.

V. QUESTION OF PALESTINE

71. The action taken by the United Nations on the question of Palestinian rights up to 4 November 1981 was outlined in the report of the Secretary-General of that date (A/36/655-S/14746, paras. 25-28).

72. At its thirty-sixth session, the General Assembly considered the report of the Committee on the Exercise of the Inalienable Rights of the Palestinian People 4/ and adopted, on 10 December 1981, six resolutions. In those resolutions the Assembly, inter alia, requested the Committee to keep the situation relating to the Question of Palestine under review (resolution 36/120 A); requested the Secretary-General to ensure that the Special Unit on Palestinian Rights, in consultation with the Committee and under its guidance, continue to discharge the tasks detailed in previous Assembly resolutions (resolution 36/120 B); decided to convene, under the auspices of the United Nations, an International Conference on the Question of Palestine not later than 1984 (resolution 36/120 C); reaffirmed that a comprehensive, just and lasting peace in the Middle East could not be established

without the achievement of a just solution of the problem of Palestine on the basis of the attainment by the Palestinian people of its inalienable rights in Palestine, including the right of return and the right to self-determination, national independence and sovereignty (resolution 36/120 D); determined that all legislative and administrative measures and actions taken by Israel, which had altered or purported to alter the character and status of the Holy City of Jerusalem, were null and void and must be rescinded forthwith (resolution 36/120 E); and expressed its strong opposition to all partial agreements and separate treaties which constituted a flagrant violation of the rights of the Palestinian people, the principles of the Charter and of the international law and declared that all agreements and separate treaties had no validity in so far as they purported to determine the future of the Palestinian people and of the Palestinian territories occupied by Israel since 1967 (resolution 36/120 F).

73. On 11 February 1982, the Commission on Human Rights adopted resolution 1982/3, by which it, inter alia, reaffirmed the inalienable right of the Palestinian people to self-determination without external interference and to the establishment of a fully independent and sovereign State in Palestine.

74. The seventh emergency special session of the General Assembly, which had been suspended in July 1981, was resumed in April, June and August and again in September 1982. On 28 April, the Assembly adopted resolution ES-7/4, in which it, inter alia, reaffirmed previous resolutions; reaffirmed the fundamental principle of the inadmissibility of acquisition of territory by force; reaffirmed that all the provisions of the Hague Conventions of 1907 and the Geneva Convention relative to the Protection of Civilian Persons in Time of War of 1949 applied to all territories occupied by Israel since 1967; demanded that Israel should comply with the provisions of Security Council resolution 465 (1980); demanded that Israel should comply with all United Nations resolutions relevant to the status and unique character of the Holy City of Jerusalem; expressed its rejection of all policies and plans aiming at the resettlement of the Palestinians outside their homeland; condemned Israel for various actions in the occupied territories; condemned all policies which frustrated the exercise of the inalienable rights of the Palestinian people; and urged all Governments which had not yet done so to recognize the inalienable rights of the Palestinian people and to renounce the policy of providing Israel with military, economic and political assistance; condemned the policies which encouaged the flow of human resources to Israel; declared that Israel's record and actions confirmed that it was not a peace-loving Member State and that it had carried out neither its obligations under the Charter nor its commitment under General Assembly resolution 273 (III); called upon Israel to observe and apply the provisions of the Geneva Convention relative to the Protection of Civilian Persons in Time of War and the principles of international law governing military occupation in all the occupied territories; demanded that Israel should permit entry into the occupied territories of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Population of the Occupied Territories and of the Commission established by Security Council resolution 446 (1979); urged the Security Council to recognize the inalienable rights of the Palestinian people and to endorse the recommendations of the Committee on the Exercise of the Inalienable Rights of the Palestinian People; called upon the Secretary-General, in concurrence with the Security Council and in consultation as appropriate with the Committee, to initiate contacts with all

parties to the Arab-Israeli conflict, including the Palestine Liberation Organization, with a view to finding concrete ways and means to achieve a comprehensive, just and lasting solution in conformity with the principles of the Charter and relevant resolutions and based on the implementation of the recommendations of the Committee as endorsed by the Assembly at its thirty-first session; and requested the Secretary-General to follow up the implementation of the resolution and to report thereon at appropriate intervals to Member States as well as to the Security Council and to submit a comprehensive report to the Assembly at its thirty-seventh session under the item entitled "Question of Palestine".

75. On 26 June, the General Assembly adopted resolution ES-7/5, in which it decided to support fully the provisions of Security Council resolutions 508 (1982) and 509 (1982); urged the Security Council, in the event of continued failure by Israel to comply with the demands contained in those resolutions, to meet in order to consider practical ways and means in accordance with the Charter of the United Nations; and requested the Secretary-General to delegate a high-level commission to investigate and assess the extent of loss of human life and material damage and to report on the result of this investigation to the Assembly and the Security Council.

76. On 19 August, the General Assembly adopted three further resolutions - ES-7/6, ES-7/7 and ES-7/8. In those resolutions, the Assembly demanded that Israel carry out the provisions of Security Council resolutions 509 (1982), 511 (1982), 512 (1982), 513 (1982), 515 (1982), 516 (1982), 517 (1982) and 519 (1982); urged the Secretary-General, with the concurrence of the Security Council and the Government of Lebanon and pending the withdrawal of Israel from Lebanon, to undertake effective measures to guarantee the safety and security of the Palestinian and Lebanese civilian population in South Lebanon; it requested the Secretary-General and organizations of the United Nations system, in co-operation with the International Committee of the Red Cross and other non-governmental organizations, to investigate the strict application by Israel of the provisions of the Geneva Convention of 1949 and other instruments in the case of those detained; and called upon the Secretary-General to initiate contact with all the parties to the Arab-Israeli conflict, including the Palestine Liberation Organization, with a view to convening an international conference, under the auspices of the United Nations, to find concrete ways and means of achieving a comprehensive, just and lasting solution, conducive to peace in conformity with the principles of the Charter and relevant resolutions (resolution ES-7/6); decided to convene the International Conference on the Question of Palestine at the headquarters of the United Nations Educational, Scientific and Cultural Organization in Paris from 16 to 27 August 1983 (resolution ES-7/7); and also decided to commemorate 4 June of each year as the International Day of Innocent Children Victims of Aggression (resolution ES-7/8).

77. On 24 September 1982, the General Assembly adopted resolution ES-7/9, to which a reference has already been made (see para. 47 above).

78. The report of the Committee on the Exercise of the Inalienable Rights of the Palestinian People has been submitted to the General Assembly. 5/ The General Assembly will also have before it at its thirty-seventh session the report of the Secretary-General on the International Conference on Palestine. 6/ In addition, since the General Assembly discussed the matter at its thirty-sixth session, a

number of communications have been received from the Chairman or the Acting Chairman of the Committee (A/37/75-S/14844, A/37/94-S/14879, A/37/109-S/14897, A/37/240-S/15120, A/37/301-S/15244, A/37/339-S/15290, A/37/449-S/15393). By a letter dated 20 April 1982 (A/37/205-S/14990), the Permanent Representative of Kuwait transmitted to the Secretary-General the text of the final communiqué of the Extraordinary Ministerial Meeting of the Co-ordinating Bureau of the Non-Aligned Countries on the Question of Palestine, held in Kuwait from 5 to 8 April 1982. The final communiqué and other documents of the Ministerial Meeting of the Co-ordinating Bureau of the Non-Aligned Countries, held at Havana from 31 May to 5 June 1982, were transmitted to the Secretary-General by the Alternate Permanent Representative of Cuba in a letter dated 22 June 1982 (A/37/333-S/15278). In addition, letters were received from the Permanent Representatives of Israel (A/ES-7/18, A/ES-7/20, A/37/499) and the United States of America (A/ES-7/16, A/ES-7/17) expressing reservations concerning the resumption of the seventh emergency special session of the General Assembly.

VI. SEARCH FOR A PEACEFUL SETTLEMENT

79. An outline of developments relating to the search for a peaceful settlement of the Middle East problem from November 1967 until November 1981 may be found in the Secretary-General's reports of 18 May 1973 (S/10929), of 17 October 1978 (A/33/311-S/12896), of 24 October 1979 (A/34/584-S/13578), of 24 October 1980 (A/35/563-S/14234) and of 11 November 1981 (A/36/655-S/14746).

80. At its thirty-sixth session, resumed seventh emergency special session and ninth emergency special session, the General Assembly adopted several resolutions on various aspects of the Middle East conflict which are pertinent to the search for a settlement in the region. Of particular relevance are resolutions 36/226 A on the situation in the Middle East and resolutions 36/120 and ES-7/4 on the question of Palestine. These resolutions are summarized in earlier parts of this report (see paras. 1, 72 and 74 above).

81. In July 1982, during the recent hostilities in Lebanon, Egypt and France submitted a joint draft resolution (S/15317) to the Security Council which was aimed both at bringing about an immediate cease-fire in Lebanon and at promoting a peace settlement in the Middle East as a whole. The latter part of the draft resolution read, inter alia:

> "[The Security Council] considers that the settlement of the Lebanese problem should contribute to the initiation of a durable restoration of peace and security in the region within the framework of negotiations based on the principles of security for all States and justice for all peoples, in order namely to:
>
> (a) Reaffirm the right of all States in the region to existence and security in accordance with Security Council resolution 242 (1967);

(b) Reaffirm the legitimate national rights of the Palestinian people, including the right to self-determination with all its implications, on the understanding that to this end the Palestinian people shall be represented in the negotiations and, consequently, the Palestine Liberation Organization shall be associated therein;

(c) Call for the mutual and simultaneous recognition of the parties concerned".

No action has as yet been taken on the draft resolution.

82. Following the evacuation of the Palestinian armed elements from Beirut (see paras. 34-36 above), the President of the United States of America made a statement on 1 September 1982 in which he put forward certain proposals for the search of a peaceful settlement in the Middle East. The statement, the text of which was communicated to the Secretary-General, contained the following main points:

(a) The Camp David Accords remain the foundation of United States policy, the aim of which is to reconcile Israel's legitimate security concerns with the legitimate rights of the Palestinians. But a fresh start is needed.

(b) There must be a five-year transition period during which the Palestinians of the West Bank and Gaza will have full autonomy. This period would begin after free elections for a self-governing Palestinian authority.

(c) The United States wiull not support the use of any additional land for settlements during the transitional period; an immediate settlement freeze by Israel could create confidence for wider talks.

(d) The purpose of the transition period is the peaceful and orderly transfer of authority from Israel to the Palestinians of the West Bank and Gaza. Such a transfer must not interfere with Israel's security requirements.

(e) Beyond the transition period, the United States will not support the establishment of an independent Palestinian State in the West Bank and Gaza, nor annexation or permanent control by Israel. Self-government by the Palestinians of the West Bank and Gaza in association with Jordan offers the best chance for a just and lasting peace.

(f) Security Council resolution 242 (1967) remains wholly valid as the foundation stone of the Middle East peace effort of the United States. In return for peace, the withdrawal provision of that resolution applies to all fronts, including the West Bank and Gaza.

(g) When the border is negotiated between Jordan and Israel, the extent to which Israel should be asked to give up territory will be heavily affected by the extent of normalization and the security arrangements offered in return.

(h) Jerusalem must remain undivided, but its final status should be decided through negotiations.

(i) The United States will oppose any proposal that threatens the security of Israel, and its commitment to Israel's security is ironclad.

83. The Twelfth Arab Summit Conference, meeting at Fez, Morocco, adopted on 9 September 1982 the following principles for a settlement of the Israeli-Arab conflict:

(a) The withdrawal of Israel from all the Arab territories occupied by it in 1967, including Arab Al Qods (Jerusalem);

(b) The dismantling of the settlements established by Israel in the Arab territories since 1967;

(c) The guaranteeing of freedom of worship and practice of religious rites for all religions in the Holy Places;

(d) The reaffirmation of the right of the Palestinian people to self-determination and to the exercise of their inalienable and imprescriptible national rights, under the leadership of the Palestine Liberation Organization, their sole and legitimate representative, and the indemnification of all those who do not desire to return;

(e) The placing of the West Bank and the Gaza Strip under the control of the United Nations for a transitional period not exceeding a few months;

(f) The establishment of an independent Palestinian State with Al Qods (Jerusalem) as its capital;

(g) The establishment by the Security Council of guarantees of peace among all States of the region, including the independent Palestinian State;

(h) The guaranteeing by the Security Council of the implementation of these principles.

84. On 15 September 1982, the President of the Presidium of the Supreme Soviet of the USSR made a statement (A/37/457-S/15403) in which he set out the following principles as the basis for a peaceful settlement in the Middle East:

(a) The principle of the inadmissibility of the acquisition of foreign territories by aggression must be strictly observed. Accordingly, all the territories occupied by Israel since 1967 - the Golan Heights, the West Bank of the Jordan, the Gaza Strip and the Lebanese territory - must be returned to the Arabs. The borders between Israel and its Arab neighbours must be declared inviolable.

(b) The inalienable right of the Arab people of Palestine to self-determination and to the establishment of their own independent State in the Palestinian territories which will be freed from Israeli occupation - the West Bank and Gaza - must be guaranteed in practice. Palestinian refugees must be granted the opportunity to return to their homes or receive compensation for properties which they left.

(c) East Jerusalem must be returned to the Arabs and become an integral part of the Palestinian State. Freedom of access of the faithful to the Holy Places of the three religions must be guaranteed throughout Jerusalem.

(d) The right of all States in the region to security, independent existence and development must be guaranteed on a basis of complete reciprocity.

(e) The state of war must be ended and peace established between the Arab States and Israel. All parties to the conflict, including Israel and a Palestinian State, must undertake to respect each other's sovereignty, independence and territorial integrity and to settle any dispute through negotiations.

(f) International guarantees for the settlement must be worked out and adopted. The permanent members of the Security Council or the Council as a whole could assure the role of guarantors.

Such a settlement, he said, could be worked out and implemented only through collective efforts with the participation of all interested parties, including the Palestine Liberation Organization, as provided for in the USSR proposal for an international conference on the Middle East.

85. Since the Secretary-General's last comprehensive report on this item was issued on 11 November 1981, a number of communications have been addressed to him, to the President of the Security Council or to the President of the General Assembly, which dealt with the situation in the Middle East or specific aspects thereof. These communications have been circulated as documents of the Security Council or the General Assembly, as appropriate. In addition to those referred to in the preceding sections of this report (see paras. 49, 50, 66 and 78 above), the Permanent Representative of Belgium transmitted the text of the statement issued by the Ministers for Foreign Affairs of the 10 member States of the European Community, meeting at Luxembourg on 26 and 27 April 1982, concerning the Israeli withdrawal from Sinai on 25 April 1982 (A/37/218-S/15039). The Israeli withdrawal was also the subject of communications from the Union of Soviet Socialist Republics (A/37/213-S/15015) and Egypt (A/37/220-S/15051). Other communications relating to the search for a settlement in the Middle East were also received from Egypt and France (S/15315, S/15316), Egypt (A/37/411-S/15376) and Israel (A/37/423-S/15386). The text of the statement made by the Heads of State and Government of the 10 member States of the European Community meeting at Brussels on 29 and 30 March 1982 was transmitted by the Permanent Representative of Belgium (A/37/170-S/14954). The statement on the situation in the Middle East issued at Brussels on 20 September 1982 by the Ministers for Foreign Affairs of the 10 member States of the European Community was transmitted by the Permanent Representative of Denmark (A/37/473-S/15421).

VII. OBSERVATIONS

86. The Palestinian problem and the Israeli-Arab conflict in the Middle East have been a major concern of the United Nations for some 35 years. They have probably claimed more time and more attention from our Organization than any other international problem.

87. The past 35 years have seen a long series of efforts to resolve that conflict by peaceful means, many undertaken under United Nations auspices. The approval of the Partition Plan by the General Assembly in November 1947, the conclusion of the General Armistice Agreement of 1949 under the auspices of the United Nations Mediator for Palestine, the unanimous adoption of Security Council resolution 242 (1967) of 22 November 1967 and the Jarring mission, the adoption of Security Council resolution 338 (1973) of 21 October 1973, the convening of the Geneva Peace Conference in December 1973 and the disengagement agreements of 1974 are important milestones on the rocky road of the search for peace in the Middle East. Each of these events could have led to a general peace settlement but failed to do so because one or another of the parties concerned refused to make the necessary accommodations.

88. Thus, instead of general peace, there have been in the Middle East a succession of cease-fires. In most cases, the cease-fires were called for by the Security Council and supervised by United Nations peace-keeping operations. In difficult and often dangerous circumstances, United Nations military observers and soldiers of United Nations forces carried out their thankless peace-keeping tasks through observation, supervision, interposition, liaison and good offices. But, lacking enforcement means, United Nations peace-keeping operations can function properly only with the co-operation of the parties and on a clearly defined mandate from the Security Council. In the complexity of the situation in the Middle East, these conditions could not always be met. Nevertheless, with dedication and courage, the United Nations observers and soldiers did much to maintain a precarious peace. But, in the absence of a resolution of the underlying political and security issues, the situation remained unstable, and over the years the cease-fires were marred by numerous incidents and five full-fledged wars. With the development of increasingly sophisticated weapons, each succeeding war has become more destructive and each new round of fighting has added to the complexity of the conflict and made it more difficult to resolve. The recent tragic events in Lebanon have forcefully highlighted the urgent need to seek a peaceful settlement of the Palestinian problem and other aspects of the Middle East conflict.

89. It is therefore with keen interest that I have noted the various initiatives undertaken recently to this effect, including the Franco-Egyptian draft resolution of 29 July 1982, the proposals put forward by the United States Government following the evacuation of Palestinian armed elements from Beirut, and the subsequent proposals from the League of Arab States and the Government of the USSR. Although the above-mentioned proposals contain provisions that are, for the time being at least, unacceptable to one party or another, I feel that they deserve careful study and that every opportunity should be seized to overcome the present impasse and shift the conflict from military confrontation to peaceful negotiation. It is important, however, that the intermediate steps that may be required should not obscure the ultimate necessity for a comprehensive settlement which alone can ensure a just and lasting peace in the Middle East.

90. After so many years of debate, the issues dividing the opposing sides are now well known. There is, it seems to me, a wide measure of agreement that, in order to reconcile the basic aspirations and the vital interests of all the parties concerned, a settlement must meet the following conditions: the withdrawal of the Israeli forces from occupied territories, which now must include those in Lebanon;

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; and, lastly, a just settlement of the Palestinian problem based on the recognition of the legitimate rights of the Palestinian people, including self-determination. In this context, the question of Jerusalem also remains of primary importance.

91. I am deeply conscious of the formidable difficulties which still lie on the way to the attainment of a comprehensive settlement. The parties to the conflict continue to be divided by extreme distrust and fear and are still reluctant to envision those concessions and adjustments without which no compromise is possible. In a situation of such deeply rooted conflict, it is often easier for the parties to adopt radical positions rather than conciliatory policies and the stronger party may be tempted to use force to achieve its objectives. A peaceful settlement would require from the Governments and authorities concerned and from their leaders an extraordinary measure of understanding, compassion, courage and statesmanship. It would also require the selfless support of all third-party Governments that are in a position to help, particularly the major Powers. I am also convinced that the United Nations and especially the Security Council should and could play a constructive and crucial role in this connection, both in the peace-making process and the peace-keeping efforts which would be essential in order to prevent a renewal of hostilities and to promote an atmosphere conducive to negotiations.

Notes

1/ United Nations Treaty Series, vol. 75, No. 973, p. 287.

2/ Official Records of the General Assembly, Thirty-sixth Session, Supplement No. 13 (A/36/13).

3/ Ibid., Thirty-seventh Session.

4/ Ibid., Thirty-sixth Session, Supplement No. 35 (A/36/35).

5/ Ibid., Thirty-seventh Session, Supplement No. 35 (A/37/35).

6/ Ibid., Supplement No. 49 (A/37/149).

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THE SITUATION IN THE MIDDLE EAST

SECURITY COUNCIL
Thirty-eighth year

Report of the Secretary-General

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I. INTRODUCTION

1. The present report is submitted in pursuance of General Assembly resolution 37/123 F of 20 December 1982, adopted by the Assembly at its thirty-seventh session, concerning the situation in the Middle East. In paragraph 11 of that resolution, the Assembly requested the Secretary-General to report to the Security Council periodically on the development of the situation and to submit to the Assembly at its thirty-eighth session a comprehensive report covering the developments in the Middle East in all their aspects. In the preceding paragraphs of that resolution, the Assembly dealt with various aspects of the situation in the Middle East, including the search for a comprehensive settlement of the Middle East problem (see para. 35 below).

2. At the same session, the General Assembly adopted resolutions 37/86 D and E of 10 December 1982 in which it requested the Security Council to take action on the establishment of an independent Arab State in Palestine and on the promotion of a just and comprehensive solution of the question of Palestine, and resolution 37/123 E concerning the question of Lebanon. In order to avoid duplication, the reports requested of the Secretary-General in those three resolutions have been incorporated in the present comprehensive report, which is being submitted to the Assembly, under agenda items 33 and 34, and also to the Security Council. The report is based mainly on information available in United Nations documents, to which references are made whenever appropriate.

II. MILITARY DEVELOPMENTS AND UNITED NATIONS PEACE-KEEPING ACTIVITIES

3. The status of the cease-fire in the Middle East and the activities of the United Nations peace-keeping operations in the area up to October 1982 were dealt with in the report of the Secretary-General of 12 October 1982 (A/37/525-S/15451, paras. 4-50). The involvement of the United Nations in this field has remained essentially the same. There continue to be three United Nations peace-keeping operations in the area: two peace-keeping forces, the United Nations Disengagement Observer Force (UNDOF) and the United Nations Interim Force in Lebanon (UNIFIL), and one observer mission, the United Nations Truce Supervision Organization (UNTSO). At present they operate mainly in the Israel-Syria and Israel-Lebanon sectors.

(a) Israel-Syria sector

4. UNDOF, with about 1,280 troops provided by Austria, Canada, Finland and Poland, is deployed between the Israeli and Syrian forces on the Golan Heights in accordance with the disengagement agreement concluded between Israel and Syria in May 1974. A group of UNTSO observers is detailed to the Force and assists it in the performance of its tasks. The mandate of UNDOF has been extended twice by the Security Council during the period under review, the last time on 16 May 1983 for a further period of six months until 30 November 1983 (resolution 531 (1983)). The activities of the Force since October 1982 are outlined in two reports of the Secretary-General to the Security Council dated 18 November 1982 and 20 May 1983

(S/15493 and S/15777). As reported by the Secretary-General, the situation in the Israel-Syria sector has remained generally quiet; UNDOF has continued to perform its functions effectively with the co-operation of the parties and there have been no serious incidents. UNDOF is undoubtedly an important element of stability in a very sensitive area.

(b) Israel-Lebanon sector

5. There are at present two United Nations peace-keeping operations in Lebanon; UNIFIL and the Observer Group Beirut (OGB), which is an arm of UNTSO. UNIFIL, which is deployed in southern Lebanon, was established by the Security Council on 19 March 1978 following the first Israeli invasion of Lebanon. Its terms of reference were to confirm the withdrawal of the Israeli forces as called for by the Security Council, to restore international peace and security and to assist the Government of Lebanon in ensuring the return of its effective authority in the area. The second Israeli invasion of Lebanon, which was launched in June 1982, radically altered the situation in which UNIFIL had to function. Following the invasion, the Security Council instructed the Force, as interim tasks, to maintain its positions in its area of deployment and to provide protection and humanitarian assistance to the local population to the extent possible. With the approval of the Security Council, the Force has continued to carry out these interim tasks. The activities of UNIFIL since October 1982 are described in the reports submitted by the Secretary-General to the Security Council on 14 October 1982, 13 January 1983 and 12 July 1983 (S/15455 and Corr.1, S/15557 and S/15863). During the period under review, the mandate of UNIFIL has been extended three times on an interim basis, the last time on 18 July 1983 for a further interim period of three months (resolution 536 (1983)). The authorized strength of UNIFIL is 7,000 but, because of its reduced activities, its present establishment consists of some 5,880 troops, from Fiji, Finland, France, Ghana, Ireland, Italy, the Netherlands, Norway, Senegal and Sweden. A group of UNTSO observers is assigned to the Force and assists it in the performance of its tasks.

6. OGB was set up in early August 1982 in pursuance of Security Council resolution 516 (1982). In that resolution, which was adopted on 1 August 1982 following intensification of military activities in the Beirut area, the Security Council authorized the Secretary-General to deploy immediately, on the request of the Government of Lebanon, United Nations observers to monitor the situation in and around Beirut. OGB has now 50 observers headed by an officer-in-charge under the overall command of the Chief of Staff of UNTSO.

7. On 5 September 1983, following the withdrawal of Israeli forces from the Beirut area, the Secretary-General submitted a report to the Security Council on the Israeli withdrawal and related developments in and around Beirut, based on information received from OGB (S/15956). On 8 September, following the outbreak of fighting in some of the areas evacuated by the Israeli forces, the Secretary-General issued an appeal to all concerned to support current efforts to achieve a cease-fire and to help restore national unity with the participation and the co-operation of all the Lebanese parties. In the context of this appeal, the Secretary-General asked the United Nations Co-ordinator of Assistance for the Reconstruction and Development of Lebanon to exert all possible efforts, within his

present mandate, to alleviate the suffering of the afflicted people in the area and to help to provide them with emergency humanitarian assistance. He also instructed the United Nations military observers of OGB to continue to follow closely the development of events in the area and, as far as possible, to facilitate humanitarian efforts. OGB is continuing its activities on the basis of Security Council resolution 516 (1982) and the Secretary-General's appeal of 8 September.

8. Since the thirty-seventh session, a number of communications have been addressed to the Secretary-General concerning the situation in Lebanon. Those communications were from Egypt (A/38/93-S/15610), the Federal Republic of Germany on behalf of the 10 member States of the European Community (A/38/297-S/15867), Lebanon (A/38/380 and S/15953) and Mongolia (S/15773).

III. SITUATION IN THE OCCUPIED TERRITORIES

9. The action taken by the United Nations prior to October 1982 on the situation in the occupied territories, including Jerusalem, was outlined in the Secretary-General's report of 12 October 1982 (A/37/525-S/15451, paras. 51-66).

10. The General Assembly, at its thirty-seventh session, after considering the report of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Population of the Occupied Territories (A/37/485), which was composed of Senegal, Sri Lanka and Yugoslavia, adopted resolutions 37/88 A to G on 10 December 1982. By these resolutions, the General Assembly, inter alia, reaffirmed that the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 June 1949, 1/ was applicable to the territories occupied by Israel since 1967, including Jerusalem, and demanded that Israel acknowledge and comply with those provisions (resolution 37/88 A); demanded that the Government of Israel desist forthwith from taking any action which would result in changing the legal status, geographical nature or demographic composition of those territories (resolution 37/88 B); demanded that Israel desist forthwith from a number of policies and practices mentioned in the resolution and renewed the mandate of the Special Committee (resolution 37/88 C); demanded that the Government of Israel rescind the expulsion of the Mayors of Hebron and Halbul and the Sharia Judge of Hebron and that it facilitate their immediate return (resolution 37/88 D); determined that all legislative and administrative measures and actions taken or to be taken by Israel that purport to alter the character and legal status of the Syrian Arab Golan Heights were null and void and constituted a violation of international law (resolution 37/88 E); condemned Israeli policies and practices against Palestinian students and faculty in the educational institutions in the occupied Palestinian territories and demanded that it rescind all actions and measures taken against those institutions, and ensure freedom of those institutions and refrain from hindering the effective operation of those universities (resolution 37/88 F) and demanded that Israel inform the Secretary-General of the results of the investigations relevant to the assassination attempts against the Mayors of Nablus, Ramallah and Al Bireh, after expressing its concern that Israel had failed to apprehend and prosecute the perpetrators of those attempts (resolution 37/88 G).

11. The Security Council held nine meetings on the situation in the occupied Arab territories; three in mid-February, one in May and five at the end of July and the beginning of August 1983 (S/PV.2412-2414, 2438, 2457-2461). On 2 August 1983, the Council voted on a draft resolution (S/15895), but it was not adopted, owing to the negative vote of a permanent member.

12. On 4 April 1983, the members of the Security Council met in informal consultations in connection with complaints that there had been mass poisonings of Palestinian schoolgirls in the West Bank. On the same day, the President of the Council issued a statement requesting the Secretary-General to conduct independent inquiries and to report on the findings (S/15680). The Secretary-General contacted the Director-General of the World Health Organization and requested that it conduct such an inquiry in pursuance of the wishes of the Security Council. The Director-General agreed to do so, and on 10 May the Secretary-General transmitted his report to the Council (S/15756).

13. On 15 February 1983, the Commission on Human Rights adopted resolutions 1983/1 A and B concerning the question of violation of human rights in the occupied territories. Those resolutions in which the Commission condemned Israeli policies and practices in the occupied territories, along lines similar to those of General Assembly resolution 37/88 C, were brought to the attention of the Assembly (A/38/409).

14. Furthermore, the Commission adopted resolution 1983/2 of 15 February 1983 by which it declared the decision of Israel of 14 December 1981 to impose its laws, jurisdiction and administration on the occupied Syrian Golan Heights an act of aggression under article 39 of the Charter and Assembly resolution 3314 (XXIX), and without legal validity, and called upon Israel to rescind its decision. By resolution 1983/3 of the same date, the Commission condemned in the strongest terms the massacre of Palestinian civilians in the Sabra and Shatila refugee camps and requested the General Assembly to declare 17 September a day to commemorate the memory of the victims of that massacre. The Commission reaffirmed the right of the Palestinian people to self-determination and rejected the plan of "autonomy" within the framework of the "Camp David accords" and declared that those accords had no validity in so far as they purport to determine the future of the Palestinian people and of the territories occupied since 1967.

15. The Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Population of the Occupied Territories held periodic meetings in implementation of the request of the General Assembly under resolution 37/88 C. During the period between the meetings, the Special Committee was kept informed of events taking place in the occupied territories relevant to its mandate; the information was gathered from a variety of sources, including oral testimonies and written communications. At its periodic meetings, the Special Committee reviewed this information and assessed the human rights situation in the occupied territories with a view to deciding whether any action would be undertaken. The report of the Special Committee under Assembly resolution 37/88 C (A/38/409) will be submitted to the Assembly at its thirty-eighth session.

16. During its thirty-seventh session, the General Assembly also adopted resolution 37/122 concerning Israel's decision to build a canal linking the Mediterranean Sea to the Dead Sea, resolution 37/135 concerning permanent sovereignty over national resources in the occupied Palestinian and other Arab territories, and resolution 37/222 concerning living conditions of the Palestinian people in the occupied Palestinian territories. These questions are the subject of separate reports, which have been circulated under agenda items 75 (A/38/), 12 (A/38/282-E/1983/84 and A/38/265-E/1983/85), and 78 (h) (A/38/278-E/1983/77) respectively.

17. The situation in the occupied territories has been the subject of a number of communications addressed to the President of the Security Council or the Secretary-General and circulated as official documents of the United Nations. These communications dealt with Israeli settlement activity (A/38/78-S/15572, A/38/82-S/15574, A/38/112-S/15635, A/38/116-S/15640 and Corr.1, A/38/123-S/15655, A/38/257-S/15810, S/15869, A/38/306-S/15880, A/38/331-S/15916, A/38/369-S/15942); complaints of mass poisonings (S/15659, A/38/128-S/15667, S/15673, S/15674, S/15683, A/38/365-S/15939); matters relating to the Holy Places at Jerusalem (A/38/115-S/15639 and Corr.1, A/38/117-S/15642, A/38/118-S/15646); and other matters relating to the situation in the occupied territories (S/15553, S/15561, A/38/73-S/15562, A/38/122-S/15653, S/15660, S/15854, A/38/295-S/15865, S/15886, S/15901).

IV. PALESTINE REFUGEE PROBLEM

18. The Palestine refugee problem and the efforts of the United Nations to assist the refugees up to October 1982 were dealt with in the report of the Secretary-General of 12 October 1982 (A/37/525-S/15451, paras. 67-70).

19. Following its consideration of the report of the Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA) 2/ at its thirty-seventh session, the General Assembly adopted 11 resolutions on 16 December 1982. In resolution 37/120 K, the Assembly noted with regret that repatriation or compensation of the refugees as provided for in paragraph 11 of Assembly resolution 194 (III) had not been effected, that no substantial progress had been made in the programme endorsed by the Assembly in paragraph 2 of its resolution 513 (VI) for the reintegration of refugees either by repatriation or resettlement and that, therefore, the situation of the refugees continued to be a matter of serious concern; expressed its thanks to the Commissioner-General and to all the staff of UNRWA, recognizing that the Agency was doing all it could within the limits of available resources; reiterated its request that the headquarters of UNRWA should be relocated to its former site within its area of operations as soon as practicable; noted with regret that the United Nations Conciliation Commission for Palestine had been unable to find a means of achieving progress in the implementation of paragraph 11 of Assembly resolution 194 (III) and requested the Commission to exert continued efforts towards the implementation of that paragraph and to report to the Assembly as appropriate, but not later than 1 October 1983; directed attention to the continuing seriousness of the financial position of UNRWA as outlined in the report of the Commissioner-

General; noted with concern that, despite the commendable and successful efforts of the Commissioner-General to collect additional contributions, this increased level of income to UNRWA was still insufficient to cover essential budget requirements in 1982; and called upon all Governments as a matter of urgency to make the most generous efforts possible to meet the anticipated needs of UNRWA.

20. The other resolutions adopted by the General Assembly dealt with the Working Group on the Financing of UNRWA (resolution 37/120 A), assistance to persons displaced as a result of the June 1967 and subsequent hostilities, (resolution 37/120 B), the University of Jerusalem for Palestine Refugees (resolution 37/120 C), offers of grants and scholarships for Palestine refugees (resolution 37/120 D), Palestine refugees in the Gaza Strip (resolution 37/120 E), resumption of the ration distribution to Palestine refugees (resolution 37/120 F), population and refugees displaced since 1967 (resolution 37/120 G), revenues derived from Palestine refugee properties (resolution 37/120 H), special identification cards to all Palestine refugees (resolution 37/120 I) and protection of Palestine refugees (resolution 37/120 J).

21. The situation of UNRWA refugees and the activities of the Agency since the adoption of those resolutions are described in the annual report of the Commissioner-General of UNRWA for the period 1 July 1982 to 30 June 1983. 3/ At its thirty-eighth session, the General Assembly will have before it the report of the Working Group on the Financing of UNRWA. It will also have before it the reports of the Secretary-General on the subjects mentioned in the preceding paragraph.

V. QUESTION OF PALESTINE

22. The action taken by the United Nations on the question of Palestinian rights up to 12 October 1982 was outlined in the report of the Secretary-General (A/37/525-S/15451).

23. At its thirty-seventh session, in resolution 37/86 A, the General Assembly endorsed the recommendations of the Committee on the Exercise of the Inalienable Rights of the Palestinian People and drew the attention of the Security Council to the fact that action on the Committee's recommendations, as endorsed by the General Assembly in resolution 31/20, was long overdue. The Assembly authorized the Committee to continue to exert all efforts to promote the implementation of its recommendations.

24. In resolution 37/86 B, the General Assembly requested the Secretary-General to ensure that the Division for Palestinian Rights continued to discharge its tasks, in consultation with the Committee and under its guidance. It invited all Governments and organizations to lend their co-operation to the Committee and the Division for Palestinian Rights and noted with appreciation the action taken by Member States to observe annually on 29 November the International Day of Solidarity with the Palestinian People and the issuance by them of special postage stamps for the occasion.

25. In resolution 37/86 C, the General Assembly endorsed the recommendations of the Preparatory Committee for the International Conference on the Question of Palestine concerning the preparatory activities for the Conference, its objectives, the documentation, the draft provisional agenda, the draft provisional rules of procedure, participation in the Conference and the organization of work. It urged all Member States to promote heightened awareness of the importance of the Conference and to intensify preparations at the national, subregional and regional levels in order to ensure its success. It called upon all Member States to contribute to the achievement of Palestinian rights and to support modalities for their implementation, and to participate in the Conference and the regional preparatory meetings preceding it.

26. In resolution 37/86 D, the General Assembly reaffirmed once again that a comprehensive, just and lasting peace in the Middle East could not be established without the unconditional withdrawal of Israel from the Palestinian and other Arab territories occupied since 1967, including Jerusalem, and without the exercise and attainment by the Palestinian people of their inalienable rights in Palestine, in accordance with the principles of the Charter and the relevant resolutions of the Assembly. The Assembly requested the Security Council to discharge its responsibilities under the Charter and recognize the inalienable rights of the Palestinian Arab people, including the right to self-determination and the right to establish an independent Arab State in Palestine. It reiterated its request that the Security Council take the necessary measures, in execution of the relevant United Nations resolutions, to implement the plan which, inter alia, recommends that an independent Arab State shall come into existence in Palestine.

27. In resolution 37/86 E, the General Assembly recalled, in particular, the principles relevant to the question of Palestine that have been accepted by the international community, including the right of all States in the region to existence within internationally recognized boundaries, and justice and security for all the peoples, which required recognition and attainment of the legitimate rights of the Palestinian people. It reaffirmed the inalienable rights of the Palestinian people, including the right to self-determination and the right to establish an independent state in Palestine. In conformity with the fundamental principle of the inadmissibility of the acquisition of territory by force, the Assembly demanded that Israel withdraw completely and unconditionally from all the Palestinian and other Arab territories occupied since June 1967, including Jerusalem. The Assembly urged the Security Council to facilitate the process of Israeli withdrawal and recommended that, following the withdrawal, those territories should be subjected to a short transitional period under the supervision of the United Nations, during which the Palestinian people would exercise its right to self-determination. The Assembly also called for the achievement of a comprehensive, just and lasting peace, based on the resolutions of the United Nations and under its auspices, in which all the parties concerned, including the Palestine Liberation Organization (PLO), the representative of the Palestinian people, would participate on an equal footing.

28. On the basis of General Assembly resolutions 36/120 C, ES-7/7 and 37/86 C, the International Conference on the Question of Palestine was convened at the United Nations Office at Geneva from 29 August to 7 September 1983. It was opened by the

Secretary-General of the United Nations and presided over by the Minister for Foreign Affairs of Senegal.

29. The Conference considered the question of Palestine in all its aspects and adopted a Declaration and a Programme of Action. In the Declaration, the Conference reaffirmed that a just solution of the question of Palestine, the core of the problem, is the crucial element in a comprehensive, just and lasting political settlement in the Middle East. It considered that the various proposals, consistent with the principles of international law, which had been presented on this question, such as the Arab Peace Plan adopted by the Twelfth Arab Summit Conference held at Fez in September 1982 (see A/37/525-S/15451, sect. VI), should serve as guidelines for concerted international effort to resolve the question of Palestine. These guidelines included the following:

(a) The attainment by the Palestinian people of its legitimate inalienable rights, including the right to return, the right to self-determination and the right to establish its own independent state in Palestine;

(b) The right of the PLO, the representative of the Palestinian people, to participate on an equal footing with other parties in all efforts, deliberations and conferences on the Middle East;

(c) The need to put an end to Israel's occupation of the Arab territories, in accordance with the principle of the inadmissibility of the acquisition of territory by force and, consequently, the need to secure Israeli withdrawal from the territories occupied since 1967, including Jerusalem;

(d) The need to oppose and reject such Israeli policies and practices in the occupied territories, including Jerusalem, and any de facto situation created by Israel as are contrary to international law and relevant United Nations resolutions, particularly the establishment of settlements, as these policies and practices constitute major obstacles to the achievement of peace in the Middle East;

(e) The need to reaffirm as null and void all legislative and administrative measures and actions taken by Israel, the occupying Power, which have altered or purported to alter the character and status of the Holy City of Jerusalem, including the expropriation of land and property situation thereon, and in particular the so-called "Basic Law" on Jerusalem and the proclamation of Jerusalem as the capital of Israel;

(f) The right of all States in the region to existence within secure and internationally recognized boundaries, with justice and security for all the people, the sine qua non of which is the recognition and attainment of the legitimate inalienable rights of the Palestinian people as at (a) above.

30. In order to give effect to these guidelines, the Conference considered it essential that an international peace conference on the Middle East be convened on the basis of the principles of the Charter of the United Nations and the relevant resolutions of the United Nations, with the aim of achieving a comprehensive, just and lasting solution to the Arab-Israeli conflict, an essential element of which

would be the establishment of an independent Palestinian state in Palestine. The peace conference should be convened under the auspices of the United Nations with the participation of all parties to the Arab-Israeli conflict, including the PLO, as well as the United States of America and the Soviet Union and other concerned States, on an equal footing. In this context, the Security Council had a primary responsibility to create appropriate institutional arrangements on the basis of relevant United Nations resolutions in order to guarantee and to carry out the accords of the international peace conference.

31. The Conference also adopted a detailed Programme of Action enumerating measures to be taken in the political, economic and information fields. The Conference invited the Security Council, to take prompt, firm and effective steps and actions to establish an independent, sovereign Palestinian state in Palestine through the implementation of the relevant United Nations resolutions, by facilitating the organization of the international peace conference on the Middle East, as called for in the Geneva Declaration. The text of the Programme of Action may be found in document A/CONF.114/41 and Corr.1.

32. The report of the International Conference on the Question of Palestine will be issued as an official document of the thirty-eighth session of the General Assembly (A/CONF.114/42). The Assembly will also have before it at its thirty-eighth session the reports of the Committee on the Exercise of the Inalienable Rights of the Palestinian People 4/ and of the Preparatory Committee for the International Conference on the Question of Palestine. 5/ In addition, since the thirty-seventh session of the General Assembly, a number of communications have been received: from Israel (A/38/350, 6/ A/38/364 and Corr.1, A/38/367 and Corr.1), Bulgaria (A/38/398), Mongolia (S/15609) and the Union of Soviet Socialist Republics (A/38/373). The final documents of the Seventh Conference of Heads of State or Governments of Non-Aligned Countries, held at New Delhi from 7 to 12 March 1983, were transmitted to the Secretary-General by the Permanent Representative of India in a letter dated 30 March 1983 (A/38/132-S/15675 and Corr.1).

VI. SEARCH FOR A PEACEFUL SETTLEMENT

33. An outline of developments relating to the search for a peaceful settlement of the Middle East problem from November 1967 until October 1982 may be found in the Secretary-General's reports of 18 May 1973 (S/10929), of 17 October 1978 (A/33/311-S/12896), of 24 October 1979 (A/34/584-S/13578), of 24 October 1980 (A/35/563-S/14234), of 11 November 1981 (A/36/655-S/14746) and of 12 October 1982 (A/37/525-S/15451).

34. As indicated in the last of those reports, various Governments put forward last year proposals aimed at promoting a peaceful settlement of the Middle East problem. These included a draft resolution submitted by Egypt and France to the Security Council on 29 July 1982 (S/15317), a peace initiative announced by the President of the United States on 1 September 1982, a peace plan adopted by the Twelfth Arab Summit Conference at Fez on 9 September 1982 and a statement by the President of the Presidium of the Supreme Soviet of the USSR on 15 September 1982

setting forth certain principles as the basis for a peaceful settlement in the Middle East. The Secretary-General stated that although all those proposals contained elements that were unacceptable to one party or another, he felt that they deserved careful study and that every opportunity should be seized to overcome the present impasse and shift the conflict from military confrontation to peaceful negotiation.

35. At its thirty-seventh session, on 20 December 1982, the General Assembly adopted resolution 37/123 F in which it condemned Israel's continued occupation of the Palestinian and other Arab territories and demanded its immediate, unconditional and total withdrawal; reaffirmed its conviction that the question of Palestine was the core of the conflict in the Middle East and that no comprehensive, just and lasting peace in the region would be achieved without the full exercise by the Palestinian people of its inalienable national rights; reaffirmed that a just and comprehensive settlement could not be achieved without the participation on an equal footing of all the parties to the conflict, including the Palestine Liberation Organization; declared that peace in the Middle East was indivisible and must be based on a comprehensive, just and lasting solution under the auspices of the United Nations; rejected all agreements and arrangements in so far as they violated the recognized rights of the Palestinian people and contradicted the principles of just and comprehensive solutions to the Middle East problem; determined that Israel's decision to annex Jerusalem and to declare it as its "capital", as well as the measures to alter its physical character, demographic composition, institutional structure and status, were null and void and demanded that they be rescinded immediately; condemned Israel's aggression and practices against the Palestinian people in the occupied Palestinian territories and outside those territories, and condemned Israel's annexationist policies and practices in the occupied Syrian Golan Heights; considered that the agreements on strategic co-operation between the United States of America and Israel signed on 30 November 1981 would encourage Israel to pursue its aggressive and expansionist policies and practices; and called upon all States to put an end to the flow to Israel of any military, economic and financial aid, as well as of human resources, aimed at encouraging it to pursue its aggressive policies against the Arab countries and the Palestinian people.

36. At the same session, the General Assembly also adopted resolutions 37/86 A to E concerning the question of Palestine, parts of which have a direct bearing on the search for a peaceful settlement in the Middle East. Those resolutions are outlined in the preceding section of the present report.

37. During the period under review, the Secretary-General discussed the Middle East problem with the parties directly concerned and other Governments. At the last session of the General Assembly and earlier this year, contacts were held between various interested Governments with a view to examining the possibility of promoting the resumption of the negotiating process on the basis of the peace initiatives of September 1982. The Secretary-General was fully briefed on those contacts but tangible progress has yet to be achieved.

38. Since the thirty-seventh session of the General Assembly, a number of communications have been addressed to the President of the Security Council or the Secretary-General. In addition to those referred to in the preceding sections of

this report (see paras. 9, 18 and 30), communications were received from the Federal Republic of Germany on behalf of the 10 members of the European Community (A/38/124-S/15657), Israel (A/38/60-S/15548, A/38/61-S/15549, S/15569, A/38/80), Jordan (A/38/179-S/15748) and the Syrian Arab Republic (S/15566, A/38/76, A/38/84-S/15576 and Corr.1).

VII. OBSERVATIONS

39. The developments in the Middle East during the past year have given little cause for hope that the problems of that region are nearer to solution. Great efforts have been made to bring about conditions in which the State of Lebanon could regain the full exercise of its sovereignty with the withdrawal of all non-Lebanese forces, but so far the achievement of this objective is not in sight. Preoccupation with the events in Lebanon has tended to overshadow the consideration of major aspects of the Middle East problem, and there can be little doubt that developments in this year of frustration will prove to have made even more difficult the comprehensive settlement which alone can eventually bring coexistence and peace to this vital part of the world. The central problem of the legitimate rights and the future of the Palestinian people, a matter for which all members of the international community share a clear obligation, has been further complicated by the growth of Israeli settlements on the West Bank and by the failure once again to get down to meaningful negotiations. The basic problems of the withdrawal of the Israeli forces from occupied territories, the recognition and the long-term security of all States in the region and the future of Jerusalem have also been left in abeyance.

40. The delay in getting to the roots of the Middle East problem cannot, in the long run, serve the cause of peace. The process whereby the aims enunciated by the United Nations, especially in Security Council resolutions 242 (1967) and 338 (1973), are steadily receding can only increase bitterness and tension. In the end we run the risk by this process of procrastination, of a far more fundamental and destructive crisis in this unique region of the world.

41. I believe that the time has come to take a searching look at the actual state of affairs in the Middle East. I do this in the full knowledge that such an effort may be unpopular in many quarters. But it is of little value to pretend that things are as they were in 1948, or 1967, or indeed even two years ago. The facts and the principles involved must be faced, if any genuinely effective action is to be taken, and if this intractable and increasingly dangerous problem is to be resolved in a relatively peaceful manner. Israeli withdrawal from occupied territories, the rights of the States in the area to live in peace within secure boundaries and the future and rights of the Palestinians still constitute the main elements of the Middle East conflict as it now faces us. These problems have been repeatedly discussed by the General Assembly and the Security Council, and most recently by the International Conference on the Question of Palestine.

42. It is worth observing that since 1948 the Middle East problem has been bedevilled by the fact that the parties have invariably been out of phase with each other in relation to the question of discussing a peaceful solution, a problem

exacerbated by lack of mutual recognition and communication. Thus, we have come, after 35 years, to the present extremely dangerous impasse, a situation given tragic dimensions especially by the plight of the Palestinians and by the travail and tragedy of Lebanon. The Israeli invasion of Lebanon in 1982 and its aftermath have once again shown that the use of force cannot resolve the Middle East conflict, but serves only further to complicate and embitter it. They have also pointed to the tragic situation of the Palestinians as a major human and political problem to which a just solution must be found most urgently.

43. In this great historical tragedy, no State or party is likely ultimately to achieve all of its stated aims. The safety and survival of all the parties concerned can ultimately be achieved only through an agreed settlement that will take due account of the basic aspirations and the vital interests of each. I continue to believe that such a settlement must be based on the principles outlined in Security Council resolution 242 (1967) of 22 November 1967, namely, "withdrawal of Israel armed forces from territories occupied in the recent conflict" and "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". A just settlement of the Palestinian problem based on the recognition of the legitimate rights of the Palestinian people is vital to any such settlement. The question of Jerusalem remains of primary importance.

44. If we are not to be the helpless witness of further futile rounds of fighting in the Middle East, with the potential danger of an escalation into a broader confrontation, serious and realistic negotiations encompassing all of the parties must somehow be initiated.

45. I am deeply conscious of the formidable difficulties that lie on the way to the attainment of this objective. The issues involved are complex in the extreme and after 35 years of deadlock and violence, the parties are divided by mutual enmity, fear and mistrust. The major Powers which are involved in various ways in the Middle East conflict are also divided. Their opposing views have often made it impossible for the Security Council to take decisive action at critical times. This has had adverse effects not only on the peace-making process, but also on the effectiveness and even the potential of United Nations peace-keeping. The events of the last year have highlighted both the advantages and the weaknesses of United Nations peace-keeping operations, which, lacking enforcement power, can function effectively only with the co-operation of the parties and the full support of the Security Council.

46. It is my earnest hope that, confronted with the increasing dangers of the Middle East conflict, which threaten the security of the region and beyond, the major Powers will find it possible to work with each other in the search for a just and durable peace in the Middle East as they have at various times in the past. If they were to adopt this course of action, they could bring their powerful influence to bear and, with their support, the Security Council would be in a far better position to fulfil the responsibilities entrusted to it by the Charter through the peace-making and peace-keeping process. It is relevant to note in this connection

that the Security Council might provide a practical framework for such a process since its existing procedures enable the participation of all parties concerned.

47. I am not convinced that the present impediments of the Security Council are insuperable if its approach could be dictated by the gravity of the problem and an appreciation of the fears and interests of all parties. I continue to believe that the Council could become a key instrument for resolving the Middle East conflict and eliminating an increasingly dangerous element of instability in world affairs. I believe that this and other means of approaching the problem, for example, through the institution of a suitable negotiating process, including, in an appropriate form, an international conference, should be very seriously considered by the membership. The plight of the victims on all sides and the peace of the world demand no less.

Notes

1/ United Nations, Treaty Series, vol. 75, No. 973, p. 287.

2/ Official Records of the General Assembly, Thirty-seventh Session, Supplement No. 13 (A/37/13).

3/ Ibid., Thirty-eighth Session, Supplement No. 13 (A/38/13).

4/ Ibid., Supplement No. 35 (A/38/35).

5/ Ibid., Supplement No. 46 (A/38/46).

6/ See also the Secretary-General's reply (A/38/351).

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Report of the Secretary-General

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I. INTRODUCTION

1. This report is submitted in pursuance of General Assembly resolution 38/180 D of 19 December 1983. In that resolution, the Assembly dealt with various aspects of the situation in the Middle East and requested the Secretary-General to report to the Security Council periodically on the development of the situation and to submit to the Assembly at its thirty-ninth session a report covering the developments in the Middle East in all their aspects. The report is based mainly on information available in United Nations documents, to which reference is made whenever appropriate.

II. MILITARY DEVELOPMENTS AND UNITED NATIONS PEACE-KEEPING ACTIVITIES

2. The status of the cease-fire in the Middle East and the activities of the United Nations peace-keeping operations in the area up to September 1983 were dealt with in the report of the Secretary-General of 30 September 1983 (A/38/458-S/16015, paras. 3-8). The activities of the United Nations in this field have remained essentially the same. There continue to be three United Nations peace-keeping operations in the area: two peace-keeping forces, the United Nations Disengagement Observer Force (UNDOF) and the United Nations Interim Force in Lebanon (UNIFIL), and one observer mission, the United Nations Truce Supervision Organization (UNTSO). At present, they operate mainly in the Israel-Syria and Israel-Lebanon sectors.

(a) Israel-Syria sector

3. UNDOF, with some 1,300 troops provided by Austria, Canada, Finland and Poland, is deployed between the Israeli and Syrian forces on the Golan Heights in accordance with the disengagement agreement concluded between Israel and the Syrian Arab Republic in May 1974. A group of UNTSO observers is detailed to the Force and assists it in the performance of its tasks. The mandate of UNDOF has been extended twice by the Security Council during the reporting period, the last time on 30 May 1984 for a further period of six months until 30 November 1984 (resolution 551 (1984)). The activities of the Force since September 1983 are described in two reports of the Secretary-General to the Security Council, dated 21 November 1983 and 21 May 1984 (S/16169 and S/16573 and Corr.1). As reported by the Secretary-General, the situation in the Israel-Syria sector has remained generally quiet; UNDOF has continued to perform its functions effectively with the co-operation of the parties, and there have been no serious incidents.

(b) Israel-Lebanon sector

4. There are two United Nations peace-keeping operations in Lebanon: UNIFIL and the Observer Group Beirut, which is a part of UNTSO. UNIFIL, which is deployed in southern Lebanon, was established by the Security Council on 19 March 1978 following the first Israeli invasion of Lebanon. Its terms of reference were to confirm the withdrawal of the Israeli forces as called for by the Security Council, to restore international peace and security and to assist the Government of Lebanon in ensuring the return of its effective authority in the area. The second Israeli

invasion of Lebanon, which was launched in June 1982, radically altered the situation in which UNIFIL had to function. Following the invasion, the Secretary-General instructed the Force, as interim tasks, to maintain its positions in its area of deployment and to provide protection and humanitarian assistance to the local population to the extent possible. With the approval of the Security Council, the Force has continued to carry out these interim tasks. The activities of UNIFIL since September 1983 are described in three reports of the Secretary-General to the Security Council dated 12 October 1983, 9 April 1984 and 9 October 1984 (S/16036, S/16472 and S/16776). During the reporting period, the Security Council has extended the mandate of UNIFIL on an interim basis three times, the last time on 12 October 1984 for a further interim period of six months until 19 April 1985 (resolution 555 (1984)). The authorized strength of UNIFIL is 7,000, but, because of its reduced activities, it had until recently some 5,680 troops provided by Fiji, Finland, France, Ghana, Ireland, Italy, the Netherlands, Norway, Senegal and Sweden. A group of UNTSO observers assists the Force in the performance of its tasks.

5. Observer Group Beirut (OGB) was established in August 1982 in pursuance of Security Council resolution 516 (1982) and given the task of monitoring the situation in and around Beirut. OGB comprises up to 50 observers headed by an officer-in-charge under the overall command of the Chief of Staff of UNTSO.

6. In February 1984, following heavy exchanges of fire in the Beirut area, the Security Council met at the request of France (S/PV.2514-2516, and 2519) and on 29 February voted on a French draft resolution by which it would have issued an urgent appeal for an immediate cease-fire throughout Lebanon and decided to constitute a United Nations force to take up a position in the Beirut area as soon as all elements of the Multinational Force had withdrawn from Lebanese territory and territorial waters (S/16351/Rev.2). The draft resolution was not adopted, owing to the negative vote of a permanent member of the Council.

7. In August/September 1984, the Security Council met at the request of Lebanon (S/PV.2552-2556), and on 6 September voted on a draft resolution submitted by the Lebanese representative by which it would have affirmed that the provisions of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, 1/ applied to the territories occupied by Israel in southern Lebanon and demanded that Israel immediately lift all restrictions and obstacles to the restoration of normal conditions in the areas under its occupation in violation of that Convention (S/16732). The draft resolution was not adopted, owing to the negative vote of a permanent member of the Council.

8. During the period under review, the Security Council also dealt with hostilities that took place in northern Lebanon in the autumn of 1983. On 11 November 1983, the President of the Council made a statement (S/16142) and, on 23 November, the Security Council adopted resolution 542 (1983), in which it deplored the loss of human life caused by the events in northern Lebanon; reiterated its call for the strict respect for the sovereignty, political independence and territorial integrity of Lebanon within its internationally recognized boundaries; requested the parties concerned immediately to accept a cease-fire; and requested the Secretary-General to follow the situation, to consult with the Government of Lebanon and to report to the Council. On 26 November,

a cease-fire was agreed by the parties involved in the fighting in the Tripoli area. On 1 December, the Secretary-General received a request from the Chairman of the Executive Committee of the Palestine Liberation Organization (PLO) for permission to use the United Nations flag to facilitate the departure of PLO forces from Tripoli. In a statement made on 3 December during consultations of the Security Council, the Secretary-General indicated that he had decided, on humanitarian grounds, to authorize the flying of the United Nations flag alongside the national flag of the ships which would evacuate the armed elements of PLO (S/16194). That statement was supported by the members of the Council (S/16195). The evacuation took place on 20 December 1983 (see the Secretary-General's report of 21 December 1983 (S/16228)).

9. Since the thirty-eighth session, a number of communications have been addressed to the President of the Security Council and the Secretary-General on various aspects of the situation. Those communications, which have been circulated as official documents of the General Assembly and/or the Security Council, were sent by France on behalf of the 10 States members of the European Economic Community (A/39/123-S/16389), Israel (A/39/57-S/16233, A/39/75-S/16276, S/16377, A/39/120, A/39/125, S/16391, S/16458, A/39/166, A/39/177-S/16474, S/16479, A/39/181, A/39/328-S/16645, A/39/350-S/16671, A/39/355-S/16678, A/39/377-S/16691, A/39/410-S/16706, A/39/542-S/16762), Lebanon (A/39/63-S/16252, S/16471, A/39/282-S/16597, A/39/330-S/16650, A/39/340-S/16660, A/39/365-S/16682, S/16772) and the Syrian Arab Republic (S/16520, A/39/360). Communications were also received from PLO and were circulated at the request of Egypt (S/16570, annex) and Democratic Yemen (A/39/509-S/16749, annex).

III. SITUATION IN THE OCCUPIED TERRITORIES

10. The action taken by the United Nations prior to September 1983 on the situation in the occupied territories, including Jerusalem, was outlined in the Secretary-General's report (A/38/458-S/16015, paras. 9-16).

11. The General Assembly, at its thirty-eighth session, after considering the report of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Population of the Occupied Territories (A/38/409), which is composed of Senegal, Sri Lanka and Yugoslavia, adopted resolutions 38/79 A to H on 15 December 1983. By these resolutions, the General Assembly demanded that Israel immediately release Ziad Abu Eain, as well as other prisoners who were duly registered to be freed (38/79 A); reaffirmed that the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, was applicable to the Arab territories occupied by Israel since 1967, including Jerusalem, and demanded that Israel acknowledge and comply with its provisions (resolution 38/79 B); demanded that the Government of Israel desist forthwith from taking any action that would result in changing the legal status, geographical nature or demographic composition of the occupied territories (resolution 38/79 C); demanded that Israel desist forthwith from certain policies and practices mentioned in the resolution and renewed the mandate of the Special Committee (resolution 38/79 D); demanded that the Government of Israel rescind the expulsion of the Mayors of Hebron and Halhul and the Sharia Judge of Hebron and that it facilitate

their immediate return (resolution 38/79 E); determined that all legislative and administrative measures and actions taken or to be taken by Israel that purported to alter the character and legal status of the Syrian Arab Golan Heights were null and void and constituted a violation of international law (resolution 38/79 F); condemned Israeli policies and practices against Palestinian students and faculty in the educational institutions in the occupied Palestinian territories and demanded that it rescind all actions and measures taken against those institutions, ensure their freedom and refrain from hindering the effective operation of those institutions (resolution 38/79 G); expressed deep concern that Israel had failed to apprehend and prosecute the perpetrators of the assassination attempts against the Mayors of Nablus, Ramallah and Al Bireh, and demanded that Israel inform the Secretary-General of the results of the relevant investigations (resolution 38/79 H).

12. The reports submitted by the Secretary-General under resolutions 38/79 E, F, G and H have been circulated as documents A/39/527, A/39/532 and Corr.1, A/39/501 and A/39/339 respectively. The reports under resolutions 38/79 A and D will be submitted at a later date.

13. In January 1984, concern was expressed to the President of the Security Council regarding legislation then under consideration by the Israeli Knesset (see S/16249, S/16255 and A/39/70-S/16261). The President of the Council also received a letter from the Permanent Representative of Israel on the subject (S/16269). Following consultations of the Security Council on 26 January 1984, the President issued a statement saying that the Council recalled in this connection its previous resolutions stressing the applicability of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, and urged that no steps be taken that could lead to further aggravation of tension in the area (S/16293).

14. On 20 February 1984, the Commission on Human Rights adopted resolutions 1984/1 A and B concerning the question of violation of human rights in the occupied territories. In those resolutions the Commission condemned Israeli policies and practices in the occupied territories along lines similar to those of General Assembly resolution 38/79 D.

15. Furthermore, the Commission adopted resolution 1984/2 of 20 February 1984 by which it declared that Israel's decision of 14 December 1981 to impose its laws, jurisdiction and administration on the occupied Syrian Golan Heights had no legal validity, and called upon Israel to rescind it. By resolution 1984/3 of the same date, the Commission condemned Israel for its continued occupation of and persistence in developing the colonialization of the occupied Palestinian and other Arab territories, including Jerusalem, which aimed at changing their demographic composition, institutional structure and status. The Commission reaffirmed that such measures constituted a grave violation of the Geneva Convention relative to the Protection of Civilian Persons in Time of War of 12 August 1949 and the Hague Convention of 1907, and that they were null and void with regard to international law.

16. The Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Population of the Occupied Territories held periodic meetings in

implementation of the request of the General Assembly under resolution 38/79 D. During the period between the meetings, the Special Committee was kept informed of events taking place in the occupied territories relevant to its mandate. Information was gathered from a variety of sources, including oral testimony and written communications. At its periodic meetings, the Special Committee reviewed this information and assessed the human rights situation in the occupied territories with a view to deciding whether any action was required. The report of the Special Committee under Assembly resolution 38/79 D will be circulated as document A/39/591.

17. During its thirty-eighth session, the General Assembly also adopted resolution 38/85 (15 December 1983) concerning Israel's decision to build a canal linking the Mediterranean Sea to the Dead Sea, resolution 38/144 (19 December 1983) concerning permanent sovereignty over national resources in the occupied Palestinian and other Arab territories, and resolution 38/166 (19 December 1983) concerning living conditions of the Palestinian people in the occupied Palestinian territories. These questions are the subject of reports which have been circulated under agenda item 77 (A/39/142), 12 (A/39/326-E/1984/111), and 80 j (A/39/233-E/1984/79).

18. Since the thirty-eighth session, a number of communications have been addressed to the President of the Security Council or the Secretary-General on various aspects of the situation in the occupied territories. Those communications, which have been circulated as official documents of the General Assembly and/or the Security Council, were sent by Democratic Yemen as President of the Council of the League of Arab States (A/39/206-S/16501), Israel (A/39/319-S/16640), Jordan (A/39/119-S/16379 and Corr.1, A/39/237-S/16538, A/39/278-S/16589, A/39/283-S/16598, A/39/321-S/16642, A/39/395-S/16695) and Morocco (A/39/257-S/16562). Communications were also received from PLO and were circulated at the request of Egypt (S/16311, annex; S/16360, annex; S/16392, annex; S/16450, annex).

IV. PALESTINE REFUGEE PROBLEM

19. The Palestine refugee problem and the efforts of the United Nations to assist the refugees up to September 1983 were dealt with in the report of the Secretary-General (A/38/458-S/16015, paras. 18-21).

20. Following its consideration of the report of the Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA) for the period 1 July 1982 to 20 June 1983, 2/ at its thirty-eighth session, the General Assembly adopted 11 resolutions on 15 December 1983. In resolution 38/83 A, the Assembly noted with regret that repatriation or compensation of the refugees as provided for in paragraph 11 of Assembly resolution 194 (III) of 11 December 1948 had not been effected, that no substantial progress had been made in the programme endorsed by the Assembly in paragraph 2 of its resolution 513 (VI) of 26 January 1952 for the reintegration of refugees either by repatriation or resettlement and that, therefore, the situation of the refugees continued to be a matter of serious concern; expressed its thanks to the Commissioner-General and to all the staff of UNRWA, recognizing that the Agency was

doing all it could within the limits of available resources; reiterated its request that the headquarters of UNRWA should be relocated to its former site within its area of operations as soon as practicable; noted with regret that the United Nations Conciliation Commission for Palestine had been unable to find a means of achieving progress in the implementation of paragraph 11 of Assembly resolution 194 (III) and requested the Commission to exert continued efforts towards the implementation of that paragraph and to report to the Assembly as appropriate, but not later than 1 October 1984; directed attention to the continuing seriousness of the financial position of UNRWA, as outlined in the report of the Commissioner-General; noted with concern that, despite the commendable and successful efforts of the Commissioner-General to collect additional contributions, this increased level of income to UNRWA was still insufficient to cover essential budget requirements in 1983; called upon all Governments as a matter of urgency to make the most generous efforts possible to meet the anticipated needs of UNRWA; and decided to extend the mandate of UNRWA until 30 June 1987, without prejudice to the provisions of paragraph 11 of Assembly resolution 194 (III).

21. The other resolutions adopted by the General Assembly dealt with the Working Group on the Financing of UNRWA (resolution 38/83 B), assistance to persons displaced as a result of the June 1967 and subsequent hostilities (resolution 38/83 C), offers by member States of grants and scholarships for higher education, including vocational training, for Palestine refugees (resolution 38/83 D), Palestine refugees in the Gaza Strip (resolution 38/83 E), resumption of the ration distribution to Palestine refugees (resolution 38/83 F), population and refugees displaced since 1967 (resolution 38/83 G), revenues derived from Palestine refugee properties (resolution 38/83 H), protection of Palestine refugees (resolution 38/83 I), Palestine refugees in the West Bank (resolution 38/83 J), and the University of Jersualem "Al-Quds" for Palestine refugees (resolution 38/83 K).

22. The situation of the Palestine refugees and the activities of UNRWA since the adoption of these resolutions are described in the annual report of the Commissioner-General of UNRWA for the period 1 July 1983 to 30 June 1984. 3/ The reports of the United Nations Conciliation Commission for Palestine and of the Working Group on the Financing of UNRWA under resolutions 38/83 A and B appear in documents A/39/455 and A/39/575. The reports of the Secretary-General in pursuance of resolutions 38/83 D, E, G, H, I, J and K have been circulated as documents A/39/375, A/39/457, A/39/411, A/39/464 and Add.1, A/39/538, A/39/372 and A/39/528 respectively.

V. QUESTION OF PALESTINE

23. The action taken by the United Nations on the question of Palestine up to September 1983 was outlined in the report of the Secretary-General (A/38/458-S/16015, paras. 23-32).

24. At its thirty-eighth session, on 13 December 1983, the General Assembly adopted five resolutions under the agenda item entitled "Question of Palestine". In resolution 38/58 A, the Assembly endorsed the recommendations of the Committee on the Exercise of the Inalienable Rights of the Palestinian People and authorized

the Committee to continue to exert all efforts to promote the implementation of its recommendations. In resolution 38/58 B, the Assembly requested the Secretary-General to ensure that the Division for Palestinian Rights continue to discharge its tasks and to provide it with the necessary resources to expand its work programme, and invited all Governments and organizations to lend their co-operation to the Committee. In resolution 38/58 C, the Assembly endorsed the Geneva Declaration on Palestine of 7 September 1983, welcomed and endorsed the call for convening an International Peace Conference on the Middle East in conformity with certain guidelines; invited all parties to the Arab-Israeli conflict, including the Palestine Liberation Organization, as well as the United States of America, the Union of Soviet Socialist Republics and other concerned States, to participate in the Conference; requested the Secretary-General, in consultation with the Security Council, urgently to undertake preparatory measures to convene the Conference; and invited the Security Council to facilitate the organization of the Conference. It also requested the Secretary-General to report on his efforts no later than 15 March 1984. In resolution 38/58 D, the Assembly urged the meeting of specialized agencies and other organizations, referred to in its resolution 38/145 on assistance to the Palestinian people, to be convened in 1984, to take into account the recommendations of the five preparatory meetings of the International Conference on the Question of Palestine and the relevant United Nations resolutions in developing a programme of economic and social assistance to the Palestinian people, and to implement that programme. In resolution 38/58 E, the Assembly requested that the Department of Public Information disseminate all information on the activities of the United Nations system relating to Palestine and take certain measures to that end.

25. The report of the Committee on the Exercise of the Inalienable Rights of the Palestinian People appears in document A/39/35. 4/ The report requested of the Secretary-General in resolution 38/58 C was submitted on 13 March 1984 (A/39/130-S/16409). An addendum to that report was submitted on 13 September 1984.

26. Since the thirty-eighth session, a number of communications have been addressed to the President of the Security Council or the Secretary-General on various aspects of the question of Palestine. Those communications, which have been circulated as official documents of the Security Council and/or the Security Council, were sent by India (A/39/139-S/16430) and the Chairman of the Committee on the Exercise of the Inalienable Rights of the Palestinian People (A/39/99-S/16327, A/39/116-S/16366, A/39/117-S/16373, A/39/157-S/16442, A/39/201-S/16493, A/39/234-S/16531, A/39/263-S/16568, A/39/329-S/16646, A/39/403). Communications were also received from PLO and circulated at the request of Yemen (A/39/449-S/16724, annex) and Jordan (A/39/548-S/16766, annex).

VI. SEARCH FOR A PEACEFUL SETTLEMENT

27. An outline of developments relating to the search for a peaceful settlement of the Middle East problem from November 1967 until September 1983 may be found in the Secretary-General's reports of 18 May 1973 (S/10929), 17 October 1978 (A/33/311-S/12896), 24 October 1979 (A/34/584-S/13578), 24 October 1980 (A/35/563-S/14234), 11 November 1981 (A/36/655-S/14746), 12 October 1982 (A/37/525-S/15451) and 30 October 1983 (A/38/458-S/16015).

28. At its thirty-eighth session, on 19 December 1983, the General Assembly adopted resolution 38/180 A to E concerning the situation in the Middle East. In resolution 38/180 D the Assembly reaffirmed its conviction that the question of Palestine was the core of the conflict in the Middle East and that no comprehensive, just and lasting peace in the region would be achieved without the full exercise by the Palestinian people of its inalienable national rights; reaffirmed that a just and comprehensive settlement of the situation in the Middle East could not be achieved without the participation on an equal footing of all the parties to the conflict, including the Palestine Liberation Organization; declared that peace in the Middle East was indivisible and must be based on a comprehensive, just and lasting solution under the auspices of the United Nations; welcomed the Arab Peace Plan adopted unanimously at the Twelfth Arab Summit Conference at Fez; condemned Israel's continued occupation of the Palestinian and other Arab territories and demanded the immediate, unconditional and total withdrawal of Israel from all the territories occupied since June 1967; rejected all agreements and arrangements that violated the recognized rights of the Palestinian people and contradicted the principles of just and comprehensive solutions to the Middle East problem; determined that Israel's decision to annex Jerusalem and to declare it its "capital" as well as the measures to alter its physical character, demographic composition, institutional structure and status were null and void and demanded that they be rescinded immediately, condemned Israel's aggression, policies and practices against the Palestinian people in the occupied Palestinian territories and outside, particularly Palestinians in Lebanon; strongly condemned Israel's annexationist policies and practices in the occupied Syrian Golan Heights; considered that the agreements on strategic co-operation between the United States of America and Israel signed on 30 November 1981, together with the recent accords concluded in that context, would encourage Israel to pursue its aggressive and expansionist policies and practices; called upon all States to put an end to the flow to Israel of any military, economic and financial aid, as well as of human resources, aimed at encouraging it to pursue its aggressive policies against the Arab countries and the Palestinian people; strongly condemned the collaboration between Israel and South Africa; and reaffirmed its call for the convening of an International Peace Conference on the Middle East as specified in paragraph 5 of the Geneva Declaration on Palestine. The other parts of General Assembly resolution 38/180 concern Israeli policies in the Syrian Golan Heights and the other occupied territories (resolution 38/180 A), Palestinian cultural property that had been seized in Lebanon by the Israeli forces (resolution 38/180 B), Jerusalem (resolution 38/180 C) and supply of arms and economic aid to Israel (resolution 38/180 E).

29. The Secretary-General's report under resolution 38/180, which includes comments made by Member States on the resolution, has been circulated as document A/39/533.

30. At its thirty-eighth session, the General Assembly also adopted resolution 38/58 C concerning an International Peace Conference on the Middle East (see para. 24 above). The reports submitted by the Secretary-General in pursuance of that resolution are contained in documents A/39/130-S/16409 and Add.1.

31. During the reporting period, the Secretary-General has engaged in continuous discussions with the parties to the Middle East conflict and with others

concerned. In June 1984, he visited Egypt, Israel, Jordan, Lebanon and the Syrian Arab Republic and had discussions with the leaders of those countries on various aspects of the Middle East problem. Thereafter, in July 1984, the Secretary-General met with the Chairman of the Executive Committee of the Palestine Liberation Organization in Geneva. His continuing contacts on the Middle East have included further discussions with the permanent members of the Security Council and others at Headquarters and with the leaders of Governments whom he has met in various capitals.

32. On 31 July 1984, the Chargé d'affaires a.i. of the Permanent Mission of the Union of Soviet Socialist Republics to the United Nations addressed to the Secretary-General a letter by which he transmitted a text dated 29 July 1984 and entitled "Proposals by the Soviet Union on a Middle East settlement". The proposals deal with the principles to be applied to a settlement as well as the organization and the convening of an International Peace Conference on the Middle East (A/39/368-S/16685).

33. Since the thirty-eighth session of the General Assembly, a number of communications have been addressed to the President of the Security Council or the Secretary-General on various aspects of the situation in the Middle East. In addition to those referred to in the preceding sections of this report (see paras. 9, 18 and 26), communications were received from Afghanistan (A/39/287-S/16602), Bangladesh (A/39/585-S/16783), France on behalf of the ten States members of the European Economic Community (A/39/161-S/16456), India (A/39/560-S/16773), Israel (A/39/79 and Corr.1, A/39/180 and Corr.1), the Libyan Arab Jamahiriya (A/39/322-S/16643), Morocco (A/39/131-S/16414 and Corr.1) and Niger (A/39/236-S/16535). A communication was also received from PLO and circulated at the request of Yemen (A/39/378-S/16693, annex).

VII. OBSERVATIONS

34. The Arab-Israeli conflict in the Middle East and its key issue, the Palestinian problem, have remained unresolved despite intensive efforts undertaken by the United Nations and individual Member States during the past 37 years.

35. The search for a peaceful settlement in the Middle East has followed a pattern that has become all too familiar. Each of the five destructive and inconclusive wars has been followed by a new peace effort, spurred by the renewed awareness of the dangers of continued stalemate. On each occasion proposals were put forward and in some cases partial agreement reached, but the peace effort soon became deadlocked because of the intransigence of one party or another. In time, the sense of urgency was lost and a deadlock was once again allowed to persist until the next major crisis.

36. However, delay does not facilitate a solution of the problem in any way. Each succeeding war becomes more destructive because of the development of new and more sophisticated weapons. Far from resolving old issues, it creates new ones and widens the circle of resentment and mistrust among opposing parties. The interests of major Powers, which have political, economic and strategic concerns in the

region, are also inevitably involved. New layers of complexity are thus added with each new war and the passage of time.

37. The continued stalemate in the Middle East has also had adverse effects on the authority and status of the United Nations itself. As I observed in my last annual report to the General Assembly, 5/ the international community's inability to solve many of its problems has given rise to a process of side-stepping the United Nations and recourse to other means - force, unilateral action or confronting military alliances - that has weakened reliance on the Organization. I also mentioned that the non-implementation of resolutions, as well as their proliferation, tend to downgrade the seriousness with which Governments and the public view the decisions of the United Nations. Those observations apply especially to the Middle East conflict with the antagonisms and frustrations it has entailed.

38. It seems obvious that the Middle East conflict, involving as it does complex interrelated issues, can ultimately be fully resolved only by a comprehensive settlement covering all its aspects. This fact needs to be kept firmly in mind by the parties concerned, since all the agreements that have been reached in the past, whether within the United Nations framework or outside it, were clearly intended as interim steps in the search for a comprehensive peace. I continue to believe that a comprehensive settlement in the Middle East will have to meet the following conditions: the withdrawal of the Israeli forces from occupied territories; respect of 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; and, lastly, a just settlement of the Palestinian problem based on the recognition of the legitimate rights of the Palestinian people, including self-determination. In this context, the question of Jerusalem also remains of primary importance.

39. It also seems obvious that a comprehensive settlement will have to be reached, at least in its final stage, if not earlier, through a process of negotiation in which all the parties concerned will participate. In addition, it is generally recognized that the support of the major Powers, especially the Union of Soviet Socialist Republics and the United States of America, is essential for any lasting settlement in the Middle East. From a purely rational point of view, all these requirements could best and most readily be met if negotiations were undertaken under some form of United Nations auspices.

40. At its last session, the General Assembly called for the convening of an International Peace Conference in an effort to reach a comprehensive settlement of the Middle East problem and requested me, in consultation with the Security Council, urgently to undertake preparatory measures to this end. In the light of the consultations I have held with the parties concerned, the Members of the Security Council and other interested Governments, it is quite evident that the conditions required for convening the proposed conference with any chance of success are not met at the present time.

41. The various responses to the proposal for a Middle East peace conference exemplify many of the basic problems that have since 1948 hampered all attempts to

negotiate a just and lasting settlement of the Middle East conflict. There has always been the question of whether talks should be direct, or indirect through some intermediary. There has been the question of whether negotiations should be between Israel and her Arab neighbours one on one, or conducted by all the parties concerned together. There has been the question of whether the negotiating process should be comprehensive or step by step. And there has been the controversy over the manner in which the Palestinian people should be represented.

42. Apart from the above problems, questions of timing and of the willingness to negotiate have tended to frustrate the efforts of third parties to initiate a practical search for a just and lasting settlement. The history of the Arab-Israeli conflict in the Middle East and of the Palestine question has thus been a long record of missed opportunities punctuated by wars and violence that have only served to complicate the situation further and to create new misery and new obstacles to peace.

43. It seems clear to me that none of the parties to this historic and tragic conflict can hope to attain its maximum demands if there is to be a state of real peace in the region. In the changes of fortune, the shifting balance of power and the inexorable development of underlying trends in the Middle East, no party can view the future with equanimity, nor will the world escape the repercussions of continuing violence in this unique area.

44. I believe that the United Nations has a special obligation to make another determined effort to find the means by which we can move forward to a negotiated peace in the Middle East. We have the basis for such a peace in Security Council resolutions 242 (1967) and 338 (1973). We have the experience of all the efforts that have been made from many quarters since 1948 to solve this problem. Given the pressing need for a more durable peace in the area, it should surely be possible to devise a negotiating process acceptable to all the parties concerned on the basis of the two resolutions mentioned above.

45. Earlier this year, both in the Middle East and elsewhere, I discussed with a number of Governments concerned the possibility of using the machinery of the Security Council in a new way to work with the parties concerned on various aspects of the Middle East problem and to distil from the various proposals and plans that have been put forward in recent years the common elements that could help to work out the basis of a negotiating structure. I believed that such a process, if it could be initiated, might still have served to clear the ground and to prepare for a full-fledged effort to negotiate the problem.

46. As far as the proposal for a Middle East peace conference is concerned, I recall that the previous peace conference that met in December 1973, and of which the United States and the Soviet Union were co-chairmen, did in fact serve a useful purpose in relation to the arrangements that followed the 1973 war in the Middle East.

47. I think it is important to consider what a Middle East peace conference could now entail. It could mean many things. It does not necessarily have to be a conference in permanent session. What is now needed, it seems to me, is a

framework for negotiations and an umbrella under which the necessary contacts could develop according to the demands of the problems that were being considered. It is this kind of framework or auspices that I believe could most usefully serve the needs of all the parties to the Middle East conflict.

48. I do not expect such a concept to be immediately acceptable in the light of views that have been expressed, in some cases very strongly, in the past year. I do however urge that the concept be given careful consideration.

49. For my part, I intend to remain in close consultation with all the parties to the Middle East conflict in case, at any particular juncture, the Secretary-General can play a useful role in furthering the negotiating process. In the light of the deep tension in the Middle East and the emergence of new factors in the situation, nothing could be less realistic than to expect the indefinite continuation of the present situation of no peace - no war.

Notes

1/ United Nations, Treaty Series, vol. 75, No. 973, p. 287.

2/ Official Records of the General Assembly, Thirty-eighth Session, Supplement No. 13 (A/38/13).

3/ Ibid., Thirty-ninth Session, Supplement No. 13 (A/39/13).

4/ Ibid., Supplement No. 35 (A/39/35).

5/ Ibid., Supplement No. 1 (A/39/1).

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Report of the Secretary-General

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I. INTRODUCTION

1. The present report is submitted in pursuance of General Assembly resolution 39/146 A of 14 December 1984. In that resolution, the Assembly dealt with various aspects of the situation in the Middle East and requested the Secretary-General to report to the Security Council periodically on the development of the situation and to submit to the Assembly at its fortieth session a report covering the developments in the Middle East in all their aspects. The report is based mainly on information available in United Nations documents, to which references are made whenever appropriate.

II. MILITARY DEVELOPMENTS AND UNITED NATIONS PEACE-KEEPING ACTIVITIES

2. The status of the cease-fire in the Middle East and the activities of the United Nations peace-keeping operations in the area up to October 1984 were dealt with in the report of the Secretary-General of 26 October 1984 (A/39/600-S/16792, paras. 2-8). The activities of the United Nations in this field have remained essentially the same. There continue to be three United Nations peace-keeping operations in the area: two peace-keeping forces, the United Nations Disengagement Observer Force (UNDOF) and the United Nations Interim Force in Lebanon (UNIFIL); and one observer mission, the United Nations Truce Supervision Organization (UNTSO).

(a) United Nations Disengagement Observer Force

3. UNDOF, with some 1,300 troops provided by Austria, Canada, Finland and Poland, is deployed between the Israeli and Syrian forces on the Golan Heights in accordance with the disengagement agreement concluded between Israel and the Syrian Arab Republic in May 1974. A group of UNTSO observers is detailed to the Force and assists it in the performance of its tasks. The main functions of the Force are to supervise the cease-fire between the Israeli and Syrian forces and to man the area of separation established by the disengagement agreement. The mandate of UNDOF has been extended twice by the Security Council during the reporting period, the last time on 21 May 1985 for a further period of six months, until 30 November 1985 (resolution 563 (1985)).

4. The activities of the Force since October 1984 are described in two reports of the Secretary-General to the Security Council, dated 16 November 1984 and 13 May 1985 (S/16829 and S/17177). As reported by the Secretary-General, the situation in the Israel-Syria sector has remained generally quiet; UNDOF has continued to perform its functions effectively with the co-operation of the parties, and there have been no serious incidents.

(b) United Nations Interim Force in Lebanon

5. UNIFIL, which is deployed in southern Lebanon, was established by the Security Council on 19 March 1978, following the first Israeli invasion of Lebanon. Its terms of reference were - and still are - to confirm the withdrawal of the Israeli

forces as called for by the Security Council, to restore international peace and security and to assist the Government of Lebanon in ensuring the return of its effective authority in the area.

6. The mandate of the Force has since been extended as necessary, the last time on 17 October 1985 for a further period of six months until 19 April 1986 (resolution 575 (1985)). The authorized strength of UNIFIL is 7,000, but because of its reduced activities, it has currently some 5,700 troops, provided by Fiji, Finland, France, Ghana, Ireland, Italy, Nepal, the Netherlands, Norway and Sweden. A group of UNTSO observers assists the Force in the performance of its tasks.

7. The activities of UNIFIL from October 1984 until October 1985 are described in the Secretary-General's reports of 11 April and 10 October 1985 to the Security Council (S/17093 and S/17557).

(c) United Nations Truce Supervision Organization

8. As indicated in the preceding sections, observers of UNTSO have continued to assist UNDOF and UNIFIL in the performance of their tasks. In addition, UNTSO conducts two observation operations of its own, the Observer Group in Beirut and the Observer Group in Egypt.

9. The Observer Group in Beirut was set up by the Security Council in August 1982 following the first incursion of Israeli troops into West Beirut. Its task was to monitor the situation in and around Beirut with particular emphasis on developments involving Israeli forces and Palestinians. Since the withdrawal of the Israeli forces from the Beirut area in September 1983, the activities of the Observer Group have been reduced and its total strength brought down from 50 to 18.

10. When the mandate of the second United Nations Emergency Force lapsed in July 1979, the then Secretary-General stated that, since the withdrawal of the Force was without prejudice to the continued presence of the UNTSO observers in the area, it was his intention to ensure the further functioning of UNTSO in accordance with existing decisions of the Security Council. On this basis, a number of UNTSO observers have remained in Egypt with the agreement of the Egyptian Government. The Observer Group in Egypt has a total strength of about 50 observers. It maintains, in addition to a liaison office in Cairo, five observation posts in the Sinai.

11. Since the thirty-ninth session, a number of communications have been addressed to the President of the Security Council and the Secretary-General on various aspects of the situation. Those communications, which have been circulated as official documents of the General Assembly and/or the Security Council, were sent by Australia (S/17191), India on behalf of the Movement of Non-Aligned Countries (S/17008 and A/40/163), Israel (A/40/58-S/16871, S/17007 and A/40/165, A/40/253-S/17110, A/40/270 and Corr.1-S/17132 and Corr.1, A/40/301-S/17182, A/40/314-S/17192, A/40/399-S/17293, A/40/427-S/17320, A/40/503-S/17357, A/40/567-S/17412, A/40/603-S/17438, S/17448 and A/40/620, A/40/688-S/17502), Italy on behalf the Ten States Members of the European Community (A/40/286-S/17153), Jordan (A/40/634-S/17462), Lebanon (S/16953 and A/40/127,

S/16974 and Add.1 and A/40/148 and Add.1, A/40/156-S/16990, A/40/158-S/16997, A/40/205-S/17055, S/17062, A/40/223-S/17080, A/40/462 and Corr.1-S/17325 and Corr.1), the Libyan Arab Jamahiriya (S/17195) and the United States of America (A/40/504-S/17358). Further, two communications were received from the countries contributing troops to UNIFIL (S/17067 and S/17251). Communications were also received from the Palestine Liberation Organization (PLO) and were circulated at the request of Egypt (S/16900), Qatar (A/40/123-S/16946) and the United Arab Emirates (A/40/219-S/17075, A/40/225-S/17085, A/40/236-S/17106, A/40/254-S/17111).

III. SITUATION IN THE OCCUPIED TERRITORIES

12. The action taken by the United Nations prior to October 1984 on the situation in the occupied territories was outlined in the Secretary-General's report of 26 October 1984 (A/39/600-S/16792, paras. 11-17).

13. The General Assembly, at its thirty-ninth session, after considering the report of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Population of the Occupied Territories (A/39/591), which was composed of Senegal, Sri Lanka and Yugoslavia, adopted resolutions 39/95 A to H on 14 December 1984. By these resolutions, the General Assembly, inter alia, condemned Israel for its failure to comply with resolution 38/79 A and demanded the immediate release of all prisoners, including Zivad Abu Eain, who were duly registered to be freed (39/95 A); reaffirmed that the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, 1/ was applicable to the Arab territories occupied by Israel since 1967, including Jerusalem, and demanded that Israel acknowledge and comply with its provisions (resolution 39/95 B); demanded that the Government of Israel desist forthwith from taking any action which would result in changing the legal status, geographical nature or demographic composition of the occupied territories (resolution 39/95 C); demanded that Israel desist forthwith from certain policies and practices mentioned in the resolution and renewed the mandate of the Special Committee (resolution 39/95 D); demanded that the Government of Israel rescind the expulsion of the Mayors of Hebron and Halhul and the Sharia Judge of Hebron and that it facilitate their immediate return (resolution 39/95 E); determined that all legislative and administrative actions taken or to be taken by Israel that purported to alter the character and legal status of the Syrian Arab Golan Heights were null and void and constituted a violation of international law (resolution 39/95 F); condemned Israeli policies and practices against Palestinian students and faculty in educational institutions in the occupied Palestinian territories and demanded that Israel rescind all measures against all educational institutions, and ensure their freedom and refrain from hindering their effective operation (resolution 39/95 G); and demanded that Israel inform the Secretary-General of the results of the investigations and prosecution relevant to the assassination attempts against the Mayors of Nablus, Ramallah and Al Bireh (resolution 39/95 H).

14. On 19 February 1985, the Commission on Human Rights adopted resolutions 1985/1 A and B concerning the question of the violation of human rights in the occupied territories. In those resolutions the Commission condemned Israeli policies and practices in the occupied territories along lines similar to those of

General Assembly resolution 39/95 D. On the same date, the Commission adopted resolution 1985/2 concerning the human rights situation in occupied Syrian territory, in which it declared once more that Israel's decision of 14 December 1981 to impose its laws, jurisdiction and administration on the occupied Syrian Golan Heights had no international legal validity or effect and called upon Israel to rescind it and to cease its acts of terrorism directed against Syrian citizens.

15. The Security Council considered the situation in the occupied territories during two meetings on 12 and 13 September 1985 (S/PV.2604 and Corr.1 and S/PV.2605 and Corr.1). On 13 September, the Council voted on a draft resolution submitted by six members, in which it would have deplored repressive measures taken by Israel against the civilian Palestinian population in the occupied territories, called upon Israel to stop those measures and to abide scrupulously by the provisions of the Geneva Convention relative to the Protection of Civilian Persons in Time of War (S/17459). The draft was not adopted, owing to the negative vote of a permanent member of the Council.

16. The Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Population of the Occupied Territories held periodic meetings in pursuance of resolution 39/95 D. Information was gathered from a variety of sources, including oral testimony and written communications. The Special Committee reviewed this information and assessed the human rights situation in the occupied territories with a view to deciding whether any action was required. The report of the Special Committee under resolution 38/79 D has been circulated as document A/40/702.

17. During its thirty-ninth session, the General Assembly also adopted resolution 39/101 concerning Israel's decision to build a canal linking the Mediterranean Sea to the Dead Sea, resolution 39/169 concerning living conditions of the Palestinian people in the occupied Palestinian territories, and decision 39/442 concerning Israeli economic practices in the occupied Palestinian and other Arab territories. The reports of the Secretary-General on the last two questions have been circulated as documents A/40/373-E/1985/99 and A/40/381-E/1985/105. A report in pursuance of resolution 39/101 will be submitted shortly by the Secretary-General.

18. Since the thirty-ninth session, a number of communications have been addressed to the President of the Security Council or the Secretary-General on various aspects of the situation in the occupied territories. Those communications, which have been circulated as official documents of the General Assembly and the Security Council, were sent by Israel (A/40/528-S/17379) and Jordan (A/40/179-S/17035, A/40/470-S/17332, A/40/517-S/17371). Communications were also received from PLO and were circulated at the request of Democratic Yemen (A/40/162-S/17003, A/40/167-S/17012), Qatar (A/40/608-S/17439, A/40/610-S/17445, A/40/624-S/17451, A/40/625-S/17452, A/40/679-S/17493) and the United Arab Emirates (A/40/237-S/17107).

IV. PALESTINE REFUGEE PROBLEM

19. The Palestine refugee problem and the efforts of the United Nations to assist the refugees up to September 1983 were dealt with in the report of the Secretary-General of 30 September 1983 (A/39/600-S/16792, paras. 20-22).

20. Following its consideration, at its thirty-ninth session, of the report of the Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA) for the period 1 July 1983 to 20 June 1984, 2/ the General Assembly adopted 11 resolutions on 14 December 1984. In resolution 39/99 A, the Assembly noted with regret that repatriation or compensation of the refugees, as provided for in paragraph 11 of Assembly resolution 194 (III), had not been effected, that no substantial progress had been made in the programme endorsed by the Assembly in paragraph 2 of its resolution 513 (VI) for the reintegration of refugees either by repatriation or resettlement and that, therefore, the situation of the refugees continued to be a matter of serious concern; expressed its thanks to the Commissioner-General and to all the staff of UNRWA, recognizing that the Agency was doing all it could within the limits of available resources; reiterated its request that the headquarters of UNRWA should be relocated to its former site within its area of operations as soon as practicable; noted with regret that the United Nations Conciliation Commission for Palestine had been unable to find a means of achieving progress in the implementation of paragraph 11 of Assembly resolution 194 (III) and requested the Commission to exert continued efforts towards the implementation of that paragraph and to report to the Assembly as appropriate, but not later than 1 September 1985; directed attention to the continuing seriousness of the financial position of UNRWA as outlined in the report of the Commissioner-General; noted with concern that, despite the commendable and successful efforts of the Commissioner-General to collect additional contributions, this increased level of income to UNRWA was still insufficient to cover essential budget requirements in 1984; and called upon all Governments as a matter of urgency to make the most generous efforts possible to meet the anticipated needs of UNRWA.

21. The other resolutions adopted by the General Assembly dealt with the Working Group on the Financing of UNRWA (resolution 39/99 B), assistance to persons displaced as a result of the June 1967 and subsequent hostilities (resolution 39/99 C), offers by Member States of grants and scholarships for higher education, including vocational training, for Palestine refugees (resolution 39/99 D), Palestine refugees in the Gaza Strip (resolution 39/99 E), resumption of the ration distribution to Palestine refugees (resolution 39/99 F), population and refugees displaced since 1967 (resolution 39/99 G), revenues derived from Palestine refugee properties (resolution 39/99 H), protection of Palestine refugees (resolution 39/99 I), Palestine refugees in the West Bank (resolution 39/99 J), and the University of Jerusalem "Al Quds" for Palestine refugees (resolution 39/99 K).

22. The situation of the Palestine refugees and the activities of UNRWA since the adoption of these resolutions are described in the annual report of the Commissioner-General of UNRWA for the period 1 July 1984 to 30 June 1985. 3/ The report of the United Nations Conciliation Commission for Palestine under resolution 39/99 A has been circulated as document A/40/580, and the reports of the Secretary-General under resolutions 39/99 D, E, F, G, H, I, J and K have been

circulated as documents A/40/612, A/40/613, A/40/766, A/40/614, A/40/616, A/40/756, A/40/615 and A/40/543. In addition, the report of the Working Group on the Financing of UNRWA under resolutions 39/99 B will be before the General Assembly at its fortieth session.

V. QUESTION OF PALESTINE

23. The action taken by the United Nations on the question of Palestine up to October 1984 was outlined in the report of the Secretary-General of 26 October 1984 (A/39/600-S/16792, paras. 24-25).

24. At its thirty-ninth session, on 11 December 1984, the General Assembly adopted four resolutions under the agenda item entitled "Question of Palestine". In resolution 39/49 A, the Assembly endorsed the recommendations of the Committee on the Exercise of the Inalienable Rights of the Palestinian People and authorized it to continue to exert all efforts to promote their implementation. In resolution 39/49 B, the Assembly requested the Secretary-General to ensure that the Division for Palestinian Rights continued to discharge the tasks detailed in previous resolutions. In resolution 39/49 C, the Assembly requested that the Department of Public Information disseminate all information on the activities of the United Nations system relating to Palestine and take certain measures to that end. In resolution 39/49 D, the Assembly reaffirmed its endorsement of the call for convening the International Peace Conference on the Middle East in conformity with the provisions of resolution 38/58 C and requested the Secretary-General, in consultation with the Security Council, to continue his efforts with a view to convening the Conference.

25. The report of the Committee on the Exercise of the Inalienable Rights of the Palestinian People appears in document A/40/35. 4/ The report requested of the Secretary-General in resolution 39/49 D concerning the convening of an international peace conference on the Middle East has been circulated as document A/40/168-S/17014.

26. Since the thirty-ninth session, a number of communications have been addressed to the President of the Security Council or the Secretary-General on various aspects of the question of Palestine. Those communications, which have been circulated as official documents of the General Assembly and/or the Security Council, were sent by Lebanon (A/40/537-S/17389) and the Chairman of the Committee on the Exercise of the Inalienable Rights of the Palestinian People (A/40/84-S/16896, A/40/119-S/16943, A/40/128-S/16954, A/40/183-S/17043, A/40/215-S/17069, A/40/281-S/17146, A/40/339-S/17219, A/40/480-S/17340, A/40/494-S/17346, A/40/523-S/17375, A/40/540-S/17392, A/40/628-S/17455). A communication was also received from PLO and circulated at the request of Egypt (S/17210).

VI. SEARCH FOR A PEACEFUL SETTLEMENT

27. An outline of developments relating to the search for a peaceful settlement of the Middle East problem from November 1967 until October 1984 may be found in the Secretary-General's reports of 18 May 1973 (S/10929), 17 October 1978 (A/33/311-S/12896), 24 October 1979 (A/34/584-S/13578), 24 October 1980 (A/35/563-S/14234), 11 November 1981 (A/36/655-S/14746), 12 October 1982 (A/37/525-S/15451), 30 September 1983 (A/38/458-S/16015) and 26 October 1984 (A/39/600-S/16792).

28. At its thirty-ninth session, on 14 December 1984, the General Assembly adopted three resolutions concerning the situation in the Middle East. In resolution 39/146 A, the Assembly reaffirmed its conviction that the question of Palestine was the core of the conflict in the Middle East and that no comprehensive, just and lasting peace in the region would be achieved without the full exercise by the Palestinian people of its inalienable national rights; reaffirmed that a just and comprehensive settlement of the situation in the Middle East could not be achieved without the participation on an equal footing of all the parties to the conflict, including PLO; declared that peace in the Middle East was indivisible and must be based on a comprehensive, just and lasting solution under the auspices of the United Nations; considered the Arab Peace Plan (A/37/696-S/15510, annex) adopted unanimously at the Twelfth Arab Summit Conference at Fez as an important contribution towards the achievement of a comprehensive, just and lasting peace; condemned Israel's continued occupation of the Palestinian and other Arab territories and demanded the immediate, unconditional and total withdrawal of Israel from all the territories occupied since June 1967; rejected all agreements and arrangements which violated the inalienable rights of the Palestinian people and contradicted the principles of a just and comprehensive solution to the Middle East problem; determined that Israel's decision to annex Jerusalem and to declare it as its "capital" as well as the measures to alter its physical character, demographic composition, institutional structure and status were null and void and demanded that they be rescinded immediately; condemned Israel's aggression, policies and practices against the Palestinian people in the occupied Palestinian territories and outside, particularly Palestinians in Lebanon; strongly condemned Israel's annexationist policies and practices in the occupied Syrian Golan Heights; considered that the agreements on strategic co-operation between the United States of America and Israel signed on 30 November 1981, together with the recent accords concluded in that context, would encourage Israel to pursue its aggressive and expansionist policies and practices; called upon all States to put an end to the flow to Israel of any military, economic and financial aid, as well as of human resources, aimed at encouraging it to pursue its aggressive policies against the Arab countries and the Palestinian people; strongly condemned the collaboration between Israel and South Africa; and reaffirmed its call for the convening of an international peace conference on the Middle East as specified in paragraph 5 of the Geneva Declaration 5/ on Palestine. The other parts of General Assembly resolution 39/146 concern Israeli policies in the Syrian Golan Heights and the other occupied territories (resolution 39/146 B) and the transfer of diplomatic missions to Jerusalem (resolution 39/146 C).

29. The above resolutions have been brought to the attention of Member States, and a report of the Secretary-General, including the comments received from Member States on the resolution, has been circulated as document A/40/668.

30. During the reporting period, the Secretary-General has pursued his contacts with the parties to the Middle East conflict and with others concerned regarding the search for a peaceful settlement of that conflict, including the convening of an international conference as recommended by the General Assembly.

31. In this connection, the Government of Jordan informed the Secretary-General of an agreement reached by King Hussein and Chairman Arafat of PLO on 11 February 1985, under which Jordan and the PLO would move together toward the achievement of a peaceful and just settlement of the Middle East crisis and the termination of Israeli occupation of the occupied Arab territories. The Government of Jordan kept the Secretary-General informed of the efforts undertaken subsequently by King Hussein to bring about negotiations under the auspices of an international conference with the participation of the five Permanent Members of the Security Council and all the parties to the conflict. In this connection, it emphasized that the international conference should be in the framework of the United Nations.

32. Since the thirty-ninth session of the General Assembly, a number of communications have been addressed to the Secretary-General on various aspects of the situation in the Middle East. In addition to those referred to in the preceding sections of the present report (paras. 11, 18 and 26), communications were received from Indonesia (A/40/276-S/17138), Italy on behalf of the Ten States Members of the European Community (A/40/291-S/17162), Morocco (A/40/564 and Corr.1), the Syrian Arab Republic (A/40/584) and Yemen (A/40/173-S/17033).

VII. OBSERVATIONS

33. The search for a peaceful settlement of the Middle East problem remains elusive and the situation in the Middle East continues to be unstable. During the past year, the General Assembly renewed its call for an international peace conference on the Middle East and King Hussein of Jordan launched the peace initiative mentioned in paragraph 31 above. But the efforts undertaken in both cases have not so far achieved the desired results.

34. The United Nations has been involved in the Arab-Israeli conflict in the Middle East and its root cause, the Palestine problem, since the early years of the Organization. It has probably devoted to this issue more time and more attention than to any other international problem.

35. Until 1977 the United Nations played an important role in the search for a peaceful settlement of the Middle East problem and in this endeavour it enjoyed the firm backing of the vast majority of the Members of the Organization. I recall the active support and co-operation which major powers extended to the United Nations in the peace process in the Middle East. Since then, while its peace-keeping operations have continued to play an indispensable role in the area, the increasingly divergent policies among the permanent members of the Security Council on the Middle East are one of the factors which have made it more difficult to use the United Nations machinery in the peace process.

36. I greatly regret this trend and very much hope that it may soon be reversed. I continue to believe that the Middle East conflict with its many complex and interrelated issues can ultimately be fully resolved only by a comprehensive settlement covering all its aspects and involving all the parties concerned, and that such a settlement can be best achieved within the framework of the United Nations. I also believe that the support of the major Powers, especially the Soviet Union and the United States, is essential for any lasting settlement in the area.

37. The efforts made within the United Nations framework in the past have produced some important achievements which should not be allowed to be wasted. While the positions of the various parties to the Middle East conflict remain far apart, there is general acceptance of Security Council resolution 242 (1967) which spelled out two important principles for a settlement in the Middle East, namely, the withdrawal of the Israeli forces from occupied territories and, secondly, respect and acknowledgment 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. In addition to these two principles, there is also a wide measure of agreement that in any settlement there must be a satisfactory resolution of the Palestine problem based on the recognition of the legitimate rights of the Palestinian people, including self-determination.

38. During recent years, a number of peace proposals have been put forward by individual Governments or groups of Governments. These include the proposals made by President Reagan of the United States on 1 September 1982, the Declaration adopted by the Twelfth Arab Summit Conference at Fez on 9 September 1982 and the proposals of the Soviet Union dated 15 September 1982 and 29 July 1984. I have mentioned earlier in this report King Hussein's peace initiative which is based on an agreement concluded on 11 February 1985 by him and the Chairman of PLO on the achievement of a settlement of the Middle East problem. Although those proposals for various reasons are so far unacceptable to one or another of the parties concerned, they all contain important elements that could contribute to the formulation of a common approach.

39. In commenting on the difficulties encountered in my efforts towards the convening of an international peace conference as called for by the General Assembly, I have suggested on several occasions that the machinery of the Security Council be used to enhance the search for a settlement in the Middle East. The Council has a major and universally recognized responsibility for this complex and potentially explosive problem and could, in my opinion, play a vital role in the evolution of a just and lasting settlement. Naturally, other avenues of the United Nations could also be explored to provide the possibilities that the search for a lasting peace would require.

40. I am aware of the many difficulties facing this endeavour. Its success will depend on the agreement and co-operation of the major Powers without which the machinery of the United Nations cannot be used effectively. It will also require that the parties directly concerned be willing to make the necessary accommodations and adjustments without which no progress is possible.

41. In the contacts I have had with leaders of the parties concerned during the past weeks, I have gained the impression that they are fully conscious of the urgency of finding an agreed settlement of this most complex problem and of the dangers that further delay could entail for their region and beyond. I have also noted that although their respective positions on the basic issues have remained far apart, there have been some signs of flexibility as regards the negotiating process. I continue to believe that it would be possible to work out a generally acceptable procedure which would enable the parties to embark on a negotiating process if a determined effort were made by all concerned with the full support of other Governments in a position to help. I strongly feel that, despite the existing difficulties, a new and determined effort should be made to explore and to use the various possibilities of the United Nations machinery appropriately to promote progress in the peace process in the Middle East.

42. In my annual report to the General Assembly on this fortieth anniversary of the United Nations, I stated that "we face today a world of almost infinite promise which is also a world of potentially terminal danger". 6/ In an age when technology threatens to run ahead of our capacity to restrain the use of increasingly destructive weapons, no regional conflicts confront the United Nations with a choice between those alternatives more urgently than the Middle East problem. I earnestly hope that the right choice will be made by the parties concerned and by all the Governments in a position to help.

Notes

1/ United Nations, Treaty Series, vol. 75, No. 973, p. 287.

2/ Official Records of the General Assembly, Thirty-ninth Session, Supplement No. 13 (A/39/13).

3/ Ibid., Fortieth Session, Supplement No. 13 (A/40/13).

4/ Ibid., Supplement No. 35 (A/40/35).

5/ 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. A.

6/ Official Records of the General Assembly, Fortieth Session, Supplement No. 1 (A/40/1).

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GENERAL ASSEMBLY
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THE SITUATION IN THE MIDDLE EAST

SECURITY COUNCIL
Fortieth year

Report of the Secretary-General

Corrigendum

1. Page 5, paragraph 16, seventh line

resolution 38/79 D should read resolution 39/95 D

2. Page 6, paragraph 19, second line

September 1983 should read October 1984

3. Page 6, paragraph 19, third line

30 September 1983 should read 26 October 1984

4. Page 6, paragraph 20, tourth line

20 June 1984 should read 30 June 1984

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THE SITUATION IN THE MIDDLE EAST

Report of the Secretary-General

(in pursuance of General Assembly resolution 40/168)

1. The present report is submitted in fulfilment of the reporting responsibility conferred upon the Secretary-General in resolutions 40/168 A to C, which the General Assembly adopted on 16 December 1985, at its fortieth session, under the agenda item entitled "The situation in the Middle East".

2. In paragraph 11 of resolution 40/168 A, which deals with the search for a solution to the Middle East problem, and in paragraphs 13 and 14 of resolution 40/168 B, which deals with the Israeli policies in the Syrian Golan Heights, the General Assembly called upon all States to adopt a number of measures concerning military, economic, diplomatic and cultural relations with Israel.

3. In resolution 40/168 C, the General Assembly deplored the transfer by some States of their diplomatic missions to Jerusalem in violation of Security Council resolution 478 (1980) and called once again upon those States to abide by the provisions of the relevant United Nations resolutions, in conformity with the Charter of the United Nations.

4. In order to fulfil his reporting responsibility under the above-mentioned resolutions, the Secretary-General, on 30 January 1986, addressed notes verbales to the Permanent Representative of Israel and to the Permanent Representatives of the other Member States and requested them to inform him of any steps that their Governments had taken or envisaged taking concerning implementation of the relevant

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* A/41/50/Rev.1.

provisions of those resolutions. The relevant parts of the replies received from Bulgaria, Cyprus, Czechoslovakia, Iraq, the Union of Soviet Socialist Republics and Zimbabwe are reproduced in the annex to the present report.

5. In paragraph 14 of resolution 40/168 A, the General Assembly requested the Secretary-General to report to the Security Council periodically on the development of the situation and to submit to the Assembly at its forty-first session a comprehensive report covering the developments in the Middle East in all their aspects. That report will be submitted separately as a document of the General Assembly and the Security Council.

ANNEX

Replies received from Member States

BULGARIA

[Original: French]

[3 June 1986]

1. The People's Republic of Bulgaria has been following the situation in the Middle East very closely and with grave concern, as this region has become a constant source of international tension and insecurity owing to Israel's incessant aggression against the Arab peoples. The expansionist policy of the Israeli leadership has been responsible for the five wars in the region in the past 40 years or so. This policy has caused countless casualties and losses, bringing untold suffering to the peoples of several Arab States and above all to the Arab people of Palestine, whose legitimate rights to self-determination and the establishment of an independent State are still being trampled underfoot. Israel has occupied Arab territories on the West Bank of the River Jordan, and in the Gaza Strip, the Golan Heights, southern Lebanon and Jerusalem, and has set up military settlements there. Even the Golan Heights and East (Arab) Jerusalem have been annexed by Israel, which has proclaimed Jerusalem as its capital.

2. The People's Republic of Bulgaria considers Israel's acts in the occupied Arab territories, including Jerusalem, to be illegal, in flagrant violation of the Geneva Conventions of 12 August 1949. They constitute a serious obstacle to the efforts to secure peace in the Middle East. It considers the measures and action taken by Israel to alter the physical character, demographic composition, institutional structure and status of the occupied territories, including Jerusalem, as well as the "Basic Law" that Israel has adopted, to be null and void; it considers that they constitute a flagrant violation of the Geneva Conventions and must cease.

3. The People's Republic of Bulgaria has always endorsed the United Nations resolutions and decisions aimed at bringing about a just and peaceful settlement of the conflict in the Middle East, as well as those condemning Israel's acts and practices in the occupied Arab territories, particularly in Jerusalem, and calling on Israel to apply the Geneva Conventions and the provisions of international law in general.

4. As is all too well known, Israel shows an utter disregard for the resolutions of the Security Council. Israel's behaviour and expansionist policy are fostered by the climate of strategic co-operation with the United States of America. It is precisely the military, economic, political and diplomatic aid and assistance from the United States which enable Israel to perpetrate its acts of aggression against the Arab States, to annex and occupy Arab territories and to ignore both world public opinion and the United Nations resolutions on the complete and unconditional withdrawal of its troops from the territories in question. Israeli-American

strategic co-operation has shown itself to be so highly co-ordinated in acts of aggression against the Arab States that it has long since taken the form of a military and political alliance. Israel's attack on Lebanon in the summer of 1982 assumes particular significance in this regard.

5. The People's Republic of Bulgaria takes a consistent position of principle on the explosive situation in the Middle East. It supports the efforts of the Arab peoples to secure a lasting peace in the region, as witness the declaration adopted in Sophia on 23 October 1985 by the Political Consultative Committee of the States parties to the Warsaw Treaty. Bulgaria considers that a comprehensive, just and lasting solution to the problem of the Middle East is possible only through collective efforts by all the parties concerned, on the basis of the complete withdrawal of Israeli troops from all the Arab territories occupied since 1967, the realization of the legitimate rights of the Arab people of Palestine, including its right to self-determination and to the establishment of its own State, as well as a guarantee for all the States of the region of their right to exist and to develop independently. The practical way to achieve this is to convene, under the auspices of the United Nations, a conference on the Middle East with the participation of all the parties concerned, including the Palestine Liberation Organization.

6. Starting from this position of principle, the People's Republic of Bulgaria is ready as it has always been, and in its capacity as a member of the Security Council, to work actively with all countries and international organizations concerned and in particular with the United Nations to establish peace in this region. It will continue to apply all the United Nations resolutions and decisions aimed at bringing about a peaceful and equitable settlement of the conflict in the Middle East.

CYPRUS

[Original: English]

[23 June 1986]

The policy of the Government of the Republic of Cyprus is in accordance with resolutions 40/168 A to C and other relevant resolutions of the General Assembly of the United Nations, which it always votes in favour of.

CZECHOSLOVAKIA

[Original: English]

[30 June 1986]

1. The Czechoslovak Socialist Republic has been following the dangerous developments in the Middle East with grave concern. In contravention of the relevant United Nations resolutions, Israel has been continuing to pursue its policy of annexation and aggression against the Arab countries and illegal and

anti-human practices towards the Palestinian people in the occupied territories, refusing to comply with the legitimate right of the Arab people of Palestine to self-determination and independence. Czechoslovakia resolutely condemns such acts of State terrorism committed by Israel as the hijacking of a civilian Libyan plane early this year or the bombing of Lebanese territory. It is the conviction of the Government of Czechoslovakia that the worsening of the situation in the Middle East has been substantially fomented by the manifestations of the United States policy of neoglobalism, namely the aggressive United States attack on the Libyan Arab Jamahiriya and the unveiled threats directed against the Syrian Arab Republic.

2. The Czechoslovak Socialist Republic avails itself of this opportunity to reaffirm its commitment to a just, lasting and comprehensive settlement of the Middle East crisis, which should include, as its central point, a solution of the Palestinian problem. It is a fundamental condition for such a settlement that an international conference be convened for that purpose under the auspices of the United Nations and with the participation of the Palestine Liberation Organization - the only legitimate representative of the Palestinian people. Czechoslovakia condemns the attempts of the United States and Israel to impose upon Arab countries separate agreements which would promote the interests of the Israeli aggressor.

3. The Czechoslovak Socialist Republic fully supports and strictly abides by all resolutions of the Security Council and the General Assembly of the United Nations concerning the Middle East. After the Israeli aggression of 1967 the Czechoslovak Socialist Republic suspended its diplomatic relations with the State of Israel; since that time Czechoslovakia has never engaged in any bilateral, political, economic, cultural, technological or other co-operation with that State, nor does it provide to Israel any military, economic, financial, technical or other assistance that might be instrumental in the pursuit of Israel's aggressive policy directed against Arab countries. Czechoslovakia condemns the annexation of Jerusalem and does not recognize that city as the capital of the State of Israel.

IRAQ

[Original: Arabic]

[5 May 1986]

1. The Iraqi Government considers that State parties to agreements concluded with Israel, those States that do not acknowledge Israeli occupation or recognize the annexation of the occupied territories and the merging of their economies with the Israeli economy, have become, from the practical standpoint, as though they condoned the occupation, annexation and merger referred to in United Nations resolutions and as though they agreed with the Israeli interpretation regarding the scope of those agreements.

2. Accordingly, the Government of the Republic of Iraq believes that the way to deal with this illegal situation is for States parties to agreements concluded with Israel to freeze such agreements until such time as Israel withdraws from all the occupied Palestinian and Arab territories or for those States to demand that Israel

affirm that the scope of application of the above-mentioned agreements does not extend to the above-mentioned occupied Arab territories.

UNION OF SOVIET SOCIALIST REPUBLICS

[Original: Russian]

[7 July 1986]

1. The Soviet Union fully supports the condemnation voiced in that General Assembly resolution of Israel's aggression against the Palestinian people and the Syrian Arab Republic, the continuation of Israel's occupation of the Palestinian and other Arab territories and Israel's policies and practices against the Palestinian people in the occupied Palestinian territories and outside these territories.

2. Events in the Middle East show that Israel is continuing its flagrant violations of international law, the Charter of the United Nations and the norms of civilized behaviour among States. This confirms the correctness of the conclusion expressed in that General Assembly resolution that Israel is not a peace-loving State and is not carrying out its obligations under the Charter of the United Nations which arise from its membership in the Organization.

3. In its resolution 40/168 A, the General Assembly clearly indicated the basic reasons for the persistence of the dangerously explosive situation in the Middle East. The Soviet Union shares the General Assembly's conviction that the strategic co-operation between the United States and Israel, the continued supply of modern arms and matériel to Israel, augmented by substantial economic aid, are encouraging Israel to pursue its aggressive and expansionist policies, have had adverse effects on efforts for the establishment of a just and lasting peace in the Middle East and threaten the security of the region.

4. In connection with the General Assembly's call to all States Members of the United Nations to cease all dealings with Israel in order totally to isolate it in all fields, the Soviet Union recalls that on 10 June 1967 the Soviet Government announced that it was breaking off diplomatic relations with Israel because of its aggressive actions against neighbouring Arab countries. Since then the Soviet Union has had no diplomatic, trade or economic relations with Israel, has not supplied Israel with any weapons or military equipment and has not acquired any from Israel.

5. The Soviet Union is firmly convinced that the only effective way to achieve a comprehensive and just settlement of the Arab-Israeli conflict is to convene an International Conference on the Middle East with the participation of all the parties concerned, including the Palestine Liberation Organization; such a Conference has been frequently called for by the General Assembly, for instance in resolution 40/168 A. The implementation of such a settlement would enable the international community, in the person of the United Nations, to change its attitude towards Israel, whose practical approach to the question of respecting and securing the rights and interests of the Arab countries and peoples is precisely the basic obstacle to peace and stability in the region.

ZIMBABWE

[Original: English]

[18 March 1986]

The Republic of Zimbabwe has never had any diplomatic, trade or cultural relations with Israel, nor does it purchase from or sell to Israel any weapons or related equipment. There are also no ties of an economic, financial or technological nature between the Republic of Zimbabwe and Israel. It has been the consistent policy of the Government of the Republic of Zimbabwe to abide by all resolutions of the United Nations on this matter as on other matters and Zimbabwe certainly does not subscribe to the view that Jerusalem is the capital of Israel.

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THE SITUATION IN THE MIDDLE EAST

Report of the Secretary-General

(in pursuance of General Assembly resolution 40/168)

Addendum

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* A/41/150.

Byelorussian Soviet Socialist Republic

[Original: Russian]

[31 July 1986]

1. The Byelorussian SSR supported resolution 40/168 A to C, in which the General Assembly roundly condemned Israel's expansionist aggressive policy towards the Arab countries and the Palestinian people, Israel's occupation of Palestinian and other Arab territories, and its failure to comply with many resolutions of the Security Council and the General Assembly and its obligations under the United Nations Charter.

2. The events taking place in the Middle East are clear evidence that, as in the past, Israel is committing gross violations of international law and the standards of civilized State behaviour. This corroborates the General Assembly's conclusion, presented in the resolution, that Israel is not a peace-loving State and is not carrying out its obligations under the Charter or those arising from its membership in the Organization.

3. Resolution 40/168 A rightly emphasizes that strategic co-operation between the United States of America and Israel and American military and economic support for Israel are encouraging Israel to pursue its aggressive and expansionist policies, hampering the establishment of a comprehensive, just and lasting peace in the Middle East and threatening the security of the region. Relying on United States support, Israel is engaging in acts of State terrorism against Arab countries and the Palestinian people. This year the United States has also prevented the adoption by the Security Council of resolutions condemning Israel for outrages in the occupied Arab territories and its plunder of Lebanon.

4. The Byelorussian SSR has always supported the just demands of the Palestinian people and their inalienable right to self-determination, including the establishment of their own State; it will continue to do so.

5. Regarding the specific paragraphs (paras. 7 and 11 of resolution 40/168 A, 13 and 14 of resolution 40/168 B and 3 of resolution 40/168 C) to which the Secretary-General's note refers, the Byelorussian SSR adheres strictly to these provisions of resolution 40/168 A to C, maintains no relations with Israel and provides it with no assistance of any kind.

6. The events of the recent past have once again shown the bankruptcy of separate capitulatory deals and confirmed the need to attain a comprehensive, just and lasting settlement in the Middle East with the participation of all interested parties, including the Palestine Liberation Organization, by calling an international conference on the Middle East as indicated in resolution 40/168 A.

GERMAN DEMOCRATIC REPUBLIC

[Original: English]

[28 July 1986]

1. The German Democratic Republic is deeply concerned at the most recent developments in the Middle East and in the southern Mediterranean, as well as at the adverse effects they have on the international situation. These events have shown that on account of imperialist power politics and adventurism world peace has become more vulnerable rather than safer. The situation in the Middle East, which has endangered peace for years and which is marked by the continued Israeli aggression and the denial of the Palestinian's right to establish a State of their own, threatens to get out of control. But it must not come to this. What is required are political will and readiness to settle conflicts and disputes between the States peacefully and in the interests of their peoples, as well as statesmanlike wisdom and prudence.

2. As a party to the Warsaw Treaty the German Democratic Republic strongly rejects recourse to force in international affairs, especially the use of weapons. Acts such as the military attack against the Libyan Arab Jamahiriya and the threats against other sovereign States, notably the Syrian Arab Republic and the Islamic Republic of Iran, hold the risk of uncontrollable escalation of international tensions, which would inevitably have a negative impact on the situation in Europe and the world at large.

3. It is imperative to prevent humanity from being plunged into the inferno of a new world conflagration, from which there would be no escape. The German Democratic Republic most resolutely opposes attempts by imperialist forces, whatever their pretexts, to fuel international tensions in an effort to justify their policies of massive arms build-up and confrontation, claims for supremacy, and interference in internal affairs of other States. In this nuclear and space age the maintenance of peace has more than ever before become the central and overriding issue. A new approach to the settlement of international conflicts and to the questions of war and peace in general as well as responsible action are categorically imperative in international relations today.

4. The German Democratic Republic is firmly convinced that a comprehensive, just and lasting peace in the Middle East can only be achieved through collective efforts of all interested parties. It advocates the proposal of the Union of Soviet Socialist Republics to convene an International Conference on the Middle East under the auspices of the United Nations, in which all interested parties should participate, including the Palestine Liberation Organization as the sole, legitimate representative of the Palestinian people. My country continues to believe that a comprehensive, just and lasting settlement of the conflict calls for the immediate and unconditional withdrawal by Israel from all territories occupied since 1967, the full exercise by the Palestinian people of its inalienable national rights, including its right to self-determination and to establish an independent State of its own, and the full exercise by all States in the region of the right to security and independent existence.

5. Any attempt at evading these basic requirements with political manoeuvres serves to heighten tensions in the region. History has shown that time and again. The German Democratic Republic strongly condemns Israel's continued occupation of Arab territories. The just struggle of the Palestinian people under the leadership of the Palestine Liberation Organization for the realization of its national rights enjoys the full political, moral and material support of the people of the German Democratic Republic. This country is equally committed to securing the independence, sovereignty, unity and territorial integrity of Lebanon, as well as to the implementation of Security Council resolutions 508 (1982) and 509 (1982).

6. Also in the future, the German Democratic Republic will support the efforts undertaken by the United Nations to bring about a just solution of the Middle East problems and will actively participate in the work of such organs as the Committee on the Exercise on the Inalienable Rights of the Palestinian People.

UKRAINIAN SOVIET SOCIALIST REPUBLIC

[Original: Russian]

[13 August 1986]

1. The Ukrainian SSR is convinced that the major responsibility for maintaining the explosive focal point of tension in the Middle East lies with Israel, whose actions enjoy the full support and encouragement of the United States. It strongly condemns Israel's aggressive and expansionist policy of flouting, for four decades already, the generally accepted norms of international law and the provisions of the Charter of the United Nations, and of sabotaging the implementation of the fundamental resolutions and decisions of the Security Council and the General Assembly concerning the Middle East. This policy is the major obstacle to achieving a just and comprehensive Middle East settlement.

2. The Ukrainian SSR fully shares the conviction expressed in General Assembly resolution 40/168 that United States-Israel strategic co-operation will encourage Israel to pursue its aggressive and expansionist policies and will adversely affect efforts to establish a comprehensive, just and lasting peace in the Middle East.

3. In connection with the General Assembly's appeal to all States Members of the United Nations to end all ties with Israel with a view to its complete isolation in all areas, the Ukrainian SSR affirms that it maintains no relations with Israel, provides it with no economic, financial, technological or other aid, does not supply any weapons or military equipment to Israel and does not purchase weapons or military equipment from Israel.

4. The Ukrainian SSR is convinced that the establishment of a lasting peace in the Middle East is possible only through the collective efforts of all concerned parties on the basis of the complete withdrawal of Israeli troops from all the Arab territories occupied since 1967, prohibition of the seizure of other people's land through aggression, the realization of the inalienable right of the Palestinian people to achieve self-determination and establish its own independent State and

the realization of the rights of all States and peoples in the area to a safe and independent existence and development.

5. The Ukrainian SSR, as has been frequently stressed in the statements of its representatives in meetings of the Security Council and the General Assembly, feels that the only effective means of achieving a comprehensive and just settlement of the Middle East problem is the convening of an International Peace Conference on the Middle East with the participation of all concerned parties, including the Palestine Liberation Organization.

6. As a member of the United Nations Committee on the Exercise of the Inalienable Rights of the Palestinian People, the Ukrainian SSR actively participates in its work, which is aimed at achieving comprehensive support for the just struggle against Israel's aggressive policies and at bringing about a comprehensive settlement in the Middle East.

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SECURITY COUNCIL
Forty-first year

Report of the Secretary-General

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I. INTRODUCTION

1. The present report is submitted in pursuance of General Assembly resolution 40/168 A of 16 December 1985. In that resolution, the Assembly dealt with various aspects of the situation in the Middle East and requested the Secretary-General to report to the Security Council periodically on the development of the situation and to submit to the Assembly at its forty-first session a comprehensive report covering the developments in the Middle East in all their aspects. The report is based mainly on information available in United Nations documents, to which references are made whenever appropriate.

II. STATUS OF THE CEASE-FIRE AND UNITED NATIONS PEACE-KEEPING ACTIVITIES

2. The status of the cease-fire in the Middle East and the activities of the United Nations peace-keeping operations in the area up to October 1985 were dealt with in the report of the Secretary-General of 22 October 1985 (A/40/779-S/17581 and Corr.1, paras. 2-10). There continue to be three United Nations peace-keeping operations in the area: two peace-keeping forces, the United Nations Disengagement Observer Force (UNDOF) and the United Nations Interim Force in Lebanon (UNIFIL), and one observer mission, the United Nations Truce Supervision Organization (UNTSO).

(a) United Nations Disengagement Observer Force

3. UNDOF, with some 1,300 troops provided by Austria, Canada, Finland and Poland, is deployed between the Israeli and Syrian forces on the Golan Heights in accordance with the disengagement agreement concluded between Israel and the Syrian Arab Republic in May 1974. A group of UNTSO observers is detailed to the Force and assists it in the performance of its tasks. The main functions of the Force are to supervise the cease-fire between the Israeli and Syrian forces and to man the area of separation established by the disengagement agreement. The mandate of UNDOF has been extended twice by the Security Council during the reporting period, the last time on 29 May 1986 for a further period of six months until 30 November 1986 (resolution 584 (1986)).

4. The activities of the Force since October 1985 are described in two reports of the Secretary-General to the Security Council, dated 13 November 1985 and 14 May 1986 (S/17628 and S/18061). As reported by the Secretary-General, the situation in the Israel-Syria sector has remained generally quiet; UNDOF has continued to perform its functions effectively with the co-operation of the parties, and there have been no serious incidents.

(b) United Nations Interim Force in Lebanon

5. UNIFIL, which is deployed in southern Lebanon, was established by the Security Council on 19 March 1978, following the first Israeli invasion of Lebanon. Its terms of reference were - and still are - to confirm the withdrawal of the Israeli forces as called for by the Security Council, to restore international peace and

security and to assist the Government of Lebanon in ensuring the return of its effective authority in the area.

6. The mandate of the Force has since been extended as necessary, the last time on 18 July 1986 for a further period of six months until 19 January 1987 (resolution 586 (1986)). The authorized strength of UNIFIL is 7,000, but because of its reduced activities, it has currently some 5,800 troops, provided by Fiji, Finland, France, Ghana, Ireland, Italy, Nepal, Norway and Sweden. A group of UNTSO observers assists the Force in the performance of its tasks.

7. The activities of UNIFIL and the situation in its area of operation in southern Lebanon from October 1985 until September 1986 are described in the Secretary-General's reports to the Security Council of 16 December 1985 (S/17684), 9 April 1986 (S/17965), 17 June 1986 (S/18164), 10 July 1986 (S/18164/Add.1 and Corr.1) and 18 September 1986 (S/18348). In the last of these reports, the Secretary-General outlined the increasingly difficult situation confronting UNIFIL and considered it essential that urgent measures be taken to enable the Force to fulfil its mandate, to improve the security of its personnel and also to resolve its financial difficulties. The Secretary-General believed that the solution lay in complete withdrawal of Israeli forces from Lebanese territory and the deployment of UNIFIL to the international frontier so that it could play the role originally assigned to it of restoring international peace and security. After recalling the efforts that he and his staff had undertaken, the Secretary-General expressed the view that the only hope of progress now lay in a determined effort by the Security Council itself. He accordingly recommended that the members of the Council, both collectively and individually, should take urgent action to unblock the present impasse and make substantial progress towards implementation of resolution 425 (1978), which would also be the best way of improving the security of the personnel of UNIFIL. If such progress was not achieved soon, he believed that the Council might be compelled to give serious consideration to withdrawal of the Force, despite the very damaging consequences that could result.

8. After considering this report, the Security Council adopted resolution 587 (1986) of 23 September 1986, in which it took note of the preliminary security measures decided on by the Secretary-General and requested him to take any further measures needed to enhance the security of the men of UNIFIL, urged all the parties concerned to co-operate unreservedly with the Force in the fulfilment of its mandate, again called for an end in southern Lebanon to any military presence not accepted by the Lebanese authorities, requested the Secretary-General to make the necessary arrangements for a deployment of the Force to the southern border of Lebanon, and solemnly called on all the parties concerned to co-operate in the achievement of that objective. The Council also requested the Secretary-General to report to it within 21 days on the application of the resolution. The report of the Secretary-General was submitted on 13 October 1986 (S/18396).

(c) United Nations Truce Supervision Organization

9. As indicated in the preceding sections, observers of UNTSO have continued to assist UNDOF and UNIFIL in the performance of their tasks. In addition, UNTSO conducts two observation operations of its own, the Observer Group in Beirut and the Observer Group in Egypt.

10. The Observer Group in Beirut was set up by the Security Council in August 1982 following the first incursion of Israeli troops into West Beirut. Its task was to monitor the situation in and around Beirut with particular emphasis on developments involving Israeli forces and Palestinians. Since the withdrawal of the Israeli forces from the Beirut area in September 1983, the activities of the Observer Group have been reduced and its total strength brought down from 50 to 18.

11. When the mandate of the second United Nations Emergency Force lapsed in July 1979, the then Secretary-General stated that, since the withdrawal of the Force was without prejudice to the continued presence of the UNTSO observers in the area, it was his intention to ensure the further functioning of UNTSO in accordance with existing decisions of the Security Council. On this basis, a number of UNTSO observers have remained in Egypt with the agreement of the Egyptian Government. The Observer Group in Egypt has a total strength of about 50 observers. It maintains, in addition to liaison offices in Cairo and Ismailia, six observation posts in the Sinai.

12. Since the fortieth session, a number of communications have been received by the Secretary-General on various aspects of the situation. Those communications, which have been circulated as official documents of the General Assembly and/or the Security Council, were sent by Israel (A/41/65-S/17698, A/41/203-S/17901, A/41/204-S/17902, A/41/259-S/17963 and A/41/333-S/18056) and Lebanon (A/41/169-S/17839, A/41/170-S/17840, A/41/174-S/17860, A/41/642-S/18362, A/41/646-S/18363, A/41/647-S/18364 and A/41/725-S/18414). In addition, a letter addressed by the Secretary-General to the Permanent Representative of Israel in reply to the latter's communication (A/41/259-S/17963) was circulated (A/41/286-S/17998).

III. SITUATION IN THE OCCUPIED TERRITORIES

13. The action taken by the United Nations prior to October 1985 on the situation in the occupied territories was outlined in the Secretary-General's report of 22 October 1985 (A/40/779-S/17581 and Corr.1, paras. 12-18).

14. The General Assembly, at its fortieth session, after considering the report of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Population of the Occupied Territories (A/40/702), which is composed of Senegal, Sri Lanka and Yugoslavia, adopted resolutions 40/161 A to G on 16 December 1985. By these resolutions, the General Assembly, inter alia, called upon Israel to release all Arabs arbitrarily detained and/or imprisoned as a result of their struggle for self-determination and for the liberation of their territories, and demanded that the Government of Israel rescind its action against Ziyad Abu Eain and others and release them immediately (resolution 40/161 A); reaffirmed that the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, was applicable to the Palestinian and other Arab territories occupied by Israel since 1967, including Jerusalem, and demanded that Israel acknowledge and comply with its provisions (resolution 40/161 B); demanded that Israel desist forthwith from taking any action which would result in changing the legal status, geographical nature or demographic composition

of the occupied territories (resolution 40/161 C); demanded that Israel desist forthwith from certain policies and practices mentioned in the resolution and renewed the mandate of the Special Committee (resolution 40/161 D); demanded that the Government of Israel rescind the expulsion of the Mayor of Halhul, the Sharia Judge of Hebron and other Palestinians expelled in 1985 and that it facilitate their immediate return (resolution 40/161 E); determined that all legislative and administrative measures and actions taken or to be taken by Israel that purported to alter the character and legal status of the Syrian Golan Heights were null and void and constituted a violation of international law (resolution 40/161 F); and condemned Israeli policies and practices against Palestinian students and faculty in educational institutions in the occupied Palestinian territories, and demanded that Israel rescind all actions and measures taken against those institutions, ensure their freedom and refrain from hindering their effective operation (resolution 40/161 G).

15. On 20 February 1986, the Commission on Human Rights adopted resolutions 1986/1 A and B concerning the question of the violation of human rights in the occupied territories. In those resolutions the Commission condemned Israeli policies and practices in the occupied territories along lines similar to those of General Assembly resolution 40/161 D. On the same date, the Commission adopted resolution 1986/2, by which it declared once more that Israel's decision of 14 December 1981 to impose its laws, jurisdiction and administration on the occupied Syrian Golan Heights was null and void and without legal validity.

16. The Security Council considered the situation in the occupied Arab territories during eight meetings between 21 and 30 January 1986 (see S/PV.2643-2650). On 30 January, the Council voted on a draft resolution submitted by five members (S/17769/Rev.1), by which it would have, inter alia, deplored the provocative acts that had violated the sanctity of the sanctuary of the Haram Al-Sharif in Jerusalem; determined that certain measures taken by Israel in, or affecting the population of, the occupied territories, including Jerusalem, had no legal validity and constituted a violation of the relevant Geneva convention; and called upon Israel to observe scrupulously the norms of international law governing military occupation. The draft was not adopted owing to the negative vote of a permanent member of the Council.

17. The Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Population of the Occupied Territories held periodic meetings in pursuance of General Assembly resolution 40/161 D. During the period between the meetings, the Special Committee was kept informed of developments taking place in the occupied territories; the information was gathered from a variety of sources, including oral testimony and written communications. The Special Committee reviewed this information and assessed the human rights situation in the occupied territories with a view to deciding whether any action was required. The report of the Special Committee under resolution 40/161 D has been circulated as document A/41/680.

18. During its fortieth session, the General Assembly also adopted resolution 40/167 of 16 December 1985 concerning Israel's decision to build a canal linking the Mediterranean Sea to the Dead Sea; resolution 40/169 of 17 December 1985

concerning economic development projects in the occupied Palestinian territories; resolution 40/170 of 17 December 1985 concerning assistance to the Palestinian people; resolution 40/201 of 17 December 1985 concerning living conditions of the Palestinian people in the occupied Palestinian territories; and decision 40/432 of 17 December 1985 concerning Israeli economic practices in the occupied Palestinian and other Arab territories. The reports requested of the Secretary-General in resolutions 40/169 and 40/170 have been circulated as documents A/41/342-E/1986/88 and A/41/319-E/1986/72 and Corr.1 and Add.1 and 2, respectively. The Secretary-General has also submitted a note concerning the implementation of decision 40/432 (A/41/410-E/1986/97).

19. Since the fortieth session, a number of communications have been addressed to the President of the Security Council or the Secretary-General on various aspects of the situation in the occupied territories. Those communications, which have been circulated as official documents of the General Assembly and the Security Council, were sent by Israel (A/41/91-S/17739), Jordan (A/41/82-S/17727, A/41/94-S/17749, A/41/161-S/17823, A/41/426-S/18177, A/41/427-S/18178, A/41/635-S/18361 and A/41/716-S/18405), Morocco (A/41/109-S/17757, A/41/113-S/17760 and A/41/117-S/17765), the Syrian Arab Republic (A/41/184 and S/17889) and the Chairman of the Committee on the Exercise of the Inalienable Rights of the Palestinian People (A/41/140-S/17800 and A/41/229-S/17935). Communications were also received from the Palestine Liberation Organization and circulated at the request of Iraq (A/41/620-S/18349), Oman (A/41/691 and A/41/700) and the United Arab Emirates (A/41/85-S/17729 and S/17803).

IV. PALESTINE REFUGEE PROBLEM

20. The Palestine refugee problem and the efforts of the United Nations to assist the refugees up to October 1985 were dealt with in the report of the Secretary-General of 22 October 1985 (A/40/779-S/17581 and Corr.1, paras. 19-22).

21. Following its consideration, at its fortieth session, of the report of the Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA) for the period 1 July 1984 to 30 June 1985, 1/ the General Assembly adopted 11 resolutions on 16 December 1985. In resolution 40/165 A, the Assembly noted with deep regret that repatriation or compensation of the refugees as provided for in paragraph 11 of Assembly resolution 194 (III) had not been effected, that no substantial progress had been made in the programme endorsed by the Assembly in paragraph 2 of its resolution 513 (VI) for the reintegration of refugees either by repatriation or resettlement and that, therefore, the situation of the refugees continued to be a matter of serious concern; expressed its thanks to the Commissioner-General and to all the staff of UNRWA, recognizing that the Agency was doing all it could within the limits of available resources; expressed its deep appreciation to the former Commissioner-General, Mr. Olof Rydbeck, for his many years of effective service to the Agency and his dedication to the welfare of the refugees; reiterated its request that the headquarters of UNRWA should be relocated to its former site within its area of operations as soon as practicable; noted with regret that the United Nations Conciliation Commission for Palestine had been unable to find a

means of achieving progress in the implementation of paragraph 11 of Assembly resolution 194 (III), and requested the Commission to exert continued efforts towards the implementation of that paragraph and to report to the Assembly as appropriate, but not later than 1 September 1986; directed attention to the continuing seriousness of the financial position of UNRWA, as outlined in the report of the Commissioner-General; noted with concern that, despite the commendable and successful efforts of the Commissioner-General to collect additional contributions, that increased level of income to UNRWA was still insufficient to cover essential budget requirements in 1985; and called upon all Governments, as a matter of urgency, to make the most generous efforts possible to meet the anticipated needs of UNRWA.

22. The other resolutions adopted by the General Assembly dealt with the Working Group on the Financing of UNRWA (resolution 40/165 B), assistance to persons displaced as a result of the June 1967 and subsequent hostilities (resolution 40/165 C), offers by Member States of grants and scholarships for higher education, including vocational training, for Palestine refugees (resolution 40/165 D), Palestine refugees in the Gaza Strip (resolution 40/165 E), resumption of the ration distribution to Palestine refugees (resolution 40/165 F), population and refugees displaced since 1967 (resolution 40/165 G), revenues derived from Palestine refugee properties (resolution 40/165 H), protection of Palestine refugees (resolution 40/165 I), Palestine refugees in the West Bank (resolution 40/165 J) and the University of Jerusalem "Al Quds" for Palestine refugees (resolution 40/165 K).

23. The situation of the Palestine refugees and the activities of UNRWA since the adoption of those resolutions are described in the annual report of the Commissioner-General of UNRWA for the period 1 July 1985 - 30 June 1986. 2/ The reports of the Secretary-General called for under resolutions 40/165 D, E, F, G, H, I, J and K have been circulated as documents A/41/563, A/41/564, A/41/565, A/41/566, A/41/543, A/41/567, A/41/568 and A/41/457, respectively. The report of the United Nations Conciliation Commission for Palestine called for under resolution 40/165 A and report of the Working Group on the Financing of UNRWA called for under resolution 40/165 B have been circulated as documents A/41/555 and A/41/702, respectively.

V. QUESTION OF PALESTINE

24. The action taken by the United Nations on the question of Palestine up to October 1985 was outlined in the report of the Secretary-General of 22 October 1985 (A/40/779-S/17581 and Corr.1, paras. 23-26).

25. At its fortieth session, on 12 December 1985, the General Assembly adopted four resolutions under the agenda item entitled "Question of Palestine". In resolution 40/96 A, the Assembly, inter alia, endorsed the recommendations contained in paragraphs 163 to 172 of the report of the Committee on the Exercise of the Inalienable Rights of the Palestinian People; 3/ requested the Committee to continue to keep under review the situation relating to the question of Palestine as well as the implementation of the Programme of Action for the Achievement of

Palestinian Rights; 4/ and authorized the Committee to continue to exert all efforts to promote the implementation of its recommendations. In resolution 40/96 B, the Assembly requested the Secretary-General to ensure that the Division for Palestinian Rights continued to discharge the tasks detailed in previous resolutions. In resolution 40/96 C, the Assembly requested the Department of Public Information, in co-operation with the Committee, to continue its special information programme on the question of Palestine for the biennium 1986-1987. In resolution 40/96 D, the Assembly reaffirmed its endorsement of the call for convening the International Peace Conference on the Middle East in conformity with the provisions of its resolution 38/58 C, and requested the Secretary-General, in consultation with the Security Council, to continue his efforts with a view to convening the Conference.

26. The report of the Committee on the Exercise of the Inalienable Rights of the Palestinian People appears in document A/41/35. 5/ The report requested of the Secretary-General in resolution 40/96 D concerning the convening of an international peace conference on the Middle East has been circulated as document A/41/215-S/17916.

27. Since the fortieth session, a number of communications have been addressed to the President of the Security Council or the Secretary-General on various aspects of the question of Palestine and have been circulated as official documents of the General Assembly or the Security Council. Two communications were sent by the Chairman of the Committee on the Exercise of the Inalienable Rights of the Palestinian People (A/41/399-S/18133 and Corr.1, A/41/413-S/18159). Communications were also received from the Palestine Liberation Organization and circulated at the request of Democratic Yemen (A/41/394-S/18128), Iraq (A/41/603-S/18338), Oman (S/17976, A/41/269-S/17977, A/41/721-S/18411), Tunisia (A/41/475) and the United Arab Emirates (S/18153).

VI. SEARCH FOR A PEACEFUL SETTLEMENT

28. An outline of developments relating to the search for a peaceful settlement of the Middle East problem from November 1967 until October 1985 may be found in the Secretary-General's reports of 18 May 1973 (S/10929), 17 October 1978 (A/33/311-S/12896), 24 October 1979 (A/34/584-S/13578), 24 October 1980 (A/35/563-S/14234), 11 November 1981 (A/36/655-S/14746), 12 October 1982 (A/37/525-S/15451), 30 September 1983 (A/38/458-S/16015), 26 October 1984 (A/39/600-S/16792) and 22 October 1985 (A/40/779-S/17581 and Corr.1).

29. At its fortieth session, on 16 December 1985, the General Assembly adopted three resolutions concerning the situation in the Middle East. In resolution 40/168 A, the Assembly, inter alia, reaffirmed its conviction that the question of Palestine was the core of the conflict in the Middle East and that no comprehensive, just and lasting peace in the region would be achieved without the full exercise by the Palestinian people of its inalienable national rights; reaffirmed that a just and comprehensive settlement of the situation in the Middle East could not be achieved without the participation on an equal footing of all the parties to the conflict, including the Palestine Liberation Organization; declared

that peace in the Middle East was indivisible and must be based on a comprehensive, just and lasting solution under the auspices of the United Nations; considered the Arab Peace Plan adopted unanimously at the Twelfth Arab Summit Conference, held at Fez, Morocco, and reiterated by the Extraordinary Summit Conference of the Arab States, held at Casablanca, Morocco, as an important contribution towards the realization of the inalienable rights of the Palestinian people through the achievement of a comprehensive, just and lasting peace; condemned Israel's continued occupation of the Palestinian and other Arab territories and demanded the immediate, unconditional and total withdrawal of Israel from all the territories occupied since 1967; rejected all agreements and arrangements which violated the inalienable rights of the Palestinian people and contradicted the principles of a just and comprehensive solution to the Middle East problem; determined that Israel's decision to annex Jerusalem and to declare it as its "capital" as well as the measures to alter its physical character, demographic composition, institutional structure and status were null and void and demanded that they be rescinded immediately; condemned Israel's aggression, policies and practices against the Palestinian people in the occupied Palestinian territories and outside those territories; strongly condemned Israel's annexationist policies and practices in the occupied Syrian Golan Heights; considered that the agreements on strategic co-operation between the United States of America and Israel, signed on 30 November 1981, and the continued supply of modern arms and matériel to Israel, augmented by substantial economic aid, had encouraged Israel to pursue its aggressive and expansionist policies and practices, had had adverse effects on efforts for the establishment of peace in the Middle East and threatened the security of the region; called upon all States to put an end to the flow to Israel of any military, economic, financial and technological aid, as well as of human resources, aimed at encouraging it to pursue its aggressive policies against the Arab countries and the Palestinian people; strongly condemned the collaboration between Israel and South Africa; and reaffirmed its call for the convening of an International Peace Conference on the Middle East as specified in paragraph 5 of the Geneva Declaration on Palestine 6/ and endorsed by the General Assembly. The other parts of General Assembly resolution 40/168 deal with Israeli policies in the Syrian Golan Heights and the other occupied territories (resolution 40/168 B) and the transfer by some States of their diplomatic missions to Jerusalem (resolution 40/168 C).

30. The above resolutions have been brought to the attention of Member States, and a report of the Secretary-General including the relevant comments received from Member States has been circulated as document A/41/453 and Add.1.

31. The Secretary-General has also submitted a report (A/41/215-S/17916) on the consultations he has held with the Security Council on the question of the convening of an international peace conference, as called for by the General Assembly in resolution 40/96 D. Following the issue of his report, the Secretary-General has pursued his contacts with the parties to the Middle East conflict and with others concerned regarding the search for a peaceful settlement of that conflict, including the question of an international peace conference. These contacts have revealed that the difficulties regarding the convening of the proposed conference, as reported in the Secretary-General's report of 13 September 1984 (A/39/130/Add.1-S/16409/Add.1), have remained essentially the same.

32. Since the fortieth session of the General Assembly, a number of communications have been addressed to the President of the Security Council or the Secretary-General on various aspects of the situation in the Middle East. In addition to those referred to in the preceding sections of this report (see paras. 12, 19 and 27), communications were received from India (A/41/341-S/18065), Iraq (S/17980), Israel (A/41/74-S/17711, A/41/84-S/17728 and Corr.1, A/41/115-S/17761, A/41/183, A/41/188-S/17898, A/41/212-S/17913, A/41/289-S/18001, A/41/290-S/18002, A/41/302-S/18020, A/41/386-S/18118, A/41/398-S/18131, A/41/458-S/18220, A/41/476-S/18229, A/41/626-S/18352, A/41/724-S/18413 and A/41/736-S/18417), Mexico (A/41/435), Morocco (A/41/326-S/18049), the Netherlands, on behalf of the twelve States members of the European Community (A/41/441-S/18197), Oman (A/41/704-S/18398), the Syrian Arab Republic (A/41/61-S/17694, A/41/86-S/17731, A/41/220-S/17923 and A/41/500-S/18260) and Zimbabwe (A/41/703-S/18395).

VII. OBSERVATIONS

33. The attainment of a just and lasting peaceful settlement of the Arab-Israel conflict in the Middle East continues to be elusive. As indicated in paragraph 31 above, it has not yet proved possible to reach agreement on the convening of an international peace conference on the Middle East as recommended by the General Assembly. During the period under review, there were bilateral contacts between leaders of various of the interested parties but, as I have stated in my report on the work of the Organization, 7/ there is at present an alarming absence of a generally accepted and active negotiating process.

34. Meanwhile, the situation in the region continues to be highly volatile. In the absence of resolution of the conflict, there persists a general sense of insecurity which, combined with heavy military expenditures, has hindered economic development and social progress. The plight of the Palestinian people, most of whom now live under occupation or in exile, remains a matter of acute international concern. There is continued tension, and violent incidents frequently occur in varying form and degree in Israeli occupied territories and beyond. The United Nations endeavours to provide a measure of relief to the local populations affected by the conflict, especially the Palestinian refugees, and through its peace-keeping operations exerts its best efforts, sometimes in difficult circumstances, to help maintain quiet in sensitive areas such as the Golan Heights and southern Lebanon. However, these are essentially temporary arrangements intended to facilitate the search for a peaceful settlement. As I have repeatedly stated, the situation will remain unstable so long as such a settlement is not reached. There is a grave danger that if the present deadlock in the peace process is allowed to persist, major hostilities will break out again in the area as has happened several times in the past. In this connection, it may be recalled that the Egypt-Israel war of October 1973 nearly led to a direct confrontation between the two major nuclear Powers. That confrontation was averted at the time by speedy action of the Security Council and the dispatch of a United Nations peace-keeping force to the area, but, with the development of ever more sophisticated and destructive weapons, the next crisis may be more difficult to control.

35. It is therefore vitally important that the international community should not lose sight of the dangers inherent in this state of affairs. It should pursue and intensify its efforts in the search for a negotiated settlement of the Middle East conflict. I continue to believe that, given the complexity of this conflict and its many interrelated aspects, a just and lasting peace can best be achieved through a comprehensive settlement covering all aspects of the conflict and involving all the parties concerned, including the Palestine Liberation Organization. I note that there is a wide measure of agreement within the international community that such a settlement should be based on the following three considerations: withdrawal of Israeli forces from Arab territories occupied since June 1967; acknowledgment of and respect for the sovereignty, territorial integrity and political independence of all the States in the region and their right to live in peace within secure and recognized boundaries; and finally a satisfactory solution of the Palestinian problem based on the recognition of the legitimate rights of the Palestinian people, including self-determination. In this context, the question of Jerusalem also remains of primary importance.

36. At pr[illegible]t, the positions of the parties directly concerned are still far apart. The major Powers, whose support is essential for the establishment of any lasting peace in the region, are also divided. It is urgently necessary to find a negotiating procedure acceptable to all concerned, which would enable them to discuss all the issues involved and work out an agreed settlement. Meanwhile, it is of great importance that the parties should avoid any actions that could increase tension and suspicion between them and thus make the search for an agreed negotiating process even more difficult. In this connection I am particularly concerned about the consequences that would flow from the establishment by Israel of additional settlements in the occupied territories. This is a matter of deep concern and, more than any other single factor, contributes to doubts in the minds of many about Israel's readiness to negotiate a peace settlement that would require its withdrawal from the territories. At the same time peace efforts would be enhanced if there was a lessening of violent incidents, which all too frequently involve innocent lives and of which there have been some particularly terrible examples during the period under review.

37. From the contacts I have had during the past year, it is clear that there is still no consensus on the convening of an international peace conference in accordance with the guidelines laid down by the General Assembly. However, the idea of an international peace conference appears to be gaining wider support and a number of procedural proposals have been made in bilateral contacts involving parties in the region and others who are interested in a settlement of this long-standing conflict. Important disagreements nevertheless remain on the scope of the conference, on its timing and especially on the question of participation. The latter question, more specifically how the interests and rights of the Palestinian people should be represented, has so far proved impossible to resolve in a manner acceptable to all the potential participants in the proposed conference. Agreement on that issue would do more than anything else to unblock the present deadlock in the negotiating process.

38. I am encouraged that many of the current proposals relating to an international peace conference envisage a central role for the Security Council.

I have on several occasions suggested that the machinery of the Council could be used to further the search for a peaceful settlement in the Middle East. The Council has a universally recognized responsibility for this complex and potentially explosive problem. It has, under the Charter of the United Nations, the authority to take decisive measures as required and its procedures enable it to consider this problem with the participation of all the parties concerned, but its effectiveness depends to a large extent on the agreement and co-operation of the major Powers. I hope therefore that these Powers will again find it possible to co-operate within the framework of the Security Council to help rekindle the peace process and promote the search for a just and lasting settlement in the Middle East. Naturally, other avenues of the United Nations could also be explored to provide the possibilities that the search for a lasting peace would require.

39. Few international issues are as complex and potentially dangerous, or involve as directly the relevance and credibility of the United Nations, as the Arab-Israeli conflict in the Middle East. The persistence of that conflict nearly four decades after it was brought before our Organization underscores the need to bring about a comprehensive settlement. It is therefore essential that every possible effort be made by the international community and individual Member States to achieve such a settlement as a matter of urgency.

Notes

1/ Official Records of the General Assembly, Fortieth Session, Supplement No. 13 (A/40/13 and Corr.1 and Add.1 and Add.1/Corr.1).

2/ Ibid., Forty-first Session, Supplement No. 13 (A/41/13 and Add.1).

3/ Ibid., Fortieth Session, Supplement No. 35 (A/40/35).

4/ 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.

5/ Official Records of the General Assembly, Forty-first Session, Supplement No. 35 (A/41/35).

6/ 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. A.

7/ Official Records of the General Assembly, Forty-first Session, Supplement No. 1 (A/41/1).

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Report of the Secretary-General

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I. INTRODUCTION

1. The present report is submitted in pursuance of General Assembly resolution 41/162 A of 4 December 1986. In that resolution, the Assembly dealt with various aspects of the situation in the Middle East and requested the Secretary-General to report to the Security Council periodically on the development of the situation and to submit to the Assembly at its forty-second session a comprehensive report covering the developments in the Middle East in all their aspects. It should be pointed out, however, that this report does not address the conflict between Iran and Iraq. It is based mainly on information available in United Nations documents, to which references are made whenever appropriate.

II. UNITED NATIONS PEACE-KEEPING ACTIVITIES

2. The activities of the United Nations peace-keeping operations in the area up to the end of October 1986 were dealt with in the report of the Secretary-General (A/41/768-S/18427, paras. 2-12). There continue to be three United Nations peace-keeping operations in the area: two peace-keeping forces, the United Nations Disengagement Observer Force (UNDOF) and the United Nations Interim Force in Lebanon (UNIFIL), and one observer mission, the United Nations Truce Supervision Organization (UNTSO).

(a) United Nations Disengagement Observer Force

3. UNDOF, with some 1,300 troops provided by Austria, Canada, Finland and Poland, is deployed between the Israeli and Syrian forces on the Golan Heights in accordance with the disengagement agreement concluded between Israel and the Syrian Arab Republic in May 1974. A group of UNTSO observers is detailed to the Force and assists it in the performance of its tasks. The main functions of the Force are to supervise the cease-fire between the Israeli and Syrian forces and to man the area of separation established by the disengagement agreement. The mandate of UNDOF has been extended twice by the Security Council during the reporting period, the last time on 29 May 1987 for a further period of six months until 30 November 1987 (resolution 596 (1987)).

4. The activities of the Force since October 1986 are described in two reports of the Secretary-General to the Security Council, dated 12 November 1986 and 18 May 1987 (S/18453 and S/18868). As reported by the Secretary-General, the situation in the Israel-Syria sector has remained generally quiet; UNDOF has continued to perform its functions effectively with the co-operation of the parties, and there have been no serious incidents.

(b) United Nations Interim Force in Lebanon

5. UNIFIL, which is deployed in southern Lebanon, was established by the Security Council on 19 March 1978, following the first Israeli invasion of Lebanon. Its terms of reference were - and still are - to confirm the withdrawal of the Israeli

forces as called for by the Security Council, to restore international peace and security and to assist the Government of Lebanon in ensuring the return of its effective authority in the area (resolution 425 (1978)).

6. The mandate of the Force has since been extended as necessary, the last time on 31 July 1987 for a further period of six months until 31 January 1988 (resolution 599 (1987)). UNIFIL has currently some 5,660 troops, provided by Fiji, Finland, France, Ghana, Ireland, Italy, Nepal, Norway and Sweden. A group of UNTSO observers assists the Force in the performance of its tasks.

7. The activities of UNIFIL and the situation in its area of operation in southern Lebanon from October 1986 until July 1987 are described in two reports of the Secretary-General to the Security Council, dated 12 January 1987 (S/18581 and Corr.1 and Add.1) and 24 July 1987 (S/18990). In addition, on 5 October 1987, the Secretary-General submitted to the Security Council a special report on two grave incidents that had resulted in the deaths of two members of the Nepalese contingent of UNIFIL (S/19175 and Corr.1).

(c) United Nations Truce Supervision Organization

8. As indicated in the preceding sections, observers of UNTSO have continued to assist UNDOF and UNIFIL in the performance of their tasks. In addition, UNTSO conducts two observation operations of its own, the Observer Group in Beirut and the Observer Group in Egypt.

9. The Observer Group in Beirut was set up by the Security Council in August 1982 following the occupation of West Beirut by Israeli troops. Since the withdrawal of the Israeli forces from the Beirut area in September 1983, the activities of the Group have been reduced and its total strength now stands at 18 observers.

10. The Observer Group in Egypt, which was established when the second United Nations Emergency Force (UNEF II) was withdrawn in July 1979, has a total strength of about 50 observers. It maintains, in addition to liaison offices at Cairo and Ismailia, six observation posts in the Sinai.

11. Since the forty-first session, a number of communications have been addressed to the President of the Security Council or to the Secretary-General on various aspects of the situation. Those communications, which have been circulated as official documents of the General Assembly and/or the Security Council, were from Ghana (S/18645), Israel (A/42/70-S/18560, A/42/94-S/18621) and Lebanon (A/42/69-S/18559, A/42/82-S/18584, A/42/116-S/18654, A/42/259-S/18831, A/42/268-S/18843, A/42/276-S/18848, A/42/281-S/18854, A/42/311-S/18886, A/42/356-S/18934, A/42/424-S/19001, A/42/470-S/19032, A/42/538-S/19111, A/42/643-S/19195, A/42/702-S/19243).

III. SITUATION IN THE OCCUPIED TERRITORIES

12. The action taken by the United Nations prior to October 1986 on the situation in the occupied territories was outlined in the report of the Secretary-General (A/41/768-S/18427, paras. 13-19).

13. The General Assembly, at its forty-first session, after considering the report of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Population of the Occupied Territories (A/41/680), which is composed of Senegal, Sri Lanka and Yugoslavia, adopted resolutions 41/63 A to G of 3 December 1986. By these resolutions, the General Assembly called upon Israel to release all Arabs arbitrarily detained or imprisoned as a result of their struggle for self-determination and for the liberation of their territories, and demanded that the Government of Israel rescind its action against the detainees and imprisoned Palestinians and release them immediately (resolution 41/63 A); reaffirmed that the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, was applicable to the Palestinian and other Arab territories occupied by Israel since 1967, including Jerusalem, and demanded that Israel acknowledge and comply with its provisions (resolution 41/63 B); demanded that the Government of Israel desist forthwith from taking any action that would result in changing the legal status, geographical nature or demographic composition of the occupied territories (resolution 41/63 C); demanded that Israel desist forthwith from certain policies and practices mentioned in the resolution and renewed the mandate of the Special Committee (resolution 41/63 D); demanded that the Government of Israel rescind the expulsion of the Mayor of Halhul and the Sharia Judge of Hebron and that of other Palestinian leaders expelled in 1985 and 1986, and that it facilitate their immediate return (resolution 41/63 E); determined that all legislative and administrative measures and actions taken or to be taken by Israel that purported to alter the character and legal status of the Syrian Golan Heights were null and void and constituted a violation of international law (resolution 41/63 F); condemned Israeli policies and practices against Palestinian students and faculties in educational institutions in the occupied Palestinian territories and demanded that Israel rescind all actions and measures taken against those institutions, ensure their freedom and refrain from hindering their effective operation (resolution 41/63 G).

14. On 8 December 1986, the Security Council adopted resolution 592 (1986) following some grave incidents in the occupied territories, during which a number of civilians were killed and wounded. The resolution reaffirmed that the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, was applicable to the Palestinian and other Arab territories occupied by Israel since 1967, including Jerusalem; strongly deplored the opening of fire by the Israeli army resulting in the death and the wounding of defenceless students; called upon Israel to abide immediately and scrupulously by the above-mentioned Convention; further called upon Israel to release any person or persons detained as a result of events at Bir Zeit University in violation of the Convention; and also called on all concerned parties to exercise maximum restraint, to avoid violent acts and to contribute towards the establishment of peace. The report requested of the Secretary-General in that resolution has been distributed as document S/18532.

15. On 19 February 1987, the Commission on Human Rights adopted resolution 1987/1 by which it declared once more that Israel's decision of 14 December 1981 to impose its laws, jurisdiction and administration on the occupied Syrian Golan Heights was null and void and without legal validity. On the same date, the Commission adopted resolution 1987/2 A and B, entitled "Question of the violation of human rights in the occupied Arab territories, including Palestine" and resolution 1987/4, entitled "Situation in occupied Palestine". Those resolutions, in which the Commission condemned Israeli policies and practices in the occupied territories, were brought to the attention of all Governments by a note verbale dated 2 July 1987.

16. The Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Population of the Occupied Territories held periodic meetings in pursuance of resolution 41/63 D. During the period between the meetings, the Special Committee was kept informed of developments taking place in the occupied territories; the information was gathered from a variety of sources, including oral testimony and written communications. The Special Committee reviewed this information and assessed the human rights situation in the occupied territories with a view to deciding whether any action was required. The report of the Special Committee under resolution 41/63 D has been circulated as document A/42/650.

17. During its forty-first session, the General Assembly also adopted resolution 41/181 of 8 December 1986 concerning assistance to the Palestinian people. The report requested of the Secretary-General in that resolution has been circulated as document A/42/289-E/1987/86 and Add.1 and 2. The Secretary-General has also submitted a report (A/42/183-E/1987/53) on the seminar on the living conditions of the Palestinian people in the occupied Palestinian territories organized in pursuance of resolution 40/201.

18. Since the forty-first session, a number of communications have been addressed to the Secretary-General on various aspects of the situation in the occupied territories. Those communications, which have been circulated as official documents of the General Assembly and the Security Council, were sent by Denmark (A/42/569-S/19139), Israel (A/42/202-S/18771), Jordan (A/42/204-S/18776, A/42/230-S/18815, A/42/369-S/18951, A/42/385-S/18968, A/42/430-S/19009, A/42/439-S/19013, A/42/545-S/19118), the Syrian Arab Republic (A/42/159, A/42/173, A/42/208-S/18782) and the Chairman of the Committee on the Exercise of the Inalienable Rights of the Palestinian People (A/42/297-S/18874, A/42/318-S/18893, A/42/575-S/19150, A/42/655-S/19203). Communications were also received from the Palestine Liberation Organization and circulated at the request of Tunisia (A/42/218-S/18795, A/42/229-S/18812) and the Sudan (A/42/338-S/18914).

IV. PALESTINE REFUGEE PROBLEM

19. The Palestine refugee problem and the efforts of the United Nations to assist the refugees up to October 1986 were dealt with in the report of the Secretary-General (A/41/768-S/18427, paras. 20-23).

20. Following its consideration, at its forty-first session, of the report of the Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA) for the period 1 July 1985 to 30 June 1986, 1/ the General Assembly adopted 11 resolutions on this subject on 3 December 1986. In resolution 41/69 A, the Assembly noted with deep regret that repatriation or compensation of the refugees as provided for in paragraph 11 of resolution 194 (III) had not been effected, that no substantial progress had been made in the programme endorsed by the Assembly in paragraph 2 of its resolution 513 (VI) for the reintegration of refugees either by repatriation or resettlement and that, therefore, the situation of the refugees continued to be a matter of serious concern; expressed its thanks to the Commissioner-General and to all the staff of UNRWA, recognizing that the Agency was doing all it could within the limits of available resources; reiterated its request that the headquarters of the Agency should be relocated to its former site within its area of operations as soon as practicable; noted with regret that the United Nations Conciliation Commission for Palestine had been unable to find a means of achieving progress in the implementation of paragraph 11 of resolution 194 (III), and requested the Commission to exert continued efforts towards the implementation of that paragraph and to report to the Assembly as appropriate, but not later than 1 September 1987; directed attention to the continuing seriousness of the financial position of the Agency as outlined in the report of the Commissioner-General; noted with concern that, despite the commendable and successful efforts of the Commissioner-General to collect additional contributions, this increased level of income to the Agency was still insufficient to cover current essential requirements; and called upon all Governments, as a matter of urgency, to make the most generous efforts possible to meet the anticipated needs of the Agency.

21. The other resolutions adopted by the General Assembly dealt with the Working Group on the Financing of UNRWA (resolution 41/69 B), assistance to persons displaced as a result of the June 1967 and subsequent hostilities (resolution 41/69 C), offers by Member States of grants and scholarships for higher education, including vocational training, for Palestine refugees (resolution 41/69 D), Palestine refugees in the Gaza Strip (resolution 41/69 E), resumption of the ration distribution to Palestine refugees (resolution 41/69 F), population and refugees displaced since 1967 (resolution 41/69 G), revenues derived from Palestine refugee properties (resolution 41/69 H), protection of Palestine refugees (resolution 41/69 I), Palestine refugees in the West Bank (resolution 41/69 J) and the University of Jerusalem "Al-Quds" for Palestine refugees (resolution 41/69 K).

22. The situation of the Palestine refugees and the activities of UNRWA since the adoption of these resolutions are described in the annual report of the Commissioner-General of UNRWA for the period 1 July 1986 to 30 June 1987. 2/ The reports of the Secretary-General under resolutions 41/69 D, E, F, G, H, I, J and K have been circulated as documents A/42/445, A/42/507, A/42/446, A/42/480, A/42/505, A/42/481, A/42/482 and A/42/309, respectively. The report of the United Nations Conciliation Commission for Palestine under resolution 41/69 A and report of the Working Group on the Financing of UNRWA under resolution 41/69 B have been circulated as documents A/42/515 and A/42/633 respectively.

V. QUESTION OF PALESTINE

23. The action taken by the United Nations on the question of Palestine up to October 1986 was outlined in the report of the Secretary-General (A/41/768-S/18427, paras. 24-27).

24. At its forty-first session, on 2 December 1986, the General Assembly adopted four resolutions under the agenda item entitled "Question of Palestine". In resolution 41/43 A, the Assembly endorsed the recommendations of the Committee on the Exercise of the Inalienable Rights of the Palestinian People; requested the Committee to continue to keep under review the situation relating to the question of Palestine as well as the implementation of the Programme of Action for the Achievement of Palestinian Rights; 3/ and authorized the Committee to continue to exert all efforts to promote the implementation of its recommendations. In resolution 41/43 B, the Assembly requested the Secretary-General to ensure that the Division for Palestinian Rights continued to discharge the tasks detailed in previous resolutions. In resolution 41/43 C, the Assembly requested the Department of Public Information, in co-operation with the Committee, to continue its special information programme on the question of Palestine for the biennium 1986-1987. In resolution 41/43 D, the Assembly reaffirmed its endorsement of the call for convening the International Peace Conference on the Middle East in conformity with the provisions of its resolution 38/58 C; endorsed the call for setting up a preparatory committee, within the framework of the Security Council, with the participation of its permanent members, to take the necessary action to convene the Conference; and requested the Secretary-General, in consultation with the Security Council, to continue his efforts with a view to convening the Conference.

25. The report requested of the Secretary-General in resolution 41/43 D concerning the convening of an international peace conference on the Middle East was circulated as document A/42/277-S/18849. Since the publication of his report, the Secretary-General has continued and intensified his contacts with the parties to the conflict, and for this purpose he sent a mission to the area in June. The mission held talks with leaders in Israel, Jordan, the Syrian Arab Republic, Lebanon and Egypt and with the Palestine Liberation Organization in Tunisia. In July, when at Geneva, the Secretary-General met personally with the President of Egypt and with the Foreign Minister of Israel. His discussions on this subject have continued during the current session of the General Assembly, when he has met, among others, with the President of Lebanon, the Crown Prince of Jordan, the Foreign Ministers of Egypt, Israel and the Syrian Arab Republic and with the Head of Delegation of the Palestine Liberation Organization. Consultations have also been pursued with the Security Council, in particular with its five permanent members. The discussions with the parties and the Council reconfirmed what had been reported by the Secretary-General in his report, namely, that sufficient agreement does not exist to permit the convening of the International Conference as called for in resolution 41/43 D. There was no apparent change in the positions of those of the parties and the members of the Security Council who do not regard the guidelines contained in resolution 38/58 C as an acceptable basis for the convening of a conference. These consultations also, however, confirmed that there is very wide, though not yet unanimous, support for the proposition that an international conference, under United Nations auspices, is the best way of negotiating a just

and lasting peace in the Middle East, on terms acceptable to all concerned, and that there is an urgent need for such a conference to be convened as soon as possible.

26. The report of the Committee on the Exercise of the Inalienable Rights of the Palestinian People appears in document A/42/35. 4/

27. Since the forty-first session, a number of communications have been addressed to the Secretary-General on various aspects of the question of Palestine and have been circulated as official documents of the General Assembly and the Security Council. Those communications were sent by Japan (A/42/131-S/18699), Lebanon (A/42/115-S/18653), Yemen (A/42/152-S/18720) and Zimbabwe (A/42/79-S/18569). Communications were also sent by the Chairman or Acting Chairman of the Committee on the Exercise of the Inalienable Rights of the Palestinian People (A/42/122-S/18682, A/42/135-S/18713, A/42/176-S/18751, A/42/278-S/18850, A/42/550-S/19122). In addition, communications were received from the Palestine Liberation Organization and circulated at the request of Kuwait (A/42/546-S/19120) and the United Arab Emirates (A/42/177-S/18752).

VI. SITUATION IN THE MIDDLE EAST

28. The action taken by the United Nations on the situation in the Middle East up to October 1986 was outlined in the report of the Secretary-General (A/41/768-S/18427).

29. At its forty-first session, on 4 December 1986, the General Assembly adopted three resolutions concerning the situation in the Middle East. In resolution 41/162 A, the Assembly reaffirmed its conviction that the question of Palestine was the core of the conflict in the Middle East and that no comprehensive, just and lasting peace in the region would be achieved without the full exercise by the Palestinian people of its inalienable national rights and the withdrawal of Israel from all the Palestinian and other occupied Arab territories; reaffirmed that a just and comprehensive settlement of the situation in the Middle East could not be achieved without the participation on an equal footing of all the parties to the conflict, including the Palestine Liberation Organization; declared that peace in the Middle East was indivisible and must be based on a comprehensive, just and lasting solution under the auspices of the United Nations; considered the Arab Peace Plan adopted unanimously at the Twelfth Arab Summit Conference, held at Fez and reiterated by the Extraordinary Summit Conference, held at Casablanca, as an important contribution towards the realization of the inalienable rights of the Palestinian people through the achievement of a comprehensive, just and lasting peace; condemned Israel's continued occupation of the Palestinian and other Arab territories and demanded the immediate, unconditional and total withdrawal of Israel from all the territories occupied since 1967; rejected all agreements and arrangements that violated the inalienable rights of the Palestinian people and contradicted the principles of a just and comprehensive solution to the Middle East problem; determined that Israel's decision to annex Jerusalem and to declare it as its "capital" as well as the measures to alter its physical character, demographic composition, institutional structure and status were null and void and demanded

that they be rescinded immediately; condemned Israel's aggression, policies and practices against the Palestinian people in the occupied Palestinian territories and outside these territories; strongly condemned Israel's annexationist policies and practices in the occupied Syrian Golan Heights; considered that the agreements on strategic co-operation between the United States of America and Israel of 30 November 1981 and the continued supply of modern arms and matériel to Israel, augmented by substantial economic aid, had encouraged Israel to pursue its aggressive and expansionist policies and practices, had had adverse effects on efforts for the establishment of peace in the Middle East and posed a threat to the security of the region; called upon all States to put an end to the flow to Israel of any military, economic, financial and technological aid, as well as of human resources, aimed at encouraging it to pursue its aggressive policies against the Arab countries and the Palestinian people; strongly condemned the collaboration between Israel and South Africa; reaffirmed its call for the convening of the International Peace Conference on the Middle East, as specified in the Geneva Declaration on Palestine and endorsed by the General Assembly; and endorsed the call for setting up a preparatory committee to take the necessary action to convene the Conference. The other parts of resolution 41/162 deal with Israeli policies in the Syrian Golan Heights and the other occupied territories (resolution 41/162 B) and the transfer by some States of their diplomatic missions to Jerusalem (resolution 41/162 C).

30. The above resolutions have been brought to the attention of Member States, and a report of the Secretary-General including the relevant comments received from Member States has been circulated as document A/42/465 and Add.1.

31. Since the Secretary-General's last comprehensive report on this item was circulated on 29 October 1986 (A/41/768-S/18427), a number of communications have been addressed to him on various aspects of the situation in the Middle East, including, in particular, the convening of an international peace conference. In addition to those referred to in the preceding sections of this report (see paras. 11, 18 and 27), communications were received from the Permanent Representative of Belgium (A/42/151-S/18718) and the Chargé d'affaires of Denmark (A/42/401-S/18978) transmitting declarations adopted on 23 February and 13 July 1987 respectively by the Ministers of Foreign Affairs of the twelve States members of the European Community concerning the Middle East. By a letter dated 3 March 1987, the Permanent Representative of Kuwait transmitted to the Secretary-General the final communiqué and resolutions adopted by the Fifth Islamic Summit Conference, held at Kuwait from 26 to 29 January 1987 (A/42/178-S/18753). On 19 October 1987, the Permanent Representative of Kuwait also transmitted to the Secretary-General the text of the communiqué issued on that day by the meeting of the members of the Organization of the Islamic Conference (A/42/666). Excerpts from the joint communiqué of the twentieth ASEAN Ministerial Meeting, held at Singapore on 15 and 16 June 1987, were transmitted to the Secretary-General by the Permanent Representative of Thailand in a letter dated 13 August 1987 (A/42/477-S/19048). On 5 May 1987, the Permanent Representative of Zimbabwe transmitted to the Secretary-General the final document adopted at the Meeting of the Ministers of Foreign Affairs of the Committee of Nine Non-Aligned Countries on Palestine, held at Harare on 14 and 15 April 1987 (A/42/284-S/18856). The text of the communiqué adopted by the Meeting of the Co-ordinating Bureau of the Movement

of Non-Aligned Countries, held in New York on 16 October 1987, was also transmitted to the Secretary-General by the Permanent Representative of Zimbabwe on 27 October 1987 (A/42/696-S/19237). In addition, communications were received from Israel (A/42/119-S/18660, A/42/134-S/18709, A/42/345-S/18921), Romania (A/42/342-S/18919) and the Union of Soviet Socialist Republics (A/42/78-S/18567). A communication was also received from the Palestine Liberation Organization and circulated at the request of Tunisia (A/42/267-S/18841).

VII. OBSERVATIONS

32. Since I reported to the General Assembly last year, I have undertaken a special effort to promote the convening of an international peace conference on the Middle East. I have done so in light of the widespread agreement on the part of the international community that the convening of such a conference, under United Nations auspices, offers the best chance of successfully negotiating a comprehensive settlement of the Arab-Israel conflict. Moreover, my decision to make a special effort this year was endorsed by leaders of all parties to the conflict. These two factors - international backing and the support of the parties - have provided an important basis for the several rounds of consultations that have been held thus far and will undoubtedly be crucial to future progress.

33. Nevertheless, the gaps between the parties remain wide. Some of those gaps reflect well-known differences about the procedural aspects of a conference. Although these procedural differences are difficult to resolve, I do not regard them as insurmountable, for they are differences between parties who accept the principle that an international conference is the only practical way of reaching a comprehensive settlement of the conflict. One may reasonably hope that, with the principle accepted, the gaps on procedure can be bridged through patient diplomacy. The major obstacle at present, however, is one of a different kind, namely, the inability of the Government of Israel as a whole to agree on the principle of an international conference under United Nations auspices. Until the Israeli Government accepts that such a conference is the best way to negotiate a peace settlement, the way forward will remain difficult.

34. Having said this, I am encouraged by the fact that the past year has seen favourable developments in the political environment, both in terms of the level and frequency of the contacts between the permanent members of the Security Council and between them and the parties. I am also encouraged by the fact that the idea of an international conference under United Nations auspices has been given high priority among the Arab parties to the conflict, and has been the subject of lively debate within Israel. These positive trends, combined with the growing international consensus in favour of the early convening of a conference, demand of us that we consolidate and build on the foundation that has so far been established.

35. Not to do so would cause increasing frustration and tension and would further aggravate a situation that is already volatile. Israel's occupation of Arab territory for over 20 years has been and continues to be deeply resented by the inhabitants. The occupation has given rise to much unrest and violence, with the result that many innocent lives have been lost. It was in the wake of such unrest

that the Security Council adopted resolution 592 (1986) on 8 December 1986. Since then there have been more violent incidents, and more lives have been lost. As I have stated repeatedly, the situation will remain unstable as long as a settlement is not reached. Meanwhile the start of a negotiating process, under United Nations auspices and acceptable to all, would create a spirit of dialogue and would be a significant step in the direction of peace and stability.

36. Forty years have passed since the General Assembly adopted its initial resolutions concerning the Arab-Israel conflict. Yet despite this long-standing United Nations involvement, and despite the numerous resolutions adopted since 1947 by both the Security Council and the General Assembly, the people of the area have been subjected to endless suffering and to five major wars. Tens of thousands of lives have been lost, and the conflict continues to be explosive, with ramifications not only for the region but for the entire international community. And at the core of this conflict lies the plight of the Palestinian people, most of whom now live under occupation or in exile.

37. We must seize the present opportunity to promote actively the search for a comprehensive settlement based on Security Council resolutions 242 (1967) and 338 (1973) and taking fully into account the legitimate rights of the Palestinian people, including self-determination. This will require determination, wisdom and patience. For my part, I will maintain my special effort and continue to explore with the parties ways of advancing the process. In this endeavour I will continue to rely on the support of the Security Council, particularly that of the permanent members. As I stated in my report on the work of the Organization, the right road is the one that will lead to fruitful negotiations under United Nations auspices, and our central priority should be the achievement of a just and lasting peace, which will meet the aspirations of all the people in the region.

Notes

1/ Official Records of the General Assembly, Forty-first Session, Supplement No. 13 (A/41/13 and Corr.1 and Add.1 and Add.1/Corr.1).

2/ Ibid., Forty-second Session, Supplement No. 13 (A/42/13 and Add.1).

3/ 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.

4/ Official Records of the General Assembly, Forty-second Session, Supplement No. 35 (A/42/35).

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Agenda items 37 and 40
QUESTION OF PALESTINE
THE SITUATION IN THE MIDDLE EAST

SECURITY COUNCIL
Forty-third year

Report of the Secretary-General

1. The present report is submitted in accordance with General Assembly resolution 42/209 A of 11 December 1987 on the question of convening an international peace conference on the Middle East. The operative part of the resolution reads as follows:

"The General Assembly,

"...

"1. Reaffirms once again that the convening of the International Peace Conference on the Middle East under the auspices of the United Nations and at the invitation of the Secretary-General of the United Nations, with the participation of the five permanent members of the Security Council and all the parties to the Arab-Israeli conflict, including the Palestine Liberation Organization, the sole legitimate representative of the Palestinian people, on an equal footing, is the appropriate way to a peaceful, comprehensive and just settlement of the conflict which will ensure the restoration of the occupied Arab territories and the solution of the Palestinian question in all its aspects and guarantee the realization of the inalienable national rights of the Palestinian Arab people;

"2. Calls upon all States that have not done so to lend their support to the convening of the Conference;

"3. Requests the Secretary-General, in consultation with the Security Council, to continue his efforts with a view to convening the Conference and

to apprise the General Assembly of the results of his consultations no later than September 1988."

2. On 2 September 1988, the Secretary-General, in pursuance of the request contained in paragraph 3 of the above resolution, addressed the following note verbale to the President of the Security Council:

"The Secretary-General of the United Nations presents his compliments to the President of the Security Council and has the honour to refer to resolution 42/209 A, which was adopted by the General Assembly on 11 December 1987, concerning the convening of the International Peace Conference on the Middle East. The text of the resolution is enclosed.

"Operative paragraph 3 of resolution 42/209 A requests the Secretary-General, in consultation with the Security Council, to continue his efforts with a view to convening the Conference and to apprise the General Assembly of the results of his consultations no later than September 1988. In order to assist him in the preparation of his report, the Secretary-General would be grateful if the views of the Members of the Council on the convening of the International Peace Conference on the Middle East could be conveyed to him by 21 September."

3. On 21 September 1988, the President of the Security Council sent the following reply:

"I have the honour to refer to your letter of 2 September 1988 concerning the question of the convening of the International Peace Conference on the Middle East, by which you informed me of your desire to consult the Security Council on this question once again, taking into account the relevant provisions of General Assembly resolution 42/209 A of 11 December 1987.

"In accordance with your desire to be informed by 21 September of the views of the members of the Security Council on this question, I have undertaken the necessary consultations.

"These consultations indicate that the members of the Security Council continue to be concerned at the lack of true progress towards a solution of the crisis in the Middle East, one result of which is the serious situation persisting in the occupied territories. They are therefore more convinced than ever of the need for urgent action with a view to a comprehensive, just and lasting settlement including a solution to the Palestinian problem in all its aspects.

"In this connection, all the members of the Security Council believe that it is desirable to convene an International Conference on the Middle East, and they invite the Secretary-General to pursue his efforts and consultations in that regard.

"Almost all members of the Security Council favour the early convening of a substantive International Conference under the auspices of the United

Nations, with the participation of all parties concerned and of the five permanent members of the Security Council.

"Most of those members reaffirmed their position that the Conference should be convened on the basis of General Assembly resolution 38/58 C, for which they expressed their support and in which it is stated, inter alia, that one of the main objectives of such a Conference should be the attainment by the Palestinian people of its legitimate inalienable rights, including the right to return, the right to self-determination and the right to establish its own independent State in Palestine. They stressed that the Palestine Liberation Organization should have the status of a full-fledged participant in this Conference. Some of these members took advantage of the consultations to request that, pending a settlement on the basis of these objectives, the Palestinian territories occupied since 1967 should be the subject of interim measures, such as the establishment of a provisional United Nations administration.

"Some members, while recalling the reservations they had already expressed concerning the convening of an International Conference on the basis of resolutions 38/58 C and 42/66 D, reaffirmed the right of the Palestinian people to self-determination, with all that this implies, as well as the right to existence and to security of all States in the region, including Israel.

"One member of the Security Council pointed out that a peace initiative was currently under way, consistent with Security Council resolutions 242 and 338, which provided, inter alia, for an International Conference to be convened by the Secretary-General of the United Nations and in which the permanent members of the Security Council and the parties involved in the conflict would participate. This Conference, which would open the way to direct negotiations between Israel and its Arab neighbours, should not have the authority to impose a settlement or to oppose any agreements concluded bilaterally between the parties. This member considered, in contrast, that resolution 38/58 C, which it regards as one-sided and unbalanced, offers an approach that is not conducive to a negotiated settlement."

4. On 2 September 1988, the Secretary-General addressed a note verbale to the Permanent Representatives of Egypt, Israel, Jordan, Lebanon and the Syrian Arab Republic, and to the Permanent Observer of the Palestine Liberation Organization. The note drew attention to the report requested of the Secretary-General in General Assembly resolution 42/209 A, and asked for an up-to-date statement concerning their respective positions on the convening of the International Peace Conference on the Middle East. Their replies are reproduced below:

Egypt

"The Permanent Representative of the Arab Republic of Egypt to the United Nations ... with reference to the Secretary-General's note dated 2 September 1988, concerning General Assembly resolution 42/209 A on convening of the International Peace Conference on the Middle East, has the honour to enclose herewith a message from the Deputy Prime Minister and Minister for

Foreign Affairs of Egypt, H.E. Dr. Ahmed Esmat Abdel Meguid, addressed to the Secretary-General on the issue in question:

'It is the considered opinion of the Government of the Arab Republi of Egypt that the only way available, at this juncture, to activate the peace process in the Middle East is to convene an International Peace Conference.

'The International Conference should, in the opinion of the Government of Egypt, be convened along the following lines:

'1. Under the auspices of the United Nations.

'2. The terms of reference should be Security Council resolutions 242 (1967) and 338 (1973), as well as the realization of the national political rights of the Palestinian people.

'3. The goal is to achieve a negotiated comprehensive peaceful settlement of the Palestinian problem in all its aspects, as well as other related problems, also to ensure the achievement of a just and lasting peace in the Middle East.

'4. The active participation of all parties concerned and/or involved, on an equal footing, including the Palestine Liberation Organization, the sole legitimate representative of the Palestinian people.

'5. The participation as well of the five permanent members of the Security Council.

'The Government of the Arab Republic of Egypt wishes to underline that the convening of such a conference would, by necessity, take into consideration the existing pertinent initiatives which enjoy wide regional and international consensus. Regard should be given in this respect to the Arab Fez plan of 1982.'"

Israel

"The Acting Permanent Representative of Israel ... has the honour to refer to the Secretary-General's note of 2 September 1988 regarding General Assembly resolution 42/209 A adopted on 11 December 1987. It will be recalled that Israel voted against this resolution and those mentioned in the second preambular paragraph thereof.

"In the ongoing effort to expand the peace process in the Middle East, Israel has long advocated direct negotiations as the most promising venue for progress. As these General Assembly resolutions propose an International Conference that seems to substitute for - rather than support - direct negotiations, they are unacceptable to Israel. The objection of Israel to the International Conference proposed in resolution 42/209 A and its preceding resolutions, does not contradict Israel's desire to conduct direct negotiation

with its neighbours within an international framework agreeable to the sides involved in those direct negotiations. Moreover, these resolutions make no specific reference to Security Council resolutions 242 (1967) and 338 (1973) which constitute the only commonly acceptable basis for peace negotiations.

"In this context it should be pointed out that the PLO, which does not accept the aforementioned Security Council resolutions, continues to resort to violence and terrorism and rejects the reality of the State of Israel as well as its legitimate security concerns, cannot be considered a partner to peace negotiations.

"In addition, Israel is convinced that it is the parties directly involved in the Arab-Israeli dispute that bear the primary responsibility for structuring the negotiating forum and for determining its agenda and procedure. Hence, no forum that constitutes a substitute for direct involvement of the parties to the dispute can be authorized to act on their behalf."

Jordan

"With reference to your note dated 2 September 1988, in which you refer to operative paragraph 3 of General Assembly resolution 42/209 A of 11 December 1988, on convening the International Peace Conference on the Middle East, I have the honour to communicate to you hereunder the position of the Government of the Hashemite Kingdom of Jordan on the convening of the said conference:

"1. Jordan believes that the convening of the International Peace Conference on the Middle East under the auspices of the United Nations and at the invitation of its Secretary-General, with the participation of the five permanent members of the Security Council and all the parties to the Arab-Israeli conflict, is the appropriate way to a peaceful, comprehensive and just settlement of the conflict.

"2. Jordan stresses its firm commitment to participation in the peace process, which it has played a part in bringing to the stage of international consensus in favour of convening an international peace conference on the Middle East.

"3. Jordan reaffirms that the Palestine Liberation Organization is the sole legitimate representative of the Palestinian people and that it must accordingly participate in the International Conference on an equal footing with the parties to the conflict.

"4. The work of the International Conference must be based on the principles laid down in Security Council resolution 242 (1967), which apply to all the occupied Arab territories: they are the basis for negotiations and, as principles, are non-negotiable. The work of the Conference must have a character of continuity; it must enjoy effective authority; and it must undertake to resolve the question of Palestine and the Arab-Israeli conflict in all their aspects.

"5. Jordan is of the view that the basic obstacle which prevents the convening of the International Peace Conference lies in the attitude adopted towards it by the Israeli Government."

Lebanon

"With reference to your memorandum of 2 September 1988 concerning General Assembly resolution 42/209 A of 11 December 1987 concerning the convening of the International Peace Conference on the Middle East, I have the honour to inform you that the position of the Lebanese Government with respect to the convening of the said conference was set forth in my letter No. 88/88 of 23 March 1988, addressed to you, the text of which is included in your report issued as document A/43/272-S/19719 of 31 March 1988."

Syrian Arab Republic

"The Permanent Representative of the Syrian Arab Republic to the United Nations ... has the honour to transmit the following reply of the Syrian Arab Republic to the Secretary-General's note dated 2 September 1988 on the question of convening an international conference on the Middle East.

"The Syrian Arab Republic supported General Assembly resolution 38/58 C on the convening of an International Conference on the Middle East as indicated in its letter addressed to the Secretary-General and reproduced in document A/43/272-S/19719 of 31 March 1988. It also supported General Assembly resolutions 42/66 D of 2 December 1987 and 42/209 A of 11 December 1987.

"The Syrian Arab Republic once again reaffirms the need to continue efforts for the convening of the International Conference, with the participation of all the parties to the conflict, including the Palestine Liberation Organization and the permanent members of the Security Council, provided that the Conference is effective and has competence, with a view to achieving a just and comprehensive peace based on the principles of the Charter of the United Nations and its resolutions relating to the Arab-Israeli conflict, as well as on the following:

"Achievement of a complete Israeli withdrawal from all the occupied Arab territories, including Jerusalem;

"Guarantee of the inalienable national rights of the Palestinian Arab people, in accordance with United Nations resolutions."

Palestine Liberation Organization

"In response to your note verbale regarding General Assembly resolution 42/209 A, calling for the convening of the International Peace Conference on the Middle East, I have the honour to convey to you the position of the Palestine Liberation Organization (PLO).

"We would like to express our deep appreciation for the endeavours you are personally undertaking towards solving regional conflicts, including the Middle East, and your efforts to achieve peace in these explosive areas.

"The recent events in the Middle East, particularly the Intifadah of our Palestinian people in the occupied Palestinian territories, which has continued since December 1987, and the exacerbating situation as a result of the oppression by the Israeli occupation authorities against our people, proves more than at any time in the past the resolve of our people to attain its inalienable rights, and it also proves the increasing need to achieve a comprehensive, just and lasting peace in the Middle East.

"The PLO, the sole, legitimate representative of the Palestinian people, believes that peace in the Middle East can be achieved through the convening of the International Peace Conference under the auspices of the United Nations with the participation of the five permanent members of the Security Council and with the participation on an equal footing and with equal rights of all parties concerned, including the PLO, in conformity with United Nations resolutions, particularly General Assembly resolution 38/58 C. Such a position was adopted by the Palestine National Council (PNC), and was confirmed by successive Arab Summit meetings, the last of which was the Arab Summit in Algiers. It is also the position reaffirmed by the General Assembly as well as by several international conferences held under the auspices of the United Nations.

"The PLO believes that the Intifadah and the facts it has created, as well as other political developments, including the decision by the Hashemite Kingdom of Jordan to sever the legal and administrative relations with the 'West Bank', all require a more effective involvement by the United Nations in the occupied Palestinian territories. The United Nations has the duty and responsibility to provide all kinds of protection to our people in the occupied territories. Such measures as recommended in the report of Your Excellency (S/19442) will contribute towards alleviating the suffering of our people, and will ensure respect for the provisions of the Fourth Geneva Convention.

"The PLO maintains that it is incumbent upon the United Nations to assume the responsibility of administration of the occupied Palestinian territories concurrently with the termination of the Israeli occupation and withdrawal of troops, and thereafter for a specified transitional period of time pending the exercise of the Palestinian people of its sovereignty and independence in a Palestinian state.

"The decision by the United Nations to undertake such a step will contribute towards the convening of the International Peace Conference and the achievement of peace.

"The PLO is carefully considering several political options which it has to take in light of present circumstances in order to fulfil the inalienable rights of the Palestinian people. We trust that such steps will meet with the support of the international community and, in particular, the support of the United Nations.

"Finally, we are sure that your meeting with H.E. Mr. Yasser Arafat, Chairman of the Executive Committee of the Palestine Liberation Organization, on 27 August 1988, provided an opportunity for a detailed explanation of the PLO's position."

Observations

5. It will be evident from the above statements of the positions held by the members of the Security Council and the parties directly involved in the conflict that the Secretary-General is again obliged to report to the General Assembly that the necessary agreement does not exist for the convening of the International Peace Conference on the Middle East. It is true that all the members of the Security Council believe that it is desirable to convene an international conference and it is at least possible to identify in the replies of the parties agreement that there should be an international framework for the negotiation of a just and lasting settlement. But the familiar and deep differences remain about the nature of that framework, about its powers, about the basis on which it would be convened, and about who should take part in it. It is thus clear that much further work will have to be done and positions will have to change if an international negotiating process acceptable to all is to be established. Meanwhile, all the members of the Security Council wish the Secretary-General to pursue his efforts and consultations for the convening of an international conference.

6. The present state of affairs is one that causes me grave concern. The violence and suffering in the occupied territories of the West Bank and the Gaza Strip continue unabated and underline the need for progress on the diplomatic front. The continuing occupation of those territories is not acceptable to their inhabitants and will not become so. It is necessary therefore to find a political solution which will satisfy both the legitimate political rights of the Palestinian people and the right of Israel, like other States in the area, to live in peace within secure and recognized boundaries free from threats or acts of force.

7. Recent months have seen tangible progress towards the settlement of many of the major conflicts which beset the world. They are not solved yet but promise is to be found in the fact that the parties to these conflicts have come to the conclusion that the issues cannot be resolved by war and that negotiated settlements must be sought. These beneficent winds of change have not yet reached the Arab-Israel conflict, which remains one of the most tragic and threatening in the world. There is thus an urgent need to establish a process acceptable to all for the negotiation of a just, lasting and comprehensive settlement. I shall continue to work for that end.

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Report of the Secretary-General

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I. INTRODUCTION

1. The present report is submitted in pursuance of General Assembly resolution 42/209 B of 11 December 1988. In that resolution, the Assembly dealt with various aspects of the situation in the Middle East and requested the Secretary-General to report to the Security Council periodically on the development of the situation and to submit to the Assembly at its forty-third session a comprehensive report covering the developments in the Middle East in all their aspects. The present report covers the period from 14 November 1987 to 17 November 1988. It should be pointed out, however, that the report does not address the situation concerning Iran and Iraq. It is based mainly on information available in United Nations documents, to which references are made whenever appropriate.

II. UNITED NATIONS PEACE-KEEPING ACTIVITIES

2. There continue to be three United Nations peace-keeping operations in the area: two peace-keeping forces, the United Nations Disengagement Observer Force (UNDOF) and the United Nations Interim Force in Lebanon (UNIFIL), and one observer mission, the United Nations Truce Supervision Organisation (UNTSO).

A. United Nations Disengagement Observer Force

3. UNDOF, with some 1,330 troops provided by Austria, Canada, Finland and Poland, is deployed between the Israeli and Syrian forces on the Golan Heights in accordance with the disengagement agreement concluded between Israel and the Syrian Arab Republic in May 1974. A group of UNTSO observers is detailed to the Force and assists it in the performance of its tasks. The main functions of the Force are to supervise the cease-fire between the Israeli and Syrian forces and to man the area of separation established by the disengagement agreement. The mandate of UNDOF has been extended twice by the Security Council during the reporting period, the last time on 31 May 1988 for a further period of six months until 30 November 1988 (resolution 613 (1988)).

4. The activities of the Force since November 1987 are described in three reports of the Secretary-General to the Security Council, dated 13 November 1987 (S/19263), 20 May 1988 (S/19895) and 17 November 1988 (S/20276). As reported by the Secretary-General, the situation in the Israel-Syria sector has remained generally quiet; UNDOF has continued to perform its functions effectively with the co-operation of the parties, and there have been no serious incidents.

B. United Nations Interim Force in Lebanon

5. UNIFIL, which is deployed in southern Lebanon, was established by the Security Council on 19 March 1978, following the first Israeli invasion of Lebanon. Its terms of reference were - and still are - to confirm the withdrawal of the Israeli forces as called for by the Security Council, to restore international peace and

security and to assist the Government of Lebanon in ensuring the return of its effective authority in the area (resolution 425 (1978)).

6. The mandate of the Force has since been extended as necessary, the last time on 29 July 1988 for a further period of six months until 31 January 1989 (resolution 617 (1988)). UNIFIL has currently some 5,840 troops, provided by Fiji, Finland, France, Ghana, Ireland, Italy, Nepal, Norway and Sweden. A group of UNTSO observers assists the Force in the performance of its tasks.

7. The activities of UNIFIL and the situation in its area of operation in southern Lebanon from November 1987 until 25 July 1988 are described in two reports of the Secretary-General to the Security Council, dated 22 January 1988 (S/19445) and 25 July 1988 (S/20053 and Corr.1). On 14 March 1988, the Secretary-General submitted to the Security Council a special report on developments relating to the kidnapping on 17 February 1988 of Lieutenant Colonel William Richard Higgins, an officer of the United States of America serving as chief of the UNTSO military observers assigned to UNIFIL (S/19617). In his report, the Secretary-General strongly condemned the abduction and continuing detention of Lt. Col. Higgins. The incident had occurred while he was performing functions assigned to him in order to assist UNIFIL in carrying out the mandate given to it by the Security Council, a mandate that had the full support of the Lebanese authorities and of the local population in southern Lebanon. The Secretary-General expressed concern about the possible implications such unwarranted attacks on members of the Force could have for its effectiveness. He said that UNIFIL would maintain all possible efforts to locate Lt. Col. Higgins and secure his release; he also noted that he and his senior staff would remain in contact with all parties whom he felt could be of help. On 29 July 1988, the Security Council adopted a resolution (resolution 618 (1988)) that condemned the kidnapping of Lt. Col. Higgins, demanded his immediate release and called upon Member States to use their influence in any way possible to promote the implementation of the resolution.

8. On another matter concerning the Israel-Lebanon sector, the Secretary-General, on 24 November 1987, addressed a letter to the President of the Security Council (S/19318) transmitting the text of a note on "the question of Israeli encroachments on the Israel-Lebanon border", together with a map, for the Council's information. The Secretary-General recalled that the issue had been raised by the representative of Lebanon on 6 October 1987 and had been discussed by the Security Council in informal consultations on 15 October.

9. During the period under review, the Security Council met in January and in May at the request of Lebanon (S/PV.2782-2784 and S/PV.2811, 2813 and 2814). On 18 January 1988 the Council voted on a draft resolution (S/19434) submitted by six members, by which it would have strongly deplored repeated Israeli attacks against Lebanese territory and all other measures and practices against the civilian population; strongly requested Israel to cease all acts of encroachment on land, construction of roads and setting up of fences that violated the border, and any attempts to change the status of Lebanese territory or to impede the effective authority of the Lebanese Government; and reaffirmed the urgent need to implement earlier Council resolutions on Lebanon. The draft resolution was not adopted, owing to the negative vote of a permanent member. On 10 May 1988 the Council voted

on a draft resolution (S/19868) submitted by six members, by which it would have condemned the recent invasion by Israeli forces of southern Lebanon; called again for the immediate withdrawal of all Israeli forces from Lebanese territory and for the cessation of all acts that violate the sovereignty of Lebanon and the security of its civilian population, and reaffirmed its calls for strict respect for the sovereignty, independence, unity and territorial integrity of Lebanon within its internationally recognised boundaries. The draft resolution was not adopted, owing to a negative vote by a permanent member.

10. On 28 September 1988 the Foreign Ministers of the five permanent members of the Security Council issued a statement after their meeting with the Secretary-General (see S/20224). In it they reaffirmed their strong commitment to the sovereignty, independence and territorial integrity of Lebanon.

C. United Nations Truce Supervision Organisation

11. As indicated in the preceding sections, observers of UNTSO have continued to assist UNDOF and UNIFIL in the performance of their tasks. In addition, UNTSO conducts two observation operations of its own, the Observer Group in Beirut and the Observer Group in Egypt.

12. The Observer Group in Beirut was set up by the Security Council in August 1982 following the occupation of West Beirut by Israeli troops. Since the withdrawal of the Israeli forces from the Beirut area in September 1983, the activities of the Group have been reduced and its total strength now stands at 14 observers.

13. The Observer Group in Egypt, which was established when the second United Nations Emergency Force (UNEF II) was withdrawn in July 1979, has a total strength of about 50 observers. It maintains, in addition to liaison offices at Cairo and Ismailia, six observation posts in the Sinai.

III. SITUATION IN THE OCCUPIED TERRITORIES

14. The General Assembly, at its forty-second session, after considering the report of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Population of the Occupied Territories (A/42/650), which is composed of Senegal, Sri Lanka and Yugoslavia, adopted resolutions 42/160 A to G of 8 December 1987. By these resolutions, the General Assembly called upon Israel to release all Arabs arbitrarily detained or imprisoned as a result of their struggle for self-determination and for the liberation of their territories, and demanded that the Government of Israel rescind its action against the detainees and imprisoned Palestinians and release them immediately (resolution 42/160 A); reaffirmed that the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, 1/ was applicable to the Arab territories occupied by Israel since 1967, including Jerusalem, and demanded that Israel acknowledge and comply with its provisions (resolution 42/160 B); demanded that the Government of Israel desist forthwith from taking any action that would result in changing the legal status, geographical nature or demographic composition

of the occupied territories (resolution 42/160 C); demanded that Israel desist forthwith from certain policies and practices mentioned in the resolution and renewed the mandate of the Special Committee (resolution 42/160 D); demanded that the Government of Israel rescind the illegal measures taken in expelling the Mayor of Halhul, the Sharia Judge of Hebron and other Palestinian leaders expelled during 1985, 1986 and 1987 and that it facilitate their immediate return (resolution 42/160 E); determined that all legislative and administrative measures and actions taken or to be taken by Israel that purported to alter the character and legal status of the Syrian Arab Golan were null and void and constituted a flagrant violation of international law (resolution 42/160 F); and condemned Israeli policies and practices against Palestinian students and faculties in educational institutions in the occupied Palestinian territories and demanded that Israel rescind all actions and measures taken against those institutions, ensure their freedom and refrain from hindering their effective operation (resolution 42/160 G).

15. During the period under review, the Security Council met in December 1987 and January, February, March and April 1988 to discuss the situation in the occupied Arab territories (S/PV.2770, 2772-2777, 2780-2781, 2785-2787, 2790, 2804-2806). On 22 December 1987 the Council adopted resolution 605 (1987) by which it strongly deplored those policies and practices of Israel, the occupying Power, which violated the human rights of the Palestinian people in the occupied territories, and in particular the opening of fire by the Israeli army, resulting in the killing and wounding of defenceless Palestinian civilians; reaffirmed that the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, was applicable to the Palestinian and other Arab territories occupied by Israel since 1967, including Jerusalem; called again upon Israel to abide immediately and scrupulously by that Convention and to desist forthwith from its policies and practices that were in violation of it; called for the exercise of maximum restraint to contribute towards the establishment of peace; stressed the urgent need to reach a just, durable and peaceful settlement of the Arab-Israeli conflict; and requested the Secretary-General to examine the situation in the occupied territories by all means available to him and to submit a report containing his recommendations on ways and means for ensuring the safety and protection of the Palestinian civilians under Israeli occupation. On 5 January 1988 the Council adopted resolution 607 (1988) by which it reaffirmed the applicability of the Geneva Convention to the Palestinian and other Arab territories occupied by Israel since 1967, including Jerusalem; called upon Israel to refrain from deporting any Palestinian civilians from the occupied territories; and strongly requested Israel to abide by its obligations arising from the Convention. On 14 January the Council adopted resolution 608 (1988) by which it called upon Israel to rescind the order to deport Palestinian civilians and to ensure the safe and immediate return to the occupied Palestinian territories of those already deported; and requested Israel to desist forthwith from deporting any other Palestinian civilians.

16. The report requested of the Secretary-General in resolution 605 (1987) was circulated on 21 January as document S/19443. The report, which was based on a mission to the area, gave a detailed account of the situation in the occupied territories and discussed ways and means by which the international community could improve the safety and protection of the Palestinian civilian population in those

territories. In his concluding remarks, the Secretary-General emphasised that measures to enhance safety and protection, urgent though they were, could neither remove the causes of the tragic events that prompted Security Council resolution 605 (1987) nor bring peace to the region. The underlying problem, he said, could only be resolved through a political settlement that responded both to the refusal of the Palestinian population of the territories to accept a future under Israeli occupation and to Israel's determination to ensure its security and the well-being of its people. He believed that this could be achieved through a comprehensive, just and lasting settlement based on Security Council resolutions 242 (1967) and 338 (1973) and taking fully into account the legitimate rights of the Palestinian people, including self-determination. Such a settlement should be negotiated by means of an international conference under United Nations auspices, with the participation of all the parties concerned.

17. On 1 February 1988 the Security Council voted on a draft resolution (S/19466) submitted by six members, by which it would have expressed its deep appreciation to the Secretary-General for his report; called upon Israel, as the occupying Power and as a High Contracting Party to the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, to accept the de jure applicability of the Convention to the Palestinian and other Arab territories occupied since 1967, including Jerusalem, and to fully comply with its obligations under that Convention; recalled the obligation of all the High Contracting Parties, under article 1 of the Convention, to ensure respect for the Convention in all circumstances; called again upon Israel to desist forthwith from its policies and practices which violate the human rights of the Palestinian people; requested Israel to facilitate the task of the International Committee of the Red Cross and of the United Nations Relief and Works Agency for Palestine Refugees in the Near East and requested all Members to give them their full support; requested the Secretary-General to continue to monitor the situation in the occupied territories by all means available to him and to make regular and timely reports to the Council; affirmed the urgent need to achieve, under the auspices of the United Nations, a comprehensive, just and lasting settlement of the Arab-Israel conflict, an integral part of which was the Palestinian problem, and expressed its determination to work towards that end; requested the Secretary-General to continue his endeavours to promote such a settlement and to keep the Council regularly informed. The draft resolution was not adopted, owing to a negative vote by a permanent member. On 14 April 1988 the Council voted on a draft resolution (S/19780) submitted by six members, by which it would have urged Israel to abide immediately and scrupulously by the Fourth Geneva Convention, and to desist forthwith from its policies and practices that were in violation of it; urged Israel to rescind the order to deport Palestinian civilians and ensure the safe and immediate return to the occupied Palestinian territories of those already deported; urged Israel to desist forthwith from deporting Palestinian civilians from the occupied territories; condemned those policies and practices of Israel that violated the human rights of the Palestinian people in the occupied territories, and in particular the opening of fire by the Israeli army, resulting in the killing and wounding of defenceless Palestinian civilians; affirmed the urgent need to achieve, under the auspices of the United Nations, a comprehensive, just and lasting settlement of the Arab-Israel conflict, an integral part of which was the Palestinian problem, and expressed its determination to work towards that

end; and requested the Secretary-General to submit periodic reports on the situation in the occupied territories, including those aspects relating to endeavours for ensuring the safety and protection of the Palestinian civilians under Israeli occupation. The resolution was not adopted, owing to a negative vote by a permanent member.

18. On 15 February 1988, the Commission on Human Rights adopted resolutions 1988/1 A and B entitled "The question of the violation of human rights in the occupied Arab territories, including Palestine". Those resolutions, in which the Commission condemned Israeli policies and practices along lines similar to those of General Assembly resolution 42/160 D, were brought to the attention of all Governments by a note verbale dated 5 July 1988. Furthermore, the Commission adopted resolution 1988/2 entitled "Human rights in occupied Syrian territory" by which it declared once more that Israel's decision of 14 December 1981 to impose its laws, jurisdiction and administration on the occupied Syrian Arab Golan was null and void and without legal validity.

19. The Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Population of the Occupied Territories held periodic meetings in pursuance of resolution 42/160 D. During the period between the meetings, the Special Committee was kept informed of developments taking place in the occupied territories; the information was gathered from a variety of sources, including oral testimony and written communications. The Special Committee reviewed this information and assessed the human rights situation in the occupied territories with a view to deciding whether any action was required. The report of the Special Committee under General Assembly resolution 42/160 D has been circulated as document A/43/694.

20. During its forty-second session, the General Assembly also adopted resolution 42/166 of December 1987 concerning assistance to the Palestinian people. The report requested of the Secretary-General in that resolution has been circulated as document A/43/367-E/1988/82 and Corr.1 and 2.

21. On 26 August 1988, the President of the Security Council issued a note (S/20156) circulating the text of a statement he had made on the same date on behalf of the members of the Council. In it, the Council members expressed their grave concern over the continued deterioration of the situation in the Palestinian territories occupied by Israel since 1967, including Jerusalem, resulting from the closing-off of areas, the imposition of curfews and the consequent increase in injuries and deaths. They said that they were profoundly concerned by Israel's persistence in continuing its policy of deporting Palestinians in contravention of Security Council resolutions and the Fourth Geneva Convention, as demonstrated on 17 August 1988 by its expulsion of four Palestinian civilians to Lebanon and its decision to expel 40 more. The members requested Israel immediately to desist from deporting any Palestinian civilians and immediately to ensure the safe return of those already deported. The Council members considered that the situation in the occupied territories had grave consequences for endeavours to achieve a comprehensive, just and lasting peace in the Middle East. They reaffirmed the applicability of the Fourth Geneva Convention to the occupied territories, including Jerusalem, and requested the High Contracting Parties to ensure respect for the Convention.

22. On 3 November 1988 the General Assembly adopted resolution 43/21 entitled "The uprising (intifadah) of the Palestinian people". In it the Assembly condemned Israel's persistent policies and practices violating the rights of the Palestinian people in the occupied Palestinian territories, including Jerusalem, and, in particular, such acts as the opening of fire by the Israeli army and settlers that resulted in the killing and wounding of defenceless Palestinian civilians, the beating and breaking of bones, and the deportation of Palestinian civilians, the imposition of restrictive economic measures, the demolition of houses, collective punishment and detentions, as well as denial of access to the media; strongly deplored the continuing disregard by Israel, the occupying Power, of the relevant decisions of the Security Council; reaffirmed that the occupation by Israel of the Palestinian territories since 1967, including Jerusalem, in no way changed the legal status of those territories; demanded that Israel abide immediately and scrupulously by the Fourth Geneva Convention; called upon all the High Contracting Parties to the Convention to take appropriate measures to ensure respect by Israel for the Convention in conformity with their obligation under article 1 thereof; invited Member States, various organizations, and the mass communications media to continue and enhance their support for the Palestinian people; urged the Security Council to consider the current situation in the occupied territories, taking into account the recommendations contained in the report of the Secretary-General; and requested the Secretary-General to examine the present situation in the occupied Palestinian territories by all means available to him and to submit periodic reports thereon, the first such report no later than 17 November 1988. The report requested of the Secretary-General in resolution 43/21 was circulated as document A/43/806.

IV. PALESTINE REFUGEE PROBLEM

23. Following its consideration, at its forty-second session, of the report of the Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East for the period 1 July 1986 to 30 June 1987, 2/ the General Assembly adopted 11 resolutions on this subject on 2 December 1987. In resolution 42/69 A, the Assembly noted with deep regret that repatriation or compensation of the refugees as provided for in paragraph 11 of resolution 194 (III) had not been effected, that no substantial progress had been made in the programme endorsed by the Assembly in paragraph 2 of its resolution 513 (VI) for the reintegration of refugees either by repatriation or resettlement and that, therefore, the situation of the refugees continued to be a matter of serious concern; expressed its thanks to the Commissioner-General and to all the staff of UNRWA, recognising that the Agency was doing all it could within the limits of available resources; reiterated its request that the headquarters of the Agency should be relocated to its former site within its area of operations as soon as practicable; noted with regret that the United Nations Conciliation Commission for Palestine had been unable to find a means of achieving progress in the implementation of paragraph 11 of resolution 194 (III), and requested the Commission to exert continued efforts towards the implementation of that paragraph and to report to the Assembly as appropriate, but not later than 1 September 1988; directed attention to the continuing seriousness of the financial position of the Agency as outlined in the report of the Commissioner-General; noted with concern

that, despite the commendable and successful efforts of the Commissioner-General to collect additional contributions, this increased level of income to the Agency was still insufficient to cover current essential requirements; and called upon all Governments, as a matter of urgency, to make the most generous efforts possible to meet the anticipated needs of the Agency.

24. The other resolutions adopted by the General Assembly dealt with the Working Group on the Financing of UNRWA (resolution 42/69 B), assistance to persons displaced as a result of the June 1967 and subsequent hostilities (resolution 42/69 C), offers by Member States of grants and scholarships for higher education, including vocational training, for Palestine refugees (resolution 42/69 D), Palestine refugees in the Gaza Strip (resolution 42/69 E), resumption of the ration distribution to Palestine refugees (resolution 42/69 F), population and refugees displaced since 1967 (resolution 42/69 G), revenues derived from Palestine refugee properties (resolution 42/69 H), protection of Palestine refugees (resolution 42/69 I), Palestine refugees in the West Bank (resolution 42/69 J) and the University of Jerusalem "Al-Quds" for Palestine refugees (resolution 42/69 K).

25. The situation of the Palestine refugees and the activities of UNRWA since the adoption of these resolutions are described in the annual report of the Commissioner-General of UNRWA for the period 1 July 1987 to 30 June 1988. 3/ The reports of the Secretary-General under resolutions 42/69 D, E, F, G, H, I, J and K have been circulated as documents A/43/652, A/43/653, A/43/654, A/43/655, A/43/581, A/43/656, A/43/657 and A/43/408, respectively. The report of the United Nations Conciliation Commission for Palestine under resolution 42/69 A and the report of the Working Group on the Financing of UNRWA under resolution 42/69 B have been circulated as documents A/43/582 and A/43/702 respectively.

V. QUESTION OF PALESTINE

26. At its forty-second session, on 2 December 1987, the General Assembly adopted four resolutions under the agenda item entitled "Question of Palestine". In resolution 42/66 A, the Assembly endorsed the recommendations of the Committee on the Exercise of the Inalienable Rights of the Palestinian People; requested the Committee to continue to keep under review the situation relating to the question of Palestine as well as the implementation of the Programme of Action for the Achievement of Palestinian Rights; 4/ and authorised the Committee to continue to exert all efforts to promote the implementation of its recommendations. In resolution 42/66 B, the Assembly requested the Secretary-General to ensure that the Division for Palestinian Rights continued to discharge the tasks detailed in previous resolutions. In resolution 42/66 C, the Assembly requested the Department of Public Information of the Secretariat, in full co-operation and co-ordination with the Committee, to continue its special information programme on the question of Palestine. In resolution 42/66 D, the Assembly reaffirmed its endorsement of the call for convening the International Peace Conference on the Middle East in conformity with the provisions of its resolution 38/58 C; reiterated its endorsement of the call for setting up a preparatory committee, within the framework of the Security Council, with the participation of its permanent members, to take the necessary action to convene the Conference; and requested the

Secretary-General, in consultation with the Security Council, to continue his efforts with a view to convening the Conference and to report thereon not later than 31 March 1988.

27. The report requested of the Secretary General in resolution 42/66 D was circulated on 31 March 1988 as document A/43/272-S/19719. In it, the Secretary-General after quoting the communications he had received from the President of the Security Council and the parties, concluded that sufficient agreement did not exist, either amongst the parties directly concerned or within the Security Council, to permit the convening of the International Peace Conference on the Middle East as called for in resolution 42/66 D. He stated that the recent and continuing events in the occupied West Bank and Gaza Strip had dramatically highlighted the urgent need for the negotiation, in a manner acceptable to all the parties directly concerned, of a comprehensive, just and lasting settlement of the Arab-Israeli conflict. He said that his views about the basis of such a settlement and about how it should be negotiated remained those expressed in the closing paragraphs of the report he submitted in accordance with Security Council resolution 605 (1987).

28. The report of the Committee on the Exercise of the Inalienable Rights of the Palestinian People appears in document A/43/35. 5/

VI. SITUATION IN THE MIDDLE EAST

29. At its forty-second session, on 11 December 1987, the General Assembly adopted four resolutions concerning the situation in the Middle East. In resolution 42/209 A the Assembly reaffirmed once again that the convening of the International Peace Conference on the Middle East under the auspices of the United Nations and at the invitation of the Secretary-General, with the participation of the five permanent members of the Security Council and all the parties to the Arab-Israeli conflict, including the Palestine Liberation Organisation, the sole legitimate representative of the Palestinian people, on an equal footing, was the appropriate way to a peaceful, comprehensive and just settlement of the conflict, which would ensure the restoration of the occupied Arab territories and the solution of the Palestinian question in all its aspects and guarantee the realisation of the inalienable national rights of the Palestinian Arab people; called upon all States that had not done so to lend their support to the convening of the Conference; and requested the Secretary-General, in consultation with the Security Council, to continue his efforts with a view to convening the Conference and to apprise the General Assembly of the results of his consultations no later than September 1988. In resolution 42/209 B, the Assembly reaffirmed its conviction that the question of Palestine was the core of the conflict in the Middle East and that no comprehensive, just and lasting peace in the region would be achieved without the full exercise by the Palestinian people of its inalienable national rights and the withdrawal of Israel from all the Palestinian and other occupied Arab territories; reaffirmed that a just and comprehensive settlement of the situation in the Middle East could not be achieved without the participation on an equal footing of all the parties to the conflict, including the Palestine Liberation Organisation; declared that peace in the Middle East was indivisible and must be based on a comprehensive,

just and lasting solution of the Middle East problem, under the auspices of the United Nations; considered the Arab Peace Plan 6/ adopted unanimously at the Twelfth Arab Summit Conference, held at Fez, Morocco, and reiterated by the Extraordinary Summit Conference of Arab States, 7/ held at Casablanca, Morocco, as an important contribution towards the realization of the inalienable rights of the Palestinian people through the achievement of a comprehensive, just and lasting peace; condemned Israel's continued occupation of the Palestinian and other Arab territories, including Jerusalem, and demanded the immediate, unconditional and total withdrawal of Israel from all the territories occupied since 1967; rejected all agreements and arrangements that violated the inalienable rights of the Palestinian people and contradicted the principles of a just and comprehensive solution to the Middle East problem; determined that Israel's decision to annex Jerusalem and to declare it as its "capital" as well as the measures to alter its physical character, demographic composition, institutional structure and status were null and void and demanded that they be rescinded immediately; condemned Israel's aggression, policies and practices against the Palestinian people in the occupied Palestinian territories and outside these territories; condemned Israel's annexationist policies and practices in the occupied Syrian Arab Golan; considered that the agreements on strategic co-operation between the United States of America and Israel, of 30 November 1981, and the continued supply of modern arms and matériel to Israel, augmented by substantial economic aid, had encouraged Israel to pursue its aggressive and expansionist policies and practices, had had adverse effects on efforts for the establishment of peace in the Middle East and posed a threat to the security of the region; called upon all States to put an end to the flow to Israel of any military, economic, financial and technological aid, as well as of human resources, aimed at encouraging it to pursue its aggressive policies against the Arab countries and the Palestinian people; strongly condemned the collaboration between Israel and the racist régime of South Africa; reaffirmed its call for the convening of the International Peace Conference on the Middle East, as specified in the Geneva Declaration on Palestine and endorsed by the General Assembly; endorsed the call for setting up a preparatory committee to take the necessary action to convene the Conference. The other parts of resolution 42/209 deal with Israeli policies in the Syrian Arab Golan and the other occupied territories (resolution 42/209 C) and the transfer by some States of their diplomatic missions to Jerusalem (resolution 42/209 D).

30. The report requested of the Secretary-General in resolution 42/209 A was circulated on 30 September 1988 as document A/43/691-S/20219. In it, the Secretary-General, after quoting the communications he had received from the President of the Security Council and the parties, said he was again obliged to report that the necessary agreement did not exist for the convening of the International Peace Conference on the Middle East. While it was true that all the Security Council members believed that it was desirable to convene an international conference and it was possible to identify in the replies of the parties agreement that there should be an international framework for the negotiation of a just and lasting settlement, familiar and deep differences remained about the nature of that framework, about its powers, about the basis on which it would be convened, and about who should take part in it. It was thus clear, the Secretary-General stated, that much further work would have to be done and positions would have to change if an international negotiating process acceptable to all were to be established.

31. Resolutions 42/209 B to D were brought to the attention of Member States, and a report of the Secretary-General including the relevant comments received from the Member States was circulated as document A/43/683 and Add.1.

VII. OBSERVATIONS

32. The intifadah in the occupied Palestinian territories, which began on 9 December 1987, has for nearly a year been a dominating factor in the political agenda in the Middle East. It was the focus of the Arab Summit Conference in Algiers last April and the inspiration behind the recent session of the Palestine National Council in Algiers. It has also generated an intense debate among Israelis about the peace process and about their role in the occupied territories. Born of the frustration and despair of a population that has lived under occupation for more than 20 years, the intifadah is a direct result of the stalemate in the search for a peaceful settlement of the Arab-Israeli conflict. The Palestinian people have endured great suffering; the perseverance of the intifadah is evidence of their commitment to exercise their legitimate rights, including self-determination.

33. For several years now, in compliance with my reporting responsibilities under various General Assembly resolutions, I have documented the positions of the Security Council and of all the concerned parties, including the Palestine Liberation Organisation, with regard to the convening of an international peace conference on the Middle East. And it is with deep regret that I have always been obliged to report, most recently in my report dated 30 September 1988 to the General Assembly (A/43/491-S/20219), that sufficient agreement did not exist to convene such a conference. At the same time, I would like to stress that a great deal of thought and effort have been devoted in recent years, both within and outside the United Nations, to seeking agreement on the principle of an international conference. It is encouraging to note, as I did in my report of 30 September, that all members of the Security Council now believe that it is desirable to convene an international conference on the Middle East, and that they have invited me to pursue my efforts and consultations in this regard. I will proceed on the basis of this mandate. However, I feel that in the prevailing circumstances it is insufficient to concentrate solely on procedural matters. The loss of life and the maiming and wounding of civilians on both sides during the intifadah compel us to address fundamental questions.

34. That said, it is important that the intifadah not be viewed solely in the context of Palestinians and Israelis, for it is an integral part of the broader Arab-Israeli conflict with its many complex and interrelated issues. On 21 January 1988 I submitted to the Security Council a detailed report on the situation in the occupied territories (S/19443) in the final paragraph of which I urged the Security Council to take the lead in the search for a comprehensive, just and lasting settlement based on Security Council resolutions 242 (1967) and 338 (1973), and taking fully into account the legitimate rights of the Palestinian people, including self-determination. In spite of a wide measure of support within the Council for my recommendation, such a move did not materialise. Nor did a major bilateral initiative, undertaken outside the Council, succeed in launching a

negotiating process acceptable to all the parties to the conflict. Thus the stalemate in the peace process continues, with all of its attendant dangers.

35. In these circumstances, I think that the time is right for the Security Council, which has a major and historically recognised responsibility for this complex issue, to commit itself to a thorough review of the situation with a view to adopting a pragmatic approach that would take fully into account the concerns and security interests of all the parties. I intend to pursue this matter with the Security Council.

36. I am well aware that any initiative concerning the Arab-Israeli conflict - be it in regard to questions of procedure or substance - is bound to encounter difficulty. But as Secretary-General I have a responsibility under Article 99 of the Charter, as well as under numerous Security Council and General Assembly resolutions, to promote the maintenance of international peace and security and the search for a comprehensive settlement of the Arab-Israeli conflict. I am confident that with the full support of the Security Council, and in particular the co-operation of the major Powers, progress can be made towards a just and lasting peace in the Middle East. Recent months have seen tangible progress towards the settlement of several regional conflicts; the protracted and explosive nature of the Arab-Israeli conflict makes it all the more urgent that we now concentrate our efforts in this area.

37. The recent session of the Palestine National Council in Algiers has generated a new momentum in the diplomatic process and I believe it offers fresh opportunities for progress towards peace which should be seized. Every gesture towards peace should be nurtured if we are to overcome the mistrust that is so deeply felt on all sides. It has been tragic that, in the history of the Middle East, opportunities have in the past only too often followed war. The growth of extremism and the alarming proliferation of weapons in the area are trends that must be reversed if we are to avert disaster in a region that has already experienced five major wars, thousands of casualties and untold suffering. In concluding, therefore, I cannot but reiterate the fundamental importance of devising an effective negotiating process that can secure the interests of both Israelis and Arabs and enable them to live in peace with each other.

Notes

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

2/ Official Records of the General Assembly, Forty-second Session, Supplement No. 13 (A/42/13 and Add.1 and Add.1/Corr.1).

3/ Ibid., Forty-third Session, Supplement No. 13 (A/43/13).

4/ Ibid., Forty-second Session, Supplement No. 35 (A/42/35).

5/ Ibid., Forty-third Session, Supplement No. 35 (A/43/35).

Notes (continued)

6/ See A/37/696-S/15510, annex.

7/ See A/40/564 and Corr.1, annex.

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Report of the Secretary-General

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I. INTRODUCTION

1. The present report is submitted in pursuance of General Assembly resolution 43/54 A of 6 December 1988. In that resolution, the Assembly dealt with various aspects of the situation in the Middle East and requested the Secretary-General to report to the Security Council periodically on the development of the situation and to submit to the Assembly at its forty-fourth session a comprehensive report covering the developments in the Middle East in all their aspects. The present report covers the period from 18 November 1988 to 22 November 1989. It should be pointed out, however, that the report does not address the situation concerning Iran and Iraq. It is based mainly on information available in United Nations documents, to which references are made whenever appropriate.

II. UNITED NATIONS PEACE-KEEPING ACTIVITIES

2. There continue to be three United Nations peace-keeping operations in the area: two peace-keeping forces, the United Nations Disengagement Observer Force (UNDOF) and the United Nations Interim Force in Lebanon (UNIFIL), and one observer mission, the United Nations Truce Supervision Organization (UNTSO).

A. United Nations Disengagement Observer Force

3. UNDOF, with some 1,330 troops provided by Austria, Canada, Finland and Poland, is deployed between the Israeli and Syrian forces on the Golan Heights in accordance with the disengagement agreement concluded between Israel and the Syrian Arab Republic in May 1974. A group of UNTSO observers is detailed to the Force and assists it in the performance of its tasks. The main functions of the Force are to supervise the cease-fire between the Israeli and Syrian forces and to man the area of separation established by the disengagement agreement. The mandate of UNDOF has been extended twice by the Security Council during the reporting period, the last time on 30 May 1989 for a further period of six months until 30 November 1989 (resolution 633 (1989)).

4. The activities of the Force since November 1988 are described in two reports of the Secretary-General to the Security Council dated 22 May 1989 (S/20651) and 22 November 1989 (S/20976). As reported by the Secretary-General, the situation in the Israel-Syria sector has remained generally quiet; UNDOF has continued to perform its functions effectively with the co-operation of the parties, and there have been no serious incidents.

B. United Nations Interim Force in Lebanon

5. UNIFIL, which is deployed in southern Lebanon, was established by the Security Council on 19 March 1978, following the first Israeli invasion of Lebanon. Its terms of reference were - and still are - to confirm the withdrawal of the Israeli

forces as called for by the Security Council, to restore international peace and security and to assist the Government of Lebanon in ensuring the return of its effective authority in the area (resolution 425 (1978) of 19 March 1978).

6. The mandate of the Force has since been extended as necessary, the last time on 31 July 1989 for a further period of six months until 31 January 1990 (resolution 639 (1989)). UNIFIL has currently some 5,860 troops, provided by Fiji, Finland, France, Ghana, Ireland, Italy, Nepal, Norway and Sweden. A group of UNTSO observers assists the Force in the performance of its tasks.

7. The activities of UNIFIL and the situation in its area of operation in southern Lebanon from November 1988 to 21 July 1989 are described in two reports of the Secretary-General to the Security Council, dated 24 January 1989 (S/20416 and Corr.1 and Add.1 and 2) and 21 July 1989 (S/20742). On 30 July 1989, the Secretary-General expressed deep concern over a statement issued in Lebanon concerning Lieutenant-Colonel William Richard Higgins. He expressed dismay at suggestions of a link between the Israeli commando raid on Jibchit on 28 July and Lieutenant-Colonel Higgins's fate and urgently called for his release (SG/SM/4314). It will be recalled that Lieutenant-Colonel Higgins had been kidnapped on 17 February 1988 while serving as chief of the UNTSO military observers assigned to UNIFIL (see A/43/867-S/20294, para. 7). On 31 July, before the Security Council adopted resolution 638 (1989) on hostage taking and abduction, the President of the Council, in a statement on behalf of the members, referred to developments concerning Lieutenant-Colonel Higgins and urged those involved to act with reason, restraint and a proper respect for human life and dignity (SC/5113). That same day, the Secretary-General expressed grave concern over reports that Lieutenant-Colonel Higgins had been executed. He strongly hoped that Lieutenant-Colonel Higgins was still alive and that his appeal for his immediate release would be heeded. If the report could, however, be confirmed, the Secretary-General said, he could only express his outrage and revulsion at the murder (SG/SM/4316). Also on 31 July, following the adoption by the Security Council of resolution 639 (1989), a further statement was issued by the President of the Council, in which the members of the Council noted with regret and sorrow that UNIFIL had suffered additional loss of life and other casualties during the current mandate period, took note with grave concern of the reports about Lieutenant-Colonel Higgins and, should those reports prove to be true, expressed their outrage at the act (S/20758). On 1 August, the Secretary-General sent the Under-Secretary-General for Special Political Affairs, Mr. Marrack Goulding, to the area to ascertain, to the extent possible, the facts surrounding the fate of Lieutenant-Colonel Higgins, to endeavour to recover his body if it was true that he had been killed, and to explore what further the United Nations could do to contribute to a solution of the problem of all the hostages held in the area. On 9 August, after Mr. Goulding had returned to Headquarters and reported to him, the Secretary-General stated that, in spite of extensive conversations with various parties who might be in a position to know the facts, Mr. Goulding had not been able to obtain definitive proof of Lieutenant-Colonel Higgins's fate. Having heard his report, however, the Secretary-General had regretfully come to the conclusion that it was almost certain that Lieutenant-Colonel Higgins was dead. The Secretary-General reiterated his sorrow and outrage and said that he would continue

to try to establish with certainty what had happened to Lieutenant-Colonel Higgins and, if his fears were confirmed, to recover his body (SG/SM/4321).

8. During the period under review, the Security Council met in December 1988 at the request of Lebanon (S/PV.2832). On 14 December 1988, the Council voted on a draft resolution (S/20322) submitted by six members, by which it would have strongly deplored an attack against Lebanese territory by Israeli naval, air and land forces on 9 December 1988; strongly requested Israel to cease immediately all attacks against Lebanese territory; and reaffirmed the urgent need to implement earlier Council resolutions on Lebanon. The draft resolution was not adopted, owing to the negative vote of a permanent member.

C. United Nations Truce Supervision Organization

9. As indicated in the preceding sections, observers of UNTSO have continued to assist UNDOF and UNIFIL in the performance of their tasks. In addition, UNTSO conducts two observation operations of its own, the Observer Group in Beirut and the Observer Group in Egypt.

10. The Observer Group in Beirut was set up by the Security Council in August 1982 following the occupation of West Beirut by Israeli troops. Since the withdrawal of the Israeli forces from the Beirut area in September 1983, the activities of the Group have been reduced and its total strength now stands at 14 observers, though for security reasons some of these were withdrawn temporarily during recent hostilities in Beirut.

11. The Observer Group in Egypt, which was established when the second United Nations Emergency Force (UNEF II) was withdrawn in July 1979, has a total strength of about 50 observers. It maintains, in addition to liaison offices at Cairo and Ismailia, six observation posts in the Sinai.

III. SITUATION IN THE OCCUPIED TERRITORIES

12. The General Assembly, at its forty-third session, after considering the report of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Population of the Occupied Territories (A/43/694), which is composed of Senegal, Sri Lanka and Yugoslavia, adopted resolutions 43/58 A to G of 6 December 1988. By these resolutions, the General Assembly, inter alia, demanded that Israel desist forthwith from a number of policies and practices mentioned in the resolution and renewed the mandate of the Special Committee (resolution 43/58 A); reaffirmed that the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, 1/ was applicable to the Palestinian and other Arab territories occupied by Israel since 1967, including Jerusalem, and strongly demanded that Israel acknowledge and comply with its provisions (resolution 43/58 B); demanded that the Government of Israel desist forthwith from taking any action which would result in changing the legal status, geographical nature or demographic composition of the Palestinian and other Arab

territories (resolution 43/58 C); deplored the Israeli arbitrary detention or imprisonment of thousands of Palestinians and called upon Israel to release all Palestinians and Arabs arbitrarily detained and imprisoned as a result of their resistance against occupation in order to achieve self-determination (resolution 43/58 D); demanded that the Government of Israel rescind the illegal measures taken in deporting Palestinians, especially in 1988, and that it facilitate their immediate return (resolution 43/58 E); determined that all legislative and administrative measures and actions taken or to be taken by Israel that purported to alter the character and legal status of the Syrian Arab Golan were null and void and constituted a flagrant violation of international law (resolution 43/58 F); and condemned Israeli policies and practices against Palestinian students and faculties in educational institutions in the occupied Palestinian territories and demanded that Israel rescind all actions and measures taken against those institutions, ensure their freedom and refrain forthwith from hindering their effective operation (resolution 43/58 G).

13. During the period under review, the Security Council met in February, June, July, August and November 1989 to discuss the situation in the occupied Arab territories (S/PV.2845-2847, 2849-2850, 2863-2867, 2870, 2883, 2887-2889). On 6 July 1989, the Council adopted resolution 636 (1989) by which it deeply regretted the continuing deportation by Israel, the occupying Power, of Palestinian civilians; called upon Israel to ensure the safe and immediate return to the occupied Palestinian territories of those deported and to desist forthwith from deporting any other Palestinian civilians; reaffirmed that the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, was applicable to the Palestinian territories occupied by Israel since 1967, including Jerusalem, and to the other occupied Arab territories; and decided to keep the situation under review. On 30 August 1989, the Council adopted resolution 641 (1989) by which it deplored the continuing deportation by Israel, the occupying Power, of Palestinian civilians; called upon Israel to ensure the safe and immediate return to the occupied Palestinian territories of those deported and to desist forthwith from deporting any other Palestinian civilians; reaffirmed the applicability of the Fourth Geneva Convention to the Palestinian territories occupied by Israel since 1967, including Jerusalem, and to the other occupied Arab territories; and decided to keep the situation under review.

14. On 16 February 1989, the Security Council voted on a draft resolution (S/20463) submitted by seven members, by which the Council would have strongly deplored Israel's persistent policies and practices against the Palestinian people in the Palestinian territories occupied by Israel since 1967, including Jerusalem, especially the violation of human rights, and in particular the opening of fire that had resulted in injuries and deaths of Palestinian civilians, including children; strongly deplored also the continuing disregard by Israel, the occupying Power, of the relevant decisions of the Security Council; confirmed once more that the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, was applicable to the Palestinian territories occupied by Israel since 1967, including Jerusalem, and the other occupied Arab territories; called upon Israel, the occupying Power, to abide by the relevant resolutions of the Security Council, as well as to comply with its obligations under the Fourth

Geneva Convention and to desist forthwith from its policies and practices that were in violation of the provisions of the Convention; called furthermore for the exercise of maximum restraint to contribute towards the establishment of peace; affirmed the urgent need to achieve, under the auspices of the United Nations, a comprehensive, just and lasting settlement of the Middle East conflict, an integral part of which was the Palestinian problem, and expressed its determination to work towards that end; requested the Secretary-General to follow the implementation of that resolution, including examining the situation in the Palestinian territories occupied by Israel since 1967, including Jerusalem, by all means available to him and to report to the Security Council; and decided to keep the situation in the Palestinian territories occupied by Israel since 1967, including Jerusalem, and the other occupied Arab territories, under review. The draft resolution was not adopted, owing to a negative vote by a permanent member. On 9 June 1989, the Council voted on a draft resolution (S/20677) submitted by seven members, by which it would have strongly deplored those policies and practices of Israel, the occupying Power, which violated the human rights of the Palestinian people in the occupied territory as well as vigilante attacks against Palestinian towns and villages and desecration of the Holy Koran; called upon Israel, as the occupying Power and as a High Contracting Party to the Fourth Geneva Convention, to accept the de jure applicability of the Convention to the Palestinian and other Arab territories occupied since 1967, including Jerusalem, and fully to comply with its obligations under that Convention and in particular its "responsibility for the treatment accorded to the protected persons by its agents"; recalled the obligations of all the High Contracting Parties, under article 1 of the Convention, to ensure respect for the Convention in all circumstances; demanded that Israel desist forthwith from deporting Palestinian civilians from the occupied territory and to ensure the safe and immediate return of those already deported; expressed great concern about the prolonged closure of schools in parts of the occupied territory, with all its adverse consequences for the education of Palestinian children, and called upon Israel to permit the immediate reopening of those schools; requested the Secretary-General to continue to monitor the situation in the occupied Palestinian territory by all means available to him and to make timely reports to the Council, including recommendations on ways and means to ensure respect for the Convention and protection of Palestinian civilians in the occupied territory, including Jerusalem; requested the Secretary-General to submit the first such report no later than 23 June 1989; and decided to keep the situation in the Palestinian and other Arab territories occupied by Israel since 1967, including Jerusalem, under review. The resolution was not adopted, owing to the negative vote by a permanent member. On 7 November 1989, the Council voted on a draft resolution (S/20945/Rev.1) submitted by seven members, by which it would have strongly deplored those policies and practices of Israel, the occupying Power, which violated the human rights of the Palestinian people in the occupied territory, and in particular the siege of towns, the ransacking of homes of inhabitants, as had happened in Beit Sahur, and the illegal and arbitrary confiscation of their property and valuables; reaffirmed once again the applicability of the Fourth Geneva Convention to the Palestinian and other occupied Arab territories, including Jerusalem; called once again upon Israel to abide immediately and scrupulously by that Convention and to desist forthwith from policies and practices in violation of its provisions; called upon all the High

Contracting Parties to the Fourth Geneva Convention to ensure respect for it, including the obligation of the occupying Power under the Convention to treat the population of the occupied territory humanely at all times and in all circumstances; called upon Israel to desist from committing such practices and actions and to lift its siege; urged Israel to return the confiscated property to its owners; and requested the Secretary-General to conduct on-site monitoring of the present situation in the Palestinian territory occupied since 1967, including Jerusalem, by all means available to him, and to submit periodic reports thereon, the first such report as soon as possible. The resolution was not adopted, owing to a negative vote by a permanent member.

15. On 17 February 1989, the Commission on Human Rights adopted resolution 1989/1 entitled "Human rights in the occupied Syrian Arab territory", by which it declared once more that the continued Israeli occupation of the Syrian Arab Golan and Israel's decision of 14 December 1981 to impose its laws, jurisdiction and administration on the occupied Syrian Arab Golan constituted an act of aggression and that that decision was null and void and without international legal validity or effect. Furthermore, on the same date the Commission adopted resolutions 1989/2 A and B entitled "Question of the violation of human rights in occupied Palestine". Those resolutions, in which the Commission condemned Israeli policies and practices along lines similar to those of General Assembly resolution 43/58 A, were brought to the attention of all Governments by a note verbale dated 1 May 1989.

16. The Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Population of the Occupied Territories held periodic meetings in pursuance of General Assembly resolution 43/58 A. During the period between the meetings, the Special Committee was kept informed of developments taking place in the occupied territories; the information was gathered from a variety of sources, including oral testimony and written communications. The Special Committee reviewed this information and assessed the human rights situation in the occupied territories with a view to deciding whether any action was required. The reports requested of the Special Committee under General Assembly resolution 43/58 A have been circulated as documents A/44/352 and A/44/640.

17. During its forty-third session, the General Assembly also adopted resolution 43/178 of 20 December 1988 concerning assistance to the Palestinian people. The report requested in that resolution has been circulated as document A/44/637.

18. On 6 October 1989, the General Assembly adopted resolution 44/2 entitled "The uprising (intifadah) of the Palestinian people". In it, the Assembly condemned those policies and practices of Israel, the occupying Power, which violated the human rights of the Palestinian people in the occupied Palestinian territory, including Jerusalem, and, in particular, such acts as the opening of fire by the Israeli army and settlers that resulted in the killing and wounding of defenceless Palestinian civilians, the beating and breaking of bones, the deportation of Palestinian civilians, the imposition of restrictive economic measures, the demolition of houses, the ransacking of real or personal property belonging individually or collectively to private persons, collective punishment and

detentions, and so forth; demanded that Israel abide scrupulously by the Fourth Geneva Convention and desist immediately from those policies and practices in violation of its provisions; called upon all the High Contracting Parties to the Convention to ensure respect by Israel for the Convention in all circumstances, in conformity with their obligation under article 1 thereof; strongly deplored the continuing disregard by Israel of the relevant decisions of the Security Council; reaffirmed that the occupation by Israel of the Palestinian territory since 1967, including Jerusalem, and of the other Arab territories, in no way changed the legal status of those territories; requested the Security Council to examine with urgency the situation in the occupied Palestinian territory with a view to considering measures needed to provide international protection to the Palestinian civilians in the Palestinian territory occupied by Israel since 1967, including Jerusalem; invited Member States, the organizations of the United Nations system, governmental, intergovernmental and non-governmental organizations, and the mass communications media to continue and enhance their support for the Palestinian people; and requested the Secretary-General to examine the present situation in the Palestinian territory occupied since 1967, including Jerusalem, by all means available to him and to submit periodic reports thereon, the first such report as soon as possible.

IV. PALESTINE REFUGEE PROBLEM

19. Following consideration at its forty-third session of the report of the Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA) for the period from 1 July 1987 to 30 June 1988, 2/ the General Assembly adopted 10 resolutions on this subject on 6 December 1988. In resolution 43/57 A, the Assembly noted with deep regret that repatriation or compensation of the refugees as provided for in paragraph 11 of Assembly resolution 194 (III) of 11 December 1948 had not been effected, that no substantial progress had been made in the programme endorsed by the Assembly in paragraph 2 of its resolution 513 (VI) of 26 January 1952 for the reintegration of refugees either by repatriation or resettlement and that, therefore, the situation of the refugees continued to be a matter of serious concern; expressed its thanks to the Commissioner-General and to all the staff of UNRWA, recognizing that the Agency was doing all it could within the limits of available resources; reiterated its request that the headquarters of the Agency should be relocated to its former site within its area of operations as soon as practicable; noted with regret that the United Nations Conciliation Commission for Palestine had been unable to find a means of achieving progress in the implementation of paragraph 11 of resolution 194 (III), and requested the Commission to exert continued efforts towards the implementation of that paragraph and to report to the Assembly as appropriate, but not later than 1 September 1989; directed attention to the continuing seriousness of the financial position of the Agency as outlined in the report of the Commissioner-General; noted with profound concern that, despite the commendable and successful efforts of the Commissioner-General to collect additional contributions, that increased level of income to the Agency was still insufficient to cover essential budget requirements; and called upon all Governments, as a matter of urgency, to make the most generous efforts possible to meet the anticipated needs of the Agency.

20. The other resolutions adopted by the General Assembly dealt with the Working Group on the Financing of UNRWA (resolution 43/57 B), assistance to persons displaced as a result of the June 1967 and subsequent hostilities (resolution 43/57 C), offers by Member States of grants and scholarships for higher education, including vocational training, for Palestine refugees (resolution 43/57 D), Palestine refugees in the Palestinian territory occupied by Israel since 1967 (43/57 E), resumption of the ration distribution to Palestine refugees (resolution 43/57 F), the return of population and refugees displaced since 1967 (resolution 43/57 G), revenues derived from Palestine refugee properties (resolution 43/57 H), protection of Palestine refugees (resolution 43/57 I) and the University of Jerusalem "Al-Quds" for Palestine refugees (resolution 43/57 J).

21. The situation of the Palestine refugees and the activities of UNRWA since the adoption of those resolutions are described in the annual report of the Commissioner-General of UNRWA for the period 1 July 1988 to 30 June 1989. 3/ The reports of the Secretary-General under resolutions 43/57 D, E, F, G, H, I and J have been circulated as documents A/44/505, A/44/608, A/44/506, A/44/507, A/44/431, A/44/508 and A/43/474, respectively. The report of the United Nations Conciliation Commission for Palestine under resolution 43/57 A and the report of the Working Group on the Financing of UNRWA under resolution 43/57 B have been circulated as documents A/44/497 and A/44/641 respectively.

V. QUESTION OF PALESTINE

22. At its forty-third session, on 15 December 1988, the General Assembly adopted five resolutions under the agenda item entitled "Question of Palestine". In resolution 43/175 A, the Assembly endorsed the recommendations contained in paragraphs 141 to 148 of the report of the Committee on the Exercise of the Inalienable Rights of the Palestinian People; 4/ requested the Committee to continue to keep under review the situation relating to the question of Palestine as well as the implementation of the Programme of Action for the Achievement of Palestinian Rights; 5/ and authorized the Committee to continue to exert all efforts to promote the implementation of its recommendations. In resolution 43/175 B, the Assembly requested the Secretary-General to ensure that the Division for Palestinian Rights of the Secretariat continued to discharge the tasks detailed in previous resolutions. In resolution 43/175 C, the Assembly requested the Department of Public Information of the Secretariat, in full co-operation and co-ordination with the Committee, to continue and expand its special information programme on the question of Palestine. In resolution 43/176, the Assembly affirmed the urgent need to achieve a just and comprehensive settlement of the Arab-Israeli conflict, the core of which is the question of Palestine; called for the convening of the International Peace Conference on the Middle East, under the auspices of the United Nations, with the participation of all parties to the conflict, including the Palestine Liberation Organization, on an equal footing, and the five permanent members of the Security Council, based on Security Council resolutions 242 (1967) of 22 November 1967 and 338 (1973) of 22 October 1973 and the legitimate national rights of the Palestinian people, primarily the right to self-determination. It also affirmed the following principles for the achievement

of comprehensive peace: the withdrawal of Israel from the Palestinian territory occupied since 1967, including Jerusalem, and from the other occupied Arab territories; guaranteeing arrangements for security of all States in the region, including those named in resolution 181 (II) of 29 November 1947, within secure and internationally recognized boundaries; resolving the problem of the Palestine refugees in conformity with General Assembly resolution 194 (III) and subsequent relevant resolutions; dismantling the Israeli settlements in the territories occupied since 1967; and guaranteeing freedom of access to Holy Places, religious buildings and sites. It also noted the expressed desire and endeavours to place the Palestinian territory occupied since 1967, including Jerusalem, under the supervision of the United Nations for a limited period, as part of the peace process; requested the Security Council to consider measures to convene the International Peace Conference on the Middle East, including the establishment of a preparatory committee, and to consider guarantees for security measures agreed upon by the Conference for all States in the region; and requested the Secretary-General to continue his efforts with the parties concerned, and in consultation with the Security Council, to facilitate the convening of the Conference, and to submit progress reports on developments in that matter. In resolution 43/177, the Assembly acknowledged the proclamation of the State of Palestine by the Palestine National Council on 15 November 1988; affirmed the need to enable the Palestinian people to exercise their sovereignty over their territory occupied since 1967; and decided that, effective as at 15 December 1988, the designation "Palestine" should be used in place of the designation "Palestine Liberation Organization" in the United Nations system, without prejudice to the observer status and functions of the Palestine Liberation Organization with the United Nations system, in conformity with relevant United Nations resolutions and practice.

23. The report requested of the Secretary-General in resolution 43/176 has been circulated as document A/44/731-S/20968.

24. The report of the Committee on the Exercise of the Inalienable Rights of the Palestinian People appears in document A/44/35. 4/

25. On 20 April 1989, the General Assembly adopted resolution 43/233 under the agenda item entitled "Question of Palestine". In it, the Assembly condemned those policies and practices of Israel, the occupying Power, which violated the human rights of the Palestinian people in the occupied Palestinian territory, including the right of freedom of worship, and, in particular, the opening of fire by Israeli armed forces, which had resulted in the killing and wounding of defenceless Palestinian civilians, and specifically the latest action of members of the Israeli armed forces against the defenceless civilians in the Palestinian town of Nahalin; demanded that Israel, the occupying Power, abide scrupulously by the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, and that it desist immediately from those policies and practices which were in violation of the provisions of the Convention; requested the Security Council to consider with urgency the situation in the occupied Palestinian territory with a view to considering measures needed to provide international protection to the Palestinian civilians in the Palestinian territory occupied by Israel since 1967, including Jerusalem; stressed the urgent need to expedite the convening of the International Peace Conference on the Middle East, under the

auspices of the United Nations and in conformity with the provisions of Assembly resolution 43/176; and requested the Secretary-General to submit periodic reports on developments in the occupied Palestinian territory.

VI. SITUATION IN THE MIDDLE EAST

26. At its forty-third session, on 6 December 1988, the General Assembly adopted three resolutions concerning the situation in the Middle East. In resolution 43/54 A, the Assembly reaffirmed its conviction that the question of Palestine was the core of the conflict in the Middle East and that no comprehensive, just and lasting peace in the region would be achieved without the full exercise by the Palestinian people of its inalienable national rights and the immediate, unconditional and total withdrawal of Israel from the Palestinian territory occupied since 1967, including Jerusalem, and the other occupied Arab territories; reaffirmed that a just and comprehensive settlement of the situation in the Middle East could not be achieved without the participation on an equal footing of all the parties to the conflict, including the Palestine Liberation Organization; declared that peace in the Middle East was indivisible and must be based on a comprehensive, just and lasting solution of the Middle East problem, under the auspices of the United Nations and on the basis of its relevant resolutions; considered the Arab Peace Plan adopted unanimously at the Twelfth Arab Summit Conference, held at Fez, Morocco, 6/ and reiterated by the Extraordinary Summit Conference of the Arab States, held at Casablanca, Morocco, 7/ as an important contribution towards the realization of the inalienable rights of the Palestinian people through the achievement of a comprehensive, just and lasting peace; condemned Israel's continued occupation of the Palestinian territory occupied since 1967, including Jerusalem, and the other occupied Arab territories, and demanded the immediate, unconditional and total withdrawal of Israel from all the territories occupied since 1967; rejected all agreements and arrangements that violated the inalienable rights of the Palestinian people and contradicted the principles of a just and comprehensive solution to the Middle East problem; determined that Israel's decision to annex Jerusalem and to declare it as its "capital" as well as the measures to alter its physical character, demographic composition, institutional structure and status were null and void and demanded that they be rescinded immediately; condemned Israel's aggression, policies and practices against the Palestinian people in the occupied Palestinian territory and outside this territory; condemned Israel's annexationist policies and practices in the occupied Syrian Arab Golan; considered that the agreements on strategic co-operation between the United States of America and Israel, of 30 November 1981, and the continued supply of modern arms and matériel to Israel, augmented by substantial economic aid, had encouraged Israel to pursue its aggressive and expansionist policies and practices, had had adverse effects on efforts for the establishment of peace in the Middle East and posed a threat to the security of the region; called upon all States to put an end to the flow to Israel of any military, economic, financial and technological aid, as well as of human resources, aimed at encouraging it to pursue its aggressive policies against the Arab countries and the Palestinian people; strongly condemned the collaboration between Israel and the racist régime of South Africa; reaffirmed its call for the convening of the International Peace Conference

on the Middle East; and endorsed the call for setting up a preparatory committee to take the necessary action to convene the Conference. Resolution 43/54 B dealt with Israeli policies in the Syrian Arab Golan and the other occupied territories, and resolution 43/54 C concerned the transfer by some States of their diplomatic missions to Jerusalem.

27. Resolutions 43/54 A to C were brought to the attention of Member States, and a report of the Secretary-General that included the relevant comments received from the Member States was circulated as document A/44/690 and Add.1.

28. On 29 September 1989, the Ministers for Foreign Affairs of the five permanent members of the Security Council issued a statement (S/20880, annex) after their luncheon with the Secretary-General. In it they stated, inter alia, that, having reviewed developments in the Middle East, they "reaffirmed their support for an active peace process in which all relevant parties would participate, leading to a comprehensive, just and lasting peace in the region. They reiterated their full support for the efforts of the Arab League Tripartite Committee to put an end to the trials of the Lebanese people through the implementation of a plan for the settlement of the Lebanese crisis in all its aspects by guaranteeing the full sovereignty, independence, territorial integrity and national unity of Lebanon. In this regard, they expressed the strong hope that the resumed inter-Lebanese dialogue would develop constructively."

29. During the period under review, the Security Council issued a number of statements on Lebanon. On 31 March 1989, the President of the Security Council, following consultations, made a statement (S/20554) on behalf of the Council at its 2851st meeting. In it the members expressed their grave concern at the recent deterioration of the situation in Lebanon, which had left many victims among the civilian population and caused considerable material damage. In view of the threat that that situation posed to peace, security and stability in the region, they expressed encouragement and support for all ongoing efforts to find a peaceful solution to the Lebanese crisis, notably those made by the Ministerial Committee of the League of Arab States led by His Excellency Sheikh Sabah Al Ahmad Al Jaber Al Sabah, Minister for Foreign Affairs of Kuwait. They urged all the parties to put an immediate end to the confrontations, to respond favourably to the appeals launched for an effective cease-fire and to avoid any action that might further heighten the tension. They reaffirmed their support for the full sovereignty, independence, territorial integrity and national unity of Lebanon. The members of the Council also stressed the importance of the role of the United Nations Interim Force in Lebanon (UNIFIL) and reaffirmed their resolve to continue to keep the evolution of the situation in Lebanon under close review. On 24 April 1989, the President of the Security Council made another statement (S/20602), on behalf of the Council, at its 2858th meeting. In it the members of the Council, gravely concerned by the sufferings caused to the civilian population by the worsening situation in Lebanon, reaffirmed their statement of 31 March, in which, in particular, they urged all parties to respond favourably to the appeals for an effective cease-fire. They reiterated their full support for the action of the ministerial committee of the League of Arab States, in order to put an end to the loss of human lives, to alleviate the sufferings of the Lebanese people and to

achieve an effective cease-fire indispensable for a settlement of the Lebanese crisis. They invited the Secretary-General, in collaboration with the ministerial committee of the League of Arab States, to make all possible efforts and to make all contacts which could be deemed useful for those same purposes.

30. On 15 August 1989, the Secretary-General addressed the following letter to the President of the Security Council (S/20789):

"For some time now, I have been following with deep concern the tragic events in Lebanon, which have caused such immense suffering to the Lebanese people. At the same time, I have been following with great interest and appreciation the initiative undertaken by the League of Arab States, first through the Ministerial Committee of Six, and more recently through the Tripartite Committee, comprising H.M. King Hassan II of Morocco, H.M. King Fahd Bin Abdul-Aziz Al Saud of the Kingdom of Saudi Arabia, and H.E. President Chadli Bendjedid of Algeria, to resolve the security and political crises in Lebanon.

"On 31 March (S/20554) and again on 24 April (S/20602), the Security Council issued a Presidential Statement highlighting its concern about events in Lebanon and expressing full support for the efforts of the League of Arab States. I made a number of similar statements. Furthermore, throughout this period I remained in close contact with the Arab governments and leaders involved, offering to assist them in any way I could. As you know, I have always felt that the complexities of the Lebanese problem are such that they can best be resolved through Arab efforts, with the backing of the international community. This remains my position.

"On 11 August, as I informed you, I met with the five Permanent Members in order to convey my growing anxiety about the violence in and around Beirut, which had escalated to a level unprecedented in fourteen years of conflict. They shared my concern and agreed on the need to fully support the efforts of the Tripartite Committee.

"You will recall that the Committee on 31 July issued a communiqué in which it summarized its efforts to date. That same day, the UNIFIL mandate was renewed by a unanimous decision of the Security Council. As on previous occasions, the Council reiterated its strong support for the territorial integrity, sovereignty and independence of Lebanon within its internationally recognized boundaries. Sadly, 31 July was also the day on which we received initial reports of the tragic fate of Lieutenant-Colonel William Higgins, who was serving UNIFIL at the time of his abduction in February 1988. All of these events serve to remind us of the United Nations long-standing involvement and commitment to Lebanon, one of the Organization's founding members. Given the depth of this relationship, the United Nations has a responsibility to prevent further bloodshed in Lebanon and to support the wider efforts, led by the Tripartite Committee, for a resolution of this tragic conflict.

"I believe that, as a step in that direction, an effective cease-fire is imperative. This would put an end to the bloodshed and enable the Committee to proceed with its mandate. What is required, to my mind, is a concerted effort by the Council as a whole to impress upon the parties to the conflict that there is an immediate need to halt all military activities and to adhere to a cease-fire so that the efforts of the Tripartite Committee may continue unimpeded.

"In my opinion, the present crisis poses a serious threat to international peace and security. Accordingly, in the exercise of my responsibility under the Charter of the United Nations, I ask that the Security Council be convened urgently in order to contribute to a peaceful solution of the problem."

31. Following consultations, the President of the Security Council, on 15 August 1989, made the following statement (S/20790) at the Council's 2875th meeting:

"In response to the urgent appeal addressed to the Security Council by the Secretary-General in his letter of 15 August 1989 (S/20789), the Council met immediately and, without prejudice to any subsequent action by it, adopted the following statement:

'Deeply concerned at the further deterioration of the situation in Lebanon, the Security Council profoundly deplores the intensification of the shelling and the bitter fighting in recent days. It expresses its great disquiet at the loss of human lives and the untold sufferings that it causes to the Lebanese people.

'The Council reaffirms its statement of 24 April 1989 (S/20602) and urgently appeals to all the parties to put an immediate end to all operations and to all firing and shelling on land and at sea. It firmly appeals to all the parties to observe a total and immediate cease-fire. It also appeals to them to do everything possible to secure the consolidation of the cease-fire, the opening of the lines of communication and the lifting of the sieges.

'The Council expresses its full support for the Tripartite Committee of the Arab Heads of State in the efforts it is making with a view to putting an end to the trials of the Lebanese people through the establishment of an effective and definitive cease-fire and the putting into effect of a plan for the settlement of the Lebanese crisis in all its aspects by guaranteeing the full sovereignty, independence, territorial integrity and national unity of Lebanon. It appeals to all States and to all the parties likewise to support the efforts of the Tripartite Committee.

'In this context, the Council invites the Secretary-General to pursue all appropriate contacts, in liaison with the Tripartite Committee, in order to ensure observance of the cease-fire, and to keep it informed on the matter.'"

32. On 20 September 1989, following consultations, the President of the Security Council made a statement (S/20855), on behalf of the Council, at its 2884th meeting. In it the members recalled their statement of 15 August 1989 (S/20790); welcomed the resumption of the work of the Tripartite Committee set up to resolve the Lebanese crisis; once again expressed to the Tripartite Committee full support in its efforts to stop the bloodshed and to establish an atmosphere conducive to ensuring security, stability and national reconciliation in Lebanon; strongly urged respect for the appeal by the Tripartite High Committee for an immediate and comprehensive cease-fire, the implementation of the security arrangements and the establishment of the necessary conditions for national reconciliation in Lebanon; expressed their full support to the Tripartite Committee in its action to put into effect a plan for the settlement of the Lebanese crisis in all its aspects by guaranteeing the full sovereignty, independence, territorial integrity and national unity of Lebanon; and welcomed the contacts maintained by the Secretary-General since 15 August 1989 with the members of the Tripartite Committee and invited him to pursue those contacts and to keep the Council informed.

33. On 7 November 1989, following consultations, the President of the Security Council made a statement (S/20953) on behalf of the Council at its 2891st meeting. In it the members of the Security Council recalled their statements of 15 August and 20 September 1989, in which they had expressed their full support for the Tripartite Committee in its action for the implementation of a settlement plan for the Lebanese crisis in all its aspects by guaranteeing the full sovereignty, independence, territorial integrity and national unity of Lebanon; welcomed the election of the President of the Lebanese Republic and the ratification of the Taif Agreement by the Lebanese Parliament; and paid particular tribute to the high sense of responsibility and to the courage of the Lebanese members of Parliament. An essential stage had thus been accomplished on the road to restoring the Lebanese State and establishing renovated institutions. In the aftermath of the constitutional election, the members of the Council called upon all Lebanese to stand resolutely by their President with a view to uniting the aspirations of the Lebanese people to achieve peace, dignity and harmony. At that historic moment, they urged all sectors of the Lebanese people including the armed forces, to come to the support of their President in order to achieve the goals of the Lebanese people, which were the restoration of the unity, independence and sovereignty of Lebanon on its entire territory, so that Lebanon could reassume its role as a leading centre of civilization and culture for the Arab nation and for the world.

34. Following consultations, the President of the Security Council, on 22 November 1989, made the following statement (S/20988), at the Council's 2894th meeting:

"The members of the Security Council express their deep indignation and dismay over the assassination of Mr. René Moawad, President of the Lebanese Republic, earlier today in Beirut. They express their sympathy and condolences to the family of the late President, to the Prime Minister and to the Lebanese people.

"The members of the Security Council strongly condemn this cowardly, criminal and terrorist act for what it is, an attack upon the unity of Lebanon, the democratic processes and the process of national reconciliation.

"The members of the Security Council recall their statement of 7 November 1989, and reaffirm their support for the efforts undertaken by the Tripartite High Committee of the League of Arab States and for the Taif agreement. These remain the only basis for guaranteeing the full sovereignty, independence, territorial integrity and national unity of Lebanon.

"The members of the Security Council reiterate their call of 7 November 1989 to all sectors of the Lebanese people to continue the process of achieving the goals of the restoration of the Lebanese State and the establishment of renovated institutions that had started with the election of President Moawad and the appointment of Prime Minister Selim El-Hoss. Democratic Lebanese institutions must be strongly supported and the process of national reconciliation must go forward. This is the only way that Lebanese national unity can be fully restored.

"The members of the Security Council solemnly reaffirm their support for the Taif agreement, ratified by the Lebanese Parliament on 5 November 1989. In this regard, they urge all Lebanese people to exercise restraint, to rededicate themselves to the urgent task of national reconciliation and to demonstrate their commitment to democratic processes.

"The members of the Security Council are convinced that all those who seek to divide the people of Lebanon through such cowardly, criminal and terrorist acts of violence cannot, and will not, succeed."

VII. OBSERVATIONS

35. At the beginning of this year, expectations for progress in the Middle East peace process were heightened by a number of dramatic political developments, notably the decisions adopted by the November 1988 session of the Palestine National Council in Algiers, the General Assembly debate on the question of Palestine in Geneva a month later, and the events that led to the decision by the United States of America to begin a dialogue with the Palestine Liberation Organization. Since then, important proposals, aimed primarily at launching a dialogue between Israelis and Palestinians, have been put forward. While it is, of course, essential to pursue every initiative that might help bridge the gaps between the parties and bring them to the negotiating table, I cannot but be

concerned by the fact that valuable time is passing and that the willingness to negotiate that exists today may be eroded by bitterness resulting from events on the ground.

36. The intifadah in the occupied territories will soon enter its third year. In contrast to the nuances of the diplomatic process, the message of the intifadah is direct and unequivocal, namely, that the Israeli occupation, which has now been in effect for 22 years, will continue to be rejected, and that the Palestinian people will remain committed to the exercise of their legitimate political rights, including self-determination. During the past year, confrontations involving Israelis and Palestinians have continued unabated, with much bloodshed. In this atmosphere, it seems to me imperative that a way must be found, and soon, to begin an effective negotiating process that can restore hope in the possibility that a just and durable peace can be attained.

37. In my last comprehensive report on the situation in the Middle East, I put forward the suggestion that the Security Council should undertake a thorough review of the peace process with a view to adopting a pragmatic approach that would take fully into account the concerns and security interests of all the parties. With this in mind, and as a preparatory step, I have endeavoured to launch a process of consultations, initially with the permanent members of the Security Council, in the hope of gaining their views on matters of substance that lie at the core of a comprehensive settlement. I shall persist in my efforts, not only with the permanent members, but with the Council as a whole.

38. Furthermore, during the course of the past year, I have remained in continuous contact with the parties to the conflict, since it is they, after all, who will need to enter into negotiations. In this connection, I have on several occasions met with leaders of Egypt, Israel, Jordan, Lebanon, the Syrian Arab Republic and the Palestine Liberation Organization to discuss ways of advancing the peace process, including the prospects for convening an International Peace Conference on the Middle East, on which subject I have reported separately (A/44/731-S/20968).

39. As I stated in my report on the work of the Organization 8/ this September, I have been, and continue to be, troubled by declarations that question the applicability of Security Council resolution 242 (1967). In view of the fundamental nature of the principles upon which this resolution is based, any deviation from them imperils the prospects for a comprehensive settlement of the Arab-Israeli conflict. I believe that, in addition to the efforts now taking place to promote a dialogue between Palestinians and Israelis, the Security Council could make an important contribution to the process by renewing its commitment to resolutions 242 (1967) and 338 (1973), which, in my view, together with the legitimate political rights of the Palestinian people, including self-determination, can constitute the basis of a just and lasting peace in the region.

40. During the past year, I have also been greatly anguished by developments in Lebanon, where the failure to hold elections in September 1988 led to the collapse of most of its legal institutions and eventually to a serious escalation in the

military confrontation in and around Beirut that produced devastating casualties. This report is being written in the shadow of Lebanon's most recent tragedy: the assassination of President René Moawad. His death has cast a pall over - but must not be allowed to destroy - the hopes that were generated by the initiation of the process of national reconciliation which was achieved through the sustained efforts of the League of Arab States, first on the part of the Ministerial Committee of Six, and then by the Tripartite High Committee of Arab Heads of State, whose endeavours have been strongly supported by the Security Council, most recently through the statement of its President on 22 November 1989 (S/20988).

41. In the brief period of President Moawad's tenure, a number of steps were taken to begin rebuilding Lebanon's legal institutions. The Speaker of Parliament was re-elected, a Prime Minister was appointed, and consultations were under way to form a government. The fact that there has been opposition to this process is an indication of the most serious difficulties involved in attempting to reconstruct not only the institutions, but the social and political fabric of a country torn apart by 14 years of civil war and the presence within Lebanon of many outside elements.

42. The Security Council has on numerous occasions during the past year reaffirmed its support for efforts aimed at restoring Lebanon's unity, independence, sovereignty and territorial integrity. And of course, in this context, the Council has a special responsibility deriving from its resolution 425 (1978), the implementation of which will be essential to the extension of Lebanon's full authority throughout its territory.

43. The chaotic nature of events in Lebanon and the continuing intifadah in the occupied territories underscore the need to bring peace and stability to a region of the world whose peoples have for far too long been subjected to the ravages of conflict and war. Last August, when the fighting in and around Beirut had escalated to an unprecedented level, I felt compelled, for the first time in my tenure as Secretary-General, to invoke Article 99 of the Charter. As we are all too well aware, the Middle East is an explosive region and events or trends in one area almost invariably have repercussions elsewhere. For years I have stated that few international issues are as complex or potentially dangerous as the Arab-Israeli conflict. This remains so today. My regret at the lack of progress in resolving this question is all the greater given the significant steps that have been taken towards the resolution of other regional disputes. It seems to me imperative, therefore, that a fully concerted and well co-ordinated effort be made by the international community to help the parties enter into an effective negotiating process that will lead to a comprehensive, just and lasting peace in the Middle East. For my part, I shall do all that I can to discharge the responsibilities entrusted to me in this regard.

Notes

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

2/ Official Records of the General Assembly, Forty-third Session, Supplement No. 13 and addendum (A/43/13 and Add.1).

3/ Ibid., Forty-fourth Session, Supplement No. 13 (A/44/13).

4/ Ibid., Supplement No. 35 (A/44/35).

5/ 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.

6/ See A/37/696-S/15510, annex.

7/ See A/40/564 and Corr.1, annex.

8/ Official Records of the General Assembly, Forty-fourth Session, Supplement No. 1 (A/44/1).

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Forty-fifth year

Report of the Secretary-General

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I. INTRODUCTION

1. The present report is submitted in pursuance of General Assembly resolution 44/40 A of 4 December 1989. In that resolution, the Assembly dealt with various aspects of the situation in the Middle East and requested the Secretary-General to report to the Security Council periodically on the development of the situation and to submit to the Assembly at its forty-fifth session a comprehensive report covering the developments in the Middle East in all their aspects. The present report covers the period from 18 November 1989 to 19 November 1990. It should be pointed out, however, that the report does not address the situation between Iraq and Kuwait. It is based mainly on information available in United Nations documents, to which references are made whenever appropriate.

II. UNITED NATIONS PEACE-KEEPING ACTIVITIES

2. There continue to be three United Nations peace-keeping operations in the area: two peace-keeping forces, the United Nations Disengagement Observer Force (UNDOF) and the United Nations Interim Force in Lebanon (UNIFIL), and one observer mission, the United Nations Truce Supervision Organization (UNTSO).

A. United Nations Disengagement Observer Force

3. UNDOF, with some 1,330 troops provided by Austria, Canada, Finland and Poland, is deployed between the Israeli and Syrian forces on the Golan Heights in accordance with the disengagement agreement concluded between Israel and the Syrian Arab Republic in May 1974. A group of UNTSO observers is detailed to the Force and assists it in the performance of its tasks. The main functions of the Force are to supervise the cease-fire between the Israeli and Syrian forces and to man the area of separation established by the disengagement agreement. The mandate of UNDOF has been extended twice by the Security Council during the reporting period, the last time on 31 May 1990 for a further period of six months until 30 November 1990 (resolution 655 (1990)).

4. The activities of the Force since November 1989 are described in a report of the Secretary-General to the Security Council, dated 22 May 1990 (S/21305). As reported by the Secretary-General, the situation in the Israel-Syria sector has remained generally quiet; UNDOF has continued to perform its functions effectively with the co-operation of the parties, and there have been no serious incidents.

B. United Nations Interim Force in Lebanon

5. UNIFIL, which is deployed in southern Lebanon, was established by the Security Council on 19 March 1978, following the first Israeli invasion of Lebanon. Its terms of reference were - and still are - to confirm the withdrawal of the Israeli forces as called for by the Security Council, to restore international peace and security and to assist the Government of Lebanon in ensuring the return of its effective authority in the area (resolution 425 (1978) of 19 March 1978).

6. The mandate of the Force has since been extended as necessary, the last time on 31 July 1990 for a further period of six months until 31 January 1991 (resolution 659 (1990)). UNIFIL currently has some 5,860 troops, provided by Fiji, Finland, France, Ghana, Ireland, Italy, Nepal, Norway and Sweden. A group of UNTSO observers assists the Force in the performance of its tasks.

7. The activities of UNIFIL and the situation in its area of operation in southern Lebanon from November 1989 until 24 July 1990 are described in two reports of the Secretary-General to the Security Council, dated 25 January 1990 (S/21102) and 24 July 1990 (S/21406 and Add.1 and Corr.1). In the latter report (S/21406/Add.1), the Secretary-General referred in particular to the difficulties encountered by UNIFIL in the Norwegian battalion sector, which lies wholly within the Israeli controlled area, and to a particularly serious confrontation that occurred in July 1990 in that sector between UNIFIL, on the one hand, and the Israel Defence Forces (IDF) and the de facto forces (DFF), on the other. Calling attention to the fact that peace-keeping operations cannot function without the co-operation of the parties concerned, the Secretary-General stated that, if the situation in the Norwegian battalion sector of UNIFIL did not improve, it might become necessary for the Security Council to consider whether UNIFIL's role in that area should be changed.

8. Following the adoption of Security Council resolution 659 (1990), extending the mandate of UNIFIL for a further period of six months until 31 January 1991, the President of the Security Council conveyed to the Secretary-General on 24 September 1990 the request of the members of the Council for a review, to be carried out during the present mandate period, of the scale and deployment of UNIFIL in the light of the performance by the Force of its functions since its establishment in 1978 and with a view to implementing resolution 425 (1978) (S/21833). This review is under way and the Secretary-General intends to report on its results in his next report to the Security Council on the operation of UNIFIL in January 1991.

C. United Nations Truce Supervision Organization

9. As indicated in the preceding sections, observers of UNTSO have continued to assist UNDOF and UNIFIL in the performance of their tasks. In addition, UNTSO conducts two observation operations of its own, the Observer Group at Beirut and the Observer Group in Egypt.

10. The Observer Group at Beirut was set up by the Security Council in August 1982 following the occupation of West Beirut by Israeli troops. Since the withdrawal of the Israeli forces from the Beirut area in September 1983, the activities of the Group have been reduced and its total strength now stands at eight observers.

11. The Observer Group in Egypt, which was established when the second United Nations Emergency Force (UNEF II) was withdrawn in July 1979, has a total strength of about 50 observers. It maintains, in addition to liaison offices at Cairo and Ismailia, six outposts in the Sinai.

III. SITUATION IN THE OCCUPIED TERRITORIES

12. The General Assembly, at its forty-fourth session, after considering the report of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and other Arabs of the Occupied Territories (A/44/599), which is composed of Senegal, Sri Lanka and Yugoslavia, adopted resolutions 44/48 A to G on 8 December 1989. By these resolutions, the General Assembly, inter alia, demanded that Israel desist forthwith from a number of policies and practices mentioned in the resolution and renewed the mandate of the Special Committee (resolution 44/48 A); reaffirmed that the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, was applicable to the Palestinian and other Arab territories occupied by Israel since 1967, including Jerusalem, and strongly demanded that Israel acknowledge and comply with its provisions (resolution 44/48 B); demanded that the Government of Israel desist forthwith from taking any action that would result in changing the legal status, geographical nature or demographic composition of the Palestinian and other Arab territories (resolution 44/48 C); deplored the Israeli arbitrary detention or imprisonment of thousands of Palestinians (resolution 44/48 D); demanded that the Government of Israel rescind the illegal measures taken in deporting Palestinians and that it facilitate their immediate return (resolution 44/48 E); determined that all legislative and administrative measures and actions taken or to be taken by Israel that purported to alter the character and legal status of the Syrian Arab Golan were null and void and constituted a flagrant violation of international law (resolution 44/48 F); and condemned Israeli policies and practices against Palestinian students and faculties in educational institutions in the occupied Palestinian territories and demanded that it comply with the provisions of the Fourth Geneva Convention, rescind all actions and measures taken against those institutions, ensure the freedom of those institutions and refrain forthwith from hindering the effective operation of those institutions (resolution 44/48 G).

13. During the period under review, the Security Council met in March, May, October and November 1990 to discuss the situation in the occupied Arab territories. On 31 May 1990, the Security Council voted on a draft resolution (S/21326) submitted by seven members, by which the Council would have established a Commission consisting of three members of the Security Council, to be dispatched immediately to examine the situation relating to the policies and practices of Israel, the occupying Power, in the Palestinian territory, including Jerusalem, occupied by Israel since 1967; requested the Commission to submit its report to the Security Council by 20 June 1990, containing recommendations on ways and means for ensuring the safety and protection of the Palestinian civilians under Israeli occupation; requested the Secretary-General to provide the Commission with the necessary facilities to enable it to carry out its mission; decided to keep the situation in the occupied territories under constant and close scrutiny and to reconvene to review the situation in the light of the findings of the Commission. The resolution was not adopted, owing to a negative vote by a permanent member. In a presidential statement dated 19 June 1990 (S/21363), the members of the Security Council strongly deplored the incident that had occurred on 12 June 1990 in a clinic belonging to the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNWRA) and located near to Shati camp in Gaza, in which

several innocent Palestinian women and children were wounded by a tear-gas grenade thrown by an Israeli officer. Expressing dismay that the penalty imposed on that officer had been commuted, the members reaffirmed that the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, was applicable to the Palestinian and other Arab territories occupied by Israel since 1967, including Jerusalem, and requested the high contracting parties to ensure respect for the Convention. They called upon Israel to abide by its obligations under that Convention. On 12 October 1990, the Security Council adopted resolution 672 (1990) by which it expressed alarm at the violence that took place on 8 October at the Haram al-Sharif and other Holy Places of Jerusalem resulting in over 20 Palestinian deaths and to the injury of more than 150 people, including Palestinian civilians and innocent worshippers; condemned especially the acts of violence committed by the Israeli security forces resulting in injuries and loss of human life; called upon Israel, the occupying Power, to abide scrupulously by its legal obligations and responsibilities under the Fourth Geneva Convention, which is applicable to all the territories occupied by Israel since 1967; requested, in connection with the decision of the Secretary-General to send a mission to the region, which the Council welcomed, that he submit a report to it before the end of October 1990 containing his findings and conclusions and that he use as appropriate all of the resources of the United Nations in the region in carrying out the mission. On 24 October 1990, the Council adopted resolution 673 (1990) by which it deplored the refusal of the Israeli Government to receive the mission of the Secretary-General to the region; urged the Israeli Government to reconsider its decision and insisted that it comply fully with resolution 672 (1990) and to permit the mission of the Secretary-General to proceed in keeping with its purpose; requested the Secretary-General to submit to the Council the report requested in resolution 672 (1990); and affirmed its determination to give full and expeditious consideration to the report. The report requested of the Secretary-General in resolutions 672 (1990) and 673 (1990) has been circulated as documents S/21919 and Add.1-3 and Corr.1.

14. On 16 February 1990, the Commission on Human Rights adopted resolution 1990/1 concerning Israeli settlements in the occupied Arab territories, by which it affirmed that the settling of Israeli civilians in the occupied territories is illegal and contravenes the relevant provisions of the Fourth Geneva Convention, and called upon the Government of Israel to refrain from settling immigrants in the occupied territories. The Commission also adopted resolutions 1990/2 A and B concerning the question of violations of human rights in occupied Palestine. Those resolutions, in which the Commission condemned Israeli policies and practices in the occupied territories, along lines similar to those of General Assembly resolution 44/48 A, were brought to the attention of all Governments by a note verbale dated 1 June 1990. Furthermore, the Commission adopted resolution 1990/3, by which it declared once more that the continued Israeli occupation of the Syrian Arab Golan and its decision on 14 December 1981 to impose its laws, jurisdiction and administration on the occupied Syrian Golan were null and void and had no international legal effect.

15. The Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and other Arabs of the Occupied Territories held periodic meetings in pursuance of resolution 44/48 A. Between meetings, the

Special Committee was kept informed of developments taking place in the occupied territories; the information was gathered from a variety of sources, including oral testimony and written communications. At its meetings, the Special Committee reviewed this information and assessed the human rights situation in the occupied territories. In accordance with resolution 44/48 A, the General Assembly, at its forty-fifth session, will have before it the periodic reports of the Special Committee (A/45/84 and A/45/306), as well as the Special Committee's twenty-second report (A/45/576).

16. During its forty-fourth session, the General Assembly also adopted resolution 44/235 of 22 December 1989 concerning assistance to the Palestinian people. The report requested in that resolution has been circulated as document A/45/503.

IV. PALESTINE REFUGEE PROBLEM

17. Following its consideration, at its forty-fourth session, of the report of the Commissioner-General of UNRWA for the period 1 July 1988 to 30 June 1989, 1/ the General Assembly adopted 11 resolutions on this subject on 8 December 1989. In resolution 44/47 A, the Assembly noted with deep regret that repatriation or compensation of the refugees as provided for in paragraph 11 of resolution 194 (III) had not been effected. that no substantial progress had been made in the programme endorsed by the Assembly in paragraph 2 of its resolution 513 (VI) for the reintegration of refugees either by repatriation or resettlement and that, therefore, the situation of the refugees continued to be a matter of serious concern; expressed its thanks to the Commissioner-General and to all the staff of UNRWA, recognizing that the Agency was doing all it could within the limits of available resources; reiterated its request that the headquarters of the Agency should be relocated to its former site within its area of operations as soon as practicable; noted with regret that the United Nations Conciliation Commission for Palestine had been unable to find a means of achieving progress in the implementation of paragraph 11 of resolution 194 (III), and requested the Commission to exert continued efforts towards the implementation of that paragraph and to report to the Assembly as appropriate, but not later than 1 September 1990; directed attention to the continuing seriousness of the financial position of the Agency as outlined in the report of the Commissioner-General; noted with concern that, despite the commendable and successful efforts of the Commissioner-General to collect additional contributions, this increased level of income to the Agency was still insufficient to cover current essential requirements; called upon all Governments, as a matter of urgency, to make the most generous efforts possible to meet the anticipated needs of the Agency, and decided to extend the mandate of UNRWA until 30 June 1993, without prejudice to the provisions of paragraph 11 of General Assembly resolution 194 (III).

18. The other resolutions adopted by the General Assembly dealt with the Working Group on the Financing of UNRWA (resolution 44/47 B); assistance to persons displaced as a result of the June 1967 and subsequent hostilities (resolution 44/47 C); offers by Member States of grants and scholarships for higher education, including vocational training, for Palestine refugees (resolution 44/47 D); Palestine refugees in the Palestinian territory occupied by Israel since 1967

(resolution 44/47 E); resumption of the ration distribution to Palestine refugees (resolution 44/47 F); return of population and refugees displaced since 1967 (resolution 44/47 G); revenues derived from Palestine refugees' properties (resolution 44/47 H); protection of Palestine refugees (resolution 44/47 I); the University of Jerusalem "Al-Quds" for Palestine refugees (resolution 44/47 J); and protection of Palestinian students and educational institutions and safeguarding of the security of the facilities of UNRWA in the occupied Palestinian territory (resolution 44/47 K). The situation of the Palestine refugees and the activities of UNRWA since the adoption of these resolutions are described in the annual report of the Commissioner-General of UNRWA for the period of 1 July 1989 to 30 June 1990. 2/ The reports of the Secretary-General under resolutions 44/47 D, E, F, G, H, I, J and K have been circulated as documents A/45/463, A/45/464, A/45/465, A/45/466, A/45/429, A/45/641, A/45/530 and A/45/646, respectively. The report of the United Nations Conciliation Commission for Palestine under resolution 44/47 A and the report of the Working Group on the Financing of UNRWA under resolution 44/47 B have been circulated as documents A/45/382 and A/45/645, respectively.

V. QUESTION OF PALESTINE

19. At its forty-fourth session, on 6 December 1989, the General Assembly adopted four resolutions under the agenda item entitled "Question of Palestine". In resolution 44/41 A, the Assembly endorsed the recommendations of the Committee on the Exercise of the Inalienable Rights of the Palestinian People; 3/ requested the Committee to continue to keep under review the situation relating to the question of Palestine as well as the implementation of the Programme of Action for the Achievement of Palestinian Rights; 4/ and authorized the Committee to continue to exert all efforts to promote the implementation of its recommendations. In resolution 44/41 B, the Assembly requested the Secretary-General to provide the Division for Palestinian Rights of the Secretariat with the necessary resources and to ensure that it continued to discharge the tasks detailed in previous relevant resolutions of the General Assembly in consultation with the Committee. In resolution 44/41 C, the Assembly requested the Department of Public Information of the Secretariat, in full co-operation and co-ordination with the Committee, to continue its special information programme on the question of Palestine. In resolution 44/42, the Assembly reaffirmed the urgent need to achieve a just and comprehensive settlement of the Arab-Israeli conflict, the core of which is the question of Palestine; called once again for the convening of the International Peace Conference on the Middle East, under the auspices of the United Nations, with the participation of all parties to the conflict, including the Palestine Liberation Organization, on an equal footing, and the five permanent members of the Security Council based on Security Council resolutions 242 (1967) of 22 November 1967 and 338 (1973) of 22 October 1973 and the legitimate national rights of the Palestinian people, primarily the right to self-determination. The Assembly also reaffirmed the following principles for the achievement of comprehensive peace: the withdrawal of Israel from Palestinian territory occupied since 1967, including Jerusalem and from the other occupied Arab territories; guaranteeing arrangements for security of all States in the region, including those named in resolution 181 (II) of 29 November 1947, within secure and internationally

recognized boundaries; resolving the problem of the Palestine refugees in conformity with General Assembly resolution 194 (III) of 11 December 1948, and subsequent relevant resolutions; dismantling the Israeli settlements in the territories occupied since 1967; and guaranteeing freedom of access to Holy Places, religious buildings and sites. It noted the expressed desire and endeavours to place the Palestinian territory occupied since 1967, including Jerusalem, under the supervision of the United Nations for a limited period, as part of the peace process; once again invited the Security Council to consider measures needed to convene the International Peace Conference on the Middle East, including the establishment of a preparatory committee, and to consider guarantees for security measures agreed upon by the Conference for all States in the region; and requested the Secretary-General to continue his efforts with the parties concerned, and in consultation with the Security Council, to facilitate the convening of the Conference, and to submit progress reports on developments in this matter.

20. The report requested of the Secretary-General in resolution 44/42 has been circulated as A/45/709-S/21929.

21. The report of the Committee on the Exercise of the Inalienable Rights of the Palestinian People to the forty-fifth session of the General Assembly has been circulated as document A/45/35. 5/

VI. SITUATION IN THE MIDDLE EAST

22. At its forty-fourth session, on 4 December 1989, the General Assembly adopted three resolutions concerning the situation in the Middle East. In resolution 44/40 A, the Assembly reaffirmed its conviction that the question of Palestine was the core of the conflict in the Middle East and that no comprehensive, just and lasting peace in the region would be achieved without the full exercise by the Palestinian people of its inalienable national rights and the immediate, unconditional and total withdrawal of Israel from the Palestinian territory occupied since 1967, including Jerusalem, and the other occupied Arab territories; reaffirmed that a just and comprehensive settlement of the situation in the Middle East could not be achieved without the participation on an equal footing of all the parties to the conflict, including the Palestine Liberation Organization; declared that peace in the Middle East was indivisible and must be based on a comprehensive, just and lasting solution of the Middle East problem, under the auspices of the United Nations and on the basis of its relevant resolutions; considered the Arab Peace Plan 6/ adopted unanimously at the Twelfth Arab Summit Conference, held at Fez, Morocco, and reiterated by the Extraordinary Summit Conference of Arab States, held at Casablanca, Morocco, as an important contribution towards the realization of the inalienable rights of the Palestinian people through the achievement of a comprehensive, just and lasting peace; condemned Israel's continued occupation of the Palestinian territory occupied since 1967, including Jerusalem, and the other occupied Arab territories, and demanded the immediate, unconditional and total withdrawal of Israel from all the territories occupied since 1967; rejected all agreements and arrangements that violated the inalienable rights of the Palestinian people and contradicted the principles of a just and comprehensive solution to the Middle East problem; determined that Israel's decision to annex Jerusalem and to

declare it as its "capital" as well as the measures to alter its physical character, demographic composition, institutional structure and status were null and void and demanded that they be rescinded immediately; condemned Israel's aggression, policies and practices against the Palestinian people in the occupied Palestinian territory and outside this territory; condemned Israel's annexationist policies and practices in the occupied Syrian Arab Golan; considered that the agreements on strategic co-operation between the United States of America and Israel, of 30 November 1981, and the continued supply of modern arms and matériel to Israel, augmented by substantial economic aid, had encouraged Israel to pursue its aggressive and expansionist policies and practices, had had adverse effects on efforts for the establishment of peace in the Middle East and posed a threat to the security of the region; called upon all States to put an end to the flow to Israel of any military, economic, financial and technological aid, as well as of human resources, aimed at encouraging it to pursue its aggressive policies against the Arab countries and the Palestinian people; strongly condemned the collaboration between Israel and the racist régime of South Africa; reaffirmed its call for the convening of the International Peace Conference on the Middle East, under the auspices of the United Nations, with the participation of the five permanent members of the Security Council and all parties to the conflict, including the Palestine Liberation Organization, the sole legitimate representative of the Palestinian people, on an equal footing, and that the Conference should be effective with full authority, in order to achieve a comprehensive and just solution based on the withdrawal of Israel from the occupied Palestinian territory, including Jerusalem, and the other occupied Arab territories, and the attainment of the inalienable rights of the Palestinian people in accordance with United Nations resolutions relevant to the question of Palestine and the situation in the Middle East and endorsed the call for setting up a preparatory committee to take the necessary action to convene the Conference. The other parts of resolution 43/54 deal with Israeli policies in the Syrian Arab Golan and the other occupied territories (resolution 44/40 B) and the transfer by some States of their diplomatic missions to Jerusalem (resolution 44/40 C).

23. Resolutions 44/40 A to C were brought to the attention of Member States, and a report of the Secretary-General including the relevant comments received from the Member States was circulated as document A/45/595.

24. During the period under review, the Security Council issued two statements on Lebanon. On 22 November 1989, following consultations with the members of the Security Council, the President of the Council made a statement (S/20988) on behalf of the Council at its 2894th meeting. In it, the members expressed their deep indignation and dismay over the assassination of Mr. René Moawad, President of the Lebanese Republic, earlier that day in Beirut. They expressed their sympathy and condolences to the family of the late President, to the Prime Minister and to the Lebanese people. They strongly condemned the cowardly, criminal and terrorist act for what it was, an attack upon the unity of Lebanon, the democratic processes and the process of national reconciliation. Reaffirming their support for the efforts undertaken by the Tripartite High Committee of the League of Arab States and for the Taif Agreement, the members said those remained the only basis for guaranteeing the full sovereignty, independence, territorial integrity and national unity of Lebanon. They reiterated their call of 7 November 1989 to all sectors of the

Lebanese people to continue the process of achieving the goals of the restoration of the Lebanese State and the establishment of renovated institutions that had started with the election of President Moawad and the appointment of Prime Minister Sélim El-Hoss. Democratic Lebanese institutions must, they said, be strongly supported and the process of national reconciliation must go forward; that was the only way that Lebanese national unity could be fully restored. Solemnly reaffirming their support for the Taif Agreement, ratified by the Lebanese Parliament on 5 November 1989, the members urged all Lebanese people to exercise restraint, to rededicate themselves to the urgent task of national reconciliation and to demonstrate their commitment to democratic processes.

25. On 27 December 1989, following consultations with the members of the Security Council, the President of the Council made a statement (S/21056) on behalf of the Council at its 2903rd meeting. Recalling their statements of 7 November 1989 and 22 November 1989, and relevant Security Council resolutions, the members reaffirmed their full support for the efforts undertaken by the Tripartite High Committee of the League of Arab States and for the Taif Agreement and said those remained the only basis for guaranteeing the full sovereignty, independence, territorial integrity and national unity of Lebanon. The members welcomed the election of Elias Hrawi as successor to the late René Moawad as President of the Lebanese Republic and the appointment of the Lebanese Government led by the Prime Minister Sélim El-Hoss. They reaffirmed the urgency of continuing the process of national reconciliation and political reform embodied in the Taif Agreement, and expressed their deep concern over obstacles that had delayed progress in achieving these goals. Expressing support for President Hrawi's efforts in implementation of the Taif Agreement to deploy Lebanese Government forces to restore central government authority over all Lebanese territory, the members reiterated their call on the Lebanese people, and in particular all Lebanese Government officials, civilian and military, to support their President and the constitutional process initiated at Taif to achieve peacefully the restoration of unity, independence and sovereignty of Lebanon on its entire territory.

VII. OBSERVATIONS

26. Since I last reported to the General Assembly on the situation in the Middle East, the prospects for progress in the Arab-Israeli peace process appear regrettably to have stalled. A year ago, I drew attention to the heightened expectations that had been generated as a result of dramatic political developments at the end of 1988, which, in turn, had led to important proposals, aimed primarily at launching a dialogue between Israelis and Palestinians. I pointed out that while it was essential to pursue every initiative that might help bridge the gaps between the parties and bring them to the negotiating table, I could not but be concerned at the fact that valuable time was passing and that the willingness to negotiate that existed at that time would be eroded by bitterness resulting from events on the ground.

27. Unfortunately, the efforts to achieve an Israeli-Palestinian dialogue reached an impasse in the early months of 1990. Since then, the situation in the occupied territories has worsened, causing the Security Council to focus increasingly on the

question of safety and protection of the Palestinian civilians residing there. In this connection, in pursuance of the request contained in its resolutions 672 (1990) of 12 October 1990 and 673 (1990) of 24 October 1990, I submitted to the Security Council a report on the occupied territories on 31 October 1990 (S/21919). In it, I made certain observations on steps the international community might take regarding the safety and protection of the Palestinian civilian population. At the time of the present report, the Council is continuing its deliberations on the matter. It should be pointed out, however, that the implementation of such steps will not alone bring an end to the conflict between Israelis and Palestinians, which is, essentially, political in nature. Furthermore, it is important to recall that this conflict is central to the broader Arab-Israeli dispute with its many complex and interrelated issues.

28. In this connection, it is encouraging to note, as I did in my 12 November 1990 report to the General Assembly on the convening of an international peace conference (A/45/709-S/21929), that there is unanimity within the Security Council that efforts must be continued on an urgent basis to achieve a comprehensive, just and lasting settlement of the situation in the Middle East, particularly a solution of the Palestinian problem in all its aspects. I continue to believe that such a settlement can best be achieved through a negotiating process that involves all the parties concerned, including the Palestine Liberation Organization, and is based on Security Council resolutions 242 (1967) and 338 (1973) and the legitimate political rights of the Palestinian people, including self-determination.

29. As I said in my annual report on the work of the Organization, 7/ the Middle East as a whole continues to be the most explosive region of the world today. Long-standing grievances, which have festered for years, have been aggravated by an escalating arms race throughout the area, which has spawned a deadly arsenal of weapons of mass destruction. In the long run, lasting peace will come to the Middle East only when the principles of international law govern the relations between States, when disputes are resolved through peaceful means, when the aspirations of those deprived of their rights have been fulfilled, and regional security and economic arrangements - which take into account the concerns of all the parties in the area - have been established.

Notes

1/ Official Records of the General Assembly, Forty-fourth Session, Supplement No. 13 (A/44/13 and Add.1).

2/ Ibid., Forty-fifth Session, Supplement No. 13 (A/45/13 and Add.1).

3/ Ibid., Forty-fourth Session, Supplement No. 35 (A/44/35).

4/ 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.

Notes (continued)

5/ Official Records of the General Assembly, Forty-fifth Session, Supplement No. 35 (A/45/35).

6/ A/44/737-S/20971; see Official Records of the Security Council, Forty-fourth Year, Supplement for October, November and December 1989, document S/20971.

7/ Official Records of the General Assembly, Forty-fifth Session, Supplement No. 1 (A/45/1).

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SECURITY COUNCIL
Forty-sixth year

Report of the Secretary-General

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I. INTRODUCTION

1. The present report is submitted in pursuance of General Assembly resolution 45/83 A of 13 December 1990. In that resolution, the Assembly dealt with various aspects of the situation in the Middle East and requested the Secretary-General to report to the Security Council periodically on the development of the situation and to submit to the Assembly at its forty-sixth session a comprehensive report covering the developments in the Middle East in all their aspects. The present report covers the period from 20 November 1990 to 15 November 1991. It should be pointed out, however, that the report does not address the situation between Iraq and Kuwait. It is based mainly on information available in United Nations documents, to which references are made whenever appropriate.

II. UNITED NATIONS PEACE-KEEPING ACTIVITIES

2. There continue to be three United Nations peace-keeping operations in the area: two peace-keeping forces, the United Nations Disengagement Observer Force (UNDOF) and the United Nations Interim Force in Lebanon (UNIFIL), and one observer mission, the United Nations Truce Supervision Organization (UNTSO).

A. United Nations Disengagement Observer Force

3. UNDOF, with some 1,330 troops provided by Austria, Canada, Finland and Poland, is deployed between the Israeli and Syrian forces on the Golan Heights in accordance with the disengagement agreement concluded between Israel and the Syrian Arab Republic in May 1974. A group of UNTSO observers is detailed to the Force and assists it in the performance of its tasks. The main functions of the Force are to supervise the cease-fire between the Israeli and Syrian forces and to man the area of separation established by the disengagement agreement. The mandate of UNDOF has been extended twice by the Security Council during the reporting period, the last time on 30 May 1991 for a further period of six months until 30 November 1991 (resolution 695 (1991)).

4. The activities of the Force since May 1990 are described in two reports of the Secretary-General to the Security Council, dated 23 November 1990 (S/21950 and Corr.1) and 21 May 1991 (S/22631 and Add.1). As reported by the Secretary-General, the situation in the Israel-Syria sector has remained generally quiet; UNDOF has continued to perform its functions effectively with the cooperation of the parties, and there have been no serious incidents.

B. United Nations Interim Force in Lebanon

5. UNIFIL, which is deployed in southern Lebanon, was established by the Security Council on 19 March 1978, following the first Israeli invasion of Lebanon. Its terms of reference were - and still are - to confirm the withdrawal of the Israeli forces as called for by the Security Council, to restore international peace and security and to assist the Government of Lebanon in ensuring the return of its effective authority in the area (resolution 425 (1978) of 19 March 1978).

6. The mandate of the Force has since been extended as necessary, the last time on 31 July 1991 for a further period of six months until 31 January 1992 (resolution 701 (1991)). UNIFIL currently has some 5,844 troops, provided by Fiji, Finland, France, Ghana, Ireland, Italy, Nepal, Norway and Sweden. A group of UNTSO observers assists the Force in the performance of its tasks.

7. The activities of UNIFIL and the situation in its area of operation in southern Lebanon from 25 July 1990 until 20 July 1991 are described in two reports of the Secretary-General to the Security Council, dated 23 January 1991 (S/22129 and Add.1) and 21 July 1991 (S/22829). In those reports, the Secretary-General stated that UNIFIL continued to exert its best efforts to ensure the peaceful character of its area of deployment despite many difficulties. Israel continued to control in southern Lebanon next to the armistice demarcation line an area manned by the Israel Defence Forces (IDF) and the de facto forces (DFF). Operations by resistance groups against IDF and DFF were met by retaliatory action by the latter, which frequently resulted in firings close to, and occasionally at, UNIFIL positions. The Secretary-General also referred in those reports to progress in the implementation of the Taif Agreement and the deployment of the Lebanese Army in southern Lebanon in areas adjacent to UNIFIL's area of operation. He noted that these positive developments improved the prospects that UNIFIL would be able to carry out its mandate, which includes assistance to the Government in ensuring the return of its effective authority in the area. He has expressed himself in favour of the progressive transfer to the Lebanese Army of responsibility for security in the areas at present controlled by UNIFIL.

8. The review of the scale and deployment of UNIFIL, which the members of the Security Council requested the Secretary-General to undertake, was issued as an addendum to the Secretary-General's report on the operation of UNIFIL on 28 January 1991 (S/22129/Add.1). The recommendations of the Secretariat review team, which the Secretary-General believed to be along the right lines, were that, for the time being, there should be no substantive change in UNIFIL's functions nor in its deployment, but that certain measures should be taken to streamline the Force. Those measures would produce a savings of some 10 per cent in the military strength of UNIFIL. The Security Council, in extending the mandate of UNIFIL on 31 July 1991 for a further six-month period, recalled that report "without prejudice to the views of Member States thereon" (resolution 701 (1991)).

C. United Nations Truce Supervision Organization

9. As indicated in the preceding sections, observers of UNTSO have continued to assist UNDOF and UNIFIL in the performance of their tasks. In addition, UNTSO conducts two observation operations of its own, the Observer Group at Beirut and the Observer Group in Egypt.

10. The Observer Group at Beirut was set up by the Security Council in August 1982 following the occupation of West Beirut by Israeli troops. Since the withdrawal of the Israeli forces from the Beirut area in September 1983, the activities of the Group have been reduced and its total strength now stands at 10 observers.

11. The Observer Group in Egypt, which was established when the second United Nations Emergency Force (UNEF II) was withdrawn in July 1979, has a total strength of about 50 observers. It maintains, in addition to liaison offices at Cairo and Ismailia, six outposts in the Sinai.

III. SITUATION IN THE OCCUPIED TERRITORIES

12. The General Assembly, at its forty-fifth session, after considering the report of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories (A/45/576), which is composed of representatives of Senegal, Sri Lanka and Yugoslavia, adopted resolutions 45/74 A to G on 11 December 1990. By these resolutions, the General Assembly, inter alia, demanded that Israel desist forthwith from a number of policies and practices mentioned in the resolution and renewed the mandate of the Special Committee (resolution 45/74 A); reaffirmed that the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, was applicable to the Palestinian territory, including Jerusalem, and other Arab territories occupied by Israel since 1967, and strongly demanded that Israel accept the de jure applicability of the Convention and comply with its provisions (resolution 45/74 B); demanded that Israel desist forthwith from taking any action that would result in changing the legal status, geographical nature or demographic composition of the occupied Palestinian territory, including Jerusalem, and other Arab territories occupied by Israel since 1967 (resolution 45/74 C); deplored the arbitrary detention or imprisonment by Israel of thousands of Palestinians (resolution 45/74 D); demanded that the Government of Israel rescind the illegal measures taken in deporting Palestinians and that it facilitate their immediate return (resolution 45/74 E); determined that all legislative and administrative measures and actions taken or to be taken by Israel that purported to alter the character and legal status of the Syrian Arab Golan were null and void and constituted a flagrant violation of international law (resolution 45/74 F); and condemned Israeli policies and practices against Palestinian students and faculty members in educational institutions in the occupied Palestinian territory and demanded that Israel comply with the provisions of the Fourth Geneva

Convention, rescind all actions and measures taken against those institutions, ensure the freedom of those institutions and refrain forthwith from hindering the effective operation of those institutions (resolution 45/74 G).

13. During the period under review, the Security Council met in December 1990, January, March and May 1991 to discuss the situation in the occupied Arab territories. On 20 December 1990, the Security Council adopted resolution 681 (1990). In a Presidential statement prior to the vote (S/22027), the members of the Security Council reaffirmed their determination to support an active negotiating process, in which all relevant parties would participate, leading to a comprehensive, just and lasting peace to the Arab-Israeli conflict through negotiations, which should be based on resolutions 242 (1967) and 338 (1973) of the Security Council and which should take into account the right to security of all States in the region, including Israel, and the legitimate political rights of the Palestinian people. In this context, they agreed that an international conference, at an appropriate time, properly structured, should facilitate efforts to achieve a negotiated settlement and lasting peace in the Arab-Israeli conflict. However, the members of the Council were of the view that there was not unanimity as to when would be the appropriate time for such a conference. In the view of the members of the Council, the Arab-Israeli conflict was important and unique and must be addressed independently, on its own merits. In resolution 681 (1990) the Security Council expressed its grave concern over the rejection by Israel of Security Council resolutions 672 (1990) and 673 (1990); deplored the decision by Israel, the occupying Power, to resume the deportation of Palestinian civilians in the occupied territories; urged Israel to accept the de jure applicability of the Fourth Geneva Convention to all the territories occupied by Israel since 1967 and to abide scrupulously by the provisions of the Convention; called upon the High Contracting Parties to the Convention to ensure respect by Israel, the occupying Power, for its obligations under the Convention; requested the Secretary-General, in cooperation with the International Committee of the Red Cross, to develop further the idea expressed in his report (S/21919) of convening a meeting of the High Contracting Parties to the Convention and to discuss possible measures that might be taken by them under the Convention and, for that purpose, to invite the parties to submit their views on how the idea could contribute to the goals of the Convention, as well as on other related matters, and to report thereon to the Council; also requested the Secretary-General to monitor and observe the situation regarding Palestinian civilians under Israeli occupation, making new efforts in that regard on an urgent basis, and to utilize and designate or draw upon the United Nations and other personnel and resources present there, in the area and elsewhere, needed to accomplish that task and to keep the Security Council regularly informed; and further requested the Secretary-General to submit a first progress report to the Council by the first week of March 1991 and every four months thereafter. The first report requested of the Secretary-General was circulated as document S/22472. On 4 January 1991, in a statement by the President (S/22046), the members of the Security Council expressed their deep concern about recent acts of violence in Gaza, especially actions by Israeli security forces against Palestinians, which had led to scores of casualties among those civilians;

deplored those actions, particularly the shooting of civilians; reaffirmed the applicability of the Fourth Geneva Convention to all the Palestinian territories occupied by Israel since 1967, including Jerusalem, and requested that Israel, the occupying Power, fully comply with the provisions of the Convention; reaffirmed their positions, most recently expressed in Security Council resolution 681 (1990), and supported the work of the Secretary-General in implementing that resolution; and further urged intensified efforts by all who could contribute to reducing conflict and tension in order to achieve peace in the area. In a statement by the President (S/22408) on 27 March 1991, the members of the Security Council expressed their grave concern about the continued deterioration of the situation in the Palestinian and other Arab territories occupied by Israel since 1967, including Jerusalem, and especially about the serious situation resulting from the imposition of curfews by Israel; deplored the decision of 24 March 1991 by Israel to expel four Palestinian civilians in violation of the Fourth Geneva Convention, which was applicable to all the above-mentioned territories, and in contravention of relevant resolutions of the Council; also called upon Israel to desist from deporting Palestinians and to ensure the safe return of those deported; and decided to keep the situation under review. On 24 May 1991 the Security Council adopted resolution 694 (1991), by which the members of the Council declared that the action of the Israeli authorities of deporting four Palestinians on 18 May 1991 was in violation of the Fourth Geneva Convention, which was applicable to all the Palestinian territories occupied by Israel since 1967, including Jerusalem; deplored this action and reiterated that Israel, the occupying Power, should refrain from deporting any Palestinian civilian from the occupied territories and ensure the safe and immediate return of all those deported; and decided to keep the situation under review.

14. On 15 February 1991, the Commission on Human Rights adopted resolutions 1991/1 A and B concerning the question of the violation of human rights in the occupied Arab territories, including Palestine. The Commission also adopted on 15 February 1991 resolution 1991/2, by which it determined that all legislative and administrative measures and actions taken or to be taken by Israel, the occupying Power, that purported to alter the character and legal status of the Syrian Arab Golan were null and void, constituted a flagrant violation of international law and of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, and had no legal effect. Furthermore, the Commission on Human Rights adopted resolution 1991/3 concerning Israeli settlements in the occupied Arab territories, by which it reaffirmed that the installation of Israeli civilians in the occupied territories was illegal and constituted a violation of the relevant provisions of the Fourth Geneva Convention and urged the Government of Israel to abstain from installing settlers, including immigrants, in the occupied territories.

15. The Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories held periodic meetings in pursuance of General Assembly resolution 45/74 A. Between meetings, the Special Committee was kept informed of events taking place in the occupied territories; the information was gathered from a variety of sources, including oral testimony and written communications. At

its meetings, the Special Committee reviewed that information and assessed the human rights situation in the occupied territories. In accordance with resolution 45/74 A, the General Assembly at its forty-sixth session will have before it the periodic reports of the Special Committee (A/46/65 and A/46/282), as well as the Special Committee's twenty-third report (A/46/522).

16. During its forty-fifth session, the General Assembly also adopted resolution 45/183 of 21 December 1990 concerning assistance to the Palestinian people. The report requested in that resolution has been circulated as document A/46/204-E/1991/80.

IV. PALESTINE REFUGEE PROBLEM

17. Following its consideration, at its forty-fifth session, of the report of the Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA) for the period 1 July 1989 to 30 June 1990, 1/ the General Assembly adopted 11 resolutions on this subject on 11 December 1990. In resolution 45/73 A, the Assembly noted with deep regret that repatriation or compensation of the refugees as provided for in paragraph 11 of General Assembly resolution 194 (III) had not been effected, that no substantial progress had been made in the programme endorsed by the Assembly in paragraph 2 of its resolution 513 (VI) for the reintegration of refugees either by repatriation or resettlement and that, therefore, the situation of the refugees continued to be a matter of serious concern; expressed its thanks to the Commissioner-General and to all the staff of UNRWA, recognizing that the Agency was doing all it could within the limits of available resources; reiterated its request that the headquarters of the Agency should be relocated to its former site within its area of operations as soon as practicable; noted with regret that the United Nations Conciliation Commission for Palestine had been unable to find a means of achieving progress in the implementation of paragraph 11 of resolution 194 (III), and requested the Commission to exert continued efforts towards the implementation of that paragraph and to report to the Assembly as appropriate, but no later than 1 September 1991; directed attention to the continuing seriousness of the financial position of the Agency, as outlined in the report of the Commissioner-General; noted with concern that, despite the commendable and successful efforts of the Commissioner-General to collect additional contributions, this increased level of income to the Agency was still insufficient to cover current essential requirements; and called upon all Governments, as a matter of urgency, to make the most generous efforts possible to meet the anticipated needs of the Agency.

18. The other resolutions adopted by the General Assembly dealt with the Working Group on the Financing of UNRWA (resolution 45/73 B); assistance to persons displaced as a result of the June 1967 and subsequent hostilities (resolution 45/73 C); offers by Member States of grants and scholarships for higher education, including vocational training, for Palestine refugees (resolution 45/73 D); Palestine refugees in the Palestinian territory occupied by Israel since 1967 (resolution 45/73 E); resumption of the ration distribution to Palestine refugees (resolution 45/73 F); return of population

and refugees displaced since 1967 (resolution 45/73 G); revenues derived from Palestine refugees' properties (resolution 45/73 H); protection of Palestine refugees (resolution 45/73 I); the University of Jerusalem "Al-Quds" for Palestine refugees (resolution (45/73 J); and protection of Palestinian students and educational institutions and safeguarding of the security of the facilities of UNRWA in the occupied Palestinian territory (resolution 45/73 K). The situation of the Palestine refugees and the activities of UNRWA since the adoption of these resolutions are described in the annual report of the Commissioner-General of UNRWA for the period 1 July 1990 to 30 June 1991. 2/ The reports of the Secretary-General under resolutions 45/73 D, E, F, G, H, I, J and K have been circulated as documents A/46/535, A/46/536, A/46/537, A/46/538, A/46/399, A/46/539, A/46/540 and A/46/541 respectively. The report of the United Nations Conciliation Commission for Palestine under resolution 45/73 A and the report of the Working Group on the Financing of UNRWA under resolution 45/73 B have been circulated as documents A/46/373 and A/46/622, respectively.

V. QUESTION OF PALESTINE

19. At its forty-fifth session, on 6 December 1990, the General Assembly adopted five resolutions under the agenda item entitled "Question of Palestine". In resolution 45/67 A, the Assembly endorsed the recommendations contained in paragraphs 93 to 102 of the report of the Committee on the Exercise of the Inalienable Rights of the Palestinian People; 3/ requested the Committee to continue to keep under review the situation relating to the question of Palestine, as well as the implementation of the Programme of Action for the Achievement of Palestinian Rights; 4/ and authorized the Committee to continue to exert all efforts to promote the implementation of its recommendations. In resolution 45/67 B, the Assembly requested the Secretary-General to provide the Division for Palestinian Rights of the Secretariat with the necessary resources and to ensure that it continued to discharge the tasks detailed in previous relevant resolutions of the General Assembly, in consultation with the Committee. In resolution 45/67 C, the Assembly requested the Department of Public Information of the Secretariat, in full cooperation and coordination with the Committee, to continue its special information programme on the question of Palestine. In resolution 45/68, the Assembly reaffirmed the urgent need to achieve a just and comprehensive settlement of the Arab-Israeli conflict, the core of which was the question of Palestine; called once again for the convening of the International Peace Conference on the Middle East, under the auspices of the United Nations, with the participation of all parties to the conflict, including the Palestine Liberation Organization, on an equal footing, and the five permanent members of the Security Council, based on Council resolutions 242 (1967) of 22 November 1967 and 338 (1973) of 22 October 1973 and the legitimate national rights of the Palestinian people, primarily the right to self-determination. The Assembly reaffirmed the following principles for the achievement of comprehensive peace: the withdrawal of Israel from the Palestinian territory occupied since 1967, including Jerusalem, and from the other occupied Arab territories; guaranteeing arrangements for security of all States in the

region, including those named in resolution 181 (II) of 29 November 1947, within secure and internationally recognized boundaries; resolving the problem of the Palestine refugees in conformity with General Assembly resolution 194 (III) of 11 December 1948, and subsequent relevant resolutions; dismantling the Israeli settlements in the territories occupied since 1967; and guaranteeing freedom of access to Holy Places, religious buildings and sites. It noted the expressed desire and endeavours to place the Palestinian territory occupied since 1967, including Jerusalem, under the supervision of the United Nations for a limited period, as part of the peace process; once again invited the Security Council to consider measures needed to convene the International Peace Conference on the Middle East, including the establishment of a preparatory committee, and to consider guarantees for security measures agreed upon by the Conference for all States in the region; and requested the Secretary-General to continue his efforts with the parties concerned, and in consultation with the Security Council, to facilitate the convening of the Conference, and to submit progress reports on developments in this matter.

20. The report requested of the Secretary-General in resolution 45/68 has been circulated as A/46/623-S/23204.

21. In resolution 45/69, the General Assembly condemned those policies and practices of Israel, the occupying Power, which violated the human rights of the Palestinian people in the occupied Palestinian territory, including Jerusalem, and, in particular, such acts as the opening of fire by the Israeli army and settlers that resulted in the killing and wounding of defenceless Palestinian civilians, the beating and breaking of bones, the deportation of Palestinian civilians, the imposition of restrictive economic measures, the demolition of houses, the ransacking of real or personal property belonging individually or collectively to private persons, collective punishment and detentions, and so forth; demanded that Israel, the occupying Power, abide scrupulously by the Fourth Geneva Convention and desist immediately from those policies and practices which are in violation of the provisions of the Convention; called upon all the High Contracting Parties to the Convention to ensure respect by Israel, the occupying Power, for the Convention in all circumstances, in conformity with their obligation under article 1 thereof; strongly deplored the continuing disregard by Israel, the occupying Power, of the relevant decisions of the Security Council; reaffirmed that the occupation by Israel of the Palestinian territory since 1967, including Jerusalem, and of the other Arab territories in no way changed the legal status of those territories; requested the Security Council to examine with urgency the situation in the occupied Palestinian territory with a view to considering measures needed to provide international protection to the Palestinian civilians in the Palestinian territory occupied by Israel since 1967, including Jerusalem; invited Member States, the organizations of the United Nations system, governmental, intergovernmental and non-governmental organizations, and the mass communications media to continue and enhance their support for the Palestinian people; and requested the Secretary-General to examine the situation in the Palestinian territory occupied since 1967, including Jerusalem, by all means available to him and to submit periodic reports thereon, the first such report as soon as possible.

22. The report of the Committee on the Exercise of the Inalienable Rights of the Palestinian People to the forty-sixth session of the General Assembly appears in document A/46/35. 5/

VI. SITUATION IN THE MIDDLE EAST

23. At its forty-fifth session, on 13 December 1990, the General Assembly adopted three resolutions concerning the situation in the Middle East. In resolution 45/83 A, the Assembly reaffirmed its conviction that the question of Palestine was the core of the conflict in the Middle East and that no comprehensive, just and lasting peace in the region would be achieved without the full exercise by the Palestinian people of its inalienable national rights and the immediate, unconditional and total withdrawal of Israel from the Palestinian territory occupied since 1967, including Jerusalem, and the other occupied Arab territories; reaffirmed that a just and comprehensive settlement of the situation in the Middle East could not be achieved without the participation on an equal footing of all the parties to the conflict, including the Palestine Liberation Organization; declared that peace in the Middle East was indivisible and must be based on a comprehensive, just and lasting solution of the Middle East problem, under the auspices of the United Nations and on the basis of its relevant resolutions; considered the Arab Peace Plan adopted unanimously at the Twelfth Arab Summit Conference, held at Fez, Morocco, 6/ and reiterated by the Extraordinary Summit Conference of Arab States, held at Casablanca, Morocco, as an important contribution towards the realization of the inalienable rights of the Palestinian people through the achievement of a comprehensive, just and lasting peace; condemned Israel's continued occupation of the Palestinian territory occupied since 1967, including Jerusalem, and the other occupied Arab territories, and demanded the immediate, unconditional and total withdrawal of Israel from all the territories occupied since 1967; rejected all agreements and arrangements that violated the inalienable rights of the Palestinian people and contradicted the principles of a just and comprehensive solution to the Middle East problem; determined that Israel's decision to annex Jerusalem and to declare it as its "capital" as well as the measures to alter its physical character, demographic composition, institutional structure and status were null and void and demanded that they be rescinded immediately; condemned Israel's aggression, policies and practices against the Palestinian people in the occupied Palestinian territory and outside this territory; condemned Israel's annexationist policies and practices in the occupied Syrian Arab Golan; considered that the agreements on strategic cooperation between the United States of America and Israel of 30 November 1981 and the continued supply of modern arms and matériel to Israel, augmented by substantial economic aid, had encouraged Israel to pursue its aggressive and expansionist policies and practices, had had adverse effects on efforts for the establishment of peace in the Middle East and posed a threat to the security of the region; called upon all States to put an end to the flow to Israel of any military, economic, financial and technological aid, as well as of human resources, aimed at encouraging it to pursue its aggressive policies against the Arab countries and the Palestinian people; strongly condemned the collaboration between

Israel and the racist regime of South Africa; reaffirmed its call for the convening of the International Peace Conference on the Middle East, under the auspices of the United Nations, with the participation of the five permanent members of the Security Council and all parties to the conflict, including the Palestine Liberation Organization, the sole legitimate representative of the Palestinian people, on an equal footing, and that the Conference should be effective with full authority, in order to achieve a comprehensive and just solution based on the withdrawal of Israel from the occupied Palestinian territory, including Jerusalem, and the other occupied Arab territories, and the attainment of the inalienable rights of the Palestinian people in accordance with United Nations resolutions relevant to the question of Palestine and the situation in the Middle East; and endorsed the call for setting up a preparatory committee to take the necessary action to convene the Conference. The other parts of resolution 45/83 deal with Israeli policies in the Syrian Arab Golan and the other occupied territories (resolution 45/83 B) and the transfer by some States of their diplomatic missions to Jerusalem (resolution 45/83 C).

24. Resolutions 45/83 A to C were brought to the attention of Member States, and a report of the Secretary-General including the relevant comments received from the Member States was circulated as document A/46/586.

25. By a letter dated 22 March 1991 (S/22385) the Secretary-General officially informed the Security Council of his decision to appoint a successor to Ambassador Gunnar Jarring following his retirement as Special Representative to the Middle East. Effective that day, Ambassador Edouard Brunner of Switzerland was appointed as Special Representative to the Middle East in accordance with paragraph 3 of Security Council resolution 242 (1967) of 22 November 1967.

VII. OBSERVATIONS

26. Since its thirty-second session, in 1977, the General Assembly has annually adopted a resolution requesting that the Secretary-General submit to it, at its subsequent session, a comprehensive report covering the developments in the Middle East in all their aspects. Throughout my tenure, I have, at the conclusion of each of these comprehensive reports, taken the opportunity to offer some general observations about the circumstances prevailing in the Middle East and, in particular, to emphasize the need to find ways to overcome the obstacles that have, for decades, prevented the achievement of a just and lasting peace in the region. As Secretary-General, I could not but be deeply concerned about a situation in which, year after year, violence and instability persisted in an area that had already experienced five major wars, and where events and trends in one part of the region almost invariably have serious repercussions elsewhere. Time and again, my reports to both the General Assembly and the Security Council have emphasized that the absence of a generally accepted and active negotiating process could only lead to a deterioration of the situation on the ground and greater suffering for the peoples of the area.

27. Given the dangers inherent in a prolonged stalemate at the diplomatic level, I have always maintained that no effort should be spared in the search for a comprehensive settlement of the Arab-Israeli conflict and the issue that lies at its core: the yearning of the Palestinian people to exercise their legitimate political rights, including self-determination. In this connection, I have actively pursued the mandate that the General Assembly has, since 1983, entrusted to the Secretary-General with respect to the convening of an international peace conference on the Middle East. As requested, in consultation with the Security Council, I was continuously in contact with leaders from Egypt, Israel, Jordan, Lebanon, the Syrian Arab Republic and the Palestine Liberation Organization in an effort to facilitate the convening of the conference. It is important to note, as has been indicated in my reports on the matter, that whereas it was not possible to achieve agreement among the parties to participate in such a conference, the positions of the parties, and indeed of the Security Council itself, with respect to an international conference have evolved over the years.

28. In this latter connection, Member States will recall that, following several weeks of intensive consultations, members of the Security Council, in conjunction with the adoption of its resolution 681 (1990) on 20 December 1990, in a statement by the President (S/22027), inter alia, reaffirmed their determination to support an active negotiating process in which all relevant parties would participate leading to a comprehensive, just and lasting peace to the Arab-Israeli conflict through negotiations, which should be based on resolutions 242 (1967) and 338 (1973) and which should take into account the right to security of all States in the region, including Israel, and the legitimate political rights of the Palestinian people. In this context, the Council agreed that an international conference, at an appropriate time, properly structured, should facilitate efforts to achieve a negotiated settlement and lasting peace in the Arab-Israeli conflict.

29. With the above-mentioned statement in mind and in the light of circumstances prevailing in the region, I decided to reactivate the mission of the Special Representative to the Middle East, as called for in paragraph 3 of Security Council resolution 242 (1967). The post had been served with great distinction by Ambassador Gunnar Jarring of Sweden in the years immediately following the adoption of resolution 242 (1967) in November 1967. While the mission had been dormant for a lengthy interval, it is important to recall that it was never officially ended. On 11 January 1991, Ambassador Jarring submitted his resignation, whereupon I announced my intention to designate a successor.

30. On 21 March 1991, I informed the Security Council, in informal consultations, of my decision to appoint Ambassador Eduoard Brunner of Switzerland as my Special Representative to the Middle East. For their part, the members of the Council welcomed this step. At the same time, it should be added that in my remarks to the Council I acknowledged the importance of the initiative that had, at that stage, just been launched by the United States of America regarding the peace process. I reiterated that I had always supported bilateral initiatives in the search for a just and lasting peace in the Middle

East and that, to this end, any step undertaken by Ambassador Brunner or myself would be aimed at assisting such efforts.

31. Accordingly, I followed with keen interest the intensive and often arduous bilateral diplomatic efforts of the past few months that culminated in agreement by the parties to enter into a negotiating process, under the co-sponsorship of the United States and the Soviet Union, aimed at achieving - in the words of the letter of invitation to the peace conference - "a just, lasting and comprehensive peace settlement through direct negotiations on two tracks, between Israel and the Arab States, and between Israel and the Palestinians". It is important to note, in this connection, that although it is being conducted outside the framework of the United Nations, this process has the support of the parties concerned and has as its basis Security Council resolutions 242 (1967) and 338 (1973), which have long been recognized as the cornerstone of a comprehensive settlement.

32. Given my enduring commitment to peace in the Middle East, I should like to conclude this report with a tribute to the historic conference that took place in Madrid from 30 October to 1 November 1991 and the initial round of bilateral discussions that followed. It is my earnest hope that the momentum that has been generated by the Madrid talks will be sustained and that the lasting peace that has so long been denied to all the peoples of the Middle East will indeed become a reality.

Notes

1/ Official Records of the General Assembly, Forty-fifth Session, Supplement No. 13 and addendum (A/45/13 and Add.1).

2/ Ibid., Forty-sixth Session, Supplement No. 13 and corrigendum and addendum (A/46/13 and Corr.1 and Add.1).

3/ Ibid., Forty-fifth Session, Supplement No. 35 (A/45/35).

4/ 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.

5/ Official Records of the General Assembly, Forty-sixth Session, Supplement No. 35 (A/46/35).

6/ See A/37/696-S/15510, annex.

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Report of the Secretary-General

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I. INTRODUCTION

1. The present report is submitted in pursuance of General Assembly resolution 46/82 A of 16 December 1991. In that resolution, the Assembly dealt with various aspects of the situation in the Middle East and requested the Secretary-General to report to the Security Council periodically on the development of the situation and to submit to the Assembly at its forty-seventh session a comprehensive report covering the developments in the Middle East in all their aspects. The present report covers the period from 16 November 1991 to 20 November 1992. It should be pointed out, however, that the report does not address the situation between Iraq and Kuwait. It is based mainly on information available in United Nations documents, to which references are made whenever appropriate.

II. UNITED NATIONS PEACE-KEEPING ACTIVITIES

2. There continue to be three United Nations peace-keeping operations in the area: two peace-keeping forces, the United Nations Disengagement Observer Force (UNDOF) and the United Nations Interim Force in Lebanon (UNIFIL), and one observer mission, the United Nations Truce Supervision Organization (UNTSO).

A. United Nations Disengagement Observer Force

3. UNDOF, with some 1,130 troops provided by Austria, Canada, Finland and Poland, is deployed between the Israeli and Syrian forces on the Golan Heights in accordance with the disengagement agreement concluded between Israel and the Syrian Arab Republic in May 1974. A group of UNTSO observers is detailed to the Force and assists it in the performance of its tasks. The main functions of the Force are to supervise the cease-fire between the Israeli and Syrian forces and to man the area of separation established by the disengagement agreement. The Security Council has extended the mandate of UNDOF as necessary, the last time on 29 May 1992 for a further period of six months until 30 November 1992 (resolution 756 (1992)).

4. The activities of the Force since May 1991 are described in two reports of the Secretary-General to the Security Council (S/23233 and Corr.1 and S/23955). As reported by the Secretary-General, the situation in the Israel-Syria sector has remained generally quiet; UNDOF has continued to perform its functions effectively with the cooperation of the parties, and there have been no serious incidents.

B. United Nations Interim Force in Lebanon

5. UNIFIL, which is deployed in southern Lebanon, was established by the Security Council in March 1978, following the first Israeli invasion of Lebanon. Its mandate is to confirm the withdrawal of Israeli forces, to

restore international peace and security and to assist the Government of Lebanon in ensuring the return of its effective authority in the area (resolution 425 (1978) of 19 March 1978).

6. The mandate of the Force has since been extended as necessary, the last time on 30 July 1992 for a further period of six months until 31 January 1993 by resolution 768 (1992). In the course of 1992, the strength of the Force was reduced by 10 per cent. At present UNIFIL has some 5,300 troops, provided by Fiji, Finland, France, Ghana, Ireland, Italy, Nepal, Norway, Poland and Sweden. A group of UNTSO observers assists the Force in the performance of its tasks.

7. UNIFIL's activities and the situation in its area of operation since July 1991 are described in two reports of the Secretary-General to the Security Council (S/23452 and S/24341). As reported by the Secretary-General, UNIFIL has continued, to the best of its ability, to prevent its area from being used for hostile activities and to protect civilians caught in the conflict. Although the Force has been prevented from carrying out its mandate, its contribution to stability in the region has nevertheless remained important.

C. United Nations Truce Supervision Organization

8. Established in 1948 to supervise the truce in Palestine, UNTSO has been given various assignments over the years, including the supervision of the General Armistice Agreements of 1949 between Israel and the four neighbouring Arab States and the observation of cease-fires after subsequent wars. During the period under review, UNTSO continued to assist UNDOF and UNIFIL in the performance of their tasks and to maintain an observer group in the Egypt-Israel sector as well as liaison offices in Amman and Beirut. The headquarters is in Jerusalem.

9. UNTSO is currently undergoing a streamlining, gradually reducing its strength from 298 to some 220 military observers from Argentina, Australia, Austria, Belgium, Canada, Chile, China, Denmark, Finland, France, Ireland, Italy, the Netherlands, New Zealand, Norway, the Russian Federation, Sweden, Switzerland and the United States of America.

III. SITUATION IN THE OCCUPIED TERRITORIES

10. The General Assembly, at its forty-sixth session, after considering the report of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories (A/46/522), composed of representatives of Senegal, Sri Lanka and Yugoslavia, adopted resolutions 46/47 A to G on 9 December 1991. By these resolutions, the Assembly, inter alia, demanded that Israel desist forthwith from a number of policies and practices mentioned in the resolution and renewed the mandate of the Special Committee (resolution 46/47 A); reaffirmed

that the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, was applicable to the occupied Palestinian territory, including Jerusalem, and other Arab territories occupied by Israel since 1967, and strongly demanded that Israel accept the de jure applicability of the Convention and comply with its provisions (resolution 46/47 B); demanded that Israel desist forthwith from taking any action that would result in changing the legal status, geographical nature or demographic composition of the occupied Palestinian territory, including Jerusalem, and other Arab territories occupied by Israel since 1967 (resolution 46/47 C); deplored the arbitrary detention or imprisonment by Israel of thousands of Palestinians (resolution 46/47 D); demanded that the Government of Israel rescind the illegal measures taken by its authorities in deporting Palestinians and facilitate their immediate return (resolution 46/47 E); determined that all legislative and administrative measures and actions taken or to be taken by Israel that purport to alter the character and legal status of the occupied Syrian Golan were null and void and constituted a flagrant violation of international law (resolution 46/47 F); and condemned Israeli policies and practices against Palestinian students and faculty members in schools, universities and other educational institutions in the occupied Palestinian territory and demanded that Israel comply with the provisions of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, rescind all actions and measures taken against all educational institutions, ensure the freedom of those institutions and refrain forthwith from hindering the effective operation of the universities, schools and other educational institutions (resolution 46/47 G).

11. During the period under review, the Security Council met twice, in January and April 1992, to consider the situation in the occupied Arab territories. On 6 January 1992, the Security Council adopted resolution 726 (1992) by which it strongly condemned the decision of Israel, the occupying Power, to resume deportations of Palestinian civilians; reaffirmed the applicability of the Fourth Geneva Convention of 12 August 1949 to all the Palestinian territories occupied by Israel since 1967, including Jerusalem; requested Israel to refrain from deporting any Palestinian civilians from the occupied territories and to ensure the safe and immediate return to the occupied territories of all those deported. It decided to keep the matter under review.

12. On 4 April 1992, in a statement by the President (S/23783), the members of the Security Council expressed their grave concern over the continued deterioration of the situation in the Gaza Strip, especially the current serious situation in Rafah in which several Palestinians had been killed and many more injured; they condemned all these acts of violence at Rafah and urged maximum restraint in order to bring the violence to an end. They further urged Israel to abide at all times by its obligations under the Fourth Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, and to respect and to act in accordance with the relevant resolutions of the Security Council; and expressed their concern that any escalation of violence would have serious implications for the peace process, especially at a time when negotiations to achieve a comprehensive,

just and lasting peace were under way. The members of the Security Council requested the Secretary-General to use his good offices, in accordance with resolution 681 (1990) of 20 December 1990, regarding the situation concerning Palestinian civilians under Israeli occupation.

13. On 14 February 1992, the Commission on Human Rights adopted resolution 1992/1 by which it determined that all legislative and administrative measures and actions taken or to be taken by Israel that purported to alter the character and legal status of the Syrian Golan were null and void, constituted a flagrant violation of international law and of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, and had no legal effect. On the same day, the Commission also adopted resolutions 1992/2 A and B concerning the question of the violation of human rights in the occupied Arab territories, including Palestine. Furthermore, on the same day the Commission on Human Rights adopted resolution 1992/3 concerning Israeli settlements in the occupied Arab territories by which it reaffirmed that the installation of Israeli civilians in the occupied territories was illegal and constituted a violation of the relevant provisions of the Fourth Geneva Convention, and urged the Government of Israel to abstain from installing settlers, including immigrants, in the occupied territories.

14. The Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories held periodic meetings in pursuance of General Assembly resolution 46/47 A. Between meetings, the Special Committee was kept informed of events taking place in the occupied territories; the information was gathered from a variety of sources, including oral testimony and written communications. At its meetings, the Special Committee reviewed that information and assessed the human rights situation in the occupied territories. In accordance with resolution 46/47 A, the Assembly at its current session has before it the periodic reports of the Special Committee (A/47/76 and A/47/262), as well as the Special Committee's twenty-fourth report (A/47/509).

15. During its forty-sixth session, the General Assembly also adopted resolutions 46/201 of 20 December 1991 concerning assistance to the Palestinian people, 46/162 of 19 December 1991 concerning living conditions of the Palestinian people in the occupied Palestinian territory and 46/199 of 20 December 1991 concerning adverse economic effects of Israeli settlements in the occupied Palestinian territory, including Jerusalem, and other Arab territories occupied since 1967. These questions are the subject of separate reports, which have been circulated under the relevant agenda items.

IV. PALESTINE REFUGEE PROBLEM

16. Following its consideration, at its forty-sixth session, of the report of the Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA) for the period 1 July 1990 to 30 June 1991, 1/ the General Assembly adopted 11 resolutions on this subject on 9 December 1991. In resolution 46/46 A, the Assembly noted with deep

regret that repatriation or compensation of the refugees as provided for in paragraph 11 of its resolution 194 (III) had not been effected, that no substantial progress had been made in the programme endorsed by the Assembly in paragraph 2 of its resolution 513 (VI) for the reintegration of refugees either by repatriation or resettlement and that, therefore, the situation of the refugees continued to be a matter of serious concern; expressed its thanks to the Commissioner-General and to all the staff of UNRWA, recognizing that the Agency was doing all it could within the limits of available resources; reiterated its request that the headquarters of the Agency should be relocated to its former site within its area of operations as soon as practicable; noted with regret that the United Nations Conciliation Commission for Palestine had been unable to find a means of achieving progress in the implementation of paragraph 11 of resolution 194 (III), and requested the Commission to exert continued efforts towards the implementation of that paragraph and to report to the Assembly as appropriate, but no later than 1 September 1992; directed attention to the continuing seriousness of the financial position of the Agency as outlined in the report of the Commissioner-General; noted with profound concern that, despite the commendable and successful efforts of the Commissioner-General to collect additional contributions, that increased level of income to the Agency was still insufficient to cover current essential requirements; and called upon all Governments, as a matter of urgency, to make the most generous efforts possible to meet the anticipated needs of the Agency.

17. The report of the United Nations Conciliation Commission for Palestine under General Assembly resolution 46/46 A and the report of the Working Group on the Financing of UNRWA under resolution 46/46 B have been circulated as documents A/47/413 and A/47/576, respectively.

18. The other resolutions adopted by the General Assembly dealt with the Working Group on the Financing of UNRWA (resolution 46/46 B); assistance to persons displaced as a result of the June 1967 and subsequent hostilities (resolution 46/46 C); offers by Member States of grants and scholarships for higher education, including vocational training, for Palestine refugees (46/46 D); Palestine refugees in the Palestinian territory occupied by Israel since 1967 (resolution 46/46 E); resumption of the ration distribution to Palestine refugees (resolution 46/46 F); return of population and refugees displaced since 1967 (resolution 46/46 G); revenues derived from Palestine refugees' properties (resolution 46/46 H); protection of Palestine refugees (resolution 46/46 I); the University of Jerusalem "Al-Quds" for Palestine refugees (resolution 46/46 J); and protection of Palestinian students and educational institutions and safeguarding of the security of the facilities of UNRWA in the occupied Palestinian territory (resolution 46/46 K). The situation of the Palestine refugees and the activities of UNRWA since the adoption of these resolutions are described in the annual report of the Commissioner-General of UNRWA for the period from 1 July 1991 to 30 June 1992. 2/ The reports of the Secretary-General under resolutions 46/46 D, E, F, G, H, I, J and K have been circulated as documents A/47/488, A/47/489, A/47/490, A/47/491, A/47/438, A/47/492, A/47/601 and A/47/493, respectively.

V. QUESTION OF PALESTINE

19. At its forty-sixth session, on 11 December 1991, the General Assembly adopted five resolutions under the agenda item entitled "Question of Palestine".

20. In resolution 46/74 A, the General Assembly endorsed the recommendations contained in paragraphs 87 to 95 of the report of the Committee on the Exercise of the Inalienable Rights of the Palestinian People; 3/ requested the Committee to continue to keep under review the situation relating to the question of Palestine as well as the implementation of the Programme of Action for the Achievement of Palestinian Rights; 4/ and authorized the Committee to continue to exert all efforts to promote the implementation of its recommendations.

21. In resolution 46/74 B, the General Assembly requested the Secretary-General to provide the Division for Palestinian Rights of the Secretariat with the necessary resources, including a computer-based information system; and also requested him to ensure the continued cooperation of the Department of Public Information and other units of the Secretariat in enabling the Division for Palestinian Rights to perform its tasks and in covering adequately the various aspects of the question of Palestine.

22. In resolution 46/74 C, the General Assembly requested the Department of Public Information, in full cooperation and coordination with the Committee on the Exercise of the Inalienable Rights of the Palestinian People, to continue, with the necessary flexibility as might be required by developments affecting the question of Palestine, its special information programme on the question of Palestine.

23. In resolution 46/75, the General Assembly reaffirmed the urgent need to achieve a just and comprehensive settlement of the Arab-Israeli conflict, the core of which was the question of Palestine; considered that the convening of an International Peace Conference on the Middle East, under the auspices of the United Nations, with the participation of all parties to the conflict, including the Palestine Liberation Organization, on an equal footing, and the five permanent members of the Security Council, based on Council resolutions 242 (1967) of 22 November 1967 and 338 (1973) of 22 October 1973 and the legitimate national rights of the Palestinian people, primarily the right to self-determination, would contribute to the promotion of peace in the region. The Assembly reaffirmed the following principles for the achievement of comprehensive peace: the withdrawal of Israel from the Palestinian territory occupied since 1967, including Jerusalem, and from the other occupied Arab territories; guaranteeing arrangements for security of all States in the region, including those named in resolution 181 (II) of 29 November 1947, within secure and internationally recognized boundaries; resolving the problem of the Palestine refugees in conformity with Assembly resolution 194 (III) of 11 December 1948, and subsequent relevant resolutions; dismantling the Israeli settlements in the territories occupied since 1967; and guaranteeing freedom of access to Holy Places, religious buildings and sites. The Assembly

welcomed the convening at Madrid, on 30 October 1991, of the Peace Conference on the Middle East, which constituted a significant step towards the establishment of a comprehensive, just and lasting peace in the region; noted the expressed desire and endeavours to place the Palestinian territory occupied since 1967, including Jerusalem, under the supervision of the United Nations for a transitional period, as part of the peace process; and requested the Secretary-General to continue his efforts with the parties concerned, and in consultation with the Security Council, for the promotion of peace in the region, and to submit progress reports on developments in this matter.

24. In resolution 46/76, the General Assembly condemned those policies and practices of Israel, the occupying Power, which violated the human rights of the Palestinian people in the occupied Palestinian territory, including Jerusalem, and, in particular, such acts as the opening of fire by the Israeli army and settlers that result in the killing and wounding of defenceless Palestinian civilians, the imposition of restrictive economic measures, the demolition of houses, the ransacking of real or personal property belonging individually or collectively to private persons, collective punishment and detentions, and so forth. It demanded that Israel, the occupying Power, abide scrupulously by the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, and desist immediately from those policies and practices which were in violation of the provisions of the Convention; called upon all the High Contracting Parties to the Convention to ensure respect by Israel, the occupying Power, for the Convention in all circumstances, in conformity with their obligation under article 1 thereof; and urged all the High Contracting Parties to the Geneva Convention to respond to the note verbale submitted to them by the Secretary-General in accordance with paragraph 6 of Security Council resolution 681 (1990). The Assembly strongly deplored the continuing disregard by Israel, the occupying Power, of the relevant decisions of the Security Council; reaffirmed that the occupation by Israel of the Palestinian territory since 1967, including Jerusalem, and of the other Arab territories in no way changed the legal status of those territories; requested the Security Council to examine with urgency the situation in the occupied Palestinian territory with a view to considering measures needed to provide international protection to the Palestinian civilians in the Palestinian territory occupied by Israel since 1967, including Jerusalem; invited Member States, the organizations of the United Nations system, governmental, intergovernmental and non-governmental organizations, and the mass communications media to continue and enhance their support for the Palestinian people; and requested the Secretary-General to examine the present situation in the Palestinian territory occupied since 1967, including Jerusalem, by all means available to him and to submit periodic reports thereon, the first such report as soon as possible.

25. The report of the Committee on the Exercise of the Inalienable Rights of the Palestinian People to the General Assembly at its forty-seventh session appears in document A/47/35.

VI. SITUATION IN THE MIDDLE EAST

26. At its forty-sixth session, on 16 December 1991, the General Assembly adopted two resolutions concerning the situation in the Middle East. In resolution 46/82 A, the Assembly reaffirmed its conviction that the question of Palestine was the core of the conflict in the Middle East and that no comprehensive, just and lasting peace in the region would be achieved without the full exercise by the Palestinian people of its inalienable national rights and the immediate, unconditional and total withdrawal of Israel from the Palestinian territory occupied since 1967, including Jerusalem, and the other occupied Arab territories; reaffirmed that a just and comprehensive settlement of the situation in the Middle East could not be achieved without the participation on an equal footing of all the parties to the conflict, including the Palestine Liberation Organization; declared once more that peace in the Middle East was indivisible and must be based on a comprehensive, just and lasting solution of the Middle East problem under the auspices of the United Nations and on the basis of its relevant resolutions; considered the Arab Peace Plan adopted unanimously at the Twelfth Arab Summit Conference, held at Fez, Morocco, and confirmed by the Extraordinary Summit Conference of Arab States, held at Casablanca, Morocco, as an important contribution towards the realization of the inalienable rights of the Palestinian people through the achievement of a comprehensive, just and lasting peace; condemned Israel's continued occupation of the Palestinian territory occupied since 1967, including Jerusalem, and the other occupied Arab territories, and demanded the immediate, unconditional and total withdrawal of Israel from all the territories occupied since 1967; rejected all agreements and arrangements that violated the inalienable rights of the Palestinian people and contradicted the principles of a just and comprehensive solution to the Middle East problem; determined that Israel's decision to annex Jerusalem and to declare it as its "capital" as well as the measures to alter its physical character, demographic composition, institutional structure and status were null and void and demanded that they be rescinded immediately; condemned Israel's aggression, policies and practices against the Palestinian people in the occupied Palestinian territory and outside that territory; condemned Israel's annexationist policies and practices in the occupied Syrian Arab Golan; called upon all States not to provide Israel with any assistance to be used specifically in connection with settlements in the occupied territories; and strongly deplored the collaboration between Israel and South Africa. In resolution 46/82 B, the Assembly deplored the transfer by some States of their diplomatic missions to Jerusalem.

27. General Assembly resolutions 46/82 A and B were brought to the attention of Member States, and a report of the Secretary-General including the relevant comments received from Member States was circulated as document A/47/673.

28. On 19 February 1992, the Security Council considered the situation in the Middle East. In a statement by the President (S/23610), the members of the Security Council expressed their deep concern about the renewed and rising cycle of violence in southern Lebanon and elsewhere in the region, deploring in particular the recent killings and the continued violence, which threatened

to claim additional lives and to destabilize the region further. They called upon all those involved to exercise maximum restraint in order to bring such violence to an end; reaffirmed their commitment to the full sovereignty, independence, territorial integrity and national unity of Lebanon within its internationally recognized boundaries, as set out in resolution 425 (1978); and asserted that any State should refrain from the threat or use of force against the territorial integrity or political independence of any State, or in any other manner inconsistent with the purposes of the United Nations. They expressed their continued support for all efforts to bring peace to the region on the basis of resolutions 242 (1967) and 338 (1973) and urged all the parties concerned to work vigorously to enhance the ongoing peace process.

VII. OBSERVATIONS

29. During the past year I have followed closely the negotiating process which was launched at the Peace Conference on the Middle East at Madrid in October 1991. I have also maintained close contacts with the parties concerned and the co-sponsors of the peace talks. In meetings with leaders from the Middle East, I have consistently expressed support for the negotiations and have underlined the readiness of the United Nations to assist in any way that might be useful. It is therefore encouraging to be able to report that today all of the parties welcome United Nations involvement in the process - an involvement which, I hope, will intensify in the months ahead. It is incumbent on every participant in this process to muster the goodwill, flexibility and determination necessary to sustain the negotiations until they achieve their goal. The peoples of the Middle East - a region which has been subjected to five major wars, and where tension and bloodshed continue to cast a shadow over the fragile process that has been established - deserve no less.

30. I have always believed that the United Nations, with its wide experience in peace-keeping, humanitarian relief and technical assistance, is in a position to play a more substantive and integrated role in the Middle East. History recalls that United Nations peace-keeping has its origins in this region; United Nations observers and peace-keeping forces have for decades contributed to peace and stability in the area. On the economic and social side, United Nations agencies and programmes have a solid record of assistance in the region. Finally, and not least important, United Nations resolutions have long been recognized as the cornerstone of a comprehensive settlement of the Arab-Israeli conflict: Security Council resolutions 242 (1967) and 338 (1973) are the basis of the present negotiating process.

31. One month ago, the United Nations was invited to attend as a full participant the multilateral working groups on regional issues. On 20 November 1992, I appointed Ambassador Chinmaya Gharekhan of India as my Special Representative to the multilateral talks. He will coordinate the role of the United Nations in the working groups on arms control and regional security, water, environment, economic and regional development and refugees.

32. The multilateral talks are themselves a recognition of the need not only to reach a just and lasting settlement of the Arab-Israeli conflict but to secure the foundations upon which peace can be sustained. Economic and social development is a fundamental aspect of international peace and security, and this is no less true in the Middle East than in other regions of the world. The United Nations will spare no effort in helping to achieve these objectives.

Notes

1/ Official Records of the General Assembly, Forty-sixth Session, Supplement No. 13 and corrigendum and addendum (A/46/13 and Corr.1 and Add.1).

2/ Ibid., Forty-seventh Session, Supplement No. 13 (A/47/13).

3/ Ibid., Forty-sixth Session, Supplement No. 35 (A/46/35).

4/ 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.

Welcoming the decision of the Scientific Committee to submit its report with scientific annexes to the General Assembly at its thirty-seventh session,

1. *Commends* the United Nations Scientific Committee on the Effects of Atomic Radiation for the valuable contribution it has been making in the course of the past twenty-six years, since its inception, to wider knowledge and understanding of the levels, effects and risks of atomic radiation, and for fulfilling its original mandate with scientific authority and independence of judgement;

2. *Notes with satisfaction* the continued and growing scientific co-operation between the Scientific Committee and the United Nations Environment Programme;

3. *Requests* the Scientific Committee to continue its work, including its important co-ordinating activities, to increase knowledge of the doses, effects and risks of ionizing radiation from all sources;

4. *Endorses* the Scientific Committee's intention to continue its activity of scientific review and assessment on behalf of the General Assembly;

5. *Requests* the United Nations Environment Programme to continue providing support for the effective conduct of the Scientific Committee's work and for the dissemination of its findings to the General Assembly, the scientific community and the public;

6. *Expresses its appreciation* for the assistance rendered to the Scientific Committee by Member States, the specialized agencies, the International Atomic Energy Agency and non-governmental organizations and invites them to increase their co-operation in this field;

7. *Endorses* the Scientific Committee's renewed request that Member States and the United Nations agencies and non-governmental organizations concerned should provide further relevant data about doses, effects and risks from various sources of radiation, which would greatly help the Committee in the preparation of its next major report to the General Assembly.

42nd plenary meeting
28 October 1981

36/15. Recent developments in connection with excavations in eastern Jerusalem

The General Assembly,

Reaffirming that the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949,[3] is applicable to Palestinian and other Arab territories occupied by Israel since 1967, including Jerusalem,

Recalling its resolutions 2253 (ES-V) of 4 July 1967, 2254 (ES-V) of 14 July 1967, 3092 (XXVIII) of 7 December 1973, 3240 B (XXIX) of 29 November 1974, 3525 B (XXX) of 15 December 1975, 31/106 B of 16 December 1976, 32/91 A of 13 December 1977, 33/113 A of 18 December 1978, 34/90 B of 12 December 1979 and 35/122 of 11 December 1980,

Recalling Security Council resolutions 252 (1968) of 21 May 1968, 267 (1969) of 3 July 1969, 271 (1969) of 15 September 1969, 465 (1980) of 1 March 1980, 476 (1980) of 30 June 1980 and 478 (1980) of 20 August 1980,

Bearing in mind the need to protect and preserve the unique spiritual and religious character and dimensions of the Holy City of Jerusalem,

Expressing its very grave concern that Israel, as the occupying Power, persists in excavating and transforming the historical, cultural and religious sites of Jerusalem,

Noting with alarm that the excavations and transformations in progress seriously endanger the historical, cultural and religious sites of Jerusalem as well as its over-all configuration and that these sites have never been as endangered as they are today,

Noting with satisfaction and approval the decision of the World Heritage Committee of the United Nations Educational, Scientific and Cultural Organization to include the Old City of Jerusalem and its walls on the World Heritage List,

Noting with appreciation the recommendation of the Executive Board of the United Nations Educational, Scientific and Cultural Organization during its one hundred and thirteenth session that the World Heritage Committee should speed up the procedure for including the Old City of Jerusalem and its walls in the List of World Heritage in Danger,

1. *Determines* that the excavations and transformations of the landscape and of the historical, cultural and religious sites of Jerusalem constitute a flagrant violation of the principles of international law and the relevant provisions of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949;

2. *Decides* that such violations by Israel constitute a serious obstruction to achieving a comprehensive and just peace in the Middle East as well as a threat to international peace and security;

3. *Demands* that Israel desist forthwith from all excavations and transformations of the historical, cultural and religious sites of Jerusalem, particularly beneath and around the Moslem Holy Sanctuary of Al-Haram Al-Sharif (Al Masjid Al Aqsa and the Sacred Dome of the Rock), the structures of which are in danger of collapse;

4. *Requests* the Security Council to consider this situation in case Israel fails to comply immediately with the present resolution;

5. *Requests* the Secretary-General to report to the General Assembly and the Security Council, not later than 23 November 1981, on the implementation of the present resolution.

42nd plenary meeting
28 October 1981

36/35. International co-operation in the peaceful uses of outer space

The General Assembly,

Recalling its resolution 35/14 of 3 November 1980,

Deeply convinced of the common interest of mankind in promoting the exploration and use of outer space for peaceful purposes and in continuing efforts to extend to all States the benefits derived therefrom, as well as the importance of international co-operation in this field, for which the United Nations should continue to provide a focal point,

Reaffirming the importance of international co-operation in developing the rule of law in the peaceful exploration and use of outer space,

Taking note with satisfaction of the progress achieved in various national and co-operative space projects, such as the launch of the Ariane rocket by the European Space Agency, the flight of the United States Space Shuttle Orbiter Columbia and the completion of the first stage of the Voyager II mission, the Salyut Soyuz orbital research programme of the Union of Soviet Socialist Republics and the successful outer space missions by the first Mongolian and Romanian cosmonauts, the successful launching of the

[3] United Nations, *Treaty Series*, vol. 75, No. 973, p. 287.

UNITED NATIONS **A**

General Assembly

Distr.
GENERAL

A/RES/51/27
11 February 1997

Fifty-first session
Agenda item 33
THE SITUATION IN
THE MIDDLE EAST

RESOLUTION ADOPTED BY THE GENERAL ASSEMBLY

[without reference to a Main Committee (A/51/L.38 and Add.1)]

51/27. Jerusalem

The General Assembly,

Recalling its resolutions 36/120 E of 10 December 1981, 37/123 C of 16 December 1982, 38/180 C of 19 December 1983, 39/146 C of 14 December 1984, 40/168 C of 16 December 1985, 41/162 C of 4 December 1986, 42/209 D of 11 December 1987, 43/54 C of 6 December 1988, 44/40 C of 4 December 1989, 45/83 C of 13 December 1990, 46/82 B of 16 December 1991, 47/63 B of 11 December 1992, 48/59 A of 14 December 1993, 49/87 A of 16 December 1994 and 50/22 A of 4 December 1995, in which it determined that all legislative and administrative measures and actions taken by Israel, the occupying Power, which have altered or purported to alter the character and status of the Holy City of Jerusalem, in particular the so-called "Basic Law" on Jerusalem and the proclamation of Jerusalem as the capital of Israel, were null and void and must be rescinded forthwith,

Recalling also Security Council resolution 478 (1980) of 20 August 1980, in which the Council, inter alia, decided not to recognize the "Basic Law" and called upon those States which had established diplomatic missions at Jerusalem to withdraw such missions from the Holy City,

Having considered the report of the Secretary-General,[1]

[1] A/51/543.

1. Determines that the decision of Israel to impose its laws, jurisdiction and administration on the Holy City of Jerusalem is illegal and therefore null and void and has no validity whatsoever;

2. Deplores the transfer by some States of their diplomatic missions to Jerusalem in violation of Security Council resolution 478 (1980) and their refusal to comply with the provisions of that resolution;

3. Calls once more upon those States to abide by the provisions of the relevant United Nations resolutions, in conformity with the Charter of the United Nations;

4. Requests the Secretary-General to report to the General Assembly at its fifty-second session on the implementation of the present resolution.

72nd plenary meeting
4 December 1996

UNITED NATIONS **A**

General Assembly

Distr.
GENERAL

A/RES/52/53
28 January 1998

Fifty-second session
Agenda item 37

RESOLUTION ADOPTED BY THE GENERAL ASSEMBLY

[*without reference to a Main Committee (A/52/L.54 and Add.1)*]

52/53. Jerusalem

The General Assembly,

Recalling its resolutions 36/120 E of 10 December 1981, 37/123 C of 16 December 1982, 38/180 C of 19 December 1983, 39/146 C of 14 December 1984, 40/168 C of 16 December 1985, 41/162 C of 4 December 1986, 42/209 D of 11 December 1987, 43/54 C of 6 December 1988, 44/40 C of 4 December 1989, 45/83 C of 13 December 1990, 46/82 B of 16 December 1991, 47/63 B of 11 December 1992, 48/59 A of 14 December 1993, 49/87 A of 16 December 1994, 50/22 A of 4 December 1995 and 51/27 of 4 December 1996, in which it determined that all legislative and administrative measures and actions taken by Israel, the occupying Power, which have altered or purported to alter the character and status of the Holy City of Jerusalem, in particular the so-called "Basic Law" on Jerusalem and the proclamation of Jerusalem as the capital of Israel, were null and void and must be rescinded forthwith,

Recalling also Security Council resolution 478 (1980) of 20 August 1980, in which the Council, *inter alia*, decided not to recognize the "Basic Law" and called upon those States which had established diplomatic missions at Jerusalem to withdraw such missions from the Holy City,

Having considered the report of the Secretary-General,[1]

1. *Determines* that the decision of Israel to impose its laws, jurisdiction and administration on the Holy City of Jerusalem is illegal and therefore null and void and has no validity whatsoever;

2. *Deplores* the transfer by some States of their diplomatic missions to Jerusalem in violation of Security Council resolution 478 (1980) and their refusal to comply with the provisions of that resolution;

3. *Calls once more upon* those States to abide by the provisions of the relevant United Nations resolutions, in conformity with the Charter of the United Nations;

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[1] A/52/467.

4. *Requests* the Secretary-General to report to the General Assembly at its fifty-third session on the implementation of the present resolution.

68th plenary meeting
9 December 1997

UNITED NATIONS **A**

General Assembly

Distr.
GENERAL

A/RES/53/37
15 January 1999

Fifty-third session
Agenda item 40

RESOLUTION ADOPTED BY THE GENERAL ASSEMBLY

[*without reference to a Main Committee (A/53/L.52 and Add.1)*]

53/37. Jerusalem

The General Assembly,

Recalling its resolutions 36/120 E of 10 December 1981, 37/123 C of 16 December 1982, 38/180 C of 19 December 1983, 39/146 C of 14 December 1984, 40/168 C of 16 December 1985, 41/162 C of 4 December 1986, 42/209 D of 11 December 1987, 43/54 C of 6 December 1988, 44/40 C of 4 December 1989, 45/83 C of 13 December 1990, 46/82 B of 16 December 1991, 47/63 B of 11 December 1992, 48/59 A of 14 December 1993, 49/87 A of 16 December 1994, 50/22 A of 4 December 1995, 51/27 of 4 December 1996 and 52/53 of 9 December 1997, in which it determined that all legislative and administrative measures and actions taken by Israel, the occupying Power, which have altered or purported to alter the character and status of the Holy City of Jerusalem, in particular the so-called "Basic Law" on Jerusalem and the proclamation of Jerusalem as the capital of Israel, were null and void and must be rescinded forthwith,

Recalling also Security Council resolution 478 (1980) of 20 August 1980, in which the Council, *inter alia*, decided not to recognize the "Basic Law" and called upon those States which had established diplomatic missions at Jerusalem to withdraw such missions from the Holy City,

Having considered the report of the Secretary-General,[1]

1. *Determines* that the decision of Israel to impose its laws, jurisdiction and administration on the Holy City of Jerusalem is illegal and therefore null and void and has no validity whatsoever;

[1] A/53/550.

2. *Deplores* the transfer by some States of their diplomatic missions to Jerusalem in violation of Security Council resolution 478 (1980) and their refusal to comply with the provisions of that resolution;

3. *Calls once more upon* those States to abide by the provisions of the relevant United Nations resolutions, in conformity with the Charter of the United Nations;

4. *Requests* the Secretary-General to report to the General Assembly at its fifty-fourth session on the implementation of the present resolution.

76th plenary meeting
2 December 1998

UNITED NATIONS **A**

General Assembly

Distr.
GENERAL

A/RES/54/37
20 January 2000

Fifty-fourth session
Agenda item 43

RESOLUTION ADOPTED BY THE GENERAL ASSEMBLY

[*without reference to a Main Committee (A/54/L.40 and Add.1)*]

54/37. Jerusalem

The General Assembly,

Recalling its resolutions 36/120 E of 10 December 1981, 37/123 C of 16 December 1982, 38/180 C of 19 December 1983, 39/146 C of 14 December 1984, 40/168 C of 16 December 1985, 41/162 C of 4 December 1986, 42/209 D of 11 December 1987, 43/54 C of 6 December 1988, 44/40 C of 4 December 1989, 45/83 C of 13 December 1990, 46/82 B of 16 December 1991, 47/63 B of 11 December 1992, 48/59 A of 14 December 1993, 49/87 A of 16 December 1994, 50/22 A of 4 December 1995, 51/27 of 4 December 1996, 52/53 of 9 December 1997 and 53/37 of 2 December 1998, in which it, *inter alia*, determined that all legislative and administrative measures and actions taken by Israel, the occupying Power, which have altered or purported to alter the character and status of the Holy City of Jerusalem, in particular the so-called "Basic Law" on Jerusalem and the proclamation of Jerusalem as the capital of Israel, were null and void and must be rescinded forthwith,

Recalling also Security Council resolution 478 (1980) of 20 August 1980, in which the Council, *inter alia*, decided not to recognize the "Basic Law" and called upon those States which had established diplomatic missions at Jerusalem to withdraw such missions from the Holy City,

Having considered the report of the Secretary-General,[1]

[1] A/54/495.

1. *Determines* that the decision of Israel to impose its laws, jurisdiction and administration on the Holy City of Jerusalem is illegal and therefore null and void and has no validity whatsoever;

2. *Deplores* the transfer by some States of their diplomatic missions to Jerusalem in violation of Security Council resolution 478 (1980) and their refusal to comply with the provisions of that resolution;

3. *Calls once more upon* those States to abide by the provisions of the relevant United Nations resolutions, in conformity with the Charter of the United Nations;

4. *Requests* the Secretary-General to report to the General Assembly at its fifty-fifth session on the implementation of the present resolution.

68th plenary meeting
1 December 1999

General Assembly

Distr.: General
25 January 2001

Fifty-fifth session
Agenda item 40

Resolution adopted by the General Assembly

[*without reference to a Main Committee (A/55/L.49 and Add.1)*]

55/50. Jerusalem

The General Assembly,

Recalling its resolutions 36/120 E of 10 December 1981, 37/123 C of 16 December 1982, 38/180 C of 19 December 1983, 39/146 C of 14 December 1984, 40/168 C of 16 December 1985, 41/162 C of 4 December 1986, 42/209 D of 11 December 1987, 43/54 C of 6 December 1988, 44/40 C of 4 December 1989, 45/83 C of 13 December 1990, 46/82 B of 16 December 1991, 47/63 B of 11 December 1992, 48/59 A of 14 December 1993, 49/87 A of 16 December 1994, 50/22 A of 4 December 1995, 51/27 of 4 December 1996, 52/53 of 9 December 1997, 53/37 of 2 December 1998 and 54/37 of 1 December 1999, in which it, inter alia, determined that all legislative and administrative measures and actions taken by Israel, the occupying Power, which have altered or purported to alter the character and status of the Holy City of Jerusalem, in particular the so-called "Basic Law" on Jerusalem and the proclamation of Jerusalem as the capital of Israel, were null and void and must be rescinded forthwith,

Recalling also Security Council resolution 478 (1980) of 20 August 1980, in which the Council, inter alia, decided not to recognize the "Basic Law" and called upon those States which had established diplomatic missions in Jerusalem to withdraw such missions from the Holy City,

Having considered the report of the Secretary-General,[1]

1. *Determines* that the decision of Israel to impose its laws, jurisdiction and administration on the Holy City of Jerusalem is illegal and therefore null and void and has no validity whatsoever;

2. *Deplores* the transfer by some States of their diplomatic missions to Jerusalem in violation of Security Council resolution 478 (1980) and their refusal to comply with the provisions of that resolution;

3. *Calls once more upon* those States to abide by the provisions of the relevant United Nations resolutions, in conformity with the Charter of the United Nations;

[1] A/55/538.

4. *Requests* the Secretary-General to report to the General Assembly at its fifty-sixth session on the implementation of the present resolution.

78th plenary meeting
1 December 2000

General Assembly

Distr.: General
18 December 2001

Fifty-sixth session
Agenda item 42

Resolution adopted by the General Assembly

[*without reference to a Main Committee (A/56/L.23 and Add.1)*]

56/31. Jerusalem

The General Assembly,

Recalling its resolutions 36/120 E of 10 December 1981, 37/123 C of 16 December 1982, 38/180 C of 19 December 1983, 39/146 C of 14 December 1984, 40/168 C of 16 December 1985, 41/162 C of 4 December 1986, 42/209 D of 11 December 1987, 43/54 C of 6 December 1988, 44/40 C of 4 December 1989, 45/83 C of 13 December 1990, 46/82 B of 16 December 1991, 47/63 B of 11 December 1992, 48/59 A of 14 December 1993, 49/87 A of 16 December 1994, 50/22 A of 4 December 1995, 51/27 of 4 December 1996, 52/53 of 9 December 1997, 53/37 of 2 December 1998, 54/37 of 1 December 1999 and 55/50 of 1 December 2000, in which it, inter alia, determined that all legislative and administrative measures and actions taken by Israel, the occupying Power, which have altered or purported to alter the character and status of the Holy City of Jerusalem, in particular the so-called "Basic Law" on Jerusalem and the proclamation of Jerusalem as the capital of Israel, were null and void and must be rescinded forthwith,

Recalling also Security Council resolution 478 (1980) of 20 August 1980, in which the Council, inter alia, decided not to recognize the "Basic Law" and called upon those States which had established diplomatic missions in Jerusalem to withdraw such missions from the Holy City,

Having considered the report of the Secretary-General,[1]

1. *Determines* that the decision of Israel to impose its laws, jurisdiction and administration on the Holy City of Jerusalem is illegal and therefore null and void and has no validity whatsoever;

2. *Deplores* the transfer by some States of their diplomatic missions to Jerusalem in violation of Security Council resolution 478 (1980) and their refusal to comply with the provisions of that resolution;

3. *Calls once more upon* those States to abide by the provisions of the relevant United Nations resolutions, in conformity with the Charter of the United Nations;

[1] A/56/480.

4. *Requests* the Secretary-General to report to the General Assembly at its fifty-seventh session on the implementation of the present resolution.

72nd plenary meeting
3 December 2001

General Assembly

Distr.: General
14 February 2003

Fifty-seventh session
Agenda item 36

Resolution adopted by the General Assembly

[*without reference to a Main Committee (A/57/L.44 and Add.1)*]

57/111. Jerusalem

The General Assembly,

Recalling its resolution 181 (II) of 29 November 1947, in particular its provisions regarding the City of Jerusalem,

Recalling also its resolution 36/120 E of 10 December 1981 and all subsequent resolutions, including resolution 56/31 of 3 December 2001, in which it, inter alia, determined that all legislative and administrative measures and actions taken by Israel, the occupying Power, which have altered or purported to alter the character and status of the Holy City of Jerusalem, in particular the so-called "Basic Law" on Jerusalem and the proclamation of Jerusalem as the capital of Israel, were null and void and must be rescinded forthwith,

Recalling further Security Council resolutions relevant to Jerusalem, including resolution 478 (1980) of 20 August 1980, in which the Council, inter alia, decided not to recognize the "Basic Law" and called upon those States which had established diplomatic missions in Jerusalem to withdraw such missions from the Holy City,

Expressing its grave concern at any action taken by any body, governmental or non-governmental, in violation of the above-mentioned resolutions,

Reaffirming that the international community, through the United Nations, has a legitimate interest in the question of the City of Jerusalem and the protection of the unique spiritual and religious dimension of the city, as foreseen in relevant United Nations resolutions on this matter,

Having considered the report of the Secretary-General,[1]

1. *Reiterates its determination* that any actions taken by Israel to impose its laws, jurisdiction and administration on the Holy City of Jerusalem are illegal and therefore null and void and have no validity whatsoever;

2. *Deplores* the transfer by some States of their diplomatic missions to Jerusalem in violation of Security Council resolution 478 (1980), and calls once

[1] A/57/470.

more upon those States to abide by the provisions of the relevant United Nations resolutions, in conformity with the Charter of the United Nations;

3. *Stresses* that a comprehensive, just and lasting solution to the question of the City of Jerusalem should take into account the legitimate concerns of both the Palestinian and Israeli sides and should include internationally guaranteed provisions to ensure the freedom of religion and of conscience of its inhabitants, as well as permanent, free and unhindered access to the holy places by the people of all religions and nationalities;

4. *Requests* the Secretary-General to report to the General Assembly at its fifty-eighth session on the implementation of the present resolution.

66th plenary meeting
3 December 2002

General Assembly

Distr.: General
15 December 2003

Fifty-eighth session
Agenda item 37

Resolution adopted by the General Assembly on 3 December 2003

[*without reference to a Main Committee (A/58/L.27 and Add.1)*]

58/22. Jerusalem

The General Assembly,

Recalling its resolution 181 (II) of 29 November 1947, in particular its provisions regarding the City of Jerusalem,

Recalling also its resolution 36/120 E of 10 December 1981 and all subsequent resolutions, including resolution 56/31 of 3 December 2001, in which it, inter alia, determined that all legislative and administrative measures and actions taken by Israel, the occupying Power, which have altered or purported to alter the character and status of the Holy City of Jerusalem, in particular the so-called "Basic Law" on Jerusalem and the proclamation of Jerusalem as the capital of Israel, were null and void and must be rescinded forthwith,

Recalling further Security Council resolutions relevant to Jerusalem, including resolution 478 (1980) of 20 August 1980, in which the Council, inter alia, decided not to recognize the "Basic Law" and called upon those States which had established diplomatic missions in Jerusalem to withdraw such missions from the Holy City,

Expressing its grave concern at any action taken by any body, governmental or non-governmental, in violation of the above-mentioned resolutions,

Reaffirming that the international community, through the United Nations, has a legitimate interest in the question of the City of Jerusalem and the protection of the unique spiritual, religious and cultural dimension of the city, as foreseen in relevant United Nations resolutions on this matter,

Having considered the report of the Secretary-General,[1]

1. *Reiterates its determination* that any actions taken by Israel to impose its laws, jurisdiction and administration on the Holy City of Jerusalem are illegal and therefore null and void and have no validity whatsoever;

2. *Deplores* the transfer by some States of their diplomatic missions to Jerusalem in violation of Security Council resolution 478 (1980), and calls once

[1] A/58/278.

more upon those States to abide by the provisions of the relevant United Nations resolutions, in conformity with the Charter of the United Nations;

3. *Stresses* that a comprehensive, just and lasting solution to the question of the City of Jerusalem should take into account the legitimate concerns of both the Palestinian and Israeli sides and should include internationally guaranteed provisions to ensure the freedom of religion and of conscience of its inhabitants, as well as permanent, free and unhindered access to the holy places by the people of all religions and nationalities;

4. *Requests* the Secretary-General to report to the General Assembly at its fifty-ninth session on the implementation of the present resolution.

68th plenary meeting
3 December 2003

General Assembly

Distr.: General
31 January 2005

Fifty-ninth session
Agenda item 36

Resolution adopted by the General Assembly on 1 December 2004

[*without reference to a Main Committee (A/59/L.39)*]

59/32. Jerusalem

The General Assembly,

Recalling its resolution 181 (II) of 29 November 1947, in particular its provisions regarding the City of Jerusalem,

Recalling also its resolution 36/120 E of 10 December 1981 and all subsequent resolutions, including resolution 56/31 of 3 December 2001, in which it, inter alia, determined that all legislative and administrative measures and actions taken by Israel, the occupying Power, which have altered or purported to alter the character and status of the Holy City of Jerusalem, in particular the so-called "Basic Law" on Jerusalem and the proclamation of Jerusalem as the capital of Israel, were null and void and must be rescinded forthwith,

Recalling further Security Council resolutions relevant to Jerusalem, including resolution 478 (1980) of 20 August 1980, in which the Council, inter alia, decided not to recognize the "Basic Law" and called upon those States which had established diplomatic missions in Jerusalem to withdraw such missions from the Holy City,

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*,[1] and recalling resolution ES-10/15 of 20 July 2004,

Expressing its grave concern at any action taken by any body, governmental or non-governmental, in violation of the above-mentioned resolutions,

Reaffirming that the international community, through the United Nations, has a legitimate interest in the question of the City of Jerusalem and the protection of the unique spiritual, religious and cultural dimensions of the city, as foreseen in relevant United Nations resolutions on this matter,

Having considered the report of the Secretary-General,[2]

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[1] See A/ES-10/273 and Corr.1.

[2] A/59/431.

1. *Reiterates its determination* that any actions taken by Israel to impose its laws, jurisdiction and administration on the Holy City of Jerusalem are illegal and therefore null and void and have no validity whatsoever;

2. *Deplores* the transfer by some States of their diplomatic missions to Jerusalem in violation of Security Council resolution 478 (1980), and calls once more upon those States to abide by the provisions of the relevant United Nations resolutions, in conformity with the Charter of the United Nations;

3. *Stresses* that a comprehensive, just and lasting solution to the question of the City of Jerusalem should take into account the legitimate concerns of both the Palestinian and Israeli sides and should include internationally guaranteed provisions to ensure the freedom of religion and of conscience of its inhabitants, as well as permanent, free and unhindered access to the holy places by the people of all religions and nationalities;

4. *Requests* the Secretary-General to report to the General Assembly at its sixtieth session on the implementation of the present resolution.

64th plenary meeting
1 December 2004

General Assembly

Distr.: General
10 February 2006

Sixtieth session
Agenda item 14

Resolution adopted by the General Assembly on 1 December 2005

[*without reference to a Main Committee (A/60/L.33 and Add.1)*]

60/41. Jerusalem

The General Assembly,

Recalling its resolution 181 (II) of 29 November 1947, in particular its provisions regarding the City of Jerusalem,

Recalling also its resolution 36/120 E of 10 December 1981 and all subsequent resolutions, including resolution 56/31 of 3 December 2001, in which it, inter alia, determined that all legislative and administrative measures and actions taken by Israel, the occupying Power, which have altered or purported to alter the character and status of the Holy City of Jerusalem, in particular the so-called "Basic Law" on Jerusalem and the proclamation of Jerusalem as the capital of Israel, were null and void and must be rescinded forthwith,

Recalling further Security Council resolutions relevant to Jerusalem, including resolution 478 (1980) of 20 August 1980, in which the Council, inter alia, decided not to recognize the "Basic Law" and called upon those States which had established diplomatic missions in Jerusalem to withdraw such missions from the Holy City,

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*,[1] and recalling resolution ES-10/15 of 20 July 2004,

Expressing its grave concern at any action taken by any body, governmental or non-governmental, in violation of the above-mentioned resolutions,

Expressing its grave concern in particular about the continuation by Israel, the occupying Power, of illegal settlement activities and its construction of the wall in and around East Jerusalem, and the further isolation of the city from the rest of the Occupied Palestinian Territory, which is having a detrimental effect on the lives of Palestinians and could prejudge a final status agreement on Jerusalem,

Reaffirming that the international community, through the United Nations, has a legitimate interest in the question of the City of Jerusalem and the protection of

[1] See A/ES-10/273 and Corr.1.

the unique spiritual, religious and cultural dimensions of the city, as foreseen in relevant United Nations resolutions on this matter,

Having considered the report of the Secretary-General,[2]

1. *Reiterates its determination* that any actions taken by Israel to impose its laws, jurisdiction and administration on the Holy City of Jerusalem are illegal and therefore null and void and have no validity whatsoever;

2. *Deplores* the transfer by some States of their diplomatic missions to Jerusalem in violation of Security Council resolution 478 (1980), and calls once more upon those States to abide by the provisions of the relevant United Nations resolutions, in conformity with the Charter of the United Nations;

3. *Stresses* that a comprehensive, just and lasting solution to the question of the City of Jerusalem should take into account the legitimate concerns of both the Palestinian and Israeli sides and should include internationally guaranteed provisions to ensure the freedom of religion and of conscience of its inhabitants, as well as permanent, free and unhindered access to the holy places by the people of all religions and nationalities;

4. *Requests* the Secretary-General to report to the General Assembly at its sixty-first session on the implementation of the present resolution.

60th plenary meeting
1 December 2005

[2] A/60/258.

General Assembly

Distr.: General
29 January 2007

Sixty-first session
Agenda item 13

Resolution adopted by the General Assembly on 1 December 2006

[*without reference to a Main Committee (A/61/L.35 and Add.1)*]

61/26. Jerusalem

The General Assembly,

Recalling its resolution 181 (II) of 29 November 1947, in particular its provisions regarding the City of Jerusalem,

Recalling also its resolution 36/120 E of 10 December 1981 and all subsequent resolutions, including resolution 56/31 of 3 December 2001, in which it, inter alia, determined that all legislative and administrative measures and actions taken by Israel, the occupying Power, which have altered or purported to alter the character and status of the Holy City of Jerusalem, in particular the so-called "Basic Law" on Jerusalem and the proclamation of Jerusalem as the capital of Israel, were null and void and must be rescinded forthwith,

Recalling further the Security Council resolutions relevant to Jerusalem, including resolution 478 (1980) of 20 August 1980, in which the Council, inter alia, decided not to recognize the "Basic Law" on Jerusalem,

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*,[1] and recalling resolution ES-10/15 of 20 July 2004,

Expressing its grave concern about any action taken by any body, governmental or non-governmental, in violation of the above-mentioned resolutions,

Expressing its grave concern in particular about the continuation by Israel, the occupying Power, of illegal settlement activities, including the so-called E-1 plan, and its construction of the wall in and around East Jerusalem, and the further isolation of the city from the rest of the Occupied Palestinian Territory, which is having a detrimental effect on the lives of Palestinians and could prejudge a final status agreement on Jerusalem,

Reaffirming that the international community, through the United Nations, has a legitimate interest in the question of the City of Jerusalem and the protection of the unique spiritual, religious and cultural dimensions of the city, as foreseen in relevant United Nations resolutions on this matter,

[1] See A/ES-10/273 and Corr.1.

Having considered the report of the Secretary-General,[2]

1. *Reiterates its determination* that any actions taken by Israel, the occupying Power, to impose its laws, jurisdiction and administration on the Holy City of Jerusalem are illegal and therefore null and void and have no validity whatsoever, and calls upon Israel to cease all such illegal and unilateral measures;

2. *Welcomes* the decision of those States that had established diplomatic missions in Jerusalem to withdraw their missions from the city, in compliance with Security Council resolution 478 (1980);

3. *Stresses* that a comprehensive, just and lasting solution to the question of the City of Jerusalem should take into account the legitimate concerns of both the Palestinian and Israeli sides and should include internationally guaranteed provisions to ensure the freedom of religion and of conscience of its inhabitants, as well as permanent, free and unhindered access to the holy places by the people of all religions and nationalities;

4. *Requests* the Secretary-General to report to the General Assembly at its sixty-second session on the implementation of the present resolution.

63rd plenary meeting
1 December 2006

[2] A/61/298.

General Assembly

Distr.: General
21 January 2008

Sixty-second session
Agenda item 17

Resolution adopted by the General Assembly on 10 December 2007

[*without reference to a Main Committee (A/62/L.22 and Add.1)*]

62/84. Jerusalem

The General Assembly,

Recalling its resolution 181 (II) of 29 November 1947, in particular its provisions regarding the City of Jerusalem,

Recalling also its resolution 36/120 E of 10 December 1981 and all subsequent resolutions, including resolution 56/31 of 3 December 2001, in which it, inter alia, determined that all legislative and administrative measures and actions taken by Israel, the occupying Power, which have altered or purported to alter the character and status of the Holy City of Jerusalem, in particular the so-called "Basic Law" on Jerusalem and the proclamation of Jerusalem as the capital of Israel, were null and void and must be rescinded forthwith,

Recalling further the Security Council resolutions relevant to Jerusalem, including resolution 478 (1980) of 20 August 1980, in which the Council, inter alia, decided not to recognize the "Basic Law" on Jerusalem,

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*,[1] and recalling resolution ES-10/15 of 20 July 2004,

Expressing its grave concern about any action taken by any body, governmental or non-governmental, in violation of the above-mentioned resolutions,

Expressing its grave concern in particular about the continuation by Israel, the occupying Power, of illegal settlement activities, including the so-called E-1 plan, its construction of the wall in and around East Jerusalem, its restrictions on access to and residence in East Jerusalem, and the further isolation of the city from the rest of the Occupied Palestinian Territory, which is having a detrimental effect on the lives of Palestinians and could prejudge a final status agreement on Jerusalem,

Reaffirming that the international community, through the United Nations, has a legitimate interest in the question of the City of Jerusalem and the protection of the unique spiritual, religious and cultural dimensions of the city, as foreseen in relevant United Nations resolutions on this matter,

[1] See A/ES-10/273 and Corr.1.

Having considered the report of the Secretary-General,[2]

1. *Reiterates its determination* that any actions taken by Israel, the occupying Power, to impose its laws, jurisdiction and administration on the Holy City of Jerusalem are illegal and therefore null and void and have no validity whatsoever, and calls upon Israel to cease all such illegal and unilateral measures;

2. *Welcomes* the decision of those States that had established diplomatic missions in Jerusalem to withdraw their missions from the city, in compliance with Security Council resolution 478 (1980);

3. *Stresses* that a comprehensive, just and lasting solution to the question of the City of Jerusalem should take into account the legitimate concerns of both the Palestinian and Israeli sides and should include internationally guaranteed provisions to ensure the freedom of religion and of conscience of its inhabitants, as well as permanent, free and unhindered access to the holy places by the people of all religions and nationalities;

4. *Requests* the Secretary-General to report to the General Assembly at its sixty-third session on the implementation of the present resolution.

65th plenary meeting
10 December 2007

[2] A/62/327.

General Assembly

Distr.: General
23 January 2009

Sixty-third session
Agenda item 15

Resolution adopted by the General Assembly on 26 November 2008

[*without reference to a Main Committee (A/63/L.36 and Add.1)*]

63/30. Jerusalem

The General Assembly,

Recalling its resolution 181 (II) of 29 November 1947, in particular its provisions regarding the City of Jerusalem,

Recalling also its resolution 36/120 E of 10 December 1981 and all subsequent resolutions, including resolution 56/31 of 3 December 2001, in which it, inter alia, determined that all legislative and administrative measures and actions taken by Israel, the occupying Power, which have altered or purported to alter the character and status of the Holy City of Jerusalem, in particular the so-called "Basic Law" on Jerusalem and the proclamation of Jerusalem as the capital of Israel, were null and void and must be rescinded forthwith,

Recalling further the Security Council resolutions relevant to Jerusalem, including resolution 478 (1980) of 20 August 1980, in which the Council, inter alia, decided not to recognize the "Basic Law" on Jerusalem,

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*,[1] and recalling resolution ES-10/15 of 20 July 2004,

Expressing its grave concern about any action taken by any body, governmental or non-governmental, in violation of the above-mentioned resolutions,

Expressing its grave concern in particular about the continuation by Israel, the occupying Power, of illegal settlement activities, including the so-called E-1 plan, its construction of the wall in and around East Jerusalem, its restrictions on access to and residence in East Jerusalem, and the further isolation of the city from the rest of the Occupied Palestinian Territory, which is having a detrimental effect on the lives of Palestinians and could prejudge a final status agreement on Jerusalem,

Reaffirming that the international community, through the United Nations, has a legitimate interest in the question of the City of Jerusalem and the protection of

[1] 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.

the unique spiritual, religious and cultural dimensions of the city, as foreseen in relevant United Nations resolutions on this matter,

Having considered the report of the Secretary-General,[2]

1. *Reiterates its determination* that any actions taken by Israel, the occupying Power, to impose its laws, jurisdiction and administration on the Holy City of Jerusalem are illegal and therefore null and void and have no validity whatsoever, and calls upon Israel to cease all such illegal and unilateral measures;

2. *Stresses* that a comprehensive, just and lasting solution to the question of the City of Jerusalem should take into account the legitimate concerns of both the Palestinian and Israeli sides and should include internationally guaranteed provisions to ensure the freedom of religion and of conscience of its inhabitants, as well as permanent, free and unhindered access to the holy places by the people of all religions and nationalities;

3. *Requests* the Secretary-General to report to the General Assembly at its sixty-fourth session on the implementation of the present resolution.

60th plenary meeting
26 November 2008

[2] A/63/361.

General Assembly

Distr.: General
25 January 2010

Sixty-fourth session
Agenda item 15

Resolution adopted by the General Assembly on 2 December 2009

[*without reference to a Main Committee (A/64/L.24 and Add.1)*]

64/20. Jerusalem

The General Assembly,

Recalling its resolution 181 (II) of 29 November 1947, in particular its provisions regarding the City of Jerusalem,

Recalling also its resolution 36/120 E of 10 December 1981 and all its subsequent relevant resolutions, including resolution 56/31 of 3 December 2001, in which it, inter alia, determined that all legislative and administrative measures and actions taken by Israel, the occupying Power, which have altered or purported to alter the character and status of the Holy City of Jerusalem, in particular the so-called "Basic Law" on Jerusalem and the proclamation of Jerusalem as the capital of Israel, were null and void and must be rescinded forthwith,

Recalling further the Security Council resolutions relevant to Jerusalem, including resolution 478 (1980) of 20 August 1980, in which the Council, inter alia, decided not to recognize the "Basic Law" on Jerusalem,

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*,[1] and recalling its resolution ES-10/15 of 20 July 2004,

Expressing its grave concern about any action taken by any body, governmental or non-governmental, in violation of the above-mentioned resolutions,

[1] 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.

Expressing its grave concern, in particular, about the continuation by Israel, the occupying Power, of illegal settlement activities, including the so-called E-1 plan, its construction of the wall in and around East Jerusalem, its restrictions on access to and residence in East Jerusalem and the further isolation of the city from the rest of the Occupied Palestinian Territory, which are having a detrimental effect on the lives of Palestinians and could prejudge a final status agreement on Jerusalem,

Expressing its grave concern also about the continuing Israeli demolition of Palestinian homes and the eviction of numerous Palestinian families from East Jerusalem neighbourhoods, as well as other acts of provocation and incitement, including by Israeli settlers, in the city,

Expressing its concern about the Israeli excavations undertaken in the Old City of Jerusalem, including in and around religious sites,

Reaffirming that the international community, through the United Nations, has a legitimate interest in the question of the City of Jerusalem and in the protection of the unique spiritual, religious and cultural dimensions of the city, as foreseen in relevant United Nations resolutions on this matter,

Having considered the report of the Secretary-General on the situation in the Middle East,[2]

1. *Reiterates its determination* that any actions taken by Israel, the occupying Power, to impose its laws, jurisdiction and administration on the Holy City of Jerusalem are illegal and therefore null and void and have no validity whatsoever, and calls upon Israel to immediately cease all such illegal and unilateral measures;

2. *Stresses* that a comprehensive, just and lasting solution to the question of the City of Jerusalem should take into account the legitimate concerns of both the Palestinian and Israeli sides and should include internationally guaranteed provisions to ensure the freedom of religion and of conscience of its inhabitants, as well as permanent, free and unhindered access to the holy places by the people of all religions and nationalities;

3. *Requests* the Secretary-General to report to the General Assembly at its sixty-fifth session on the implementation of the present resolution.

54th plenary meeting
2 December 2009

[2] A/64/343.

General Assembly

Distr.: General
25 January 2011

Sixty-fifth session
Agenda item 36

Resolution adopted by the General Assembly on 30 November 2010

[*without reference to a Main Committee (A/65/L.18)*]

65/17. Jerusalem

The General Assembly,

Recalling its resolution 181 (II) of 29 November 1947, in particular its provisions regarding the City of Jerusalem,

Recalling also its resolution 36/120 E of 10 December 1981 and all its subsequent relevant resolutions, including resolution 56/31 of 3 December 2001, in which it, inter alia, determined that all legislative and administrative measures and actions taken by Israel, the occupying Power, which have altered or purported to alter the character and status of the Holy City of Jerusalem, in particular the so-called "Basic Law" on Jerusalem and the proclamation of Jerusalem as the capital of Israel, were null and void and must be rescinded forthwith,

Recalling further the Security Council resolutions relevant to Jerusalem, including resolution 478 (1980) of 20 August 1980, in which the Council, inter alia, decided not to recognize the "Basic Law" on Jerusalem,

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*,[1] and recalling its resolution ES-10/15 of 20 July 2004,

Expressing its grave concern about any action taken by any body, governmental or non-governmental, in violation of the above-mentioned resolutions,

Expressing its grave concern also, in particular, about the continuation by Israel, the occupying Power, of illegal settlement activities, including the so-called E-1 plan, its construction of the wall in and around East Jerusalem, its restrictions on access to and residence in East Jerusalem and the further isolation of the city from the rest of the Occupied Palestinian Territory, which are having a detrimental effect on the lives of Palestinians and could prejudge a final status agreement on Jerusalem,

[1] 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.

Expressing its grave concern further about the continuing Israeli demolition of Palestinian homes and the eviction of numerous Palestinian families from East Jerusalem neighbourhoods, as well as other acts of provocation and incitement, including by Israeli settlers, in the city,

Expressing its concern about the Israeli excavations undertaken in the Old City of Jerusalem, including in and around religious sites,

Reaffirming that the international community, through the United Nations, has a legitimate interest in the question of the City of Jerusalem and in the protection of the unique spiritual, religious and cultural dimensions of the city, as foreseen in relevant United Nations resolutions on this matter,

Having considered the report of the Secretary-General on the situation in the Middle East,[2]

1. *Reiterates its determination* that any actions taken by Israel, the occupying Power, to impose its laws, jurisdiction and administration on the Holy City of Jerusalem are illegal and therefore null and void and have no validity whatsoever, and calls upon Israel to immediately cease all such illegal and unilateral measures;

2. *Stresses* that a comprehensive, just and lasting solution to the question of the City of Jerusalem should take into account the legitimate concerns of both the Palestinian and Israeli sides and should include internationally guaranteed provisions to ensure the freedom of religion and of conscience of its inhabitants, as well as permanent, free and unhindered access to the holy places by the people of all religions and nationalities;

3. *Requests* the Secretary-General to report to the General Assembly at its sixty-sixth session on the implementation of the present resolution.

55th plenary meeting
30 November 2010

[2] A/65/379.

General Assembly

Distr.: General
26 January 2012

Sixty-sixth session
Agenda item 36

Resolution adopted by the General Assembly on 30 November 2011

[*without reference to a Main Committee (A/66/L.19 and Add.1)*]

66/18. Jerusalem

The General Assembly,

Recalling its resolution 181 (II) of 29 November 1947, in particular its provisions regarding the City of Jerusalem,

Recalling also its resolution 36/120 E of 10 December 1981 and all its subsequent relevant resolutions, including resolution 56/31 of 3 December 2001, in which it, inter alia, determined that all legislative and administrative measures and actions taken by Israel, the occupying Power, which have altered or purported to alter the character and status of the Holy City of Jerusalem, in particular the so-called "Basic Law" on Jerusalem and the proclamation of Jerusalem as the capital of Israel, were null and void and must be rescinded forthwith,

Recalling further the Security Council resolutions relevant to Jerusalem, including resolution 478 (1980) of 20 August 1980, in which the Council, inter alia, decided not to recognize the "Basic Law" on Jerusalem,

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*,[1] and recalling its resolution ES-10/15 of 20 July 2004,

Expressing its grave concern about any action taken by any body, governmental or non-governmental, in violation of the above-mentioned resolutions,

Expressing its grave concern also, in particular, about the continuation by Israel, the occupying Power, of illegal settlement activities, including the so-called E-1 plan, its construction of the wall in and around East Jerusalem, its restrictions on access to and residence in East Jerusalem and the further isolation of the city from the rest of the Occupied Palestinian Territory, which are having a detrimental effect on the lives of Palestinians and could prejudge a final status agreement on Jerusalem,

[1] 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.

Expressing its grave concern further about the continuing Israeli demolition of Palestinian homes, the revocation of residency rights and the eviction and displacement of numerous Palestinian families from East Jerusalem neighbourhoods, as well as other acts of provocation and incitement, including by Israeli settlers, in the city,

Expressing its concern about the Israeli excavations undertaken in the Old City of Jerusalem, including in and around religious sites,

Reaffirming that the international community, through the United Nations, has a legitimate interest in the question of the City of Jerusalem and in the protection of the unique spiritual, religious and cultural dimensions of the city, as foreseen in relevant United Nations resolutions on this matter,

Having considered the report of the Secretary-General on the situation in the Middle East,[2]

1. *Reiterates its determination* that any actions taken by Israel, the occupying Power, to impose its laws, jurisdiction and administration on the Holy City of Jerusalem are illegal and therefore null and void and have no validity whatsoever, and calls upon Israel to immediately cease all such illegal and unilateral measures;

2. *Stresses* that a comprehensive, just and lasting solution to the question of the City of Jerusalem should take into account the legitimate concerns of both the Palestinian and Israeli sides and should include internationally guaranteed provisions to ensure the freedom of religion and of conscience of its inhabitants, as well as permanent, free and unhindered access to the holy places by the people of all religions and nationalities;

3. *Requests* the Secretary-General to report to the General Assembly at its sixty-seventh session on the implementation of the present resolution.

69th plenary meeting
30 November 2011

[2] A/66/338.

General Assembly

Distr.: General
28 February 2013

Sixty-seventh session
Agenda item 36

Resolution adopted by the General Assembly on 30 November 2012

[*without reference to a Main Committee (A/67/L.23 and Add.1)*]

67/24. Jerusalem

The General Assembly,

Recalling its resolution 181 (II) of 29 November 1947, in particular its provisions regarding the City of Jerusalem,

Recalling also its resolution 36/120 E of 10 December 1981 and all its subsequent relevant resolutions, including resolution 56/31 of 3 December 2001, in which it, inter alia, determined that all legislative and administrative measures and actions taken by Israel, the occupying Power, which have altered or purported to alter the character and status of the Holy City of Jerusalem, in particular the so called "Basic Law" on Jerusalem and the proclamation of Jerusalem as the capital of Israel, were null and void and must be rescinded forthwith,

Recalling further the Security Council resolutions relevant to Jerusalem, including resolution 478 (1980) of 20 August 1980, in which the Council, inter alia, decided not to recognize the "Basic Law" on Jerusalem,

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,[1] and recalling its resolution ES-10/15 of 20 July 2004,

Expressing its grave concern about any action taken by any body, governmental or non-governmental, in violation of the above-mentioned resolutions,

Expressing its grave concern also, in particular, about the continuation by Israel, the occupying Power, of illegal settlement activities, including the so-called E-1 plan, its construction of the wall in and around East Jerusalem, its restrictions on Palestinian access to and residence in East Jerusalem and the further isolation of the city from the rest of the Occupied Palestinian Territory, which are having a detrimental effect on the lives of Palestinians and could prejudge a final status agreement on Jerusalem,

[1] See A/ES-10/273 and Corr.1.

Expressing its grave concern further about the continuing Israeli demolition of Palestinian homes, the revocation of residency rights and the eviction and displacement of numerous Palestinian families from East Jerusalem neighbourhoods, as well as other acts of provocation and incitement, including by Israeli settlers, in the city, including desecration of mosques and churches,

Expressing its concern about the Israeli excavations undertaken in the Old City of Jerusalem, including in and around religious sites,

Reaffirming that the international community, through the United Nations, has a legitimate interest in the question of the City of Jerusalem and in the protection of the unique spiritual, religious and cultural dimensions of the city, as foreseen in relevant United Nations resolutions on this matter,

Having considered the report of the Secretary-General on the situation in the Middle East,[2]

1. *Reiterates its determination* that any actions taken by Israel, the occupying Power, to impose its laws, jurisdiction and administration on the Holy City of Jerusalem are illegal and therefore null and void and have no validity whatsoever, and calls upon Israel to immediately cease all such illegal and unilateral measures;

2. *Stresses* that a comprehensive, just and lasting solution to the question of the City of Jerusalem should take into account the legitimate concerns of both the Palestinian and Israeli sides and should include internationally guaranteed provisions to ensure the freedom of religion and of conscience of its inhabitants, as well as permanent, free and unhindered access to the holy places by people of all religions and nationalities;

3. *Requests* the Secretary-General to report to the General Assembly at its sixty-eighth session on the implementation of the present resolution.

47th plenary meeting
30 November 2012

[2] A/67/342.

General Assembly

Distr.: General
30 January 2014

Sixty-eighth session
Agenda item 35

Resolution adopted by the General Assembly on 26 November 2013

[*without reference to a Main Committee (A/68/L.16 and Add.1)*]

68/16. Jerusalem

The General Assembly,

Recalling its resolution 181 (II) of 29 November 1947, in particular its provisions regarding the City of Jerusalem,

Recalling also its resolution 36/120 E of 10 December 1981 and all its subsequent relevant resolutions, including resolution 56/31 of 3 December 2001, in which it, inter alia, determined that all legislative and administrative measures and actions taken by Israel, the occupying Power, which have altered or purported to alter the character and status of the Holy City of Jerusalem, in particular the so-called "Basic Law" on Jerusalem and the proclamation of Jerusalem as the capital of Israel, were null and void and must be rescinded forthwith,

Recalling further the Security Council resolutions relevant to Jerusalem, including resolution 478 (1980) of 20 August 1980, in which the Council, inter alia, decided not to recognize the "Basic Law" on Jerusalem,

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,[1] and recalling its resolution ES-10/15 of 20 July 2004,

Expressing its grave concern about any action taken by any body, governmental or non-governmental, in violation of the above-mentioned resolutions,

Expressing its grave concern also, in particular, about the continuation by Israel, the occupying Power, of illegal settlement activities, including provocations regarding the so-called E-1 plan, its construction of the wall in and around East Jerusalem, its restrictions on Palestinian access to and residence in East Jerusalem and the further isolation of the city from the rest of the Occupied Palestinian Territory, which are having a detrimental effect on the lives of Palestinians and could prejudge a final status agreement on Jerusalem,

[1] See A/ES-10/273 and Corr.1.

Expressing its grave concern further about the continuing Israeli demolition of Palestinian homes, the revocation of residency rights and the eviction and displacement of numerous Palestinian families from East Jerusalem neighbourhoods, as well as other acts of provocation and incitement, including by Israeli settlers, in the city, including desecration of mosques and churches,

Expressing its concern about the Israeli excavations undertaken in the Old City of Jerusalem, including in and around religious sites,

Reaffirming that the international community, through the United Nations, has a legitimate interest in the question of the City of Jerusalem and in the protection of the unique spiritual, religious and cultural dimensions of the city, as foreseen in relevant United Nations resolutions on this matter,

Having considered the report of the Secretary-General on the situation in the Middle East,[2]

1. *Reiterates its determination* that any actions taken by Israel, the occupying Power, to impose its laws, jurisdiction and administration on the Holy City of Jerusalem are illegal and therefore null and void and have no validity whatsoever, and calls upon Israel to immediately cease all such illegal and unilateral measures;

2. *Stresses* that a comprehensive, just and lasting solution to the question of the City of Jerusalem should take into account the legitimate concerns of both the Palestinian and Israeli sides and should include internationally guaranteed provisions to ensure the freedom of religion and of conscience of its inhabitants, as well as permanent, free and unhindered access to the holy places by people of all religions and nationalities;

3. *Also stresses* the need for the parties to observe calm and restraint and to refrain from provocative actions, incitement and inflammatory rhetoric, especially in areas of religious and cultural sensitivity, and expresses its grave concern in particular about the recent series of negative incidents in East Jerusalem;

4. *Requests* the Secretary-General to report to the General Assembly at its sixty-ninth session on the implementation of the present resolution.

58th plenary meeting
26 November 2013

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[2] A/68/371.

General Assembly

Distr.: General
10 November 2014

Sixty-ninth session
Agenda item 35

Resolution adopted by the General Assembly on 25 November 2014

[*without reference to a Main Committee (A/69/L.25 and Add.1)*]

69/24. Jerusalem

The General Assembly,

Recalling its resolution 181 (II) of 29 November 1947, in particular its provisions regarding the City of Jerusalem,

Recalling also its resolution 36/120 E of 10 December 1981 and all its subsequent relevant resolutions, including resolution 56/31 of 3 December 2001, in which it, inter alia, determined that all legislative and administrative measures and actions taken by Israel, the occupying Power, which have altered or purported to alter the character and status of the Holy City of Jerusalem, in particular the so-called "Basic Law" on Jerusalem and the proclamation of Jerusalem as the capital of Israel, were null and void and must be rescinded forthwith,

Recalling further the Security Council resolutions relevant to Jerusalem, including resolution 478 (1980) of 20 August 1980, in which the Council, inter alia, decided not to recognize the "Basic Law" on Jerusalem,

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,[1] and recalling its resolution ES-10/15 of 20 July 2004,

Expressing its grave concern about any action taken by any body, governmental or non-governmental, in violation of the above-mentioned resolutions,

Expressing its grave concern also, in particular, about the continuation by Israel, the occupying Power, of illegal settlement activities, including provocations regarding the so-called E-1 plan, its construction of the wall in and around East Jerusalem, its restrictions on Palestinian access to and residence in East Jerusalem and the further isolation of the city from the rest of the Occupied Palestinian Territory, which are having a detrimental effect on the lives of Palestinians and could prejudge a final status agreement on Jerusalem,

Expressing its grave concern further about the continuing Israeli demolition of Palestinian homes, the revocation of residency rights and the eviction and

[1] See A/ES-10/273 and Corr.1.

displacement of numerous Palestinian families from East Jerusalem neighbourhoods, including Bedouin families, as well as other acts of provocation and incitement, including by Israeli settlers, in the city, including desecration of mosques and churches,

Expressing its concern about the Israeli excavations undertaken in the Old City of Jerusalem, including in and around religious sites,

Reaffirming that the international community, through the United Nations, has a legitimate interest in the question of the City of Jerusalem and in the protection of the unique spiritual, religious and cultural dimensions of the city, as foreseen in relevant United Nations resolutions on this matter,

Having considered the report of the Secretary-General on the situation in the Middle East,[2]

1. *Reiterates its determination* that any actions taken by Israel, the occupying Power, to impose its laws, jurisdiction and administration on the Holy City of Jerusalem are illegal and therefore null and void and have no validity whatsoever, and calls upon Israel to immediately cease all such illegal and unilateral measures;

2. *Stresses* that a comprehensive, just and lasting solution to the question of the City of Jerusalem should take into account the legitimate concerns of both the Palestinian and Israeli sides and should include internationally guaranteed provisions to ensure the freedom of religion and of conscience of its inhabitants, as well as permanent, free and unhindered access to the holy places by people of all religions and nationalities;

3. *Also stresses* the need for the parties to observe calm and restraint and to refrain from provocative actions, incitement and inflammatory rhetoric, especially in areas of religious and cultural sensitivity, and expresses its grave concern in particular about the recent series of negative incidents in East Jerusalem;

4. *Requests* the Secretary-General to report to the General Assembly at its seventieth session on the implementation of the present resolution.

61st plenary meeting
25 November 2014

[2] A/69/341.

General Assembly

Distr.: General
2 December 2015

Seventieth session
Agenda item 37

Resolution adopted by the General Assembly on 24 November 2015

[*without reference to a Main Committee (A/70/L.14 and Add.1)*]

70/16. Jerusalem

The General Assembly,

Recalling its resolution 181 (II) of 29 November 1947, in particular its provisions regarding the City of Jerusalem,

Recalling also its resolution 36/120 E of 10 December 1981 and all its subsequent relevant resolutions, including resolution 56/31 of 3 December 2001, in which it, inter alia, determined that all legislative and administrative measures and actions taken by Israel, the occupying Power, which have altered or purported to alter the character and status of the Holy City of Jerusalem, in particular the so-called "Basic Law" on Jerusalem and the proclamation of Jerusalem as the capital of Israel, were null and void and must be rescinded forthwith,

Recalling further the Security Council resolutions relevant to Jerusalem, including resolution 478 (1980) of 20 August 1980, in which the Council, inter alia, decided not to recognize the "Basic Law" on Jerusalem,

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,[1] and recalling its resolution ES-10/15 of 20 July 2004,

Expressing its grave concern about any action taken by any body, governmental or non-governmental, in violation of the above-mentioned resolutions,

Expressing its grave concern also, in particular, about the continuation by Israel, the occupying Power, of illegal settlement activities, including measures regarding the so-called E-1 plan, its construction of the wall in and around East Jerusalem, its restrictions on Palestinian access to and residence in East Jerusalem and the further isolation of the city from the rest of the Occupied Palestinian Territory, which are having a detrimental effect on the lives of Palestinians and could prejudge a final status agreement on Jerusalem,

Expressing its grave concern further about the continuing Israeli demolition of Palestinian homes, the revocation of residency rights and the eviction and

[1] See A/ES-10/273 and Corr.1.

displacement of numerous Palestinian families from East Jerusalem neighbourhoods, including Bedouin families, as well as other acts of provocation and incitement, including by Israeli settlers, in the city, including desecration of mosques and churches,

Expressing its concern about the Israeli excavations undertaken in the Old City of Jerusalem, including in and around religious sites,

Expressing its grave concern, in particular, about tensions, provocations and incitement regarding the holy places of Jerusalem, including the Haram al-Sharif, and urging restraint and respect for the sanctity of the holy sites by all sides,

Reaffirming that the international community, through the United Nations, has a legitimate interest in the question of the City of Jerusalem and in the protection of the unique spiritual, religious and cultural dimensions of the city, as foreseen in relevant United Nations resolutions on this matter,

Having considered the report of the Secretary-General on the situation in the Middle East,[2]

1. *Reiterates its determination* that any actions taken by Israel, the occupying Power, to impose its laws, jurisdiction and administration on the Holy City of Jerusalem are illegal and therefore null and void and have no validity whatsoever, and calls upon Israel to immediately cease all such illegal and unilateral measures;

2. *Stresses* that a comprehensive, just and lasting solution to the question of the City of Jerusalem should take into account the legitimate concerns of both the Palestinian and Israeli sides and should include internationally guaranteed provisions to ensure the freedom of religion and of conscience of its inhabitants, as well as permanent, free and unhindered access to the holy places by people of all religions and nationalities;

3. *Also stresses* the need for the parties to observe calm and restraint and to refrain from provocative actions, incitement and inflammatory rhetoric, especially in areas of religious and cultural sensitivity, and expresses its grave concern in particular about the recent series of negative incidents in East Jerusalem;

4. *Calls for* respect for the historic status quo at the holy places of Jerusalem, including the Haram al-Sharif, in word and practice, and urges all sides to work immediately and cooperatively to defuse tensions and halt all provocations, incitement and violence at the holy sites in the City;

5. *Requests* the Secretary-General to report to the General Assembly at its seventy-first session on the implementation of the present resolution.

64th plenary meeting
24 November 2015

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[2] A/70/353.

General Assembly

Distr.: General
16 December 2016

Seventy-first session
Agenda item 34

Resolution adopted by the General Assembly on 30 November 2016

[*without reference to a Main Committee (A/71/L.22 and Add.1)*]

71/25. Jerusalem

The General Assembly,

Recalling its resolution 181 (II) of 29 November 1947, in particular its provisions regarding the City of Jerusalem,

Recalling also its resolution 36/120 E of 10 December 1981 and all its subsequent relevant resolutions, including resolution 56/31 of 3 December 2001, in which it, inter alia, determined that all legislative and administrative measures and actions taken by Israel, the occupying Power, which have altered or purported to alter the character and status of the Holy City of Jerusalem, in particular the so-called "Basic Law" on Jerusalem and the proclamation of Jerusalem as the capital of Israel, were null and void and must be rescinded forthwith,

Recalling further the Security Council resolutions relevant to Jerusalem, including resolution 478 (1980) of 20 August 1980, in which the Council, inter alia, decided not to recognize the "Basic Law" on Jerusalem,

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,[1] and recalling its resolution ES-10/15 of 20 July 2004,

Expressing its grave concern about any action taken by any body, governmental or non-governmental, in violation of the above-mentioned resolutions,

Expressing its grave concern also, in particular, about the continuation by Israel, the occupying Power, of illegal settlement activities, including measures regarding the so-called E-1 plan, its construction of the wall in and around East Jerusalem, its restrictions on Palestinian access to and residence in East Jerusalem and the further isolation of the city from the rest of the Occupied Palestinian Territory, which are having a detrimental effect on the lives of Palestinians and could prejudge a final status agreement on Jerusalem,

Expressing its grave concern further about the continuing Israeli demolition of Palestinian homes and other civilian infrastructure in and around East Jerusalem, the revocation of residency rights, and the eviction and displacement of numerous

[1] See A/ES-10/273 and Corr.1.

Palestinian families from East Jerusalem neighbourhoods, including Bedouin families, as well as other acts of provocation and incitement, including by Israeli settlers, in the city, including desecration of mosques and churches,

Expressing its concern about the Israeli excavations undertaken in the Old City of Jerusalem, including in and around religious sites,

Expressing its grave concern, in particular, about tensions, provocations and incitement regarding the holy places of Jerusalem, including the Haram al-Sharif, and urging restraint and respect for the sanctity of the holy sites by all sides,

Reaffirming that the international community, through the United Nations, has a legitimate interest in the question of the City of Jerusalem and in the protection of the unique spiritual, religious and cultural dimensions of the city, as foreseen in relevant United Nations resolutions on this matter,

Having considered the report of the Secretary-General on the situation in the Middle East,[2]

1. *Reiterates its determination* that any actions taken by Israel, the occupying Power, to impose its laws, jurisdiction and administration on the Holy City of Jerusalem are illegal and therefore null and void and have no validity whatsoever, and calls upon Israel to immediately cease all such illegal and unilateral measures;

2. *Stresses* that a comprehensive, just and lasting solution to the question of the City of Jerusalem should take into account the legitimate concerns of both the Palestinian and Israeli sides and should include internationally guaranteed provisions to ensure the freedom of religion and of conscience of its inhabitants, as well as permanent, free and unhindered access to the holy places by people of all religions and nationalities;

3. *Also stresses* the need for the parties to observe calm and restraint and to refrain from provocative actions, incitement and inflammatory rhetoric, especially in areas of religious and cultural sensitivity, and expresses its grave concern in particular about the recent series of negative incidents in East Jerusalem;

4. *Calls for* respect for the historic status quo at the holy places of Jerusalem, including the Haram al-Sharif, in word and practice, and urges all sides to work immediately and cooperatively to defuse tensions and halt all provocations, incitement and violence at the holy sites in the City;

5. *Requests* the Secretary-General to report to the General Assembly at its seventy-second session on the implementation of the present resolution.

50th plenary meeting
30 November 2016

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[2] A/71/328 and Add.1.

United Nations A/RES/72/15

General Assembly

Distr.: General
7 December 2017

Seventy-second session
Agenda item 37

Resolution adopted by the General Assembly on 30 November 2017

[*without reference to a Main Committee (A/72/L.11 and A/72/L.11/Add.1)*]

72/15. Jerusalem

The General Assembly,

Recalling its resolution 181 (II) of 29 November 1947, in particular its provisions regarding the City of Jerusalem,

Recalling also its resolution 36/120 E of 10 December 1981 and all its subsequent relevant resolutions, including resolution 56/31 of 3 December 2001, in which it, inter alia, determined that all legislative and administrative measures and actions taken by Israel, the occupying Power, which have altered or purported to alter the character and status of the Holy City of Jerusalem, in particular the so-called "Basic Law" on Jerusalem and the proclamation of Jerusalem as the capital of Israel, were null and void and must be rescinded forthwith,

Recalling further the Security Council resolutions relevant to Jerusalem, including resolution 478 (1980) of 20 August 1980, in which the Council, inter alia, decided not to recognize the "Basic Law" on Jerusalem,

Recalling Security Council resolution 2334 (2016) of 23 December 2016, in which the Council affirmed 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 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,[1] and recalling further its resolution ES-10/15 of 20 July 2004,

Expressing its grave concern about any action taken by any body, governmental or non-governmental, in violation of the above-mentioned resolutions,

Expressing its grave concern also, in particular, about the continuation by Israel, the occupying Power, of illegal settlement activities, including measures

[1] See A/ES-10/273 and A/ES-10/273/Corr.1.

regarding the so-called E-1 plan, its construction of the wall in and around East Jerusalem, its restrictions on Palestinian access to and residence in East Jerusalem and the further isolation of the city from the rest of the Occupied Palestinian Territory, which are having a detrimental effect on the lives of Palestinians and could prejudge a final status agreement on Jerusalem,

Expressing its grave concern further about the continuing Israeli demolition of Palestinian homes and other civilian infrastructure in and around East Jerusalem, the revocation of residency rights, and the eviction and displacement of numerous Palestinian families from East Jerusalem neighbourhoods, including Bedouin families, as well as other acts of provocation and incitement, including by Israeli settlers, in the city, including desecration of mosques and churches,

Expressing its concern about the Israeli excavations undertaken in the Old City of Jerusalem, including in and around religious sites,

Expressing its grave concern, in particular, about tensions, provocations and incitement regarding the holy places of Jerusalem, including the Haram al-Sharif, and urging restraint and respect for the sanctity of the holy sites by all sides,

Reaffirming that the international community, through the United Nations, has a legitimate interest in the question of the City of Jerusalem and in the protection of the unique spiritual, religious and cultural dimensions of the city, as foreseen in relevant United Nations resolutions on this matter,

Having considered the report of the Secretary-General on the situation in the Middle East,[2]

1. *Reiterates its determination* that any actions taken by Israel, the occupying Power, to impose its laws, jurisdiction and administration on the Holy City of Jerusalem are illegal and therefore null and void and have no validity whatsoever, and calls upon Israel to immediately cease all such illegal and unilateral measures;

2. *Stresses* that a comprehensive, just and lasting solution to the question of the City of Jerusalem should take into account the legitimate concerns of both the Palestinian and Israeli sides and should include internationally guaranteed provisions to ensure the freedom of religion and of conscience of its inhabitants, as well as permanent, free and unhindered access to the holy places by people of all religions and nationalities;

3. *Also stresses* the need for the parties to observe calm and restraint and to refrain from provocative actions, incitement and inflammatory rhetoric, especially in areas of religious and cultural sensitivity, and expresses its grave concern in particular about the recent series of negative incidents in East Jerusalem;

4. *Calls for* respect for the historic status quo at the holy places of Jerusalem, including the Haram al-Sharif, in word and practice, and urges all sides to work immediately and cooperatively to defuse tensions and halt all provocations, incitement and violence at the holy sites in the City;

5. *Requests* the Secretary-General to report to the General Assembly at its seventy-third session on the implementation of the present resolution.

60th plenary meeting
30 November 2017

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[2] A/72/333.

United Nations A/RES/73/22

General Assembly

Distr.: General
4 December 2018

Seventy-third session
Agenda item 38

Resolution adopted by the General Assembly on 30 November 2018

[*without reference to a Main Committee (A/73/L.29 and A/73/L.29/Add.1)*]

73/22. Jerusalem

The General Assembly,

Recalling its resolution 181 (II) of 29 November 1947, in particular its provisions regarding the City of Jerusalem,

Recalling also its resolution 36/120 E of 10 December 1981 and all its subsequent relevant resolutions, including resolution 56/31 of 3 December 2001, in which it, inter alia, determined that all legislative and administrative measures and actions taken by Israel, the occupying Power, which have altered or purported to alter the character and status of the Holy City of Jerusalem, in particular the so-called "Basic Law" on Jerusalem and the proclamation of Jerusalem as the capital of Israel, were null and void and must be rescinded forthwith,

Recalling further the Security Council resolutions relevant to Jerusalem, including resolution 478 (1980) of 20 August 1980, in which the Council, inter alia, decided not to recognize the "Basic Law" on Jerusalem,

Recalling Security Council resolution 2334 (2016) of 23 December 2016, in which the Council affirmed 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 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,[1] and recalling further its resolution ES-10/15 of 20 July 2004,

Expressing its grave concern about any action taken by any body, governmental or non-governmental, in violation of the above-mentioned resolutions,

Expressing its grave concern also, in particular, about the continuation by Israel, the occupying Power, of illegal settlement activities, including measures regarding the so-called E-1 plan, its construction of the wall in and around East Jerusalem, its

[1] See A/ES-10/273 and A/ES-10/273/Corr.1.

restrictions on Palestinian access to and residence in East Jerusalem and the further isolation of the city from the rest of the Occupied Palestinian Territory, which are having a detrimental effect on the lives of Palestinians and could prejudge a final status agreement on Jerusalem,

Expressing its grave concern further about the continuing Israeli demolition of Palestinian homes and other civilian infrastructure in and around East Jerusalem, the revocation of residency rights, and the eviction and displacement of numerous Palestinian families from East Jerusalem neighbourhoods, including Bedouin families, as well as other acts of provocation and incitement, including by Israeli settlers, in the city, including desecration of mosques and churches,

Expressing its concern about the Israeli excavations undertaken in the Old City of Jerusalem, including in and around religious sites,

Expressing its grave concern, in particular, about tensions, provocations and incitement regarding the holy places of Jerusalem, including the Haram al-Sharif, and urging restraint and respect for the sanctity of the holy sites by all sides,

Reaffirming that the international community, through the United Nations, has a legitimate interest in the question of the City of Jerusalem and in the protection of the unique spiritual, religious and cultural dimensions of the city, as foreseen in relevant United Nations resolutions on this matter,

Reaffirming also the importance of the City of Jerusalem for the three monotheistic religions,

Having considered the report of the Secretary-General on the situation in the Middle East,[2]

1. *Reiterates its determination* that any actions taken by Israel, the occupying Power, to impose its laws, jurisdiction and administration on the Holy City of Jerusalem are illegal and therefore null and void and have no validity whatsoever, and calls upon Israel to immediately cease all such illegal and unilateral measures;

2. *Stresses* that a comprehensive, just and lasting solution to the question of the City of Jerusalem should take into account the legitimate concerns of both the Palestinian and Israeli sides and should include internationally guaranteed provisions to ensure the freedom of religion and of conscience of its inhabitants, as well as permanent, free and unhindered access to the holy places by people of all religions and nationalities;

3. *Also stresses* the need for the parties to observe calm and restraint and to refrain from provocative actions, incitement and inflammatory rhetoric, especially in areas of religious and cultural sensitivity, and expresses its grave concern in particular about the recent series of negative incidents in East Jerusalem;

4. *Calls for* respect for the historic status quo at the holy places of Jerusalem, including the Haram al-Sharif, in word and in practice, and urges all sides to work immediately and cooperatively to defuse tensions and halt all provocations, incitement and violence at the holy sites in the City;

5. *Requests* the Secretary-General to report to the General Assembly at its seventy-fourth session on the implementation of the present resolution.

43rd plenary meeting
30 November 2018

[2] A/73/322/Rev.1.

United Nations A/RES/76/12

General Assembly

Distr.: General
6 December 2021

Seventy-sixth session
Agenda item 38
The situation in the Middle East

Resolution adopted by the General Assembly on 1 December 2021

[*without reference to a Main Committee (A/76/L.16 and A/76/L.16/Add.1)*]

76/12. Jerusalem

The General Assembly,

Recalling its resolution 181 (II) of 29 November 1947, in particular its provisions regarding the City of Jerusalem,

Recalling also its resolution 36/120 E of 10 December 1981 and all its subsequent relevant resolutions, including resolution 56/31 of 3 December 2001, in which it, inter alia, determined that all legislative and administrative measures and actions taken by Israel, the occupying Power, which have altered or purported to alter the character and status of the Holy City of Jerusalem, in particular the so-called "Basic Law" on Jerusalem and the proclamation of Jerusalem as "the capital of Israel", were null and void and must be rescinded forthwith, as well as its previous resolutions on Jerusalem,

Recalling further the Security Council resolutions relevant to Jerusalem, including resolutions 250 (1968) of 27 April 1968, 251 (1968) of 2 May 1968, 252 (1968) of 21 May 1968, 267 (1969) of 3 July 1969, 271 (1969) of 15 September 1969, 298 (1971) of 25 September 1971, 476 (1980) of 30 June 1980, 672 (1990) of 12 October 1990, 1073 (1996) of 28 September 1996 and 1322 (2000) of 7 October 2000,

Recalling, in particular, Security Council resolution 478 (1980) of 20 August 1980, in which the Council, inter alia, decided not to recognize the "Basic Law" on Jerusalem, and such other actions by Israel that, as a result of this law, seek to alter the character and status of Jerusalem, and calling upon States to act in accordance with the provisions therein, as well as Council resolution 2334 (2016) of 23 December 2016, in which the Council affirmed 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,

Deploring any action taken by any body, governmental or non-governmental, in violation of the above-mentioned resolutions, and reiterating that all measures which

have altered the geographic, demographic and historical character and status of the Holy City of Jerusalem are null and void and must be rescinded in compliance with the relevant resolutions of the Security Council,

Reaffirming the applicability of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, to the Occupied Palestinian Territory, including East Jerusalem,

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,[1] and recalling also its resolution ES-10/15 of 20 July 2004,

Deploring, in particular, Israeli construction and expansion of settlements in and around East Jerusalem, including measures regarding the so-called E-1 plan, construction of the wall, demolition of Palestinian homes and other civilian infrastructure, expulsions and displacement of numerous Palestinian families, including Bedouin families, restrictions on Palestinian access to and residence in East Jerusalem, including revocation of residency rights, and the further isolation of the city from the rest of the Occupied Palestinian Territory, and expressing grave concern over the continued closure of Palestinian institutions in the city as well as acts of provocation and incitement, including by Israeli settlers, including against holy sites,

Expressing its serious concern about the possible displacement of Palestinian families from homes that they have lived in for generations in the Sheikh Jarrah and Silwan neighbourhoods in East Jerusalem, and stressing its opposition to all such unilateral actions, which are illegal under international law and risk exacerbating the already tense and fragile environment,

Expressing its concern about the Israeli excavations undertaken in the Old City of Jerusalem, including in and around religious sites,

Recalling the Security Council press statement on Jerusalem of 17 September 2015, in which the Council called, inter alia, for the exercise of restraint, refraining from provocative actions and rhetoric and upholding unchanged the historic status quo at the Haram al-Sharif – in word and in practice, as well as for full respect for international law, including international human rights law and international humanitarian law, as may be applicable in Jerusalem,

Reaffirming that the international community, through the United Nations, has a legitimate interest in the question of the City of Jerusalem and in the protection of the unique spiritual, religious and cultural dimensions of the city, as foreseen in relevant United Nations resolutions on this matter,

Reaffirming also the importance and holiness of the City of Jerusalem for the three monotheistic religions,

Having considered the report of the Secretary-General on the situation in the Middle East,[2]

1. *Reiterates its determination* that any actions taken by Israel, the occupying Power, to impose its laws, jurisdiction and administration on the Holy City of Jerusalem are illegal and therefore null and void and have no validity whatsoever, and calls upon Israel to immediately cease all such illegal and unilateral measures;

2. *Stresses* that a comprehensive, just and lasting solution to the question of the City of Jerusalem should take into account the legitimate concerns of both the

[1] See A/ES-10/273 and A/ES-10/273/Corr.1.
[2] A/76/194.

Palestinian and Israeli sides, in accordance with international law, and should include internationally guaranteed provisions to ensure the freedom of religion and of conscience of its inhabitants, as well as permanent, free and unhindered access to the holy places by people of all religions and nationalities;

3. *Also stresses* the need for the parties to observe calm and restraint and to refrain from provocative actions, incitement and inflammatory rhetoric, especially in areas of religious and cultural sensitivity, and expresses its grave concern, in particular, about the recent series of serious negative incidents in East Jerusalem;

4. *Calls for* respect for the historic status quo at the holy places of Jerusalem, in word and in practice, and urges all sides to work immediately and cooperatively to defuse tensions and halt all provocations, incitement and violence at the holy sites in the City;

5. *Requests* the Secretary-General to report to the General Assembly at its seventy-eighth session on the implementation of the present resolution.

42nd plenary meeting
1 December 2021

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General Assembly Security Council

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A/36/706
S/14762
20 November 1981

ORIGINAL: ENGLISH

GENERAL ASSEMBLY
Thirty-sixth session
Agenda item 64
REPORT OF THE SPECIAL COMMITTEE TO INVESTIGATE ISRAELI PRACTICES AFFECTING THE HUMAN RIGHTS OF THE POPULATION OF THE OCCUPIED TERRITORIES

SECURITY COUNCIL
Thirty-sixth year

Report of the Secretary-General

1. The present report is submitted in pursuance of paragraph 5 of General Assembly resolution 36/15 of 28 October 1981 concerning recent developments in connexion with excavations in eastern Jerusalem.

2. On 31 October 1981, the Secretary-General addressed the following note to the Permanent Representative of Israel:

"The Secretary-General of the United Nations presents his compliments to the Permanent Representative of Israel to the United Nations and has the honour to refer to the General Assembly resolution 36/15 which was adopted by the Assembly on 28 October 1981, the operative part of which reads as follows:

'The General Assembly,

...

'1. Determines that the excavations and transformations of the landscape and the historical, cultural and religious sites of Jerusalem constitute a flagrant violation of the principles of international law and the relevant provisions of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949;

'2. Decides that such violations by Israel constitute a serious obstruction to achieving a comprehensive and just peace in the Middle East as well as a threat to international peace and security;

'3. Demands that Israel desist forthwith from all excavations and transformations of the historical, cultural and religious sites of Jerusalem, particularly beneath and around the Moslem Holy Sanctuary of Al-Haram Al-Sharif (Al Masjid Al Agsa and the Sacred Dome of the Rock), the structures of which are in danger of collapse;

'4. Requests the Security Council to consider this situation in case Israel fails to comply immediately with the present resolution;

'5. Requests the Secretary-General to report to the General Assembly and the Security Council no later than 23 November 1981 on the implementation of the present resolution.'

"In view of the reporting responsibility entrusted to him under paragraph 5 of the above-mentioned resolution, the Secretary-General would be grateful if the Permanent Representative of Israel would inform him, as a matter of urgency and preferably by 17 November 1981, of the action which his Government has taken or envisages to take in regard to the implementation of the resolution."

3. The Secretary-General also brought the resolution to the attention of the Security Council with particular reference to the request addressed to the Council by the General Assembly (S/14755).

4. On 16 November 1981, the Permanent Representative of Israel addressed to the Secretary-General the following reply:

"The Permanent Representative of Israel to the United Nations presents his compliments to the Secretary-General of the United Nations and, in reference to the latter's note of 31 October 1981 regarding General Assembly resolution 36/15, has the honour, on instructions of his Government, to state:

"The facts relating to the cleaning of the passage leading from the Western Wall to the Temple Mount in Jerusalem were accurately described in the letter of 24 September 1981 from the Permanent Representative of Israel to the Secretary-General (A/36/555-S/14708), as well as in the statements made by the representative of Israel on the Special Political Committee and the plenary of the General Assembly on 26 and 28 October 1981 respectively.

"The Government of Israel regards as preposterous determinations of a wholly political nature such as those contained in the above-mentioned resolution to the effect that the Mosques on the Temple Mount have been or are in danger of collapse. There has not been and there is not any such danger to these Mosques. Thus, the specious conclusions and the untenable demands contained in the resolution are absolutely groundless.

"Preservation of the cultural and historical heritage of Jerusalem, respect for the spiritual values and religious sentiments connected with the city and the development of its physical aspects are of paramount importance to the Government of Israel, as has been amply demonstrated over the years.

"Israel rejects the repeated attempts at the United Nations to exploit the name of Jerusalem in order to fan the flames of religious hatred and sectarian violence. Israel will continue undeterred with its efforts to advance the cause of peace in the Middle East."

UNITED NATIONS

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General Assembly

Distr.
GENERAL

A/37/275
10 June 1982

ORIGINAL: ENGLISH

GENERAL ASSEMBLY
Thirty-seventh session
Item 31 of the preliminary list*
QUESTION OF PALESTINE

Report of the Secretary-General

1. On 10 December 1981, the General Assembly, at its thirty-sixth session, adopted resolution 36/120 E entitled "Question of Palestine", the operative part of which reads as follows:

"The General Assembly,

...

"1. Determines once again that all legislative and administrative measures and actions taken by Israel, the occupying Power, which have altered or purport to alter the character and status of the Holy City of Jerusalem, and, in particular, the so-called "Basic Law" on Jerusalem and the proclamation of Jerusalem as the capital of Israel, are null and void and must be rescinded forthwith;

"2. Affirms that such actions constitute a serious obstruction to achieving a comprehensive, just and lasting peace in the Middle East, and a threat to international peace and security;

"3. Reaffirms its resolution not to recognize that "Basic Law" and such other actions by Israel that, as a result of this law, seek to alter the character and status of Jerusalem and calls upon all States, specialized agencies and other international organizations to comply with the present resolution and other relevant resolutions and urges them not to conduct any business which is not in conformity with the provisions of the present resolution and the other relevant resolutions;

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* A/37/50/Rev.1.

"4. Demands that Israel should fully comply with all the resolutions of the United Nations relevant to the historic character of the Holy City of Jerusalem, in particular Security Council resolutions 476 (1980) and 478 (1980);

"5. Requests the Secretary-General to report on the implementation of those resolutions within six months."

2. The present report is submitted in pursuance of paragraph 5 of the above resolution.

3. On 22 February 1982, the Secretary-General addressed a note verbale to the Permanent Representative of Israel. In it, the Secretary-General drew the attention of the Permanent Representative to the operative paragraphs of General Assembly resolution 36/120 E and, in view of his reporting responsibility, requested the Permanent Representative to inform him, if possible by 15 May 1982, of any action which the Government of Israel had taken or envisaged to take in regard to the implementation of the resolution.

4. On 24 May 1982, the Permanent Representative of Israel addressed a note verbale to the Secretary-General, the substantive part of which is reproduced below:

"The Permanent Representative of Israel wishes to draw to the attention of the Secretary-General the position of the Government of Israel on Jerusalem, as set out by the Permanent Representative of Israel in his statement before the General Assembly on 2 December 1981 (A/36/PV.81), which, inter alia, reads as follows:

"'United Jerusalem is and will remain the eternal capital of Israel and of the Jewish people. It epitomizes the restoration of our national sovereignty in our homeland, the Land of Israel. At the same time, the Government of Israel has ever been conscious of the fact that Jerusalem is also of deep meaning and concern to other faiths, to Christians and Moslems, as well as Jews. Israel is deeply and reverently mindful of the city's manifold spiritual heritage, of its Holy Places, of its historical treasures and of its rich cultural legacy. Israel has given ample evidence of this profound regard for Jerusalem, as anyone who has visited the united city since 1967 well knows.'"

5. It will be recalled that, in paragraph 4 of General Assembly resolution 36/120 E, reference was made to Security Council resolution 478 (1980) of 20 August 1980. In that resolution, the Security Council had, inter alia, called upon "those States that have established diplomatic missions at Jerusalem to withdraw such missions from the Holy City". In letters dated 17 May 1982 (S/15109) and 1 June 1982 (A/37/262), the Chargé d'Affaires of the Permanent Mission of Costa Rica transmitted to the Secretary-General a message from the Minister for Foreign Affairs and Public Worship of Costa Rica informing the Secretary-General of his Government's decision, on 9 May 1982, to transfer its Embassy to Jerusalem. Communications regarding the decision of the Government of Costa Rica were thereafter addressed to the Secretary-General and to the President of the Security Council by the Permanent Representative of Iraq, current Chairman of the Islamic Conference (A/37/239-S/15114), and the Permanent Representative of Jordan (S/15091 and A/37/231-S/15093).

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General Assembly

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A/47/673
25 November 1992
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ORIGINAL: ENGLISH/FRENCH/
SPANISH

Forty-seventh session
Agenda item 35

THE SITUATION IN THE MIDDLE EAST

Report of the Secretary-General

I. INTRODUCTION

1. The present report is submitted in pursuance of General Assembly resolutions 46/82 A and B of 16 December 1991. In paragraph 12 of resolution 46/82 A, the Assembly requested the Secretary-General to report to the Security Council periodically on the development of the situation in the Middle East and to submit to the Assembly at its forty-seventh session a comprehensive report covering the developments in the Middle East. That report will be submitted separately as a document of the General Assembly and the Security Council. The General Assembly, in resolution 46/82 B, which deals with the transfer by some States of their diplomatic missions to Jerusalem in violation of Security Council resolution 478 (1980) of 20 August 1980, called upon all States to adopt a number of measures concerning relations with Israel and called upon the States concerned to abide by the provisions of the relevant United Nations resolutions.

2. The Secretary-General, in order to fulfil his reporting responsibility under the above-mentioned resolutions, on 13 October 1992 addressed notes verbales to the Permanent Representative of Israel and to the Permanent Representatives of the other Member States and requested them to inform him of any steps their Governments had taken or envisaged taking concerning implementation of the relevant provisions of those resolutions. As of 16 November 1992, replies had been received from Ecuador, Grenada, Israel and Tunisia. Those replies are reproduced in section II of the present report.

II. REPLIES FROM MEMBER STATES

ECUADOR

[Original: Spanish]

The Permanent Mission of Ecuador to the United Nations presents its compliments to the Secretary-General of the United Nations and, in reply to his request contained in note RES 46/82-GA, has the honour to advise him that the Government of Ecuador does not provide any kind of assistance to Israel and, as regards the character and status of the Holy City of Jerusalem, that it maintains its Embassy in Tel Aviv. Accordingly, the Government of Ecuador is in full compliance with the provisions of resolutions 46/82 A and B, adopted by the General Assembly on 16 December 1991.

GRENADA

[Original: English]

The Permanent Representative of Grenada to the United Nations presents his compliments to the Secretary-General of the United Nations and has the honour to refer to his note RES 46/82-GA of 13 October 1992, which refers to General Assembly resolutions 46/82 A and B.

Grenada has abided by the provisions of all United Nations resolutions relevant to the situation in the Middle East and has consistently encouraged a peaceful settlement to the problems in the Middle East.

In its statement to the General Assembly on 5 October 1992, Grenada welcomed the peace talks taking place among the key parties to the Middle East conflict and counselled continued dialogue and flexibility in order to bring lasting solutions to that region's problems.

Grenada does not envisage taking any further steps on this matter.

ISRAEL

[Original: English]

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 latter's note (RES 46/82-GA) of 13 October 1992 concerning resolutions 46/82 A and B on "The situation in the Middle East".

Israel has consistently voted against General Assembly resolutions under the agenda item "The situation in the Middle East", because they distort the nature of the Arab-Israeli conflict and they contradict any genuine notion of peace.

Israel is presently engaged in bilateral and multilateral face-to-face negotiations with its neighbours. One of the foundations of the current peace process is the Camp David Accords. Nevertheless, paragraph 3 of resolution 46/82 A on "The situation in the Middle East" goes so far as to refer to resolution 36/120 F of 10 December 1981, in which the General Assembly "strongly reaffirms its rejection" of various provisions of the Camp David Accords. This is a clear illustration of the anachronistic and harmful nature of the resolutions on "The situation in the Middle East".

TUNISIA

[Original: French]

The Permanent Representative of Tunisia to the United Nations presents his compliments to the Secretary-General and, with reference to his letter (RES 46/82-GA) of 13 October 1992, has the honour to transmit the response of the Government of Tunisia regarding measures it has taken pursuant to resolutions 46/82 A and B, which were adopted by the General Assembly under the agenda item entitled "The situation in the Middle East", as follows:

> "Pursuant to resolutions 46/82 A and B adopted by the United Nations General Assembly on 16 December 1991, under the agenda item entitled 'The situation in the Middle East', Tunisia has:
>
> "(1) Reaffirmed, in official statements by its leaders and in communiqués issued following meetings between heads of State and Government, the principles set forth in the above resolutions, which must serve as the basis for a comprehensive, just and lasting settlement in the Middle East, namely:
>
> "(a) That the question of Palestine lies at the core of the conflict in the Middle East;
>
> "(b) That the relevant resolutions of the Security Council and the United Nations calling for the immediate, unconditional and total withdrawal of Israel from all Arab territories occupied since 1967 must be implemented;
>
> "(c) That a comprehensive and just settlement in the Middle East cannot be achieved without the participation on an equal footing of all the parties to the conflict, including the Palestine Liberation Organization;
>
> "(d) That Israel must cease its aggression and its illegal practices against the Palestinian people in the occupied territories and outside those territories, including expropriation, establishment of settlements, repressive measures ...;

"(2) Worked closely with its partners to discourage recognition of the 'Basic Law' of Israel regarding Jerusalem;

"(3) Contributed to the drafting and adoption of resolutions reaffirming these principles at the level of regional organizations (Organization of African Unity, Organization of the Islamic Conference and the Movement of Non-Aligned Countries, etc. ...);

"(4) Participated in multilateral negotiations on peace in the Middle East in order to implement the principles of international law relevant to the Middle East;

"(5) Provided assistance, as needed, to the Palestinian leadership to which our country continues to act as host."

United Nations A/55/538

General Assembly

Distr.: General
2 November 2000

Original: English

Fifty-fifth session
Agenda item 40
The situation in the Middle East

The situation in the Middle East

Report of the Secretary-General*

I. Introduction

1. The present report is submitted in pursuance of General Assembly resolutions 54/37 and 54/38 of 1 December 1999. The Assembly, in its resolution 54/37, which deals with the transfer by some States of their diplomatic missions to Jerusalem in violation of Security Council resolution 478 (1980) of 20 August 1980, called once more upon those States to abide by the provisions of the relevant United Nations resolutions. In Assembly resolution 54/38, which deals with Israeli policies in the Syrian territory occupied by Israel since 1967, the Assembly demanded once more that Israel withdraw from all the occupied Syrian Golan in implementation of the relevant Council resolutions.

2. The Secretary-General, in order to fulfil his reporting responsibility under the above-mentioned resolutions, on 7 August 2000 addressed notes verbales to the Permanent Representative of Israel and to the Permanent Representatives of other Member States requesting them to inform him of any steps their Governments had taken or envisaged taking concerning implementation of the relevant provisions of those resolutions. As of 26 October 2000, replies have been received from Denmark, Israel, Namibia and Qatar. Those replies are reproduced in section II of this report.

II. Replies from Member States

Denmark

[Original: English]

The Danish Government has nothing to report on the issue.

Israel

[Original: English]

1. As the Secretary-General is aware, Israel voted against these resolutions, as well as against similar resolutions adopted by the General Assembly, in previous sessions. At this particular sensitive time in the Middle East peace process, Israel wishes to put on record, once again, its position on this matter. This response should not in any way be construed as an acceptance of the legitimacy of these resolutions.

2. Israel views the aforementioned General Assembly resolutions not only as being unbalanced, but also as an undue interference in matters that lie at the very core of the bilateral negotiations between Israel

* In accordance with General Assembly resolution 54/248, sect. C, para.1, this report is being submitted on 2 November 2000 so as to include as much updated information as possible.

and her neighbours. As stated in the letters of invitation to the Madrid Peace Conference on the Middle East of October 1991, and reaffirmed in numerous legal undertakings, the Middle East peace process is predicated upon direct bilateral negotiations between the parties concerned.

3. The one-sided approach reflected in these resolutions threatens to prejudge the outcome of these negotiations and to undermine the prospects of achieving a just and lasting peace settlement based upon directly negotiated and mutually agreed solutions.

4. Israel expresses its hope that the General Assembly will, in respect of the negotiations currently under way, offer its unwavering and impartial support for the peace process. This is especially important now, as the Middle East peace process stands at a crucial juncture which will determine its future.

Namibia

[Original: English]

1. On General Assembly resolution 54/37: to ensure the implementation of the aforesaid resolution, greater political and diplomatic pressure should be put on those countries that do not comply with the provisions stipulated in the resolution. The Israeli position on the proclamation of Jerusalem as the capital of Israel has been declared null and void by a series of United Nations resolutions over the past years. Secondly, no agreement has been reached yet between the Palestinians and the Israelis on the status of Jerusalem. Given the aforesaid scenario, Namibia is of the opinion that the only way to solve the issue of Jerusalem is for the Palestinians and the Israelis to exercise greater political will and commitment in order to achieve peace.

2. On General Assembly resolution 54/38: Namibia is deeply concerned about the fact that Israel has not yet withdrawn from the Syrian Golan Heights contrary to the relevant Security Council and Assembly resolutions. The aforesaid area has been under Israeli occupation since 4 June 1967. Hence, our continual demands that Israel withdraw from all the occupied Syrian Golan to the line of 4 June 1967 in accordance with the relevant Council resolutions. Namibia will continue to help and assist the two parties to restart the peace negotiations in order to achieve goals through peaceful means.

Qatar

[Original: English]

The State of Qatar, as a co-sponsor of those resolutions related to the Al-Quds and the Syrian Golan Heights, hopes that those two resolutions could be implemented.

United Nations A/56/480

General Assembly

Distr.: General
17 October 2001

Original: English

Fifty-sixth session
Agenda item 42
The situation in the Middle East

The situation in the Middle East

Report of the Secretary-General*

I. Introduction

1. The present report is submitted in pursuance of General Assembly resolutions 55/50 and 55/51 of 1 December 2000. The General Assembly, in its resolution 55/50, which deals with the transfer by some States of their diplomatic missions to Jerusalem in violation of Security Council resolution 478 (1980) of 20 August 1980, called once more upon those States to abide by the provisions of the relevant United Nations resolutions. In Assembly resolution 55/51, which deals with Israeli policies in the Syrian territory occupied by Israel since 1967, the Assembly demanded once more that Israel withdraw from all the occupied Syrian Golan in implementation of the relevant Security Council resolutions.

2. The Secretary-General, in order to fulfil his reporting responsibility under the above-mentioned resolutions, on 27 July 2001 addressed notes verbales to the Permanent Representative of Israel and to the Permanent Representatives of other Member States requesting them to inform him of any steps their Governments had taken or envisaged taking concerning implementation of the relevant provisions of those resolutions. As of 11 October 2001 replies have been received from Belarus, Denmark, Israel, Japan and Portugal. Those replies are reproduced in section II of the present report.

II. Replies received from Member States

Belarus

[Original: English]

1. Belarus, as a member of the Committee on the Exercise of the Inalienable Rights of the Palestinian People, firmly supported resolutions 55/50 on Jerusalem

* The present report is being submitted on 17 October 2001 so as to include as much updated information as possible.

01-58437 (E) 051101

and 55/51 on the Syrian Golan, adopted by the General Assembly on 1 December 2000 at its fifty-fifth session under the agenda item "The situation in the Middle East".

2. Belarus has been consistently adherent to the compliance by all Member States with the provisions of the relevant resolutions of the General Assembly of the United Nations relative to the character and status of the Holy City of Jerusalem.

3. Belarus condemns the continued occupation of the Syrian Golan in contravention of the relevant General Assembly and Security Council resolutions.

4. Belarus is firmly committed to a peaceful settlement of the Arab-Israeli conflict and calls on the parties to resume the peace process with a view to achieving a just, comprehensive and lasting peace in the region.

Denmark

[Original: English]

The Permanent Mission of Denmark has the honour to inform the Secretary-General that the above resolutions have not given occasion for any reporting on the part of the Danish Government.

Israel

[Original: English]

1. As the Secretary-General is aware, Israel voted against these resolutions, as well as against similar resolutions adopted by the General Assembly in previous sessions. In the light of the urgent need to bring an end to all acts of violence and terrorism in the region and to return to the agreed negotiating process, Israel wishes to place on record, once again, its position on this matter.

2. Israel views the aforementioned General Assembly resolutions as unbalanced documents that threaten to prejudge the outcome of the Middle East peace process. The one-sided approach reflected in these resolutions undermines fundamental agreements reached between the parties, according to which the achievement of a just and lasting peace in the region is possible only through direct bilateral negotiations.

Japan

[Original: English]

Steps taken by the Government of Japan concerning the implementation of the relevant provisions of resolutions 55/50 and 55/51, adopted by the General Assembly on 1 December 2000, are as follows:

A. With respect to resolution 55/50

1. Japan has stated its view on the Basic Law of Israel proclaiming Jerusalem as the united capital of Israel in the statement of the Ministry of Foreign Affairs on 1 August 1980 as follows:

> "(a) The Knesset has recently passed the Basic Law proclaiming Jerusalem as the united capital of Israel. It gives an ex post facto legal approval to the annexation of East Jerusalem, which was occupied by Israel in 1967. Japan cannot recognize such a unilateral change to the legal status of an occupied territory, which is in total violation of the relevant United Nations resolutions;
>
> "(b) The Government of Japan is deeply concerned that such an action would not only deteriorate the atmosphere for the settlement of the Middle East peace problem, but also jeopardize the results of the efforts which have been made for the achievement of peace in this region."
>
> This position has not changed since.

2. Japan believes that issues relating to Jerusalem should be resolved through the permanent status negotiations between the parties concerned, and until such a solution is achieved both parties should refrain from taking any unilateral action relating to the situation in Jerusalem.

3. Japan established a legation at Tel Aviv in 1955 which was made an embassy in 1963, but has never established an embassy in Jerusalem.

B. With respect to resolution 55/51

1. With regard to the passing in 1981 of legislation concerning the annexation of the Golan Heights, Japan issued a statement by the Minister for Foreign Affairs on 15 December 1981 as follows:

> "(a) The Knesset passed legislation which in effect annexes the Golan Heights on 14 December 1981. Japan cannot condone such a unilateral change to the legal status of an occupied territory by Israel, following the annexation of East Jerusalem in July 1980, which is in total violation of international law and United Nations Security Council resolutions 242 and 338;
>
> "(b) The Government of Japan is deeply concerned that such an action would not only impair the atmosphere that exists for the settlement of the Arab-Israeli conflict through peaceful means, but would also heighten tension in the region;
>
> "(c) On this occasion, the Government of Japan reiterates its strong demand that Israel withdraw from all the territories occupied in 1967 as early as possible."
>
> This position has not changed since.

2. Since February 1996, Japan has dispatched 45 personnel to the United Nations Disengagement Observer Force operating in the Golan Heights.

Portugal

[Original: English]

1. Concerning the implementation of resolution 55/50, the position of Portugal regarding the status of the city of Jerusalem has not changed. Portugal does not have a diplomatic mission in that city.

2. Concerning the implementation of resolution 55/51 on the situation on the Golan Heights, Portugal's position remains unaltered.

3. Regarding the implementation of these resolutions, Portugal concurs with the positions of its European Union partners.

United Nations A/57/470

General Assembly

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14 October 2002
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Fifty-seventh session
Agenda item 36
The situation in the Middle East

The situation in the Middle East

Report of the Secretary-General*

Summary

The present report contains replies from Member States to the Secretary-General's note verbale of 27 June 2002 concerning implementation of the relevant provisions of General Assembly resolutions 56/31, entitled "Jerusalem", and 56/32, entitled "The Syrian Golan", of 3 December 2001.

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* The present report is being submitted on 14 October 2002 so as to include as much updated information as possible.

02-63893 (E) 011102
0263893

I. Introduction

1. The present report is submitted in pursuance of General Assembly resolutions 56/31 and 56/32 of 3 December 2001. In its resolution 56/31, which deals with the transfer by some States of their diplomatic missions to Jerusalem in violation of Security Council resolution 478 (1980) of 20 August 1980, the Assembly called once more upon those States to abide by the provisions of the relevant United Nations resolutions. In resolution 56/32, which deals with Israeli policies in the Syrian territory occupied by Israel since 1967, the Assembly demanded once more that Israel withdraw from all the occupied Syrian Golan in implementation of the relevant Security Council resolutions.

2. The Secretary-General, in order to fulfil his reporting responsibility under the above-mentioned resolutions, on 27 June 2002 addressed notes verbales to the Permanent Representative of Israel to the United Nations and to the Permanent Representatives of other Member States requesting them to inform him of any steps their Governments had taken or envisaged taking concerning the implementation of the relevant provisions of the above resolutions. As at 11 October 2002, replies had been received from Gambia, Israel, Japan, the Syrian Arab Republic and the United Arab Emirates. Those replies are reproduced in section II of the present report.

II. Replies received from Member States

Gambia

[Original: English]

1. With reference to General Assembly resolution 56/31, the Gambia has no diplomatic mission in Jerusalem and does not intend to transfer any of its missions in that region to Jerusalem.

2. With reference to resolution 56/32, the Gambia fully supports the implementation of all relevant United Nations resolutions affecting the Syrian Golan. The Gambia fully supports the current Middle East peace process and would join Member States in addressing the situation in the Syrian Golan as part of the wider Middle East peace process.

Israel

[Original: English]

1. As the Secretary-General is aware, Israel voted against these resolutions, as well as against similar resolutions adopted by the General Assembly in previous sessions. In the light of the urgent need to bring an end to all acts of violence and terrorism in the region and to return to the agreed negotiating process, Israel wishes to put on record, once again, its position on this matter.

2. Israel views the aforementioned General Assembly resolutions as unbalanced documents that threaten to prejudge the outcome of the Middle East peace process. The one-sided approach reflected in these resolutions undermines a fundamental

principle of the peace process, according to which the achievement of a just and lasting peace in the region is possible only through direct bilateral negotiations.

Japan

[Original: English]

1. The steps taken by the Government of Japan concerning the implementation of the relevant provisions of resolutions 56/31 and 56/32 adopted by the General Assembly on 3 December 2001 under the agenda item entitled "The situation in the Middle East" are described below.

(a) Resolution 56/31

2. It is the view of the Government of Japan that the Basic Law of Israel of 1980 gives ex post facto legal approval to the annexation of East Jerusalem, which Israel occupied in 1967, and that such a unilateral change to the legal status of an occupied territory is in violation of the relevant United Nations resolutions and cannot be recognized.

3. The Government of Japan considers that, as agreed in the Oslo Accords, the status of Jerusalem should be determined through the permanent status negotiations between the Israelis and the Palestinians, and that until a solution is achieved through such negotiations both parties should refrain from taking any unilateral actions relating to the situation in Jerusalem. The Government of Japan does not have an establishment in Jerusalem; its Embassy is in Tel Aviv.

4. The vicious cycle of violence has been continuing on the ground for nearly two years, and little progress has been seen in the dialogue towards peace between the parties. The Government of Japan has called for self-restraint and dialogue on the part of both parties. It also has extended economic assistance to the Palestinians for their nation-building efforts, in particular in the field of human resources development in support of the Palestinian Authority reforms, which are indispensable to realizing a vision of two States living side by side within secure and recognized borders as well as achieving a just and lasting peace in the Middle East. The Government of Japan will actively continue these efforts.

(b) Resolution 56/32

5. In response to the passage by the Knesset in 1981 of legislation concerning the annexation of the Golan Heights, the Government of Japan issued the following statement by the Minister for Foreign Affairs on 15 December 1981. The fundamental position conveyed therein has not changed.

> "(a) The Knesset adopted the legislation which in effect annexes the Golan Heights on 14 December 1981. Japan cannot condone such a unilateral change to the legal status of an occupied territory by Israel, following the annexation of East Jerusalem in July 1980, which is in total violation of international law and United Nations Security Council resolutions 242 (1967) and 338 (1973).
>
> "(b) The Government of Japan is deeply concerned that such an action would not only impair the atmosphere that exists for the settlement of the

Arab-Israeli conflicts through peaceful means, but would also heighten tension in the region.

"(c) On this occasion, the Government of Japan reiterates its strong demand that Israel withdraw from all the territories occupied in 1967 as early as possible."

6. Since February 1996, the Government of Japan has been dispatching a 45-member contingent to the United Nations Disengagement Observer Force (UNDOF) operating in the Golan Heights.

Syrian Arab Republic

[Original: Arabic]

1. The Syrian Arab Republic supported General Assembly resolution 56/32, entitled "The Syrian Golan", and once again stresses the absolute necessity of Israel's ending its occupation of the Syrian Golan and complying with Security Council resolution 497 (1981) of 17 December 1981. In the resolution, the Assembly regarded Israel's decision to impose its laws, jurisdiction and administration in the occupied Syrian Golan Heights as being null and void and without legal effect. It demanded that Israel rescind its decision forthwith and abide by the relevant resolutions of the General Assembly on the Syrian Golan, including resolution 56/63 of 10 December 2001, particularly paragraphs 2, 3, 4 and 5 thereof, in which the Assembly called upon Israel to desist from changing the physical character, demographic composition, institutional structure and legal status of the occupied Syrian Golan; called upon Israel to desist from the establishment of settlements and determined that all legislative and administrative measures and actions taken or to be taken by Israel, the occupying Power, that purported to alter the character and legal status of the occupied Syrian Golan were null and void and constituted a flagrant violation of international law and of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, and had no legal effect; and called upon Israel to desist from imposing Israeli citizenship and Israeli identity cards on the Syrian citizens in the occupied Syrian Golan and from taking repressive measures against the Syrian population of the Golan.

2. The Syrian Arab Republic also affirms its support for resolution 56/31, entitled "Jerusalem", and invites the international community to exert pressure on Israel to end its occupation of the Arab territories that it occupied in 1967, including Jerusalem, and to abide by Security Council resolution 478 (1980) of 20 August 1980, in which the Council decided not to recognize the "Basic Law" on Jerusalem enacted by Israel, and determined that the decision of Israel to impose its laws, jurisdiction and administration on the Holy City of Jerusalem was illegal and therefore null and void and had no validity whatsoever. The Syrian Arab Republic also calls upon all States to abide fully by the provisions of resolution 56/31, in particular the provision in the second preambular paragraph which refers to Security Council resolution 478 (1980) of 20 August 1980, in which the Council called upon those States that had established diplomatic missions in Jerusalem to withdraw such missions from the Holy City and to abide by the provisions of the resolution.

United Arab Emirates

[Original: English]

1. The occupied city of Jerusalem

1. The United Arab Emirates has reiterated in all international circles the Arabic identity of Jerusalem and stressed the importance of resisting the Israeli attempts to profane its Islamic and Christian monuments and turn it into a Jewish city. We have always called upon international society to bring pressure to bear upon Israel to put an end to all such practices. The United Arab Emirates condemns the prosecution of Muslim and Christian religious figures by the Israeli occupying forces and insists on the importance of ensuring freedom of religion in the occupied city of Jerusalem.

2. We also affirm the joint Arabic position which considers the transfer of the American Embassy, or any attempt by any country to transfer its embassy to Jerusalem before reaching a final solution on the status of the city, as illegal and a violation of all international laws. We also confirm our commitment to the resolutions of the Arab Summit, which call for boycotting any country that recognizes Jerusalem as the capital of Israel or transfers its embassy to the city.

3. The United Arab Emirates has funded projects in Jerusalem in the total amount of US$ 6 million, involving providing flooring for the inside of the Al-Aqsa Mosque and furnishing it, as well as opening a 24-hour clinic. We also repaired a number of wells, cemeteries and damaged houses. We funded the construction of a wall around Al-Quds University and provided hospitals in the city of Jerusalem as well as other Palestinian cities with ambulances and medicine. There are further projects to be carried out in the city in the future.

2. The Syrian Arab Golan

4. The United Arab Emirates has, in all international forums, confirmed its support to the Syrian position and its attempts to regain sovereignty over the occupied Arab Golan, and has assured Syria of its solidarity in regaining its rights and freeing its occupied land. The United Arab Emirates has also stressed the importance of exerting all necessary efforts to revive the peace process on all tracks and establishing a just and comprehensive peace in the Middle East region, in accordance with Security Council resolutions 242 (1967), 338 (1973) and 425 (1978), which call for the withdrawal of Israel from all occupied Arab lands, including the occupied Syrian Arab Golan.

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Item 38 of the provisional agenda*
The situation in the Middle East

The situation in the Middle East

Report of the Secretary-General**

Summary

The present report contains replies received from Member States in response to the Secretary-General's note verbale of 19 June 2003 concerning implementation of the relevant provisions of General Assembly resolutions 57/111, entitled "Jerusalem", and 57/112, entitled "The Syrian Golan", both of 3 December 2002.

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** The present report is being submitted on 13 August 2003 so as to include as much updated information as possible.

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I. Introduction

1. The present report is submitted pursuant to General Assembly resolutions 57/111 and 57/112, both of 3 December 2002. In its resolution 57/111, the Assembly deplored the transfer by some States of their diplomatic missions to Jerusalem in violation of Security Council resolution 478 (1980), and called once more upon those States to abide by the provisions of the relevant United Nations resolutions. In its resolution 57/112, which deals with Israeli policies in the Syrian territory occupied by Israel since 1967, the Assembly demanded once more that Israel withdraw from all the occupied Syrian Golan to the line of 4 June 1967 in implementation of Council resolutions 242 (1967) and 338 (1973).

2. In order to fulfil his reporting responsibility under resolutions 57/111 and 57/112, on 19 June 2003 the Secretary-General addressed notes verbales to the Permanent Representative of Israel to the United Nations and to the Permanent Representatives of other Member States requesting them to inform him of any steps their Governments had taken or envisaged taking concerning implementation of the relevant provisions of those resolutions. As at 4 August 2003, replies had been received from Israel, Japan, the Netherlands, Norway, South Africa, Switzerland, the Syrian Arab Republic and Trinidad and Tobago. Those replies are reproduced in section II of the present report.

II. Replies received from Member States

Israel

[Original: English]

1. As the Secretary-General is aware, Israel voted against these resolutions, as well as against similar resolutions adopted by the General Assembly in previous sessions. In view of the urgent need to bring an end to all acts of violence and terrorism in the region and to further the agreed negotiating process, Israel wishes to put on record, once again, its position on this matter.

2. Israel views the aforementioned General Assembly resolutions as unbalanced documents that threaten to prejudge the outcome of the Middle East peace process. The one-sided approach reflected in these resolutions undermines a fundamental principle of the peace process, according to which the achievement of a just and lasting peace in the region is possible only through direct bilateral negotiations.

3. The time to put an end to such biased United Nations resolutions is long overdue, requiring immediate and serious consideration by the Secretary-General. These one-sided resolutions are not only out of touch with reality and anachronistic, they are counterproductive to the very spirit of peace. Rather than promoting a vision that recognizes the rights and obligations of both sides, these resolutions obscure the efforts of the parties to achieve a negotiated outcome, at a moment when encouraging changes in the Middle East region opened a critical window of opportunity in the peace process.

Japan

[Original: English]

1. Steps taken or planned by the Government of Japan concerning the implementation of the relevant provisions of resolutions 57/111 and 57/112 adopted by the General Assembly on 3 December 2003 under the agenda item entitled "The situation in the Middle East", are described below.

1. Resolution 57/111

2. It is the view of the Government of Japan that the Basic Law of Israel of 1980 gives ex post facto legal approval to the annexation of East Jerusalem, which Israel occupied in 1967, and that such a unilateral change to the legal status of an occupied territory is in violation of the relevant United Nations resolutions and cannot be recognized.

3. The Government of Japan considers that, as agreed in the Oslo Accords, the status of Jerusalem should be determined through permanent status negotiations between the Israelis and the Palestinians and that until a solution is achieved through such negotiations both parties should refrain from taking any unilateral actions relating to the situation in Jerusalem. The Government of Japan does not have an office in Jerusalem; its embassy is in Tel Aviv and there are no plans to transfer it.

4. Japan welcomes the positive direction being taken in line with the "road map" and hopes that the dialogue resumed between Israel and Palestine, including talks at the summit level, will continue. Japan will actively continue its efforts to promote peace in order to realize the vision of two States living side by side in peace and security as well as to assist state-building efforts by the Palestinians, which is indispensable to achieving a just and lasting peace, by implementing assistance measures focusing on "human development," "reform" and "confidence-building," as announced during the visit of Foreign Minister Kawaguchi in April 2003.

2. Resolution 57/112

5. In response to the passage by the Knesset in 1981 of the legislation concerning the annexation of the Golan Heights, the Government of Japan issued the following statement through the Minister for Foreign Affairs on 15 December 1981. The fundamental position conveyed therein has not changed.

> "(a) The Knesset adopted the legislation which in effect annexes the Golan Heights on 14 December 1981. Japan cannot condone such a unilateral change to the legal status of an occupied territory by Israel, following the annexation of East Jerusalem in July 1980, which is in total violation of international law and United Nations Security Council resolutions 242 (1967) and 338 (1973).
>
> "(b) The Government of Japan is deeply concerned that such an action would not only impair the atmosphere that exists for the settlement of the Arab-Israeli conflicts through peaceful means, but would also heighten tension in the region.

"(c) On this occasion, the Government of Japan reiterates its strong demand that Israel withdraw from all the territories occupied in 1967 as early as possible."

6. Subsequently, negotiations were conducted between Israel and the Syrian Arab Republic from the end of 1994 until their suspension in January 1996. Discussions were resumed in January 2000, but a conflict of opinion concerning procedural issues caused them to be suspended again and that situation has continued up to the present time. Japan takes the position that a peaceful settlement reached through negotiation is the only realistic option available and hopes that both parties, Israel and the Syrian Arab Republic, will continue to make efforts to achieve peace.

7. Since February 1996, the Government of Japan has maintained a 45-member contingent in the United Nations Disengagement Observer Force operating in the Golan Heights.

The Netherlands

[Original: English]

The Netherlands is in compliance with Security Council resolution 478 (1980). Furthermore, the Netherlands, through the European Union and otherwise, actively participates in and encourages international efforts such as those undertaken by the Quartet for the Middle East aimed at reaching a lasting peace in the region.

Norway

[Original: English]

1. Resolution 57/111. Jerusalem

1. Norway's position remains in accordance with this resolution. Norway actively supports the Quartet road map and related diplomatic efforts that will, it is hoped, lead to a just and lasting solution to all aspects of the conflict.

2. Resolution 57/112. The Syrian Golan

2. Norway's position remains in accordance with this resolution. Norway actively supports the Quartet road map and related diplomatic efforts that will, it is hoped, lead to a just and lasting solution to all aspects of the conflict, including the Syrian track.

South Africa

[Original: English]

1. The steps taken by South Africa to implement General Assembly resolutions 57/111 and 57/112, under the item entitled "The situation in the Middle East", are described below.

1. Background

2. South Africa has consistently expressed its commitment to contribute towards a just, comprehensive and lasting peace to the Middle East conflict, on the basis of Security Council resolutions 242 (1967) and 338 (1973), as well as on the principle of land-for-peace. In that vein, South Africa has expressed support for the road map for peace in the Middle East as a basis upon which a comprehensive Arab-Israeli peace can be forged.

3. South Africa also welcomed the Arab peace initiative of 2002, which offers Israel full peace and full recognition in exchange for its withdrawal from all of the occupied territories and which was endorsed by the ministerial meeting of the Committee on Palestine of the Movement of Non-Aligned Countries, held in Durban on 27 April 2002.

4. In its interaction with all countries in the region, South Africa strives to maintain a principled stance with regard to the complex regional problems, with the emphasis on support for justice and peace. In particular, South Africa has adopted firm positions on the Middle East peace process, including the Syrian and Lebanese tracks.

5. The South African Government has consistently given material and organizational support to events organized to mark the International Day of Solidarity with the Palestinian People.

6. The South African Government has issued a large number of media statements on the Middle East conflict. The following are the key elements that are consistently articulated in public statements of the South African Government:

(a) No preconditions in respect of a total cessation of violence in order to enter into talks;

(b) Condemnation of expanding and building settlements; excessive military force by the Israel Defense Force; extrajudicial killings; re-occupation and incursions into Palestinian towns and refugee camps; blockades and closures; destruction of Palestinian National Authority (PNA) infrastructure and Palestinian-owned property; withholding of revenue owed to the PNA and humiliation of Palestinian citizens and their elected leadership and all forms of collective punishment;

(c) Condemnation of Palestinian suicide bombings and acts of terror against citizens within Israel;

(d) Support for the voices of peace within Israel and Palestine and building a shared vision for a mutually beneficial settlement;

(e) Support for broadening international sponsorship of the Middle East peace process and making it more inclusive;

(f) Support for international initiatives, such as the “Quartet’s” road map and the Arab peace initiative of 2002;

(g) Calling for the immediate implementation of the road map without amendments or preconditions;

(h) Violence and counter-violence cannot be allowed to hold the negotiation process hostage.

2. Position of the Movement of Non-Aligned Countries

7. South Africa, as the Chair of the Movement of Non-Aligned Countries (NAM) from October 1998 to February 2003, cooperated in efforts to bring about effective Security Council action with regard to Israel's military assaults on the Palestinian Territories. This has culminated in the adoption of a series of Security Council resolutions in March and April 2002 (resolutions 1397 (2002), 1402 (2002), 1403 (2002) and 1405 (2002)), which South Africa supports fully. South Africa has supported all the efforts of the Secretary-General in this regard.

8. As NAM Chair, South Africa also spearheaded the call for the resumption of the tenth emergency special session of the General Assembly on 7 May 2002. The Assembly called for the immediate implementation of Security Council resolutions and for the Secretary-General to compile a report on the Jenin incident. On 5 August 2002, South Africa again called for a resumed tenth emergency session of the General Assembly to consider the Secretary-General's report on Jenin. South Africa was active in negotiating the draft resolution, which was adopted by an overwhelming margin. The resolution stresses the need to end Israeli occupation and demands the immediate cessation of military actions and all acts of violence, terror, provocation, incitement and destruction, as well as an immediate withdrawal of Israeli forces.

9. Acting in terms of a NAM mandate to engage with key role players in the Middle East peace process, with the aim of working towards a peaceful resolution to the conflict, President Thabo Mbeki, the Minister of Foreign Affairs, Dlamini Zuma, and Deputy Minister of Foreign Affairs, Aziz Pahad, interacted with their counterparts from a wide range of countries in all regions of the world. The NAM Committee on Palestine meeting, held on 27 April 2002, further mandated the Chair to organize a delegation to visit Palestine and to meet with President Arafat, in expression of solidarity with the President and people of Palestine. Minister Dlamini Zuma led a delegation of NAM Ministers to visit President Arafat under siege in his office compound in Ramallah in June 2002.

10. South Africa, when Chair of NAM, consistently called for clarity on what would constitute a Palestinian State, and for commitments by Israel and the United States to specific outcomes in this regard, namely, an economically and politically viable State based on the 1967 borders, including East Jerusalem; a concrete plan to bring the settlers out of the West Bank; a satisfactory solution to the question of Palestinian refugees; the sharing of Jerusalem; recognition of Israel by the Arab States; and real security for both Israel and Palestine. This is the consistently expressed South African vision for the basis of a just and lasting Israeli-Palestinian peace.

3. Presidential peace initiative

11. The South African example of conflict resolution, negotiating a settlement and transforming society continues to inspire those parties in Israel and Palestine committed to finding a peaceful solution to the conflict. This was demonstrated by the success of the Presidential Peace Retreat, hosted by President Thabo Mbeki at Spier Wine Estate near Cape Town in January 2002. Israeli and Palestinian delegations, who had last met during the negotiations in Taba in 2001, spent three days engaging with a South African delegation of present and former ministers.

12. The principle aim of the Retreat was to support the strengthening of the peace camps in Palestine and Israel as well as the general dynamic towards peace in the region. The event concluded with the issuing of the Spier Three Party Communiqué, which demonstrates the spirit of commitment to dialogue and partnership for peace between the three parties present.

13. The key strategic engagement of South Africa with the Middle East conflict, as clearly shown by the Spier Presidential Peace Retreat of January 2002, remains the strengthening of the "peace camps" in both Israel and Palestine; sharing the South African experience with a wide cross-section of Israeli and Palestinian civil society and government; assisting the Palestinian reform process, and supporting international peace efforts.

4. Activities undertaken in relation to the Spier presidential peace initiative

14. The main activities of 2002 were as follows:

(a) A visit by representatives of the Israeli war resisters' movement, The Courage to Refuse, hosted by the Centre for Conflict Resolution in Cape Town;

(b) The Deputy Minister led a delegation for consultations with counterparts from the United Kingdom and France on the kind of support South Africa can offer the Palestinian reform process, while maintaining contact with the Israeli side;

(c) A study tour by senior officials from the Palestinian Ministry of Planning and International Cooperation (MOPIC) took place in October 2003. MOPIC explored the process from negotiations through to the transformation of government structures that South Africa has undertaken;

(d) Palestine academics visited South Africa in November 2002. The visit focused on interaction with South African academic institutions, non-governmental organizations and media;

(e) A South Africa delegation visited Israel and Palestine in October 2002 to broaden the scope of Israelis and Palestinians exposed to the South African experience.

15. The main activities during the first quarter of 2003 were as follows:

(a) The Palestinian Constitutional Committee visited South Africa to study the South African experience of constitution-making, the role of the Constitution in the negotiation process and the mechanisms developed to safeguard and uphold the values of the constitution;

(b) Members of the Palestinian Legislative Council undertook a study tour to South Africa in January 2003 to investigate the South Africa human rights legislation and its implementation;

(c) An Israeli security and intelligence group, comprising high-level retired generals of the Israel Defense Force, intelligence officials and academics, visited South Africa in February 2003. The aim of the visit was to assist in developing alternative concepts and frameworks around security issues in the region.

5. The road map for peace in the Middle East

16. South Africa has called for the immediate implementation of the "road map",

without preconditions, in line with the positions adopted by “key players”, including the United Nations, the European Union and the Quartet. South Africa has called on all parties to the conflict in Israel and Palestine to demonstrate responsibility in avoiding actions that could add to an already volatile situation. It called for the Palestinian Authority’s progress on the road of reform to be recognized internationally and supported locally through similar confidence-building measures on the side of the Israeli Government.

17. South Africa has consistently pledged its support for the road map and remains committed to its immediate implementation without preconditions or reservations.

6. Aqaba Summit

18. South Africa has welcomed the positive outcome of the Aqaba Summit, which effectively reopened direct negotiations between the Israeli and the Palestinian leaderships. South Africa also welcomed both the commitment of Prime Minister Sharon to a two-State solution and the immediate dismantling of illegal settlement outposts, as well as Prime Minister Mahmoud Abbas’ call for an end to violence. The pledges made by both parties in Aqaba demonstrate a clear commitment by the respective leaderships of Israel and Palestine to creating the necessary conditions for a peaceful resolution to the conflict.

19. The South African Government will continue to give close attention to the situation in the Middle East and will spare no effort to assist both Israelis and Palestinians to achieve the peace that both peoples deserve.

Switzerland

[Original: French]

1. Switzerland has often expressed its deep concern about the evolution of the situation in the Middle East, recalling the respective and specific obligation of the parties under international humanitarian law.

2. With respect to resolution 57/111, adopted by the General Assembly at its fifty-seventh session, on 3 December 2002, and in conformity with Security Council resolution 476 (1980), which reiterates that all measures that have altered the geographic, demographic and historical character and status of the Holy City of Jerusalem are null and void, Switzerland considers that the extension of Israeli sovereignty to East Jerusalem constitutes a unilateral act that is contrary to international law and thus unacceptable.

3. Switzerland recalls that, in accordance with Security Council resolution 478 (1980), the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949 (fourth Geneva Convention), applies to all the territories in question, including the Golan Heights. In full conformity with General Assembly resolution 57/111, Switzerland believes that the final status of Jerusalem can only be settled by negotiations between all the parties concerned, on the basis of international law. The outcome of such negotiations must be to ensure free access to their holy places by people of all religions.

4. With respect to resolution 57/112, adopted by the General Assembly at its fifty-seventh session, on 3 December 2002, Switzerland believes that any

comprehensive settlement of the problems in the Middle East must include an adequate solution under international law to the problem of the occupied Syrian Golan Heights. In accordance with Security Council resolution 497 (1981), Switzerland believes that the imposition of Israeli jurisdiction in the Golan Heights is an unacceptable unilateral act. Furthermore, Switzerland recalls that the fourth Geneva Convention is also applicable de jure in the occupied Syrian Golan. In accordance with Assembly resolution 57/112, Switzerland strongly encourages the resumption of the peace process by all the parties concerned.

Syrian Arab Republic

[Original: Arabic]

1. The Syrian Arab Republic supported General Assembly resolution 57/112, entitled “The Syrian Golan”, and reaffirms the need for and inevitability of an end to the Israeli occupation of the Syrian Golan and compliance with Security Council resolution 497 (1981) of 17 December 1981.

2. That resolution states that the Israeli decision to impose its laws, jurisdiction and administration in the occupied Syrian Golan Heights is null and void and without international legal effect, and demands that Israel should rescind forthwith its decision. It should also comply with the General Assembly resolutions pertaining to the Syrian Golan, including resolution 57/128 and, in particular, paragraphs 2-5 thereof, which call upon Israel to desist from changing the physical character, demographic composition, institutional structure and legal status of the occupied Syrian Golan. The resolution further calls upon Israel to desist from the establishment of settlements and determines that all legislative and administrative measures and actions taken or to be taken by Israel, the occupying Power, that purport to alter the character and legal status of the occupied Syrian Golan are null and void, constitute a flagrant violation of international law and of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, and have no legal effect. The resolution also calls upon Israel to desist from imposing Israeli citizenship and Israeli identity cards on the Syrian citizens in the occupied Syrian Golan and from taking repressive measures against the population of the occupied Syrian Golan.

3. The Syrian Arab Republic also expresses its support for General Assembly resolution 57/111, entitled “Jerusalem”, and urges the international community to bring pressure to bear on Israel to end its occupation of the territories that it has occupied since 1967, including Jerusalem, and to comply with Security Council resolution 478 (1980) of 20 August 1980, in which it was decided not to recognize the “basic law” enacted by Israel concerning Jerusalem. The resolution further determines that all legislative and administrative measures and actions taken by Israel in that regard are null and void and must be rescinded forthwith. The Syrian Arab Republic urges all States to comply completely with the provisions of resolution 57/111 and, in particular, of the third preambular paragraph thereof, which refers to Security Council resolution 478 (1980) of 20 August 1980. That resolution called upon those States which had established diplomatic missions in Jerusalem to withdraw such missions from the Holy City and to abide by the provisions of the relevant United Nations resolutions.

Trinidad and Tobago

[Original: English]

1. With regard to the implementation of General Assembly resolution 57/111, the Government of Trinidad and Tobago has not taken nor envisages taking any steps, given that Trinidad and Tobago has no diplomatic representation in Israel.

2. With regard to the implementation of General Assembly resolution 57/112, the Government of Trinidad and Tobago has not taken nor envisages taking any steps, given that Security Council resolutions 242 (1967) and 338 (1973) do not place any obligations on Trinidad and Tobago.

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The situation in the Middle East

Report of the Secretary-General*

Summary

The present report contains replies received from Member States in response to the Secretary-General's note verbale dated 12 April 2004, concerning the implementation of the relevant provisions of General Assembly resolutions 58/22, entitled "Jerusalem", and 58/23, entitled "The Syrian Golan", both of 3 December 2003.

* The present report is being submitted on 12 October 2004 in order to include as much updated information as possible.

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I. Introduction

1. The present report is submitted pursuant to General Assembly resolutions 58/22 and 58/23, both of 3 December 2003. In its resolution 58/22, the Assembly deplored the transfer by some States of their diplomatic missions to Jerusalem in violation of Security Council resolution 478 (1980), and called once more upon those States to abide by the provisions of the relevant United Nations resolutions, in conformity with the Charter of the United Nations. In its resolution 58/23, which deals with Israeli policies in the Syrian territory occupied by Israel since 1967, the Assembly demanded once more that Israel withdraw from all the occupied Syrian Golan to the line of 4 June 1967 in implementation of the relevant Security Council resolutions.

2. In order to fulfil his reporting responsibility under Assembly resolutions 58/22 and 58/23, on 12 April 2004 the Secretary-General addressed notes verbales to the Permanent Representative of Israel to the United Nations and to the Permanent Representatives of other Member States, requesting them to inform him of any steps that their Governments had taken or envisaged taking in regard to the implementation of the relevant provisions of those resolutions. As at 30 September 2004, replies had been received from Estonia, Israel, the Netherlands, Switzerland and the Syrian Arab Republic. Those replies are reproduced in section II of the present report.

II. Replies received from Member States

Estonia

[Original: English]

1. Estonia has no diplomatic representation in Israel and is therefore not affected by General Assembly resolution 58/22 concerning diplomatic missions to Jerusalem.

2. Concerning Assembly resolution 58/23 on the Syrian Golan, we can assure you that Estonia does everything in its capacity to ensure the resumption of the peace process and implementation of Security Council resolutions 242 (1967) and 338 (1973).

Israel

[Original: English]

1. As the Secretary-General is aware, Israel voted against these resolutions, and against similar resolutions adopted by the General Assembly at previous sessions. In the light of the urgent need to bring an end to all acts of violence and terrorism in the region and to further the agreed negotiation process, Israel wishes to put on record, once again, its position on this matter.

2. Israel views the aforementioned General Assembly resolutions as unbalanced documents that threaten to prejudge the outcome of the Middle East peace process. The one-sided approach reflected in these resolutions undermines a fundamental principle of the peace process, according to which the achievement of a just and lasting peace in the region is possible only through direct bilateral negotiations.

3. The time to put an end to such biased United Nations resolutions is long overdue, requiring immediate and serious consideration by the Secretary-General. These one-sided resolutions are not only out of touch with reality and anachronistic, they are counterproductive to the very spirit of peace. Rather than promoting a vision which recognizes the rights and obligations of both sides, as articulated in the Road Map, these resolutions obscure the efforts of the parties to achieve a negotiated outcome, at a moment when Prime Minister Sharon's courageous disengagement plan has opened a critical window of opportunity in the peace process.

Netherlands

[Original: English]

The Netherlands is in compliance with Security Council resolution 478 (1980). Furthermore, the Netherlands, through the European Union and elsewhere, actively participates in and encourages international efforts, such as those undertaken by the Quartet for the Middle East, aimed at reaching a lasting peace in the region.

Switzerland

[Original: French]

The Permanent Mission of Switzerland informs the Secretariat that Switzerland has no specific contribution to make in this regard.

Syrian Arab Republic

[Original: Arabic]

1. The Syrian Arab Republic, which supported General Assembly resolution 58/23, entitled "The Syrian Golan", affirms once again the absolute need for Israel to end the occupation of the Syrian Golan, to comply with Security Council resolution 497 (1981) and to commit itself to implementing Security Council resolutions 242 (1967) and 338 (1973), with a view to achieving a just and comprehensive peace.

2. The Syrian Arab Republic, which believes that a just and comprehensive peace in the Middle East can be brought about only through a just and comprehensive peaceful settlement, was party to the universality of Arab States that adopted the Arab peace initiative at the Beirut Summit in 2002. It has also firmly established its strategic choice, based on the achievement of a just and comprehensive peace, through the appeal of its President for a resumption of the peace talks from the point where they had left off, with a view to building on the progress that had been made in the peace negotiations that followed the Madrid Conference in 1991.

3. The General Assembly, in its resolution 58/23, declared Israel's decision to impose its laws, jurisdiction and administration on the occupied Syrian Golan null and void and without any validity whatsoever, and called upon Israel to rescind that decision. Israel should also comply with the General Assembly resolutions concerning the Syrian Golan, including resolution 58/100 of 9 December 2003, in particular paragraphs 2 to 5 thereof, in which the Assembly called upon Israel to

desist from changing the physical character, demographic composition, institutional structure and legal status of the occupied Syrian Golan.

4. The Government of the Syrian Arab Republic sees in the decision taken by the Government of Israel on 31 December 2003 to increase the number of its settlements and expand settlement activity in the occupied Golan an indication of Israeli intentions to hold the resolutions of the Security Council and the General Assembly in contempt, including General Assembly resolution 58/98 of 9 December 2003, in which the Assembly reiterated its demand for the complete cessation of all Israeli settlement activities. The Syrian Arab Republic also views the despotic Israeli decision as wrecking the peace process and further entrenching the occupation, rather than ending it in accordance with the principle of land for peace.

5. The Syrian Arab Republic reaffirms its support for General Assembly resolution 58/22, entitled "Jerusalem", and calls upon the international community to exert pressure on Israel to end its occupation of the Arab territories occupied by it in 1967, including Jerusalem, and to comply with Security Council resolution 478 (1980), in which the Council decided not to recognize the "basic law" on Jerusalem enacted by Israel and affirmed that Israel's decision to impose its laws, jurisdiction and administration on Al-Quds al-Sharif was illegal and consequently null and void and totally lacking in validity.

6. Israel's decision to proceed with the construction of the separation wall within Palestinian territory is a challenge to the will of the international community, expressed in General Assembly resolution ES-10/13 of 21 October 2003, in which the Assembly demanded that Israel stop and reverse the construction of the wall. The Syrian Arab Republic calls upon all States to comply fully with General Assembly resolution 58/22, in particular its third preambular paragraph, which refers to Security Council resolution 478 (1980), in which the Council called upon those States that had established diplomatic missions at Jerusalem to withdraw such missions from the Holy City and to comply with the provisions of the resolution.

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The situation in the Middle East

Report of the Secretary-General

Summary

The present report contains replies received from Member States in response to the Secretary-General's note verbale of 2 June 2006 concerning the implementation of the relevant provisions of General Assembly resolutions 60/41, entitled "Jerusalem", and 60/40, entitled "The Syrian Golan".

* A/61/150.

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I. Introduction

1. The present report is submitted pursuant to General Assembly resolutions 60/40 and 60/41. In its resolution 60/41, the Assembly deplored the transfer by some States of their diplomatic missions to Jerusalem in violation of Security Council resolution 478 (1980) and called once more upon those States to abide by the provisions of the relevant United Nations resolutions. In its resolution 60/40, which deals with Israeli policies in the Syrian territory occupied by Israel since 1967, the Assembly demanded once more that Israel withdraw from all the occupied Syrian Golan to the line of 4 June 1967 in implementation of the relevant Security Council resolutions.

2. In order to fulfil his reporting responsibility under resolutions 60/40 and 60/41, on 2 June 2006 the Secretary-General addressed notes verbales to the Permanent Representative of Israel to the United Nations and to the Permanent Representatives of other Member States requesting them to inform him of any steps their Governments had taken or envisaged taking concerning implementation of the relevant provisions of those resolutions. As at 15 August 2006, replies had been received from Israel, Mali and the Syrian Arab Republic. Those replies are reproduced in section II of the present report.

II. Replies received from Member States

Israel

[Original: English]

1. The Permanent Representative of Israel to the United Nations presents his compliments to the Secretary-General and has the honour to refer to his note dated 30 May 2006 concerning resolutions 60/40 and 60/41, adopted by the General Assembly under agenda item “The situation in the Middle East”.

2. As the Secretary-General is aware, Israel voted against those resolutions, as it has done time and time again in the case of similar resolutions adopted by the General Assembly at previous sessions. In the light of the urgent need to bring an end to all acts of violence and terrorism in the region and to further the agreed negotiation process, Israel wishes to put on record, once again, its position on this matter.

3. Israel views the aforementioned General Assembly resolutions as unbalanced documents that threaten to prejudge the outcome of the Middle East peace process. The one-sided approach reflected in those resolutions undermines a fundamental principle of the peace process, according to which the achievement of a just and lasting peace in the region is possible only through direct bilateral negotiations.

4. Permit me to point out that it is now roughly one year since Israel fully withdrew from the Gaza Strip and parts of the northern West Bank. We had hoped that the disengagement, as one measure, would have been a positive step in the right direction. Yet the response has been more of the same: terrorism. Day in and day out Israel is under attack. Families living in the city of Sderot are in constant fear of the Qassam rockets that have struck their homes, schools and places of work.

5. Additionally, the Palestinian Authority has yet to make good on its responsibilities to the international community. Israel is still engaged in a war on terror, in which the elected Hamas Government has sworn its intent to murder as many Israelis as possible. The Hamas-led Palestinian Authority must fulfil the conditions set out by the international community: to recognize Israel, denounce terrorism and abide by previous agreements.

6. The time to put an end to such biased resolutions is long overdue, requiring immediate and serious consideration by the Secretary-General. These one-sided resolutions are not only out of touch with reality and anachronistic, they are counterproductive and run counter to the very spirit of peace. Rather than promote a vision which recognizes the rights and obligations of both sides, as articulated in the road map, these resolutions obscure the efforts of the parties to achieve a negotiated outcome.

Mali

[Original: French]

1. The Permanent Mission of Mali to the United Nations presents its compliments to the United Nations Secretariat and, with reference to its note verbale of 2 June 2006 concerning the application of General Assembly resolutions 60/40 and 60/41 on the Syrian Golan and Jerusalem, respectively, has the honour to convey the following information.

2. The Government of Mali has always strictly observed the recommendations arising from those resolutions, and continues to do so. Consequently, it has taken no measures that conflict with them, and appeals for dialogue and consultation among all parties concerned, aimed at achieving the resumption of the peace process in both cases.

Syrian Arab Republic

[Original: Arabic]

1. Throughout the years since the Israeli occupation of the Syrian Golan in 1967, the international community has repeatedly expressed, and has now again expressed, its strong rejection of that occupation, calling for the withdrawal of the occupying Israeli forces from the whole of the Syrian Golan. General Assembly resolution 60/40 affirms the concern of the international community regarding Israel's failure to comply with the relevant resolutions and its continuing occupation of the Golan, contrary to Security Council and General Assembly resolutions. General Assembly resolution 60/40 also affirms that Israel's decision to impose its laws, jurisdiction and administration on the Syrian Golan is null and void and has no legitimacy whatsoever, as confirmed by the Security Council in its resolution 497 (1981), and calls upon Israel to rescind its decision.

2. After 39 years of this tyrannical occupation, and despite the resolutions adopted by the organs of international legitimacy and the appeals made in all international forums by the majority of the world's leaders, in which they rejected the Israeli occupation of Arab territories and condemned Israel's daily brutal practices and flagrant violations of all international instruments and norms, Israel

still remains indifferent to all such appeals and international resolutions; yet there is no deterrent to its expansionist ambitions.

3. The Syrian Arab Republic has affirmed its strong commitment to the pursuit of work and cooperation with the United Nations and conveys to the Secretary-General and his assistants special appreciation for their efforts and the difficulties they face in their endeavours to preserve the standing of the Organization. On that basis, the Syrian Arab Republic affirms that the forum of international legitimacy and the United Nations resolutions unquestionably remain the fundamental authority most accepted and most respected by the countries of the world. Given that this is an unshakeable principle of Syrian policy, President Bashar Al-Assad has declared on more than one occasion that the Syrian Arab Republic is willing to resume peace negotiations on the same basis on which the Madrid peace process was started in 1991. The Syrian Arab Republic has also declared in all international forums its full commitment to the relevant international resolutions and has called for their implementation, in particular that of Security Council resolutions 242 (1967), 338 (1973) and 497 (1981), and the implementation of the principle of land for peace, in order to guarantee Israel's full, unrestricted and unconditional withdrawal from all of the occupied Syrian Golan to the line of 4 June 1967. In addition, in endorsing the Arab peace initiative adopted at the 2002 Beirut Summit, the Syrian Arab Republic founded its strategic choice on the achievement of a just and comprehensive peace in accordance with the relevant resolutions constituting international legitimacy. Such a peace cannot be achieved without the implementation of those resolutions, which have received the support of the international community.

4. The Government of the Syrian Arab Republic denounces the decisions adopted by the Israeli Government concerning an increase in the number of Israeli settlements and the inclusion of eight additional settlements in the existing plan for the expansion of settlements and settlement activity in the occupied Golan to reach 50,000 settlers. It further condemns the statement of Israeli Prime Minister Ehud Olmert that the Golan is not the object of any unilateral withdrawal but rather of development projects. In that connection, the Government of the Syrian Arab Republic denounces the setting aside by Israel's land department of 2,500 dunams from the territory of the occupied Golan to be sold to settlers for the purpose of establishing wineries and luxury tourist units. It further condemns the announcement by the Settlement Council of a campaign under the slogan "The Golan has opened its doors to you and is brimming with life", the purpose of which was to attract 1,000 families under the 2005 settlement campaign. Such Israeli actions show Israel's true intention to reject peace, paying no heed to Security Council or General Assembly resolutions, the most recent of which was General Assembly resolution 60/108 of 8 December 2005, in which the Assembly once again demanded that Israel desist from all forms of settlement activity.

5. The Syrian Arab Republic reaffirms the need for a genuine effort to find means to ensure the implementation of the relevant international resolutions without any discrimination or selectivity and to apply the Geneva Conventions in order to pressure Israel, the occupying authority, to comply with the will of the international community and seize the opportunities offered by the Syrian Arab Republic for achieving a just and comprehensive peace in the Middle East.

6. The Syrian Arab Republic reaffirms its support for General Assembly resolution 59/32, entitled “Jerusalem”, and calls upon the international community to exert pressure on Israel to end the occupation of the Arab lands occupied by it in 1967, including Jerusalem, and to comply with Security Council resolution 478 (1980), in which the Council decided not to recognize the “basic law” passed by Israel in respect of Jerusalem and affirmed that the Israeli decision to impose its laws, jurisdiction and administration on the city of Al-Quds Al-Sharif was illegal and consequently null and void and had no validity whatsoever. The Syrian Arab Republic also calls for full compliance with the provisions of General Assembly resolution 60/41, in particular the reference in its third preambular paragraph to Security Council resolution 478 (1980), in which the Council called upon those States which had established diplomatic missions in Jerusalem to withdraw such missions from the Holy City and to comply with the provisions of that resolution.

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The situation in the Middle East

Report of the Secretary-General

Summary

The present report contains replies received from Member States in response to the note verbale by the Secretary-General of 2 May 2016 concerning implementation of the relevant provisions of General Assembly resolutions 70/16, entitled "Jerusalem", and 70/17, entitled "The Syrian Golan".

* A/71/150.

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I. Introduction

1. The present report is submitted pursuant to General Assembly resolutions 70/16 and 70/17. In its resolution 70/16, the Assembly stressed that a comprehensive, just and lasting solution to the question of the City of Jerusalem should take into account the legitimate concerns of both the Palestinian and Israeli sides and should include internationally guaranteed provisions to ensure the freedom of religion and of conscience of its inhabitants, as well as permanent, free and unhindered access to the holy places by people of all religions and nationalities. In its resolution 70/17, which deals with Israeli policies in the Syrian territory occupied by Israel since 1967, the Assembly demanded once more that Israel withdraw from all the occupied Syrian Golan to the line of 4 June 1967 in implementation of the relevant Security Council resolutions.

2. On 2 May, in order to fulfil my reporting responsibility under resolutions 70/16 and 70/17, I addressed notes verbales to the Permanent Representative of Israel and to the Permanent Representatives of all other States Members of the United Nations requesting them to inform me of any steps their Governments had taken or envisaged taking concerning implementation of the relevant provisions of those resolutions. As at 15 August 2016, six replies had been received from the State of Palestine, Brazil, Cuba, Mexico, Morocco and Venezuela (Bolivarian Republic of). The replies are reproduced in section II of the present report.

II. Replies received from Member States

State of Palestine

[Original: English]

Resolution 70/16, entitled “Jerusalem”, represents an important contribution by the General Assembly towards justly resolving this core issue of the question of Palestine, in conformity with international law and the relevant United Nations resolutions, both by the General Assembly and the Security Council, and with due respect for the advisory opinion rendered on 9 July 2004 by the International Court of Justice. The above-mentioned resolution continues to receive the overwhelming support of States, adopted by the General Assembly at its 64th plenary meeting, on 24 November 2015, by a vote of 153 in favour and only 7 against, with 8 abstentions.

Resolution 70/16 reaffirmed the long-standing, principled international position regarding the City of Jerusalem. Year after year, the General Assembly has reaffirmed that the international community has a legitimate interest in the question of the City of Jerusalem and in the protection of the unique spiritual, religious and cultural dimensions of the City, as foreseen in relevant United Nations resolutions on the matter. Moreover, year after year the Assembly has reiterated “its determination that any actions taken by Israel, the occupying Power, to impose its laws, jurisdiction and administration on the Holy City of Jerusalem are illegal and therefore null and void and have no validity whatsoever”, and has called upon Israel “to immediately cease all such illegal and unilateral measures”.

All legislative and administrative measures and actions taken by Israel, the occupying Power, that have altered or purported to alter the character and status of

the Holy City of Jerusalem, in particular the so-called “Basic Law” on Jerusalem, are considered null and void. This includes all measures intended to deliberately change the demography, character and geographic landscape of the City, including, for example, the continuing and systematic illegal transfer of Israeli settlers to the City by the occupying Power; the confiscation of Palestinian property, particularly for the construction and expansion of settlements and the wall in and around the City; the demolition of Palestinian homes and eviction of Palestinian residents in the City, forcibly displacing them, particularly Bedouin families, thousands of whom live under the ongoing threat of forced transfer by the occupying Power; the revocation of residency rights of Palestinians in the City; and other measures such as excavations in the City, and particularly in and around holy sites, and the imposition of military checkpoints all around Occupied East Jerusalem, severing it from the rest of the Occupied Palestinian Territory.

The General Assembly recalls the Security Council resolutions relevant to Jerusalem, including resolution 478 (1980), in which the Council, inter alia, decided not to recognize the so-called “Basic Law” on Jerusalem and called for it, along with all other measures to alter the character and status of the City, to be rescinded forthwith. This non-recognition of the so-called “Basic Law” on Jerusalem has been upheld by the international community until this day in rejection of any and all measures by Israel, the occupying Power, aimed at the illegal de facto annexation of East Jerusalem, the status of which remains that of occupied territory and to which the Geneva Convention relative to the Protection of Civilian Persons in Time of War is fully applicable. That status and the Geneva Convention’s applicability are, furthermore, both determinations that have been repeatedly reaffirmed by the General Assembly and the Security Council and were unequivocally confirmed by the International Court of Justice.

That Occupied East Jerusalem remains an integral part of the Palestinian territory occupied by Israel since 1967 has also been repeatedly reaffirmed in relevant resolutions. Moreover, numerous resolutions have clearly determined that the status of East Jerusalem and the rest of Palestinian territory and other Arab lands occupied by Israel since 1967 remains that of occupied territories, and that in no way has Israel become the sovereign over these territories and that its status and obligations are those of an occupying Power. Moreover, the international principle and legal norm prohibiting the acquisition of territory by force has been repeatedly reaffirmed in this regard.

Owing to Israel’s continuous, flagrant and systematic violations of resolution 478 (1980) and all other resolutions regarding Jerusalem, including resolution 70/16, and the applicable provisions of international law, including humanitarian law, the situation on the ground continued to decline in the past year, exacerbating the already-high tensions and deepening resentment, frustration and hardship among the Palestinian people. As such, the General Assembly was compelled, as reflected in the preamble of the resolution, to again express its grave concern, inter alia, about the continuation by Israel of illegal settlement activities, including measures to implement the so-called “E-1 plan”, its construction of the wall, its demolition of Palestinian homes, its restrictions on Palestinian access to and residence in East Jerusalem and its isolation from the rest of Palestine, all of which are having a vastly detrimental impact on the lives of the Palestinian civilian population.

Illegal actions by the occupying Power in the City, as well as by Israeli settlers and extremists, have also stoked religious sensitivities in the recent period and gravely destabilized the situation. Israeli occupying forces have escalated their use of force against Palestinian civilian residents of the City, including against children and youth, who have also been among the thousands arrested and detained by the occupying Power in the recent period. Moreover, Palestinians in Jerusalem have been among the more than 200 Palestinian civilians killed by the occupying forces since the escalation of violence that began in October 2015, and among the more than 17,000 injured in that period by the occupying forces and by the violence and terror of Israeli settlers.

Tensions reached extremely high levels in September and October 2015 owing to such violence and repeated provocations and incitement, including frequent incursions by Jewish extremists and Israeli occupying forces at the Haram al-Sharif, which houses the Holy Aqsa Mosque; acts of vandalism by Israeli settlers, including desecration of mosques and churches in the City and other parts of the Occupied Palestinian Territory; and provocative rhetoric by Israeli Government officials, religious leaders and right-wing extremists regarding the Haram al-Sharif. This prompted the Security Council to issue a press statement on the situation in Jerusalem, on 17 September 2015, in which the Council members, inter alia, "expressed their grave concern regarding escalating tensions in Jerusalem, especially surrounding the Haram al-Sharif compound, including recent clashes in and around the site"; "called for the exercise of restraint, refraining from provocative actions and rhetoric, and upholding unchanged the historic status quo at the Haram al-Sharif — in word and in practice"; and "called for full respect for international law, including international human rights law and international humanitarian law, as may be applicable in Jerusalem".

This was followed, on 30 September 2015, by a statement by the principals of the Middle East Quartet, in which they also expressed deep concern about "recent violence and escalating tensions surrounding the holy sites in Jerusalem and called upon all parties to exercise restraint, refrain from provocative actions and rhetoric, and preserve unchanged the status quo at the holy sites in both word and practice". Furthermore, in view of the grave impact of illegal Israeli policies and measures in particular, including in Occupied East Jerusalem, the Quartet was compelled to express "its serious concern that current trends on the ground — including continued acts of violence against Palestinians and Israelis, ongoing settlement activity and the high rate of demolitions of Palestinian structures — are dangerously imperilling the viability of a two-State solution".

The General Assembly legislated similar provisions in resolution 70/16, whereby it expressed grave concern "about tensions, provocations and incitement regarding the holy places of Jerusalem, including the Haram al-Sharif", and urged, in the light of those negative developments, "restraint and respect for the sanctity of the holy sites by all sides". Moreover, the resolution clearly calls for "respect for the historic status quo at the holy places of Jerusalem, including the Haram al-Sharif, in word and practice, and urges all sides to work immediately and cooperatively to defuse tensions and halt all provocations, incitement and violence at the holy sites in the City".

Whereas Israel, the occupying Power, has continuously and flagrantly violated United Nations resolutions and the applicable provisions of international law, and

whereas Israeli Government officials, including members of the Israeli Prime Minister's Cabinet, continue to provoke and incite with regard to Jerusalem, the Palestinian Government has consistently acted with seriousness, responsibility and restraint to address this critical situation and uphold its legal obligations in this regard, in conformity with the relevant resolutions and international law. Such efforts have been undertaken in spite of the deliberate and blatant Israeli obstruction of access by the Palestinian Government to the City and the occupation's obstruction of Palestinian development in the City. In this regard, we must also draw attention to the fact that numerous official Palestinian institutions in Jerusalem, including Orient House, remain closed by order of the occupying Power.

President Mahmoud Abbas and other Palestinian officials have clearly called for respect for the sanctity of the holy sites in Jerusalem and respect for the historic status quo at the Haram al-Sharif and called for an end to the provocations, incitement and violence at, and towards, this holy site. The Palestinian side has cooperated fully with all efforts in this regard, including in particular with the Hashemite Kingdom of Jordan, in the light of its historic role in preserving and administering the Muslim and Christian holy sites in the City. The Palestinian side has raised this issue at the highest levels, both bilaterally and multilaterally, including, inter alia, in official meetings of the Security Council, the General Assembly and the Human Rights Council and other international forums, such as the Al-Quds Committee of the Organization of Islamic Cooperation.

Moreover, the Palestinian side has strived repeatedly to mobilize the international community, and particularly the Security Council, to act firmly with regard to Israel's ongoing illegal settlement activities, in all manifestations, in Occupied Palestine, including in and around East Jerusalem. Since the start of 2016, repeated appeals have been made by the Palestinian leadership for the Security Council to adopt a resolution to reaffirm its established, strong position condemning Israel's settlement activities and demanding a complete halt, including in Occupied East Jerusalem, stressing both the illegality of Israel's actions in this regard and the fact that such actions are destroying the viability of the two-State solution based on the pre-1967 borders and thus constitute a major obstacle to the achievement of a peaceful solution in accordance with the long-standing, internationally endorsed parameters.

The Permanent Observer Mission of the State of Palestine to the United Nations has also repeatedly highlighted this matter, also in the context of official letters to the Secretary-General and the President of the Security Council, drawing the international community's attention to the perils of this fragile situation in Jerusalem as a result of Israel's illegal policies and practices and also because of rising extremism and provocations of Israeli settlers and religious fanatics against Palestinian civilians and against Muslim and Christian holy sites. It has caution about the far-reaching short- and long-term consequences of any further destabilization, including in the context of the acute crises, conflicts and instability throughout the region at the present time. Repeated appeals have also been made by Palestine to the international community to mobilize to help de-escalate the high tensions between the two sides, with a view to stabilizing the situation and averting greater extremism and radicalism and the outbreak of a dangerous religious conflict.

In this regard, it should be recalled that the tenth emergency special session of the General Assembly was first convened in 1997 to specifically address Israel's

settlement colonization and other illegal measures in Occupied East Jerusalem, particularly in the area of Jabal Abu Ghneim at the time, and has reconvened repeatedly thereafter owing to Israel's incessant violations in Occupied East Jerusalem and the rest of the Occupied Palestinian Territory. The seriousness that this issue has been accorded by the international community is clearly reflected in the resolutions of the tenth emergency special session of the General Assembly, which also led to the convening of High Contracting Parties to the Fourth Geneva Convention in 1999 and 2001, and the adoption of other relevant resolutions, including resolution 70/16 of 2015.

The gravity of this issue has also been underscored by the Security Council in the past year, included in its press statement on Jerusalem of 17 September 2015, which follows its other numerous relevant pronouncements regarding Jerusalem, including, inter alia, resolutions 251 (1968), 252 (1968), 267 (1969), 271 (1969), 298 (1971), 465 (1980), 476 (1980), 478 (1980), 672 (1990), 1073 (1996) and 1322 (2000). Those resolutions, which remain valid, address the continuous and systematic illegal measures and actions by Israel, the occupying Power, in the City, throughout the decades, in addition to other resolutions adopted by the Council and the General Assembly regarding the City since 1948. This seriousness and responsibility is also reflected in the substance and solemnity of the debates on this matter, including in the Security Council, as reflected in the emergency meeting held on 16 October 2015 and the open debate on 22 October 2015, during the presidency of Spain, which elevated consideration of the matter to the ministerial level.

In this connection, we underscore the permanent responsibility of the United Nations towards the question of Palestine, including the question of the City of Jerusalem, until it is satisfactorily and justly resolved in all aspects in accordance with international law. Moreover, we recognize the importance of Jerusalem not only to the Palestinian and Israeli sides, but also to the faithful of the three monotheistic religions and the international community as a whole. Thus, as in previous resolutions, the General Assembly stressed in resolution 70/16 that "a comprehensive, just and lasting solution to the question of the City of Jerusalem should take into account the legitimate concerns of both the Palestinian and Israeli sides and should include internationally guaranteed provisions to ensure the freedom of religion and of conscience of its inhabitants, as well as permanent, free and unhindered access to the holy places by people of all religions and nationalities".

It is totally unacceptable and extremely provocative that Israel, the occupying Power, continues to act in flagrant contempt and disrespect for this clear international consensus and the international legal tenets articulated above as it persists in its illegal occupation, colonization and Judaization of Jerusalem and the rest of the Palestinian territory it has occupied since 1967, in total disregard for the applicable provisions of international law, including the Fourth Geneva Convention. Israel must be held accountable for its violations of international law, including the relevant United Nations resolutions. If Israel is permitted to carry out such violations and war crimes, including the forced transfer of Palestinian civilians, without consequence, such impunity will not end and will only be further emboldened, with dire impact on the humanitarian, socioeconomic, political and security situation in Occupied Palestine, including East Jerusalem, and the prospects for realizing peace and coexistence between the Palestinian and Israeli peoples.

The time is long overdue for the mobilization of international political will and action to pressure Israel to end its nearly half-century foreign occupation of Palestine and its cruel subjugation and oppression of the Palestinian people. Serious, responsible and urgent efforts must be exerted, on the basis of the relevant United Nations resolutions, the Madrid principles and the Arab Peace Initiative, towards ensuring Israel's complete withdrawal from the Palestinian territory occupied since June 1967, including East Jerusalem; the achievement of the two-State solution of an independent, sovereign, contiguous and viable State of Palestine, with East Jerusalem as its capital, living side by side with Israel in peace and security within recognized borders based on the pre-1967 borders; and the realization of the inalienable rights of the Palestinian people, including a just solution for the Palestine refugees based on General Assembly resolution 194 (III).

In this regard, the State of Palestine welcomes the efforts exerted by France to bring together concerned States and partners in the international community in a multilateral framework of an international support group for the parties to resolve this prolonged, tragic conflict. Palestine is cooperating with efforts to this end and reiterates its call for an international peace conference as well as the commitment to negotiations to justly resolve all final status issues, including, inter alia, the issue of Jerusalem, on the basis of the relevant resolutions and the long-standing international parameters in this regard. It is hoped that such efforts will produce tangible results in the coming months to preserve the prospects for, and advance the realization of, Palestinian-Israeli peace.

Brazil

[Original: English]

In 2010, Brazil recognized the State of Palestine in its 1967 borders, with East Jerusalem as its capital. In accordance with Security Council resolution 478 (1980), Brazil does not recognize the city of Jerusalem as the capital of Israel, deems null and void the so-called "Basic Law" on Jerusalem and considers that East Jerusalem is in the Occupied Palestinian Territories. The Embassy of Brazil in Israel is located in Tel Aviv. In this regard, Brazilian passports issued to persons born in Jerusalem do not mention Israel as the country of birth.

Brazil does not recognize the annexation of the Golan Heights, a Syrian territory occupied by Israel since 1967 in violation of the principle of non-acquisition of land by force, a foundation of international order and of the Charter of the United Nations.

In relevant multilateral bodies, Brazil has adopted a clear stance recalling the obligations of Israel as the occupying Power according to the Fourth Geneva Convention. Brazil reiterates the illegality of the occupation under international law and Israel's obligations regarding international human rights law and international humanitarian law, including in the occupied Syrian Golan.

Brazil has condemned, in particular, the expansion of Israeli settlements in the Occupied Palestinian Territories, in violation of article 49 of the Fourth Geneva Convention, which prohibits the occupying Power from deporting or transferring parts of its own civilian population into the territory it occupies.

Brazil has also condemned Israel's practice of withholding Palestinian customs revenues in reprisal for Palestinian attempts to join the international community. This constitutes a violation of the Paris Protocol on Economic Relations between the Government of the State of Israel and the Palestine Liberation Organization and can also be considered a form of collective punishment, which is unlawful according to the Fourth Geneva Convention.

The Brazilian legislative decree by which the Free Trade Agreement between Brazil and Israel was approved determined that the Government shall negotiate the "exclusion, from the Agreement's coverage, of goods whose certificates of origin attest as their origin sites under Israeli administration since 1967", which includes not only the Occupied Palestinian Territories but also the occupied Syrian Golan. This issue is currently on the agenda of the Joint Committee established under the Agreement.

The manual for Brazilian exporters to Israel published by the Ministry of Foreign Affairs of Brazil discourages financial transactions, investments, or any other business activities related to Israeli settlements in the Occupied Arab Territories. The document recalls Security Council resolution 242 (1967), which determined the withdrawal of Israel from those territories.

An agreement between the Institute of Mathematics and Statistics of the University of São Paulo and a higher education institution located in the Israeli settlement of Ariel, in the Occupied Palestinian Territories, was not renewed owing to the understanding that the very existence of the Israeli institution resulted from a violation of international law.

The Embassy of Brazil in Tel Aviv does not recommend the holding of official meetings between Brazilian and Israeli authorities in Israeli institutions located in East Jerusalem. The Embassy also discourages any official visits of Brazilian authorities to the occupied Syrian Golan and has refused invitations by the Government of Israel to visit the region.

Cuba

[Original: Spanish]

Cuba fully supports General Assembly resolution 70/16 entitled "Jerusalem" and calls for its strict and swift implementation by all States.

A just and lasting solution to the Middle East conflict calls for the actual exercise of the inalienable right of the Palestinian people to build their own State within the pre-1967 borders, with East Jerusalem as its capital.

We reiterate our condemnation of Israel's continued military occupation of the Palestinian territory; its illegal policies and colonization practices in the Occupied Palestinian Territory, including East Jerusalem; human rights violations; and systematic war crimes that are causing the Palestinian people immense suffering.

Israel must immediately cease all colonization activities in the Occupied Palestinian Territory, including East Jerusalem, which is an integral part of this territory.

Cuba considers all Israeli measures aimed at altering the legal, geographic and demographic character and status of Jerusalem, and of the Occupied Palestinian Territory as a whole, null and void and without legal validity whatsoever.

Cuba expresses its deep concern about the physical, economic and social devastation being caused by the Israeli settlements, the wall and the network of checkpoints, which are severing the Palestinian territory into separate areas, isolating East Jerusalem from the rest of the territory and displacing thousands of Palestinians from their homes.

The illegal Israeli colonization campaign is undermining the contiguity, integrity, viability and unity of the Occupied Palestinian Territory, and jeopardizing the prospects of achieving a peaceful resolution on the basis of two States within the 1967 borders.

The continuation of the illegal construction of settlements is undermining the efforts to put an end to the Israeli occupation of Palestinian territory, including East Jerusalem. It constitutes a flagrant violation of international law, and a clear challenge to United Nations resolutions and the advisory opinion of the International Court of Justice of 9 July 2004.

We demand an end to the construction and expansion of settlements and of the wall; the transfer of more settlers; the demolition of homes; the confiscation of land; the evictions; the excavations in the Old City of Jerusalem, including in its religious sites and its surroundings; the displacement of the Palestinian civilian population; the imposition of arbitrary residence requirements and restrictions of movement; and all other measures aimed at ridding the city of its Palestinian inhabitants and bringing about the illegal annexation of East Jerusalem by Israel.

The Movement of Non-Aligned Countries has expressed its concern about the increase in construction of Israeli settlements, the violence and terrorism of the settlers, the provocations and incitement in relation to holy sites in occupied East Jerusalem, and the vandalism of mosques and churches, and warns that these acts of provocation are aggravating tensions and religious sensitivities, which could destabilize the situation.

The Movement has repeatedly drawn the attention of the Security Council to these serious issues, which are a threat to international peace and security. It has called for measures to halt Israel's incitement and provocations and ensure respect for the sacrosanct nature of religious sites and the rights and access of Muslim and Christian worshippers, including Palestinians, in the city.

Cuba reaffirms its unwavering solidarity with the Palestinian people and its determination to continue supporting them in their legitimate struggle for justice, dignity and peace and in defence of their inalienable right to self-determination and sovereignty in an independent State of Palestine, with East Jerusalem as its capital.

Cuba fully supports General Assembly resolution 70/17, entitled "The Syrian Golan", and calls on all States Members of the United Nations to implement it immediately and rigorously.

The Israeli decision of 14 December 1981 to impose its laws, jurisdiction and administration on the occupied Syrian Golan is null and void and without international legal effect, as confirmed by Security Council resolution 497 (1981), and should be rescinded.

Cuba reiterates that any measures or actions taken by Israel to alter the legal status, physical nature or demographic composition of the occupied Syrian Golan or its institutional structure, as well as the Israeli measures to apply its jurisdiction and administration there, are null and void and have no legal effect. All such measures and actions, including the construction and expansion of Israeli settlements in the occupied Syrian Golan since 1967, constitute a flagrant violation of international law, international conventions, the Charter of the United Nations and United Nations resolutions.

The international community must assume its responsibility under international law and United Nations resolutions by preventing Israel from persisting in its repeated violations, which include looting the natural resources of the occupied Syrian Golan, in violation of the principle of the permanent sovereignty of peoples under occupation over their natural resources.

Our country once again reiterates its demand that Israel comply immediately and unconditionally with the provisions of the Fourth Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, and apply them to the situation of the Syrian detainees in the occupied Syrian Golan, who are subjected to brutal practices in the prisons established by Israel during the occupation, in clear violation of international humanitarian law.

Israel must withdraw fully from all the occupied Syrian Golan to the line of 4 June 1967, in implementation of the relevant General Assembly and Security Council resolutions.

The continued Israeli occupation of the Syrian Golan and its de facto annexation constitute a stumbling block in the way of achieving a just, comprehensive and lasting peace in the region.

México

[Original: Spanish]

Mexico supports the two-State solution, with Israel and Palestine coexisting within secure and internationally recognized borders, in accordance with United Nations resolutions, and considers the continued measures for the expansion of Israeli settlements in the occupied territories to be acts contrary to international law that undermine the Middle East peace process.

The Government of Mexico has emphatically rejected the continued expansion of Israeli settlements in the occupied Palestinian territories and the Syrian Golan. It has therefore called on the Government of Israel to revoke such measures and avoid actions such as evictions and the demolition of Palestinian homes in the occupied Palestinian territories, including East Jerusalem. In the view of Mexico, these actions are contrary to international law and do not help to establish a climate conducive to the negotiation process between the two parties.

Morocco[1]

[Original: English]

The City of Al-Quds holds a special place in the hearts of Muslims all over the world because of its significance to their faith and cultural and political history.

The establishment of the Organization of Islamic Cooperation (OIC) in the capital of the Kingdom of Morocco, Rabat, in 1969, was meant to support the Palestinian cause and Al-Quds al-Sharif after an Israeli extremist set fire to parts of the Aqsa Mosque. By the same token, the establishment of the Al-Quds Committee in 1975 and entrusting its chairmanship to the King of Morocco was not a favour or prestige, but rather a great entrustment and a significant responsibility before God and history assumed by the King of Morocco, who took it upon his shoulders with faith and determination to achieve the best for Jerusalem and Jerusalemites.

To this end, OIC developed, in 1995, with a will and foresight, an institutional mechanism under the supervision of the Al-Quds Committee, namely, Bayt Mal Al-Quds Al-Sharif Agency, to save East Jerusalem from obliteration of its identity, as a symbol of coexistence and peace, and to assist the Palestinian population and institutions in the Holy City. It was also entrusted with the task of supporting the steadfast Palestinians in Jerusalem and enabling the associative fabric of the city to acquire the capabilities and requirements needed for decent living therein, and thus contribute to the protection of the city and preserve the Aqsa Mosque, other holy sites, and cultural, religious and archaeological heritage. It would also help to promote the history, specificities and legal status of the city, as defined by international resolutions.

Thus, the late King Hassan II, and then King Mohammed VI of Morocco and Chair of the Al-Quds Committee, have endeavoured to promote Islamic solidarity in support of the just Palestinian cause and defence of Al-Quds, the central cause of all Muslims and the core Arab-Israeli conflict. This has always been based on invariable parameters, namely, the historical, inherent and inalienable right of Muslims to Al-Quds al-Sharif, the right of Palestinians to this holy city as the capital of their independent State, and the relevant international resolutions, particularly those stipulating that East Jerusalem is an integral part of the Palestinian territory occupied since 1967. This has prompted adapting ways and means of action to the new developments and changing priorities and needs of Palestinians, including the population of Al-Quds.

King Mohammed VI, King of Morocco and Chair of the Al-Quds Committee, presided over its twentieth session, held over two days for the first time, on 17 and 18 January 2014 in Marrakech. Mahmoud Abbas, President of the State of Palestine, participated in the proceedings along with, also for the first time, representatives of the permanent members of the Security Council, the United Nations and the European Union.

In addition to the meeting of the Trusteeship Committee of Bayt Mal Al-Quds Al-Sharif and the meeting of the Agency's Governing Board, comprising the ministers of finance of the States members of the Al-Quds Committee, the twentieth session featured an informal interactive session among the members of the Committee and the international figures invited. Moreover, an exhibition on the

[1] Abridged version.

achievements of the Al-Quds Committee and its executive arm, Bayt Mal Al-Quds, was organized and inaugurated by King Mohammed VI.

King Mohammed VI, Chair of the Al-Quds Committee, sent a strong message, during the opening and closing sessions, against Israel's settlement policy and the repeated attempts of Israeli authorities to change the status of and Judaize the Holy City. He also announced a road map, which was unanimously accepted by Islamic countries, the United Nations and major Powers sponsoring the peace process, in order to put the process back on the right track through the practical recommendations contained in the Final Communiqué adopted by the Committee.

The salient aspects of the Final Communiqué of the twentieth session of the Al-Quds Committee:

(a) Paying tribute to the approach adopted by King Mohammed VI, Chair of the Al-Quds Committee, to combine political action and positions and diplomatic efforts to underscore the legitimate rights, on the one hand, with field action on the other, through concrete projects carried out by the Bayt Mal Al-Quds Al-Sharif Agency to meet the urgent recurrent humanitarian needs of Jerusalemites and to sustain their existence in the city. The Communiqué also underscored that the Bayt Mal Al-Quds Al-Sharif Agency is the optimal OIC institutional mechanism and the executive arm of the Al-Quds Committee to carry out its tasks in following up the implementation of the OIC resolutions to preserve the Arab-Islamic city and its cultural heritage;

(b) Stressing the contribution of the Chair of the Al-Quds Committee to the consultations on the future of Al-Quds al-Sharif and the peace process;

(c) An equivocal condemnation of the Judaization policy of the occupation authorities in Al-Quds, which would only fuel conflict, undermine the two-State solution and feed extremism;

(d) Emphasizing the parameters of the just and comprehensive solution to the question of Palestine and Al-Quds al-Sharif, namely, the Arab Peace Initiative, which OIC adopted, and international resolutions on the legal status of Al-Quds al-Sharif as part of the territories occupied by Israel in 1976 and the capital of the Independent State of Palestine;

(e) Promoting awareness of the international collective responsibility towards Al-Quds and urging the international community to shoulder its full responsibility in protecting Al-Quds, its global human and cultural heritage, its educational, demographic and cultural character; and putting pressure on Israel to halt all colonial practices aimed at changing the legal status of the Holy City. This explains why the permanent members of the Security Council and major international organizations were invited, for the first time in the history of the Al-Quds Committee, to the twentieth session in Marrakech;

(f) Developing practical mechanisms to follow up and implement the resolution adopted by the Council of Foreign Ministers at its fortieth session, held in Conakry (9-11 December 2013), on an OIC plan of action for Al-Quds al-Sharif and Palestine, including contacting major Powers and some regional and international organizations to deliver, explain and support the message of OIC and the need to adopt that message. It calls for saving the Middle East, bringing peace in the region and the rest of the world through a just solution to the question of East Jerusalem

and the cause of Palestine, including all outstanding issues, in consonance with international resolutions, the principle of land for peace and the Arab Peace Initiative;

(g) Adopting a five-year programme of action for the Bayt Mal Al-Quds Al-Sharif Agency (2014-2018) and considering the possibility of moving from voluntary contributions to mandatory contributions by States members of OIC to the Agency's budget; also paying tribute to Morocco for bearing 80 per cent of the Agency's budget.

As a result of the violations and attacks perpetrated by the Israeli occupation forces against the Palestinian people, and on the instructions of King Mohammed VI, Chair of the Al-Quds Committee:

1. Morocco issued statements condemning the Israeli violations in Jerusalem, the Aqsa Mosque and the rest of the Occupied Palestinian Territory. It also called on the international community and major Powers to shoulder their responsibilities to put pressure on Israel to stop its violations of international instruments and resolutions, with the caveat that the daily injustices visited on Palestinians would only lead to despair and the violent extremism that breeds terrorism;

2. The Minister for Foreign Affairs and Cooperation of the Kingdom of Morocco and Heads of the Moroccan Mission to friendly countries and to regional and international organizations have made efforts to urge the officials of those countries and organizations to take action in support of Palestinian rights and preservation of the legal status of East Jerusalem as defined by relevant United Nations resolutions.

Based on the foregoing, Morocco, Chair of the Al-Quds Committee, convened and hosted the first meeting of the OIC Ministerial Contact Group on the Islamic Action Plan to defend the cause of Palestine and Al-Quds, in Rabat on Wednesday, 12 November 2014, under the chairmanship of Morocco. Foreign Ministers and representatives of the other States members of the Contact Group participated in the meeting: the State of Palestine, the Hashemite Kingdom of Jordan, the Kingdom of Saudi Arabia, the Arab Republic of Egypt, the Republic of Guinea, Malaysia, the Republic of Turkey and the Republic of Azerbaijan, as well as the Secretary-General of the Organization of Islamic Cooperation.

The Rabat meeting adopted the Contact Group's Plan of Action, which includes, inter alia, the Group's messages to major Powers to urge them to pressure Israel to halt its policy of Judaization of Al-Quds al-Sharif, which is part of Palestinian territory occupied since 1976, and to ensure that Palestinians recover their full inalienable rights.

The Plan of Action also lists the States and organizations to be visited by the members of the Ministerial Delegation, namely, the permanent members of the Security Council, States and organizations with political and economic influence in Israel (European Union, United Nations, Germany, Norway, Switzerland, Czech Republic, Japan, Canada and Australia), and States with positive developments regarding recognition of the State of Palestine (Sweden, Denmark, Iceland, Luxembourg, Malta, Ireland).

To ensure broad action by the Ministerial Contact Group, covering all geographical regions of the targeted States and organizations, it was agreed to divide the Contact Group into three delegations to deliver the OIC messages.

It was agreed that Member States within the three delegations would be represented at the ministerial level.

The General Secretariat of OIC was tasked to contact the aforementioned States and organizations to set visit dates, and notify the Member States in each delegation directly and through the permanent representatives of those Member States to OIC.

The Ministers and the Secretary-General of OIC, as members of the three delegations, have contacted the officials of a number of targeted organizations and States on various occasions, especially during their bilateral visits and meetings, but it has not been possible to hold the required consultations with the rest of the States and organizations, mainly because of scheduling conflicts. However, the Group will continue its actions and efforts to present the position of OIC, including the views and recommendations of the Al-Quds Committee.

In view of the Israeli escalation, which broke out on 13 November 2015, and the instructions of King Mohammed VI, Chair of the Al-Quds Committee, Morocco organized and chaired a meeting in New York on 27 September 2015 on the sidelines of the seventieth session of the General Assembly, the Second Meeting of the OIC Ministerial Contact Group to Defend the Cause of Palestine and Al-Quds Al-Sharif.

The recommendations of this meeting were adopted by the Extraordinary Meeting of the Council of Foreign Ministers of OIC, held in New York on 1 October 2015, including calling for a special session of the General Assembly on Palestine and Al-Quds al-Sharif.

As King Mohammed VI of Morocco is the Chair of the Al-Quds Committee, Morocco is a member of the Select Arab Ministerial Group, entrusted with moving internationally to end the Israeli occupation of the Occupied Palestinian Territory, along with Palestine, Jordan, Egypt and the Secretary-General of the League of Arab States.

Morocco participated in five meetings of the Select Arab Ministerial Group, two of which were attended by the Foreign Minister of France. The latest meeting was held on 9 March 2016 in Cairo to discuss ways to ensure the success of the French Initiative aimed at salvaging the two-State solution, creating a new framework to support sincere and meaningful negotiations between Palestinians and Israelis, and holding an international conference on Palestine and Al-Quds to end the occupation and establish a State of Palestine on its territories occupied in 1967 with Al-Quds al-Sharif as its capital.

Morocco, whose King chairs the Al-Quds Committee, was invited to participate in the expanded meeting of the Quartet on the peace efforts in the Middle East, in New York on 30 September 2015, with 16 other States — the United States of America, the United Kingdom of Great Britain and Northern Ireland, the Russian Federation, China, France, Germany, Italy, Japan, Spain, Portugal, Sweden, Norway, Croatia, Jordan, Egypt and Saudi Arabia — along with the Secretary-General of the

United Nations, the Secretary-General of the League of Arab States, and the European Union's High Representative for Foreign Affairs and Security Policy.

The participation of Morocco, Chair of the Al-Quds Committee, in that meeting was commended by the participating States and organizations, constituting the stakeholders or the "International Support Group", which France counts on to support and boost the negotiations between the Palestinians and Israelis, under its initiative, aimed at reviving the peace process, based on the two-State solution and on organizing an international conference to that end before the end of 2016.

In pursuance of an approach combining political and diplomatic mobilization at all levels with tangible and meaningful fieldwork to face up to the Israeli policy of changing realities on the ground and imposing a fait accompli, conscious of the fragile social and economic status of Al-Quds, and in order to support the steadfastness of Jerusalemites, the Bayt Mal Al-Quds Al-Sharif Agency has pursued a comprehensive strategy of action. This strategy is implemented in phases through systematic work programmes. The most recent of those programmes is the Five-Year Work Programme of 2014-2018, with a US$ 30 million budget, adopted by the Al-Quds Committee at its twentieth session, held in Marrakech on 17 and 18 January 2014, under the presidency of King Mohammed VI, Chair of the Committee.

The Programme comprises projects to enable Jerusalemites to build capacity and acquire the skills required to improve their livelihood and preserve their dignity so that they can stay in their city and protect the Aqsa Mosque, its holy sites and cultural, religious and archaeological heritage as well as promote its history, specificities and legal status defined by international resolutions.

Like its predecessors, the Five-Year Programme was prepared based on a realistic vision premised on long experience and practice in the field and taking into account the actual support that can be rendered and consequent deliverables on the ground for Palestinians.

The Kingdom of Morocco bears more than 85 per cent of the budget, which allows the Agency to continue to exist and carry out its projects, not because it is Moroccan but rather because King Mohammed VI, Chair of the Al-Quds Committee, and the Moroccan people as a whole are committed to, and will remain committed to, working in the field for the benefit of Jerusalemites and Palestinians.

The door is open to all who wish to benefit from the rich field experience of the Bayt Mal Al-Quds Al-Sharif Agency, the database it has set up, the needs it has assessed, and its credibility with Jerusalemites and others. The Agency belongs to all, and all States members of OIC, from a collective responsibility perspective, should support and use it to serve Al-Quds, its people and all Muslims whose hearts are eager for the first Qiblah and the third holiest mosque.

Venezuela (Bolivarian Republic of)

[Original: Spanish]

Since the start of the Palestinian-Israeli peace process, the Bolivarian Republic of Venezuela has supported the formula of a region in which two States, Israel and Palestine, live side by side within secure and recognized borders. This is the ideal path to attain the goal of the establishment of an independent Palestinian State that

will allow the Palestinian people to realize its legitimate and inalienable right to self-determination.

Consequently, Venezuela has given its unconditional support to Palestine's position in the talks, namely, a negotiated political solution in which both countries are recognized within clear, defined and secure borders; the withdrawal of Israel from the occupied Palestinian territories in the West Bank and the Gaza Strip, from south Lebanon and from the Golan Heights in Syria; and the establishment of East Jerusalem as the capital of Palestine, in accordance with the relevant resolutions of the United Nations, such as General Assembly resolution 181 (II) and Security Council resolutions 242 (1967), 338 (1973) and 1397 (2002).

To that end, Venezuela has consistently advocated a resumption of efforts towards negotiations as the only possible mechanism to attain peace in the Middle East region. It has repeatedly stated this position in the major international forums, such as the United Nations and the Movement of Non-Aligned Countries, among other regional and multilateral forums.

For the Bolivarian Republic of Venezuela, the capital of Palestine is East Jerusalem, which was occupied in 1967. Acknowledging this is integral to the inalienable rights of the Palestinian people, which must be fully exercised.

Jerusalem also has a very special historic, cultural and religious significance. That is why Venezuela has called for respect for the historic status quo at the holy places of Jerusalem, including the Haram al-Sharif, both in word and in deed, urging all parties to work together immediately to ease tensions and to put an end to all provocation, incitement and acts of violence at the holy sites in the city. Venezuela also considers that the State of Israel, the occupying Power, must cease and refrain from unilaterally imposing its laws, jurisdiction and administration on the Holy City of Jerusalem, since its actions are illegal, null and void and have no validity whatsoever.

To support these appeals, Venezuela has always called for a peaceful, just and lasting solution to the Palestinian question, which can only be achieved through a two-State solution, with East Jerusalem as the capital of a Palestinian State recognized and accepted as a State Member of the United Nations. In that regard, Venezuela has supported the efforts of the Quartet and the existing peace plans, and has considered such initiatives as the French proposal for an international conference to serve as the basis for a resumption of the peace process to be constructive and worthy of support.

It is worth noting that, during its presidency of the Security Council in February 2016, the Bolivarian Republic of Venezuela supported meetings on various aspects of the Palestinian question, condemning illegal Israeli settlements and land confiscations in the occupied territories, and the humanitarian situation, especially with regard to children. Following its presidency of the Council, Venezuela has given its backing to proposals related to this issue, and has been willing to support initiatives to protect the civilian population in the occupied territories and possible options to establish a protection system. Venezuela has also played an active role in meetings of the Committee on the Exercise of the Inalienable Rights of the Palestinian People (of which it has been a member State since September 2010), most recently at the international conference on the 2030 Agenda and Palestine.

The Bolivarian Republic of Venezuela has repeatedly and consistently called on the Government of the State of Israel to resume peace talks with the Syrian Arab Republic with a view to its withdrawal as the occupying Power from the territory of the Syrian Golan, which it has illegally occupied for almost 50 years.

Such calls have been made to support Syria's sovereign rights over the occupied Syrian Golan on the basis of the purposes and principles of international law and the Charter of the United Nations and in particular the terms of reference of the Arab Peace Initiative, the Madrid peace process and the principle of land for peace and in accordance with Security Council resolutions 242 (1967), 338 (1973), 467 (1980) and 497 (1981), regarding the inadmissibility of the acquisition of territory by force. In that regard, in addition to its statements in its national capacity in the United Nations General Assembly, the Security Council and the various organs of the international system, Venezuela has also endorsed the statements made by the Movement of Non-Aligned Countries on this delicate matter, and in various regional and multilateral forums.

The Bolivarian Republic of Venezuela would like to express its concern at the lack of commitment and political will on the part of the Government of the State of Israel to put an end to the escalating violence in the occupied Syrian Golan and in the occupied Palestinian territories, and its continuing disregard for international human rights law and international humanitarian law.

This prolonged situation in the occupied Syrian Golan has very severe consequences. The occupying Power must stop exploiting and damaging natural resources and engaging in activities that harm service infrastructure and the environment which, in turn, threaten the quality of soil and plant and animal life, thereby seriously affecting the lives of the inhabitants and the ecosystem of the region. In that regard, Venezuela hopes that when the peace talks between the parties are resumed, these issues are addressed so that they might be resolved in a just manner for all those affected.

In addition to this prolonged situation, Venezuela notes that the internal armed conflict that has been affecting Syria for five and a half years has been having a negative impact on the necessary resumption of efforts aimed at resuming peace talks between the State of Israel and the Syrian Arab Republic, while the Government of President Bashar al-Assad has been making every effort to counter the activities of the armed opposition and terrorist groups that are seeking to remove him from power. The State of Israel as an occupying Power has taken advantage of this situation to delay the resumption of peace talks.

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The situation in the Middle East

The situation in the Middle East

Report of the Secretary-General

Summary

The present report contains replies received from Member States in response to the note verbale by the Secretary-General of 2 May 2017 concerning implementation of the relevant provisions of General Assembly resolutions 71/24 and 71/25, on the situation in the Middle East.

* A/72/150.

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I. Introduction

1. The present report is submitted pursuant to General Assembly resolutions 71/24 and 71/25. In its resolution 71/24, the Assembly demanded once more that Israel withdraw from all the occupied Syrian Golan to the line of 4 June 1967 in implementation of the relevant Security Council resolutions. In its resolution 71/25, the General Assembly stressed that a comprehensive, just and lasting solution to the question of the City of Jerusalem should take into account the legitimate concerns of both the Palestinian and Israeli sides and should include internationally guaranteed provisions to ensure the freedom of religion and of conscience of its inhabitants, as well as permanent, free and unhindered access to the holy places by people of all religions and nationalities.

2. On 2 May, in order to fulfil my reporting responsibility under resolutions 71/24 and 71/25, I addressed notes verbales to the Permanent Representative of Israel and to the Permanent Representatives of all other States Members of the United Nations requesting them to inform me of any steps their Governments had taken or envisaged taking concerning implementation of the relevant provisions of those resolutions. As at 15 August 2017, replies had been received from Brazil, Iraq, Mexico and the State of Palestine. The replies are reproduced in section II of the present report.

II. Replies received from Member States

State of Palestine

[Original: English]

The resolution concerning Jerusalem represents an integral part of the clear stance of the General Assembly regarding the question of Palestine, including one of its key aspects, the question of the city of Jerusalem. This resolution is grounded in international law and consistent with the relevant United Nations resolutions adopted by the General Assembly and the Security Council, and with the Advisory Opinion rendered on 9 July 2004 by the International Court of Justice. The resolution, adopted by the Assembly on 30 November 2016, continues to receive the overwhelming support of States, as it reflects the long-standing and principled international position regarding the City of Jerusalem.

On the eve of the fiftieth anniversary of Israel's occupation of Palestinian territory in 1967, including East Jerusalem, the General Assembly's adoption of resolution 71/25 confirms the consistent and continuous rejection of all Israeli measures aiming at entrenching its illegal annexation of East Jerusalem instead of ending its occupation, thus further obstructing efforts to peacefully resolve the Israeli-Palestinian conflict, which remains the core of the Arab-Israeli conflict.

In this regard, the Assembly reiterated its determination that any actions taken by Israel, the occupying Power, to impose its laws, jurisdiction and administration on the Holy City of Jerusalem are illegal and therefore null and void and have no validity whatsoever, and called upon Israel to immediately cease all such illegal and unilateral measures, mirroring provisions in previous Security Council and General Assembly resolutions, recalled in resolution 71/25, determining that all legislative and administrative measures and actions taken by Israel, the occupying Power, that have altered or purported to alter the character and status of the Holy City of Jerusalem, in particular the so-called "Basic Law" on Jerusalem, are considered null and void and must be rescinded forthwith.

This principled position was reaffirmed and reinforced by the Security Council's adoption of resolution 2334 (2016). The State of Palestine has repeatedly appealed for the full respect and implementation of Security Council resolution 2334 (2016), as well as all other relevant resolutions. That resolution, pursued earnestly by the State of Palestine with conscientious Council members, reflects the international community's long-standing and unequivocal stance regarding the requirements for a just, comprehensive and lasting solution to the conflict, including as regards Jerusalem. The resolution, in line with relevant provisions in previous Security Council and General Assembly resolutions, including resolution 71/25, reaffirmed the inadmissibility of the acquisition of territory by force, underlining that the Council will not recognize any changes to the 4 June 1967 lines, including with regard to Jerusalem, other than those agreed by the parties through negotiations, and condemned all measures aimed at altering the demographic composition, character and status of the Palestinian Territory occupied since 1967, including East Jerusalem.

East Jerusalem has always been a primary target of these illegal measures. This year is no exception. Israel's construction and expansion of its settlements and their associated regime, including the construction of the wall, its restrictions on Palestinian access to and residence in East Jerusalem through, inter alia, military checkpoints, settlers' roads, confiscation of land, discriminatory zoning and planning, demolition of homes and revocation of residency cards, have continued unabated.

Israel has announced and advanced plans for thousands of settlement units in and around East Jerusalem since the adoption of resolution 71/25. The monthly average of demolitions in East Jerusalem since the beginning of 2017 remains at the same level as in 2016, when demolitions reached a 15-year record. In East Jerusalem, only 13 per cent of the municipal area, most of which is already built up, is zoned for Palestinian construction. Up to a third of Palestinians in East Jerusalem face the risk of demolition and displacement. As stressed by the Office for the Coordination of Humanitarian Affairs, demolitions — along with a broad range of other official Israeli practices and policies — contribute to creating a coercive environment, which is leading to forced displacement, particularly in East Jerusalem. Israel has continued its policy aiming to restrict access for Palestinians to Jerusalem and to sever East Jerusalem from its Palestinian environment.

The Assembly's call for respect for the historic status quo at the holy places of Jerusalem, including the Haram al-Sharif, in word and practice, was also violated by Israel. We recall here the Security Council's press statement of 17 September 2015, in which it was underscored that Muslim worshippers at the Haram Al-Sharif must be allowed to worship in peace, free from violence, threats and provocations and calling for respect for the sanctity of the area and for maintaining the historic status quo at the holy sites. Just this past month, tensions reached extremely high levels due to violence and repeated provocations and incitement by Israel, the occupying Power, against our people and holy sites in occupied East Jerusalem, notably the Haram al-Sharif, which houses the Holy Al-Aqsa Mosque, in absolute contempt for international law and the will of the international community.

In this regard, on Friday, 14 July 2017, following an attack that occurred in the vicinity of the Haram al-Sharif, President Mahmoud Abbas called Prime Minister Netanyahu to condemn the attack and to call for respect for the historic status quo. Despite assurances by Prime Minister Netanyahu that Israel would uphold the historic status quo, the Israeli Government took a dangerous decision to close Al-Aqsa Mosque and ban Friday prayers and undertook a number of measures hindering the unimpeded access of Muslim worshippers to the holy site. These measures, which violate the historic status quo, included the installation of metal detectors and metallic bars, as well as the placing of additional cameras outside the Holy Compound.

Despite repeated and continuous violations of international law by Israel, President Mahmoud Abbas and the Palestinian leadership continued to demonstrate their commitment to non-violence and peaceful, political, diplomatic, legal means for the attainment of Palestinian rights and the achievement of a just and lasting solution to the conflict, as well as their readiness to cooperate with all international and regional efforts towards achieving that end. In this regard, the State of Palestine called for respect for the sanctity of the holy sites in Jerusalem, respect for the historic status quo at the Haram al-Sharif and an end to provocations, incitement and violence.

The Palestinian leadership, in coordination with the Hashemite Kingdom of Jordan, given its special role with regard to Muslim and Christian holy sites in Jerusalem, maintained close contact with the Secretary-General and other United Nations officials, as well as with members of the international community, to ensure that Israel swiftly reverses its recent measures and ends all actions violating the historic status quo in order to ensure the de-escalation of this perilous situation.

Palestine pursued and contributed to the adoption of clear positions regarding the need to fully uphold the historic status quo by the Arab League, the Organization of Islamic Cooperation, and the Non-Aligned Movement. The State of Palestine has also repeatedly highlighted the grave issues facing Jerusalem, including in the context of its official letters addressed to the Secretary-General and the Presidents of the Security Council and General Assembly, drawing the international community's attention to the perils of this fragile situation in Jerusalem as a result of Israel's illegal policies and practices and also due to provocations and attacks by Israeli settlers and religious fanatics against Palestinian civilians and against Muslim and Christian holy sites. It has cautioned about the far-reaching short-term and long-term consequences of any further destabilization, notably in the context of the acute crises, conflicts and instability throughout the region at the present time, including the stoking of a religious conflict. It has also continued to garner and provide support for the Palestinian people in the city and for the preservation of the cultural and religious heritage in Jerusalem.

Such efforts have been undertaken in spite of the deliberate and blatant Israeli obstruction of access for the Palestinian Government to the City and the occupation's obstruction of Palestinian development in the City. In this regard, we must also draw attention to the fact that numerous official Palestinian institutions in Jerusalem, including Orient House, remain closed by order of the occupying Power, in violation of Security Council resolution 1515 (2003).

The Palestinian people peacefully expressed their rejection of these illegal and provocative measures against their rights and their holy sites, including by refusing to enter the Holy Compound and by praying in the street instead. Yet their peaceful demonstrations and steadfastness in preserving the character and identity of the city were met with violent repression and attacks by Israeli occupation forces and armed Israeli settlers, leading to the killing and wounding of Palestinian civilians.

Israel thus demonstrated once again its contempt for international human rights law, including, where applicable, the law enforcement paradigm, and more specifically the prohibition of arbitrary deprivation of life. Palestinians were killed as a result of unnecessary and unwarranted use of force, confirming yet again the harrowing pattern of unlawful killings and unwarranted injuries of Palestinian civilians by Israeli forces. Israel also continued to resort to mass arbitrary arrest, including against elected representatives and political figures, as a form of collective punishment with the aim of intimidating and significantly restricting the freedoms of Palestinians.

While resolution 71/25 calls on all parties to refrain from provocative actions, incitement and inflammatory rhetoric, especially in areas of religious and cultural sensitivity, Israeli government officials continued to make provocative statements, further exacerbating the situation. We refer in this regard to the statement by the Israeli Minister of Public Security, Gilad Erdan, who declared: "Israel holds sovereignty over the Mount, no matter what other countries' positions are and if we decide that a certain move has a certain advantage, then it is carried out." Furthermore, the so-called Israeli "ministerial committee for legislation affairs" approved a bill on 16 July that aims at further obstructing peace efforts by trying to consolidate Israel's illegal annexation of East Jerusalem.

Israel finally reversed the measures adopted as of 14 July in violation of the historic status quo. However, Israel did not put an end to its violations throughout the Occupied Palestinian Territory, including East Jerusalem, thus perpetuating the conflict and further fuelling the situation. East Jerusalem is an integral part of the Occupied Palestinian Territory, and only an end to the Israeli occupation, including of East Jerusalem, can lead to a just, comprehensive and lasting solution to the conflict.

We continue to underscore the permanent responsibility of the United Nations towards the question of Palestine, including the question of the City of Jerusalem, which has unique spiritual, religious and cultural dimensions, until it is satisfactorily and justly resolved in all aspects, in accordance with international law, United Nations resolutions, the Madrid principles, including land for peace, and the Arab Peace Initiative. Thus, as in previous resolutions, the Assembly stressed in resolution 71/25 that a comprehensive, just and lasting solution to the question of the City of Jerusalem should take into account the legitimate concerns of both the Palestinian and Israeli sides and should include internationally guaranteed provisions to ensure the freedom of religion and of conscience of its inhabitants. We stress in this regard that the legitimacy of the concerns derives from their consistency with international law. The Assembly also called for permanent, free and unhindered access to the holy places by people of all religions and nationalities.

Israel must no longer be able to persist in its illegal occupation and colonization of Jerusalem and the rest of the Palestinian territory that it has occupied since 1967. The occupying Power must finally adhere to the applicable provisions of international law, including the Fourth Geneva Convention, and be held accountable for any and all violations committed against the Palestinian people, their properties and land.

We continue to call for and support serious, responsible and urgent efforts towards ensuring Israel's complete withdrawal from the Palestinian territory occupied since June 1967, including East Jerusalem; the achievement of the two-State solution of an independent, sovereign, contiguous and viable State of Palestine, with East Jerusalem as its capital, living side by side with Israel in peace and security within recognized borders based on the pre-1967 borders; and the realization of the inalienable rights of the Palestinian people, including a just solution for the Palestine refugees based on General Assembly resolution 194 (III). The Palestinian leadership reaffirms its commitment to a peaceful and just solution and likewise urges the international community to uphold its obligations and commitments.

Brazil

[Original: English]

The Permanent Mission of Brazil to the United Nations has the honour to refer to the notes verbales of the Secretary-General regarding General Assembly resolutions 71/23, 71/24 and 71/25, adopted under the agenda items "Question of Palestine" and "The situation in the Middle East", in order to inform steps taken by the Government of Brazil concerning the implementation of the said resolutions.

In 2010, Brazil recognized the State of Palestine within its 1967 borders, with East Jerusalem as its capital. In accordance with Security Council resolution 478 (1980), Brazil does not recognize the city of Jerusalem as the capital of Israel and deems null and void the so-called "Basic Law of Jerusalem". The Embassy of Brazil in Israel is located in Tel Aviv. In this regard, Brazilian passports issued to persons born in Jerusalem do not mention Israel as the country of birth.

Brazil has reiterated the illegality under international law of the Israeli occupation of the Occupied Arab Territories, as well as the international obligations of Israel as an occupying Power, including in the Syrian Golan. The actions of Brazil are aimed at ensuring that Israel respects the provisions of the Fourth Geneva Convention and other applicable international norms.

As in previous years, during the seventy-first session Brazil voted in favour of General Assembly resolutions under the agenda items "Question of Palestine" and "The situation in the Middle East". Concerning the resolution on the Syrian Golan, Brazil and Argentina delivered a joint explanation of vote, as in previous years, clarifying that both countries have no intention of prejudging the delimitation of the territory to be returned by Israel to Syria, to be negotiated between the parties. The explanation of vote reiterated the fundamental unlawfulness of the acquisition of territory by force according to International Law, and in particular article 2, paragraph 4, of the Charter of the United Nations.

In this regard, Security Council resolution 497 (1981), adopted unanimously, declared null and void and without international legal effect Israeli decisions to impose its laws in the occupied Syrian Golan, as these measures violate the 1949 Geneva Convention on the Protection of Civilian Persons in Time of War.

The Brazilian legislative decree by which the Free Trade Agreement between Brazil and Israel was approved determined that the Government shall negotiate the "exclusion, from the Agreement's coverage, of goods whose certificates of origin attest as their origin sites under Israeli administration since 1967", which includes not only the Occupied Palestinian Territories, but also the occupied Syrian Golan. This issue is currently on the agenda of the Joint Committee established under the Agreement.

Brazil supports the activities of the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA), having contributed the equivalent of over S$20 million to the Agency since 2008. Brazil has been a member of the Advisory Commission of UNRWA since 2014.

Iraq

[Original: Arabic]

General Assembly resolution 71/24

Iraq fully supports General Assembly resolution 71/24, which is entitled “The Syrian Golan”, and calls on all Member States to implement it immediately.

Iraq reiterates that all the actions and measures that Israel has taken to alter the legal status, physical character, demographic composition and institutional structure of the occupied Syrian Golan and to impose its jurisdiction and administration on that territory, including the construction and expansion of Israeli settlements in the Syrian Golan, which has been occupied since 1967, are without legal effect and constitute a flagrant violation of international law, the Charter of the United Nations and United Nations resolutions.

The international community must fulfil its responsibilities pursuant to international law and United Nations resolutions and prevent Israel from persisting with its violations, including the plundering of the natural resources of the occupied Syrian Golan in contravention of the principle of the permanent sovereignty of occupied peoples over their natural resources.

General Assembly resolution 71/25

Iraq fully supports General Assembly resolution 71/25, which is entitled “Jerusalem”, and calls on all Member States to implement it immediately and fully. It strongly condemns the Judaization policy of the occupying authorities. That policy will only fuel conflict, undermine the two-State solution and encourage radicalism. Iraq reiterates its support for a just and comprehensive solution to the question of Palestine and Al-Quds al-Sharif that is founded on the Arab Peace Initiative, which was adopted by the Organization of Islamic Cooperation, and international resolutions concerning the legal status of Quds al-Sharif, under which the city is considered to be part of the territory that Israel occupied in 1967 and the capital of the State of Palestine. Iraq has endorsed League of Arab States resolutions 8109, 8110, 8111, 8112, 8113, 8114 and 8115, all of which were adopted by the Council of the League at its 147th session at the ministerial level, and League of Arab States resolution 674, which was adopted at the 28th session at the summit level.

Iraq reiterates that all States must comply with Security Council resolutions 476 (1980) and 478 (1980), in which Member States are called on not to transfer their diplomatic missions to Jerusalem. Iraq supported the adoption of recommendations by the Arab-Chinese Forum that was held in Beijing from 21 to 25 May 2017. It supports all recommendations related to the Palestinian question and stresses the importance of taking a decisive position with regard to Israeli violations in the occupied city of Jerusalem, as set out by the Arab-Russian Forum that was held in Abu Dhabi in February 2017.

Iraq calls on the United Nations to raise awareness of the collective international responsibility towards Jerusalem and urge the international community to fulfil completely its responsibility to protect Jerusalem and its international human and cultural legacy and its educational, demographic and cultural character. The Organization must put pressure on Israel to halt all colonial activity, which is aimed at altering the legal status of the Holy City, by implementing the relevant Security Council resolutions, the most recent of which is resolution 2334 (2016).

Iraq reaffirms that the United Nations has a permanent responsibility towards the question of Palestine, including the city of Jerusalem, and that it must find a just

solution that addresses all aspects of the question in accordance with international law. Jerusalem is significant not only to the Palestinians and Israelis, but also to the followers of all three monotheistic religions and to the international community. The time has come to bring to an end the half-century Israeli occupation of Palestine. Serious, responsible and urgent efforts must be made to ensure that Israel withdraws fully from occupied Palestinian territory, including East Jerusalem, and to realize the two-State solution, namely, the establishment of the independent, sovereign, geographically contiguous and viable State of Palestine, with East Jerusalem as its capital, living side by side with Israel in peace and security within recognized borders that are based on the pre-1967 borders.

Mexico

[Original: Spanish]

The Permanent Mission of Mexico to the United Nations has the honour to refer to the note verbale in which information was requested on the implementation of General Assembly resolutions 71/24 and 71/25 on the situation in the Middle East.

The Permanent Mission of Mexico has the honour to forward the following reply from the Government of Mexico to this request:

- Mexico supports a comprehensive solution to the Middle East conflict based on the existence of two States, Israel and Palestine, living side by side within secure and internationally recognized borders in accordance with United Nations resolutions.
- The Government of Mexico has emphatically rejected the continued expansion of Israeli settlements in the occupied Palestinian territories and the territory of the Syrian Golan. It has therefore called on the Government of Israel to revoke such measures and avoid such actions as evictions and the demolition of Palestinian homes in the occupied Palestinian territories, including East Jerusalem. Mexico considers that those actions are contrary to international law and do not help to create a climate conducive to the negotiation process between the two parties.

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The situation in the Middle East

The situation in the Middle East

Report of the Secretary-General

Summary

The present report contains replies received in response to the note verbale by the Secretary-General dated 4 May 2018 concerning implementation of the relevant provisions of General Assembly resolutions 72/15, entitled "Jerusalem", and 72/16, entitled "The Syrian Golan".

* A/73/150.

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I. Introduction

1. The present report is submitted pursuant to General Assembly resolutions 72/15 and 72/16. In its resolution 72/15, the Assembly stressed that a comprehensive, just and lasting solution to the question of the City of Jerusalem should take into account the legitimate concerns of both the Palestinian and Israeli sides and should include internationally guaranteed provisions to ensure the freedom of religion and of conscience of its inhabitants, as well as permanent, free and unhindered access to the holy places by people of all religions and nationalities. In its resolution 72/16, which deals with the Syrian Golan, the Assembly demanded once more that Israel withdraw from all the occupied Syrian Golan to the line of 4 June 1967 in implementation of the relevant Security Council resolutions.

2. On 4 May, in order to fulfil my reporting responsibility under resolutions 72/15 and 72/16, I addressed notes verbales to the Permanent Representative of Israel, the Permanent Representatives of all other Member States and the Permanent Observer of the State of Palestine to the United Nations requesting them to inform me of any steps that their Governments had taken or envisaged taking concerning implementation of the relevant provisions of those resolutions. As at 1 August 2018, replies had been received from Lebanon, Mexico, the Philippines and the State of Palestine. The replies are provided in section II of the present report.

II. Replies received

Lebanon

[Original: Arabic]

As part of its efforts to implement the resolutions of the General Assembly on the item “The situation in the Middle East”, Lebanon has taken the following steps:

- Lebanon has categorically rejected America’s illegal step of declaring Jerusalem to be the capital of Israel. It has called on Washington to desist and comply with the relevant authoritative international resolutions.
- On 9 December 2017, the Lebanese Parliament adopted recommendations stating that America’s decision concerning Jerusalem posed a threat to international peace and security and provided cover for the Israeli occupation, its aggressive stance, its settlement activities and all of its violations of international laws and humanitarian laws.
- On 9 December 2017, at an extraordinary meeting of the League of Arab States, the Minister for Foreign Affairs and Expatriates urged States members to take all of the necessary legal and diplomatic measures to ensure that Palestine was recognized as a State with full membership in the United Nations, with Jerusalem as its capital, and to take countermeasures against the American decision and any similar decision by any other State to transfer its embassy to Jerusalem. Such measures should begin with diplomatic action, followed by political measures and culminating in economic and financial sanctions. Lebanon has, accordingly, postponed its periodic political consultations with those States that have adopted ambiguous positions on the issue.
- On 13 December 2017, at an extraordinary meeting of the Organization of Islamic Cooperation, the President of the Republic urged member States to carry out a diplomatic campaign to increase the number of States that recognize the State of Palestine, press for it to become a full Member of the United Nations,

and take the necessary legal, political and diplomatic actions to recognize East Jerusalem as its capital.

- On the same date, at the same meeting, he called for concerted, progressive diplomatic and economic sanctions against any State opting to recognize Jerusalem as the capital of Israel.
- In regional and international forums, Lebanon has emphasized that it remains committed to the 2002 Arab Peace Initiative in all its aspects without exceptions, including a two-State solution on the 1967 borders and a just solution to the issue of the Palestine refugees.
- Lebanon supported the Arab resolution submitted to the Security Council by Egypt on 18 December 2017, which provides that any decisions and actions which purport to have altered the character, status or demographic composition of Jerusalem have no legal effect.
- Lebanon supported the draft General Assembly resolution entitled “Status of Jerusalem”, which was submitted by Yemen and Turkey on behalf of the Organization of the Islamic Cooperation on 19 December 2017 and provides that the legal status of Jerusalem under the authoritative international resolutions must be protected, and that all measures to the contrary are void.
- On 17 May 2018, Lebanon filed a complaint against Israel with the International Criminal Court in the wake of Israel’s massacre in Gaza and other parts of Palestine. The Israeli occupation army acted in cold blood against defenceless demonstrators who had come out peacefully to protest against the transfer of the American embassy to Jerusalem. The massacre is a flagrant and protracted violation of the principles of international humanitarian law. It claimed 62 Palestinian lives and injured dozens more. Lebanon called on the Court to take immediate action against Israel in order to demonstrate its own credibility and ability to effectively enforce the principle of accountability.

Mexico

[Original: Spanish]

Mexico supports a comprehensive solution to the Middle East conflict based on the existence of two States, Israel and Palestine, living side by side within secure and internationally recognized borders in accordance with United Nations resolutions.

Moreover, Mexico adheres to the resolutions adopted by both the Security Council and the General Assembly on these issues, in particular Security Council resolutions 478 (1980), of 20 August 1980, and 497 (1981), of 17 December 1981, concerning the status of the City of Jerusalem and the Syrian Golan, respectively.

The Government of Mexico has emphatically rejected the continued expansion of Israeli settlements in the Occupied Palestinian Territories and in the territory of the Syrian Golan.

With regard to the position of Mexico on the status of Jerusalem, Mexico published press release No. 459 of the Ministry of Foreign Affairs of Mexico on 6 December 2017, which explains the following:

Following the decision of the Government of the United States to recognize Jerusalem as the capital of the State of Israel, the Government of Mexico, through its Ministry of Foreign Affairs, reports that it will maintain its embassy in Tel Aviv, as has been the case until now by all countries that maintain diplomatic relations with Israel, in accordance with Security Council resolution 478 (1980), as well as relevant

resolutions of the United Nations General Assembly, on the status of the City of Jerusalem.

Mexico will continue to maintain a close and friendly bilateral relationship with the State of Israel, as evidenced by the recent visit of Prime Minister Benjamin Netanyahu to our country, and it will also continue to support the historical claims of the Palestinian people.

Mexico reiterates its firm conviction that a political and peaceful solution to the conflict must take place through direct negotiations, without preconditions, between the parties, that resolve the substantive issues, including the final status of Jerusalem.

Mexico supports dialogue as the means to settle the conflict between Israel and Palestine, based on the two-State solution, which includes the right of Israel and Palestine to live in peace within secure and internationally recognized borders, as agreed in the Oslo Accords and endorsed by various Security Council resolutions.

Philippines

[Original: English]

The Permanent Mission of the Republic of the Philippines to the United Nations has the honour to convey the following information for the report of the Secretary-General on the implementation of the General Assembly resolutions under agenda item 37, "The situation in the Middle East", adopted by the Assembly on 30 November 2017:

- Resolution 72/15 ("Jerusalem"): The Philippines has not recognized the legality of Israel's claims over Jerusalem and continues to advocate a two-State solution to the Israeli-Palestinian conflict, with the status of Jerusalem to be decided in direct talks between the two parties in the final stages of the negotiations.
- Resolution 72/16 ("The Syrian Golan"): The Philippines has not recognized the legality of Israel's occupation and de facto annexation of the Golan Heights.

The Philippine Mission has the further honour to convey that, under General Assembly resolution 72/24 ("Establishment of a nuclear-weapon-free zone in the region of the Middle East", adopted by the Assembly on 11 December 2017), the Philippines has been strongly supportive of the establishment of the zone as a means to reduce tensions in the Middle East and to protect Philippine nationals in the region from the threat of nuclear war as well as the use of other weapons of mass destruction. The Philippines remains supportive of the Conference on the zone.

State of Palestine

[Original: English]

The Permanent Observer of the State of Palestine to the United Nations has the honour to convey the State of Palestine's views on, and efforts to implement, General Assembly resolution 72/15, entitled "Jerusalem", as well as on relevant developments since its adoption.

Since the onset of the Israeli occupation of East Jerusalem and attempts by the occupying Power to annex the city from 1980 onward, the international community has repeatedly reaffirmed its rejection of unlawful Israeli practices and policies in the City, against its Palestinian inhabitants and in the broader context of its now 51-year foreign occupation of the rest of the Palestinian Territory occupied in 1967. The demands for cessation of all Israeli measures aimed at altering the demographic composition, character, identity and status of the City, in violation of international

law and the relevant United Nations resolutions, including, inter alia, Security Council resolutions 476 (1980), 478 (1980) and 2334 (2016), have been unequivocal and are central to the prevailing international consensus on the matter.

The General Assembly has maintained this position across the decades, reaffirming it again at its seventy-second session in resolution 72/15, "Jerusalem". This resolution, adopted by overwhelming majority support, presents the clear stance of the General Assembly regarding the question of the City of Jerusalem, one that is principled, consistent and firmly rooted in the applicable provisions of the Charter of the United Nations, international law and the relevant United Nations resolutions as well as the July 2004 advisory opinion of the International Court of Justice.

The adoption of resolution 72/15 coincided with the passage of over 50 years since the onset of Israel's foreign occupation of Palestinian and other Arab lands in 1967, and the commemoration of other solemn anniversaries, including 70 years since the General Assembly's decision to partition Mandate Palestine by its resolution 181 (II) of 29 November 1947 and the ensuing Nakba in 1948, underscoring the protracted nature of this injustice against the Palestinian people and the lack of a political horizon to bring an end to the Israeli occupation and to peacefully resolve the Israeli-Palestinian conflict, the core of the Arab-Israeli conflict.

The gravity of this injustice and the cyclical failure of peace efforts was further starkly highlighted just days later by the declaration made on 6 December 2017 by the United States President, recognizing Jerusalem as the so-called "capital of Israel" and deciding to transfer the United States embassy to the City, in contravention of Security Council resolutions, international law, including the Geneva Convention relative to the Protection of Civilian Persons in Time of War, and the established international consensus on the City, whereby there is no recognition of Israeli sovereignty over the City as a whole and whereby Israel remains the occupying Power in East Jerusalem. Following the veto cast in the Security Council on 18 December 2017 on a draft resolution presented by the delegation of Egypt to reaffirm the Council's long-standing position on the status of Jerusalem, the General Assembly rightly undertook its responsibilities with the adoption of its resolution ES-10/19, "Status of Jerusalem", reaffirming its relevant resolutions, including resolution 72/15, as well as those of the Security Council, and reinforcing the global rejection of Israel's illegal measures and the United States decision in this regard.

Even prior to the United States decision, resolution 72/15 reaffirmed the Assembly's decades-long "determination that any actions taken by Israel, the occupying Power, to impose its laws, jurisdiction and administration on the Holy City of Jerusalem are illegal and therefore null and void and have no validity whatsoever" and called on Israel "to immediately cease all such illegal and unilateral measures". This includes the so-called "Basic Law" on Jerusalem adopted by the Israeli Government in 1980, deemed by both the Council and the Assembly as "null and void" and to be "rescinded forthwith".

This year, Israel escalated such brazen illegality with the Knesset's approval of an amendment to the "Basic Law", requiring a supermajority of 80 of the 120 Knesset members to approve any proposal to return any part of the City, making it harder for any future Israeli Government to comply with international law and United Nations resolutions by ceding its illegal control over East Jerusalem, the capital of the State of Palestine, in any peace deal. This is yet another blow to the prospect of salvaging the already battered two-State solution on the 1967 lines and ensuring the rights and legitimate aspirations of the Palestinian people to freedom and independence in their State of Palestine, with East Jerusalem as its capital.

Resolution 72/15 also appropriately recalled Security Council resolution 2334 (2016). Resolution 2334 (2016) continues to reflect the international community's

long-established stance regarding the requirements for a just and lasting solution to the conflict, including as regards Jerusalem. This resolution, in line with prior relevant resolutions, reaffirmed the inadmissibility of the acquisition of territory by force, underlined that the Council will not recognize “any changes to the 4 June 1967 lines, including with regard to Jerusalem, other than those agreed by the parties through negotiations”, and called upon all States “to distinguish, in their relevant dealings, between the territory of the State of Israel and the territories occupied since 1967”.

The State of Palestine continues its efforts to uphold and implement resolution 2334 (2016) in its entirety, alongside all other relevant United Nations resolutions, and continues its call on all States and organizations to abide by the provisions of the resolution in order to exact consequences for the continuation of the occupation aimed at bringing it to an end and advancing the prospects for a just peace. On the other hand, Israel, the occupying Power, continues to disregard these resolutions, systematically and deliberately violating all provisions and escalating the illegal practices that resolution 72/15 and other relevant resolutions specifically call for the cessation of. In fact, in Jerusalem, Israel persists with the same unlawful policies it has pursued since the onset of its occupation of the City in 1967, in its attempts to forcibly alter the demography and legal status of the City, to negate its Arab identity and cultural heritage, including its Muslim and Christian history and character, and to suffocate the existence of the Palestinian population in the City.

Israeli officials continue to inflame tensions by inciting religious hatred and strife, routinely making provocative declarations regarding Al-Haram Al-Sharif and claims to Israeli sovereignty over the entirety of the City of Jerusalem, the Old City and its holy sites included. This makes more imperative the insistence by all concerned parties that Israel respect the historic status quo at Al-Haram Al-Sharif and the Hashemite Kingdom of Jordan’s custodianship of the Muslim and Christian holy places in the City, and that it halt actions contrary to the decades-long arrangements at these sensitive religious sites.

Equally urgent is a halt to all illegal, repressive Israeli measures targeting the indigenous Palestinian population of the City and aiming to replace them with Israel’s Jewish population, along with measures to sever and isolate the City from its natural Palestinian environs in the rest of the West Bank and entrench Israel’s control over the eastern part of the City. This continues to be pursued by the occupying Power through, inter alia, construction and expansion of illegal settlements and the Wall and its associated regime and transfer of thousands of Israeli settlers to East Jerusalem, in addition to the demolition of Palestinian homes, revocation of residency rights and eviction of thousands of Palestinian families, despite international condemnation and demands for cessation.

In this regard, the Office for the Coordination of Humanitarian Affairs has reported that “Palestinians in East Jerusalem are subject to a coercive environment with the risk of forcible transfer due to Israeli policies such as home demolitions, forced evictions and revocation of residency status. As is the case in Area C, a restrictive and discriminatory planning regime makes it virtually impossible for Palestinians to obtain the requisite Israeli building permits: only 13 per cent of East Jerusalem is zoned for Palestinian construction and much of this is already built-up. Palestinians who build without permits face the risk of home demolition and other penalties, including costly fines, the payment of which does not exempt the owner from the requirement to obtain a building permit. At least a third of all Palestinian homes in East Jerusalem lack an Israeli-issued building permit, potentially placing over 100,000 residents at risk of displacement”. Moreover, Israeli settlers continue to pose a threat as they routinely intimidate and terrorize Palestinians in East Jerusalem, seeking, inter alia, to expel them from their homes and land.

As all such illegal actions persist, it is obvious that the United States Government's decision on Jerusalem on 6 December 2017 has further encouraged Israel's impunity in East Jerusalem and the rest of the Occupied Palestinian Territory. In fact, the occupying Power has been particularly emboldened to carry on with its illegal, destructive behaviour following the United States embassy move to Jerusalem on 14 May 2018. This move was taken in direct violation of Security Council resolutions 478 (1980) and 2334 (2016), General Assembly resolutions on Jerusalem, and the Charter prohibition on the acquisition of territory by force, and in total disregard of the regional and international appeals to prevent such a move, including appeals by the Palestinian leadership to the United States Government to respect United Nations resolutions and Palestinian legitimate rights, aspirations and sensitivities in this regard.

Repeated warnings by Palestine and the international community of the consequences of this United States decision have, regrettably, been to no avail. It is to be recalled that, on the day of the United States embassy transfer, Israeli occupying forces killed more than 60 Palestinians and injured over 2,800 other civilians who were protesting this provocative move in the context of the weeks-long peaceful civilian protests — the "Great March of Return" — against Israel's illegal occupation, oppression and dispossession of the Palestinian people. Tragically, since the protests began on 30 March 2018, more than 140 Palestinians, including 19 children, have been killed and more than 15,200 civilians injured by the occupying forces.

As the United States decision in support of Israel's illegal manoeuvres in Jerusalem has further fuelled its impunity, we remain insistent in our calls for respect for international and all relevant United Nations resolutions. We remain convinced that international law is key to rectifying this situation and ending the injustice against our people, and remain committed to all peaceful, political and legal means to this end.

Thus, Palestine has acted strictly within the parameters of the law and diplomacy in response to this crisis. This began with a letter to the Secretary-General, the President of the General Assembly and the President of the Security Council on 6 December 2017, urging immediate international action. Recognizing the gravity of the situation, the Council convened an emergency session on 8 December, with delegation after delegation denouncing the United States decision on Jerusalem; reaffirming their adherence to the relevant resolutions, including, inter alia, resolutions 476 (1980), 478 (1980) and 2334 (2016); calling for compliance by all parties; and rejecting measures to the contrary as "null and void". A draft resolution on the matter was presented by Egypt, as the Arab representative on the Council, yet was vetoed by the United States on 18 December 2017. However, the unanimous support of the other 14 Council members reflected and reaffirmed the prevailing international consensus regarding Jerusalem based on the applicable rules of international law and relevant resolutions.

In view of the Council's paralysis and the gravity of the matter, a joint request was made by Yemen, as Chair of the Group of Arab States, and Turkey, as Chair of the Organization of Islamic Cooperation (OIC) Summit, to the President of the General Assembly to resume the tenth emergency special session in a further effort to diplomatically and legally address this critical issue. The Assembly thus convened on 21 December, and resolution ES-10/19 was adopted by an overwhelming majority, reaffirming relevant resolutions; reiterating the call upon all States to refrain from establishing diplomatic missions in the Holy City of Jerusalem, pursuant to resolution 478 (1980) of the Security Council; and stressing that Jerusalem is a final status issue to be resolved through negotiations in line with relevant United Nations resolutions.

It was hoped that the broad support for this resolution would reinforce the strong messages from capitals all over the world to the United States rejecting such a violation and dissuading other countries from following suit. It is thus deeply regrettable that the United States did not suspend this decision and instead transferred its embassy to Jerusalem on 14 May and that Guatemala and Paraguay have also violated the principles and provisions enshrined in the applicable resolutions.

Persisting in the attempts to address the issue of Jerusalem, deteriorating conditions on the ground and the deepening political deadlock, Palestinian President Mahmoud Abbas addressed the Security Council on 20 February to directly appeal to it to uphold its responsibilities and to present a "Palestinian peace plan", calling, inter alia, for an international peace conference based on United Nations resolutions and including the Palestinian and Israeli sides along with concerned regional and international parties, similar to the Paris Peace Conference or the Moscow conference called for by Council resolution 1850 (2008). It was an earnest attempt to salvage the remaining prospects for realizing the two-State solution on the 1967 lines through a multilateral approach long called for by the Palestinian leadership on the basis of international law and the internationally endorsed parameters of a just solution: the relevant United Nations resolutions, the Madrid principles, the Arab Peace Initiative and the Quartet road map.

In contrast, following the United States decision on Jerusalem, Israel escalated its unlawful colonization activities, advancing plans for thousands of settlement units, especially in and around East Jerusalem, and for various infrastructure projects intended to connect the illegal settlements to Israel, further severing and isolating East Jerusalem from the rest of the West Bank, further damaging the two-State solution and obstructing peace efforts. Additionally, right-wing Knesset members, including members of the Israeli government coalition, continued to advance political proposals and draft laws aimed at "legalizing" settlement outposts and changing the boundaries of Jerusalem. We recall the statement in this regard issued by Stéphane Dujarric, Spokesperson for the Secretary-General, on 7 February, that "The Secretary-General deeply regrets the adoption of the so-called 'Regularization bill' on 6 February by the Knesset. This bill is in contravention of international law and will have far-reaching legal consequences for Israel. It reportedly provides immunity to settlements and outposts in the occupied West Bank that were built on privately owned Palestinian land."

Israel has also continued to violate the historic status quo at Jerusalem's holy places despite fact that, in resolution 72/15, the General Assembly made a clear call "for respect for the historic status quo at the holy places of Jerusalem, including the Haram al-Sharif, in word and practice" and urged "all sides to work immediately and cooperatively to defuse tensions and halt all provocations, incitement and violence at the holy sites in the City". Tensions remain high owing to repeated provocations and incitement by Israeli officials and illegal settlers against our holy sites and the right of the Palestinian people, Muslims and Christians, to worship in Occupied East Jerusalem, in absolute contempt for international law and the will of the international community. In this regard, the statement by Israeli Minister Miri Regev that "This land has a connection with only one people — the Jewish people" is echoed repeatedly by other officials, in addition to extremist calls by other Israelis to take over Al-Haram Al-Sharif.

Seeking to uphold resolution 72/15, the State of Palestine has also persistently highlighted the grave issues facing Jerusalem in its official interventions in the General Assembly and the Security Council and in the context of its official letters to the Secretary-General and the Presidents of the Security Council and the General Assembly, drawing international attention to the perils of this fragile situation in Jerusalem. It has repeatedly cautioned about the far-reaching consequences of any

further destabilization, including the stoking of a religious conflict. It has also continued to garner support for the Palestinian inhabitants of the City and for the preservation of the cultural and religious heritage in Jerusalem, including through the support of the OIC and the Islamic Development Bank. Moreover, it has worked, in cooperation with the United Nations Committee on the Exercise of the Inalienable Rights of the Palestinian People and the OIC, to convene annual conferences on Jerusalem, bringing together diplomats, scholars, civil society and media to address the prevailing situation in all its dimensions and to consider joint solutions based on the law and international responsibilities.

All such efforts continue to be undertaken despite Israel's systematic obstruction of access by the Palestinian Government to the City and obstruction of Palestinian development in the City, which has exacerbated fragile economic and social conditions, especially affecting the youth population. In this regard, we underscore the fact that numerous official Palestinian cultural, social and political institutions in Jerusalem, including Orient House, remain closed by order of the occupying Power, in violation of Security Council resolution 1515 (2003). Since 1967, Israel has shut down more than 120 Palestinian institutions in Jerusalem, 88 of which have been closed permanently.

Given the worsening political, economic, social and humanitarian situation on the ground; the shrinking space for the exercise of the Palestinian right to self-determination in East Jerusalem and the rest of the Occupied Palestinian Territory; and the absence of a political horizon, we must underscore the permanent responsibility of the United Nations towards the question of Palestine, including the question of the City of Jerusalem, which holds unique historical, religious, cultural and political dimensions, until it is satisfactorily and justly resolved in all aspects on the basis of the relevant United Nations resolutions.

The United Nations must play a more substantive role, including through the use of the Secretary-General's good offices and the work of the United Nations Special Coordinator for the Middle East Peace Process, to alleviate the suffering of the Palestinian people and inject some hope in what seems like a hopeless situation. Of course, the Security Council and the General Assembly must remain at the forefront of the efforts to ensure that international law is upheld and United Nations resolutions are implemented, with the aim of ending this injustice and fulfilling the rights of the Palestinian people, including to East Jerusalem as the capital of their State of Palestine.

We urge international mobilization of the means and political will necessary to advance these objectives, underscoring that — no matter the unilateral, illegal measures taken by Israel or any other State in our land, which are null and void and without any legal effect — only an end to the Israeli occupation of the Palestinian Territory occupied in 1967, including East Jerusalem, and the full realization of Palestinian rights, including to freedom and independence, can lead to a just and lasting solution to the conflict. Serious, practical efforts must be made, in line with resolutions 476 (1980), 478 (1980), 2334 (2016), 72/15 and all other relevant resolutions, to convey a firm message to Israel that, after more than a half-century of occupation, this illegal and unjust situation will no longer be tolerated and that it cannot persist with its occupation and colonization of Jerusalem and of the rest of the Palestinian territory it has occupied since 1967 without consequence.

We continue to call for, and stand ready to cooperate with, responsible and genuine multilateral efforts towards ensuring Israel's complete withdrawal from the Palestinian territory occupied since June 1967, including East Jerusalem; the achievement of the two-State solution of an independent, sovereign, contiguous and viable State of Palestine, with East Jerusalem as its capital, living side by side with

Israel in peace and security within recognized borders based on the pre-1967 borders; and the realization of the inalienable rights of the Palestinian people, including a just solution for the Palestine refugees based on General Assembly resolution 194 (III). Despite the many crises and challenges faced at the moment, the Palestinian leadership has remained and will continue to remain committed to a peaceful and just solution and calls on the international community to uphold its obligations and commitments to do what it can to salvage any glimmer of hope for a just peace.

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The situation in the Middle East

Report of the Secretary-General

Summary

The present report contains replies received in response to the note verbale by the Secretary-General dated 4 May 2018 concerning implementation of the relevant provisions of General Assembly resolutions 72/15, entitled "Jerusalem", and 72/16, entitled "The Syrian Golan".

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I. Introduction

1. The present report is submitted pursuant to General Assembly resolutions 72/15 and 72/16. In its resolution 72/15, the Assembly stressed that a comprehensive, just and lasting solution to the question of the City of Jerusalem should take into account the legitimate concerns of both the Palestinian and Israeli sides and should include internationally guaranteed provisions to ensure the freedom of religion and of conscience of its inhabitants, as well as permanent, free and unhindered access to the holy places by people of all religions and nationalities. In its resolution 72/16, which deals with the Syrian Golan, the Assembly demanded once more that Israel withdraw from all the occupied Syrian Golan to the line of 4 June 1967 in implementation of the relevant Security Council resolutions.

2. On 4 May, in order to fulfil my reporting responsibility under resolutions 72/15 and 72/16, I addressed notes verbales to the Permanent Representative of Israel, the Permanent Representatives of all other Member States and the Permanent Observer of the State of Palestine to the United Nations requesting them to inform me of any steps that their Governments had taken or envisaged taking concerning implementation of the relevant provisions of those resolutions. As at 1 August 2018, replies had been received from Lebanon, Mexico, the Philippines and the State of Palestine. The replies are provided in section II of the present report.

II. Replies received

Lebanon

[Original: Arabic]

As part of its efforts to implement the resolutions of the General Assembly on the item “The situation in the Middle East”, Lebanon has taken the following steps:

- Lebanon has categorically rejected America’s illegal step of declaring Jerusalem to be the capital of Israel. It has called on Washington to desist and comply with the relevant authoritative international resolutions.
- On 9 December 2017, the Lebanese Parliament adopted recommendations stating that America’s decision concerning Jerusalem posed a threat to international peace and security and provided cover for the Israeli occupation, its aggressive stance, its settlement activities and all of its violations of international laws and humanitarian laws.
- On 9 December 2017, at an extraordinary meeting of the League of Arab States, the Minister for Foreign Affairs and Expatriates urged States members to take all of the necessary legal and diplomatic measures to ensure that Palestine was recognized as a State with full membership in the United Nations, with Jerusalem as its capital, and to take countermeasures against the American decision and any similar decision by any other State to transfer its embassy to Jerusalem. Such measures should begin with diplomatic action, followed by political measures and culminating in economic and financial sanctions. Lebanon has, accordingly, postponed its periodic political consultations with those States that have adopted ambiguous positions on the issue.
- On 13 December 2017, at an extraordinary meeting of the Organization of Islamic Cooperation, the President of the Republic urged member States to carry out a diplomatic campaign to increase the number of States that recognize the State of Palestine, press for it to become a full Member of the United Nations,

and take the necessary legal, political and diplomatic actions to recognize East Jerusalem as its capital.

- On the same date, at the same meeting, he called for concerted, progressive diplomatic and economic sanctions against any State opting to recognize Jerusalem as the capital of Israel.
- In regional and international forums, Lebanon has emphasized that it remains committed to the 2002 Arab Peace Initiative in all its aspects without exceptions, including a two-State solution on the 1967 borders and a just solution to the issue of the Palestine refugees.
- Lebanon supported the Arab resolution submitted to the Security Council by Egypt on 18 December 2017, which provides that any decisions and actions which purport to have altered the character, status or demographic composition of Jerusalem have no legal effect.
- Lebanon supported the draft General Assembly resolution entitled “Status of Jerusalem”, which was submitted by Yemen and Turkey on behalf of the Organization of the Islamic Cooperation on 19 December 2017 and provides that the legal status of Jerusalem under the authoritative international resolutions must be protected, and that all measures to the contrary are void.
- On 17 May 2018, Lebanon filed a complaint against Israel with the International Criminal Court in the wake of Israel’s massacre in Gaza and other parts of Palestine. The Israeli occupation army acted in cold blood against defenceless demonstrators who had come out peacefully to protest against the transfer of the American embassy to Jerusalem. The massacre is a flagrant and protracted violation of the principles of international humanitarian law. It claimed 62 Palestinian lives and injured dozens more. Lebanon called on the Court to take immediate action against Israel in order to demonstrate its own credibility and ability to effectively enforce the principle of accountability.

Mexico

[Original: Spanish]

Mexico supports a comprehensive solution to the Middle East conflict based on the existence of two States, Israel and Palestine, living side by side within secure and internationally recognized borders in accordance with United Nations resolutions.

Moreover, Mexico adheres to the resolutions adopted by both the Security Council and the General Assembly on these issues, in particular Security Council resolutions 478 (1980), of 20 August 1980, and 497 (1981), of 17 December 1981, concerning the status of the City of Jerusalem and the Syrian Golan, respectively.

The Government of Mexico has emphatically rejected the continued expansion of Israeli settlements in the Occupied Palestinian Territories and in the territory of the Syrian Golan.

With regard to the position of Mexico on the status of Jerusalem, Mexico published press release No. 459 of the Ministry of Foreign Affairs of Mexico on 6 December 2017, which explains the following:

Following the decision of the Government of the United States to recognize Jerusalem as the capital of the State of Israel, the Government of Mexico, through its Ministry of Foreign Affairs, reports that it will maintain its embassy in Tel Aviv, as has been the case until now by all countries that maintain diplomatic relations with Israel, in accordance with Security Council resolution 478 (1980), as well as relevant

resolutions of the United Nations General Assembly, on the status of the City of Jerusalem.

Mexico will continue to maintain a close and friendly bilateral relationship with the State of Israel, as evidenced by the recent visit of Prime Minister Benjamin Netanyahu to our country, and it will also continue to support the historical claims of the Palestinian people.

Mexico reiterates its firm conviction that a political and peaceful solution to the conflict must take place through direct negotiations, without preconditions, between the parties, that resolve the substantive issues, including the final status of Jerusalem.

Mexico supports dialogue as the means to settle the conflict between Israel and Palestine, based on the two-State solution, which includes the right of Israel and Palestine to live in peace within secure and internationally recognized borders, as agreed in the Oslo Accords and endorsed by various Security Council resolutions.

Philippines

[Original: English]

The Permanent Mission of the Republic of the Philippines to the United Nations has the honour to convey the following information for the report of the Secretary-General on the implementation of the General Assembly resolutions under agenda item 37, "The situation in the Middle East", adopted by the Assembly on 30 November 2017:

- Resolution 72/15 ("Jerusalem"): The Philippines has not recognized the legality of Israel's claims over Jerusalem and continues to advocate a two-State solution to the Israeli-Palestinian conflict, with the status of Jerusalem to be decided in direct talks between the two parties in the final stages of the negotiations.
- Resolution 72/16 ("The Syrian Golan"): The Philippines has not recognized the legality of Israel's occupation and de facto annexation of the Golan Heights.

The Philippine Mission has the further honour to convey that, under General Assembly resolution 72/24 ("Establishment of a nuclear-weapon-free zone in the region of the Middle East", adopted by the Assembly on 11 December 2017), the Philippines has been strongly supportive of the establishment of the zone as a means to reduce tensions in the Middle East and to protect Philippine nationals in the region from the threat of nuclear war as well as the use of other weapons of mass destruction. The Philippines remains supportive of the Conference on the zone.

Syrian Arab Republic

[Original: Arabic]

From the time that Israel occupied the Syrian Golan in 1967, the international community has reiterated that it rejects that occupation and has demanded that Israel, the occupying Power, withdraw from the entire occupied Syrian Golan to the line of 4 June 1967. In its resolution 72/16 of 30 November 2017, entitled "The Syrian Golan", the General Assembly demands once more that Israel withdraw from all the occupied Syrian Golan to the line of 4 June 1967, in implementation of the relevant United Nations resolutions. In resolution 72/88 of 7 December 2017, entitled "The Occupied Syrian Golan", the General Assembly also calls on Israel, the occupying Power, to comply with the relevant United Nations resolutions on the occupied Syrian Golan, in particular Security Council resolution 497 (1981), in which the Council, inter alia, decided that the Israeli decision of 14 December 1981 to impose its laws,

jurisdiction and administration on the occupied Syrian Golan was null and void and without any legal effect whatsoever. The General Assembly also demands that Israel should rescind forthwith its decision.

The Israeli occupation of the Syrian Golan has persisted for more than 51 years. During that time, the United Nations has time and again adopted resolutions in which Israel is called upon to end its occupation of the Syrian Golan, its unremitting repression of Syrian civilians suffering under colonial occupation and its blatant, unchecked violation of international instruments and norms. Nevertheless, Israel continues to turn its back on United Nations resolutions and international law, and continues to occupy the Syrian Golan, in flagrant violation of international instruments and treaties and international law thanks to the protection from accountability provided by certain Security Council members.

The Syrian Government categorically rejects the decision of Israel, the occupying Power, to hold elections for so-called local councils in the occupied Syrian Golan. It strongly condemns that decision, which violates international law and is contrary to international instruments and norms. The Government reiterates that our people in the Golan reject that decision, which they consider to be a blatant affront to their national values and sense of belonging to their motherland, Syria. The people of the Golan expressed their rejection of that illegal Israeli decision in their statement of 11 July 2017.

Recently, Israel has added a new chapter to the annals of its racist and terrorist acts by providing direct, ongoing logistical support to armed terrorist groups, the most prominent of which is the Nusrah Front, a group that is on the Security Council list of terrorist entities. The armed terrorist groups are using the area of separation as a haven after the United Nations Disengagement Observer Force (UNDOF) withdrew from its positions following the abduction of some of its troops by those groups. What is more, Israel has repeatedly committed acts of direct military aggression against the territory of the Syrian Arab Republic in support of the terrorists, in flagrant violation of the separation of forces agreement and of international law.

The Government of the Syrian Arab Republic denounces the settlement policies that are being implemented by Israel in the occupied Syrian Golan without any regard for the relevant Security Council, General Assembly and Human Rights Council resolutions. In its resolutions, the General Assembly reaffirms the illegality of Israeli settlement building and other activities in the occupied Syrian Golan and renews its call on Israel to desist from changing the physical character, demographic composition, institutional structure and legal status of the occupied Syrian Golan and, in particular, to desist from establishing settlements. The General Assembly has called on Israel to desist from its continuous building of settlements.

The Government of the Syrian Arab Republic condemns all Israeli practices and actions aimed at controlling the natural resources of the occupied Syrian Golan and the systematic looting of those resources by Israel, the occupying Power, in flagrant violation of the principle of the permanent sovereignty of peoples under foreign occupation over their natural resources, Security Council resolution 497 (1981) and the General Assembly resolution 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”. Israel continues to deplete the natural resources of the occupied Syrian Golan and deprive the territory’s Syrian population of the ability to benefit from their natural resources, including water. The Israeli occupiers deliberately waste those resources or allow only Israeli settlers to utilize them. Israel has also cleared land adjacent to the ceasefire line in the occupied Syrian Golan and cut down trees. The Israeli occupation authorities have also diverted water from Mas‘adah Lake in the occupied Syrian

Golan to Israeli settlements. That Israeli action, which is contrary to international law and the Fourth Geneva Convention of 1949, has created an economic and environmental catastrophe of enormous proportions for Syrian nationals in the occupied Syrian Golan that has caused them to incur significant material losses. The Government of the Syrian Arab Republic also warns of the threat posed by the occupying Israeli authorities' decision to authorize the United States company Genie Energy to drill for oil in the occupied Syrian Golan, in flagrant violation of international law, international humanitarian law, the Fourth Geneva Convention and United Nations resolutions

The Syrian Arab Republic condemns the funding by the European Union of a survey on "alternative tourism" to promote tourism in Israeli settlements in the occupied Syrian Golan. The funding was announced at conference held at the so-called Marom Golan settlement, near the two destroyed Syrian villages of Bab al-Hawa and Muwaysah. More than 100 tourism experts and advisers took part in an exchange of ideas and views on how to promote tourism in the occupied Syrian Golan. These developments are a clear and flagrant violation of the relevant Security Council and General Assembly resolutions. The Government of the Syrian Arab Republic once again calls upon the States members of the European Union and the States Members of the United Nations to refuse, in accordance with their obligations under international law, to import natural or manufactured products from the occupied territories.

The Government of the Syrian Arab Republic reiterates that the Israeli occupation forces' policy of arbitrary detention and sham trials is part of a catalogue of Israeli crimes and human rights violations against Syrian citizens in the occupied Syrian Golan stretching back over the more than five decades that Israel has occupied the Syrian Golan. It calls on international bodies to pressure Israel, the occupying Power, for the immediate and unconditional release of the Syrian prisoner Sidqi al-Miqt, the Mandela of Syria, and the imprisoned youth Amal Abu Salih.

The Government of the Syrian Arab Republic calls upon the Secretary-General, the Security Council, the United Nations High Commissioner for Human Rights, the President of the Human Rights Council, the President of the International Committee of the Red Cross, and all human rights organizations to pressure Israel, the occupying Power, to guarantee a healthy environment for Syrian citizens in the occupied Syrian Golan, particularly in view of Israeli practices that destroy the environment. Israel has buried nuclear waste in the occupied Syrian Golan, specifically at the foot of Jabal al-Shaykh, in containers with a thirty-year life expectancy that are not secure and prone to cracking, and the radioactive contents of which can seep into soil and groundwater. That exposes Syrian citizens in the occupied Syrian Golan to the risk of cancer, and deaths from cancer now account for 30 per cent of all deaths.

The Government of the Syrian Arab Republic also emphasizes that the above-mentioned international bodies must pressure Israel to cease taking peremptory decisions prohibiting citizens in the occupied Syrian Golan from visiting their Syrian homeland via the Qunaytirah crossing. Those arbitrary Israeli measures contravene the Geneva Conventions and other international norms and instruments. They serve only to increase the material, mental and physical suffering of Syrian citizens in the occupied Syrian Golan beyond all legal and moral bounds. The suffering of our people in the occupied Syrian Golan has also been exacerbated by the fact that the Qunaytirah crossing is controlled by the Nusrah Front and other armed terrorist organizations, with direct support from the Israeli occupation forces. One of the effects of that situation has been to prevent students in the occupied Syrian Golan from crossing into their Syrian homeland to pursue university studies.

Lastly, the Government of the Syrian Arab Republic reaffirms that, in order to ensure stability in the Middle East and preserve the credibility of the United Nations, measures must be taken to implement all international resolutions aimed at ending the Israeli occupation of Arab territories, including the Syrian Arab Golan, and compelling Israel to withdraw to the line of 4 June 1967, in accordance with the relevant United Nations resolutions, including, in particular, Security Council resolutions 242 (1967), 338 (1973), 497 (1981) and 2334 (2016).

The Government of the Syrian Arab Republic affirms its support for General Assembly resolution 72/15, entitled "Jerusalem", and calls on the international community to pressure Israel to halt its attempts to Judaize Jerusalem and revoke all its baseless legislative and administrative measures aimed at changing the city's legal status and identity. It also calls for serious and effective steps to be taken to stop the unlawful practices of Israel against the Palestinian people in Jerusalem, above all settlement-building activities and practices that undermine the city's holy sites.

The Government of the Syrian Arab Republic condemns the decision of the United States of America to move its embassy to the occupied city of Jerusalem and recognize it as the capital of the Israeli occupying authorities. Those decisions are fundamentally contrary to the legal, political and historical status of Jerusalem, and are merely another act in the rape of Palestine, the displacement of its people and the establishment of an occupying colonial entity on its territory. Moreover, those decisions constitute a flagrant violation of Security Council and General Assembly resolutions in which Israel is called upon to withdraw from the territories that it occupied in 1967, including Jerusalem. The above-mentioned decisions are therefore simply unilateral actions that have no legitimacy or impact on the legal status of Jerusalem.

The Syrian Arab Republic adheres to its principled position of supporting the right of the Palestinian people to self-determination and to establish its independent State, with Jerusalem as its capital, on the entirety of its national territory. We also support the right of return of Palestinian refugees, in accordance with General Assembly resolution 194 (III) of 1948.

Achieving a just and comprehensive peace requires implementation of United Nations resolutions aimed at ending the Israeli occupation of Arab territories, including, in particular, Security Council resolutions 242 (1967), 338 (1973), 497 (1981) and 2334 (2016). Moreover, in order to achieve peace, Israel must be compelled to withdraw from all occupied Arab territories to the line of 4 June 1967, and a Palestinian State, with Jerusalem as its capital, must be established.

State of Palestine

[Original: English]

The Permanent Observer of the State of Palestine to the United Nations has the honour to convey the State of Palestine's views on, and efforts to implement, General Assembly resolution 72/15, entitled "Jerusalem", as well as on relevant developments since its adoption.

Since the onset of the Israeli occupation of East Jerusalem and attempts by the occupying Power to annex the city from 1980 onward, the international community has repeatedly reaffirmed its rejection of unlawful Israeli practices and policies in the City, against its Palestinian inhabitants and in the broader context of its now 51-year foreign occupation of the rest of the Palestinian Territory occupied in 1967. The demands for cessation of all Israeli measures aimed at altering the demographic composition, character, identity and status of the City, in violation of international law and the relevant United Nations resolutions, including, inter alia, Security

Council resolutions 476 (1980), 478 (1980) and 2334 (2016), have been unequivocal and are central to the prevailing international consensus on the matter.

The General Assembly has maintained this position across the decades, reaffirming it again at its seventy-second session in resolution 72/15, "Jerusalem". This resolution, adopted by overwhelming majority support, presents the clear stance of the General Assembly regarding the question of the City of Jerusalem, one that is principled, consistent and firmly rooted in the applicable provisions of the Charter of the United Nations, international law and the relevant United Nations resolutions as well as the July 2004 advisory opinion of the International Court of Justice.

The adoption of resolution 72/15 coincided with the passage of over 50 years since the onset of Israel's foreign occupation of Palestinian and other Arab lands in 1967, and the commemoration of other solemn anniversaries, including 70 years since the General Assembly's decision to partition Mandate Palestine by its resolution 181 (II) of 29 November 1947 and the ensuing Nakba in 1948, underscoring the protracted nature of this injustice against the Palestinian people and the lack of a political horizon to bring an end to the Israeli occupation and to peacefully resolve the Israeli-Palestinian conflict, the core of the Arab-Israeli conflict.

The gravity of this injustice and the cyclical failure of peace efforts was further starkly highlighted just days later by the declaration made on 6 December 2017 by the United States President, recognizing Jerusalem as the so-called "capital of Israel" and deciding to transfer the United States embassy to the City, in contravention of Security Council resolutions, international law, including the Geneva Convention relative to the Protection of Civilian Persons in Time of War, and the established international consensus on the City, whereby there is no recognition of Israeli sovereignty over the City as a whole and whereby Israel remains the occupying Power in East Jerusalem. Following the veto cast in the Security Council on 18 December 2017 on a draft resolution presented by the delegation of Egypt to reaffirm the Council's long-standing position on the status of Jerusalem, the General Assembly rightly undertook its responsibilities with the adoption of its resolution ES-10/19, "Status of Jerusalem", reaffirming its relevant resolutions, including resolution 72/15, as well as those of the Security Council, and reinforcing the global rejection of Israel's illegal measures and the United States decision in this regard.

Even prior to the United States decision, resolution 72/15 reaffirmed the Assembly's decades-long "determination that any actions taken by Israel, the occupying Power, to impose its laws, jurisdiction and administration on the Holy City of Jerusalem are illegal and therefore null and void and have no validity whatsoever" and called on Israel "to immediately cease all such illegal and unilateral measures". This includes the so-called "Basic Law" on Jerusalem adopted by the Israeli Government in 1980, deemed by both the Council and the Assembly as "null and void" and to be "rescinded forthwith".

This year, Israel escalated such brazen illegality with the Knesset's approval of an amendment to the "Basic Law", requiring a supermajority of 80 of the 120 Knesset members to approve any proposal to return any part of the City, making it harder for any future Israeli Government to comply with international law and United Nations resolutions by ceding its illegal control over East Jerusalem, the capital of the State of Palestine, in any peace deal. This is yet another blow to the prospect of salvaging the already battered two-State solution on the 1967 lines and ensuring the rights and legitimate aspirations of the Palestinian people to freedom and independence in their State of Palestine, with East Jerusalem as its capital.

Resolution 72/15 also appropriately recalled Security Council resolution 2334 (2016). Resolution 2334 (2016) continues to reflect the international community's long-established stance regarding the requirements for a just and lasting solution to

the conflict, including as regards Jerusalem. This resolution, in line with prior relevant resolutions, reaffirmed the inadmissibility of the acquisition of territory by force, underlined that the Council will not recognize "any changes to the 4 June 1967 lines, including with regard to Jerusalem, other than those agreed by the parties through negotiations", and called upon all States "to distinguish, in their relevant dealings, between the territory of the State of Israel and the territories occupied since 1967".

The State of Palestine continues its efforts to uphold and implement resolution 2334 (2016) in its entirety, alongside all other relevant United Nations resolutions, and continues its call on all States and organizations to abide by the provisions of the resolution in order to exact consequences for the continuation of the occupation aimed at bringing it to an end and advancing the prospects for a just peace. On the other hand, Israel, the occupying Power, continues to disregard these resolutions, systematically and deliberately violating all provisions and escalating the illegal practices that resolution 72/15 and other relevant resolutions specifically call for the cessation of. In fact, in Jerusalem, Israel persists with the same unlawful policies it has pursued since the onset of its occupation of the City in 1967, in its attempts to forcibly alter the demography and legal status of the City, to negate its Arab identity and cultural heritage, including its Muslim and Christian history and character, and to suffocate the existence of the Palestinian population in the City.

Israeli officials continue to inflame tensions by inciting religious hatred and strife, routinely making provocative declarations regarding Al-Haram Al-Sharif and claims to Israeli sovereignty over the entirety of the City of Jerusalem, the Old City and its holy sites included. This makes more imperative the insistence by all concerned parties that Israel respect the historic status quo at Al-Haram Al-Sharif and the Hashemite Kingdom of Jordan's custodianship of the Muslim and Christian holy places in the City, and that it halt actions contrary to the decades-long arrangements at these sensitive religious sites.

Equally urgent is a halt to all illegal, repressive Israeli measures targeting the indigenous Palestinian population of the City and aiming to replace them with Israel's Jewish population, along with measures to sever and isolate the City from its natural Palestinian environs in the rest of the West Bank and entrench Israel's control over the eastern part of the City. This continues to be pursued by the occupying Power through, inter alia, construction and expansion of illegal settlements and the Wall and its associated regime and transfer of thousands of Israeli settlers to East Jerusalem, in addition to the demolition of Palestinian homes, revocation of residency rights and eviction of thousands of Palestinian families, despite international condemnation and demands for cessation.

In this regard, the Office for the Coordination of Humanitarian Affairs has reported that "Palestinians in East Jerusalem are subject to a coercive environment with the risk of forcible transfer due to Israeli policies such as home demolitions, forced evictions and revocation of residency status. As is the case in Area C, a restrictive and discriminatory planning regime makes it virtually impossible for Palestinians to obtain the requisite Israeli building permits: only 13 per cent of East Jerusalem is zoned for Palestinian construction and much of this is already built-up. Palestinians who build without permits face the risk of home demolition and other penalties, including costly fines, the payment of which does not exempt the owner from the requirement to obtain a building permit. At least a third of all Palestinian homes in East Jerusalem lack an Israeli-issued building permit, potentially placing over 100,000 residents at risk of displacement". Moreover, Israeli settlers continue to pose a threat as they routinely intimidate and terrorize Palestinians in East Jerusalem, seeking, inter alia, to expel them from their homes and land.

As all such illegal actions persist, it is obvious that the United States Government's decision on Jerusalem on 6 December 2017 has further encouraged Israel's impunity in East Jerusalem and the rest of the Occupied Palestinian Territory. In fact, the occupying Power has been particularly emboldened to carry on with its illegal, destructive behaviour following the United States embassy move to Jerusalem on 14 May 2018. This move was taken in direct violation of Security Council resolutions 478 (1980) and 2334 (2016), General Assembly resolutions on Jerusalem, and the Charter prohibition on the acquisition of territory by force, and in total disregard of the regional and international appeals to prevent such a move, including appeals by the Palestinian leadership to the United States Government to respect United Nations resolutions and Palestinian legitimate rights, aspirations and sensitivities in this regard.

Repeated warnings by Palestine and the international community of the consequences of this United States decision have, regrettably, been to no avail. It is to be recalled that, on the day of the United States embassy transfer, Israeli occupying forces killed more than 60 Palestinians and injured over 2,800 other civilians who were protesting this provocative move in the context of the weeks-long peaceful civilian protests — the "Great March of Return" — against Israel's illegal occupation, oppression and dispossession of the Palestinian people. Tragically, since the protests began on 30 March 2018, more than 140 Palestinians, including 19 children, have been killed and more than 15,200 civilians injured by the occupying forces.

As the United States decision in support of Israel's illegal manoeuvres in Jerusalem has further fuelled its impunity, we remain insistent in our calls for respect for international and all relevant United Nations resolutions. We remain convinced that international law is key to rectifying this situation and ending the injustice against our people, and remain committed to all peaceful, political and legal means to this end.

Thus, Palestine has acted strictly within the parameters of the law and diplomacy in response to this crisis. This began with a letter to the Secretary-General, the President of the General Assembly and the President of the Security Council on 6 December 2017, urging immediate international action. Recognizing the gravity of the situation, the Council convened an emergency session on 8 December, with delegation after delegation denouncing the United States decision on Jerusalem; reaffirming their adherence to the relevant resolutions, including, inter alia, resolutions 476 (1980), 478 (1980) and 2334 (2016); calling for compliance by all parties; and rejecting measures to the contrary as "null and void". A draft resolution on the matter was presented by Egypt, as the Arab representative on the Council, yet was vetoed by the United States on 18 December 2017. However, the unanimous support of the other 14 Council members reflected and reaffirmed the prevailing international consensus regarding Jerusalem based on the applicable rules of international law and relevant resolutions.

In view of the Council's paralysis and the gravity of the matter, a joint request was made by Yemen, as Chair of the Group of Arab States, and Turkey, as Chair of the Organization of Islamic Cooperation (OIC) Summit, to the President of the General Assembly to resume the tenth emergency special session in a further effort to diplomatically and legally address this critical issue. The Assembly thus convened on 21 December, and resolution ES-10/19 was adopted by an overwhelming majority, reaffirming relevant resolutions; reiterating the call upon all States to refrain from establishing diplomatic missions in the Holy City of Jerusalem, pursuant to resolution 478 (1980) of the Security Council; and stressing that Jerusalem is a final status issue to be resolved through negotiations in line with relevant United Nations resolutions.

It was hoped that the broad support for this resolution would reinforce the strong messages from capitals all over the world to the United States rejecting such a violation and dissuading other countries from following suit. It is thus deeply regrettable that the United States did not suspend this decision and instead transferred its embassy to Jerusalem on 14 May and that Guatemala and Paraguay have also violated the principles and provisions enshrined in the applicable resolutions.

Persisting in the attempts to address the issue of Jerusalem, deteriorating conditions on the ground and the deepening political deadlock, Palestinian President Mahmoud Abbas addressed the Security Council on 20 February to directly appeal to it to uphold its responsibilities and to present a "Palestinian peace plan", calling, inter alia, for an international peace conference based on United Nations resolutions and including the Palestinian and Israeli sides along with concerned regional and international parties, similar to the Paris Peace Conference or the Moscow conference called for by Council resolution 1850 (2008). It was an earnest attempt to salvage the remaining prospects for realizing the two-State solution on the 1967 lines through a multilateral approach long called for by the Palestinian leadership on the basis of international law and the internationally endorsed parameters of a just solution: the relevant United Nations resolutions, the Madrid principles, the Arab Peace Initiative and the Quartet road map.

In contrast, following the United States decision on Jerusalem, Israel escalated its unlawful colonization activities, advancing plans for thousands of settlement units, especially in and around East Jerusalem, and for various infrastructure projects intended to connect the illegal settlements to Israel, further severing and isolating East Jerusalem from the rest of the West Bank, further damaging the two-State solution and obstructing peace efforts. Additionally, right-wing Knesset members, including members of the Israeli government coalition, continued to advance political proposals and draft laws aimed at "legalizing" settlement outposts and changing the boundaries of Jerusalem. We recall the statement in this regard issued by Stéphane Dujarric, Spokesperson for the Secretary-General, on 7 February, that "The Secretary-General deeply regrets the adoption of the so-called 'Regularization bill' on 6 February by the Knesset. This bill is in contravention of international law and will have far-reaching legal consequences for Israel. It reportedly provides immunity to settlements and outposts in the occupied West Bank that were built on privately owned Palestinian land."

Israel has also continued to violate the historic status quo at Jerusalem's holy places despite fact that, in resolution 72/15, the General Assembly made a clear call "for respect for the historic status quo at the holy places of Jerusalem, including the Haram al-Sharif, in word and practice" and urged "all sides to work immediately and cooperatively to defuse tensions and halt all provocations, incitement and violence at the holy sites in the City". Tensions remain high owing to repeated provocations and incitement by Israeli officials and illegal settlers against our holy sites and the right of the Palestinian people, Muslims and Christians, to worship in Occupied East Jerusalem, in absolute contempt for international law and the will of the international community. In this regard, the statement by Israeli Minister Miri Regev that "This land has a connection with only one people — the Jewish people" is echoed repeatedly by other officials, in addition to extremist calls by other Israelis to take over Al-Haram Al-Sharif.

Seeking to uphold resolution 72/15, the State of Palestine has also persistently highlighted the grave issues facing Jerusalem in its official interventions in the General Assembly and the Security Council and in the context of its official letters to the Secretary-General and the Presidents of the Security Council and the General Assembly, drawing international attention to the perils of this fragile situation in Jerusalem. It has repeatedly cautioned about the far-reaching consequences of any

further destabilization, including the stoking of a religious conflict. It has also continued to garner support for the Palestinian inhabitants of the City and for the preservation of the cultural and religious heritage in Jerusalem, including through the support of the OIC and the Islamic Development Bank. Moreover, it has worked, in cooperation with the United Nations Committee on the Exercise of the Inalienable Rights of the Palestinian People and the OIC, to convene annual conferences on Jerusalem, bringing together diplomats, scholars, civil society and media to address the prevailing situation in all its dimensions and to consider joint solutions based on the law and international responsibilities.

All such efforts continue to be undertaken despite Israel's systematic obstruction of access by the Palestinian Government to the City and obstruction of Palestinian development in the City, which has exacerbated fragile economic and social conditions, especially affecting the youth population. In this regard, we underscore the fact that numerous official Palestinian cultural, social and political institutions in Jerusalem, including Orient House, remain closed by order of the occupying Power, in violation of Security Council resolution 1515 (2003). Since 1967, Israel has shut down more than 120 Palestinian institutions in Jerusalem, 88 of which have been closed permanently.

Given the worsening political, economic, social and humanitarian situation on the ground; the shrinking space for the exercise of the Palestinian right to self-determination in East Jerusalem and the rest of the Occupied Palestinian Territory; and the absence of a political horizon, we must underscore the permanent responsibility of the United Nations towards the question of Palestine, including the question of the City of Jerusalem, which holds unique historical, religious, cultural and political dimensions, until it is satisfactorily and justly resolved in all aspects on the basis of the relevant United Nations resolutions.

The United Nations must play a more substantive role, including through the use of the Secretary-General's good offices and the work of the United Nations Special Coordinator for the Middle East Peace Process, to alleviate the suffering of the Palestinian people and inject some hope in what seems like a hopeless situation. Of course, the Security Council and the General Assembly must remain at the forefront of the efforts to ensure that international law is upheld and United Nations resolutions are implemented, with the aim of ending this injustice and fulfilling the rights of the Palestinian people, including to East Jerusalem as the capital of their State of Palestine.

We urge international mobilization of the means and political will necessary to advance these objectives, underscoring that — no matter the unilateral, illegal measures taken by Israel or any other State in our land, which are null and void and without any legal effect — only an end to the Israeli occupation of the Palestinian Territory occupied in 1967, including East Jerusalem, and the full realization of Palestinian rights, including to freedom and independence, can lead to a just and lasting solution to the conflict. Serious, practical efforts must be made, in line with resolutions 476 (1980), 478 (1980), 2334 (2016), 72/15 and all other relevant resolutions, to convey a firm message to Israel that, after more than a half-century of occupation, this illegal and unjust situation will no longer be tolerated and that it cannot persist with its occupation and colonization of Jerusalem and of the rest of the Palestinian territory it has occupied since 1967 without consequence.

We continue to call for, and stand ready to cooperate with, responsible and genuine multilateral efforts towards ensuring Israel's complete withdrawal from the Palestinian territory occupied since June 1967, including East Jerusalem; the achievement of the two-State solution of an independent, sovereign, contiguous and viable State of Palestine, with East Jerusalem as its capital, living side by side with

Israel in peace and security within recognized borders based on the pre-1967 borders; and the realization of the inalienable rights of the Palestinian people, including a just solution for the Palestine refugees based on General Assembly resolution 194 (III). Despite the many crises and challenges faced at the moment, the Palestinian leadership has remained and will continue to remain committed to a peaceful and just solution and calls on the international community to uphold its obligations and commitments to do what it can to salvage any glimmer of hope for a just peace.

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The situation in the Middle East

The situation in the Middle East

Report of the Secretary-General

Summary

The present report contains replies received in response to the note verbale by the Secretary-General dated 6 May 2019 concerning implementation of the relevant provisions of General Assembly resolutions 73/22, entitled "Jerusalem", and 73/23, entitled "The Syrian Golan".

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I. Introduction

1. The present report is submitted pursuant to General Assembly resolutions 73/22 and 73/23. In its resolution 73/22, the Assembly stressed that a comprehensive, just and lasting solution to the question of the City of Jerusalem should take into account the legitimate concerns of both the Palestinian and Israeli sides and should include internationally guaranteed provisions to ensure the freedom of religion and of conscience of its inhabitants, as well as permanent, free and unhindered access to the holy places by people of all religions and nationalities. In its resolution 73/23, which deals with the Syrian Golan, the Assembly demanded once more that Israel withdraw from all the occupied Syrian Golan to the line of 4 June 1967 in implementation of the relevant Security Council resolutions.

2. On 6 May, in order to fulfil my reporting responsibility under resolutions 73/22 and 73/23, I addressed notes verbales to the Permanent Representative of Israel, the Permanent Representatives of all other Member States and the Permanent Observer of the State of Palestine to the United Nations requesting them to inform me of any steps that their Governments had taken or envisaged taking concerning implementation of the relevant provisions of those resolutions. As at 15 August 2019, replies had been received from Cuba, Iran (Islamic Republic of), Libya, Morocco, the Philippines, the Syrian Arab Republic and the State of Palestine. The replies are provided in section II of the present report.

II. Replies received

Cuba

[Original: Spanish]

With regard to General Assembly resolution 73/22, the Republic of Cuba rejects the unilateral decision of the Government of the United States of America to recognize Jerusalem as the capital of Israel, which constitutes a serious and flagrant violation of the Charter of the United Nations, international law and the relevant United Nations resolutions.

The intention of the United States Government to alter the historical status of Jerusalem harms the legitimate interests of the Palestinian people and of the Arab and Islamic nations, will have serious consequences for stability and security in the Middle East, will further increase tensions in that region and will impede any effort to resume Israeli-Palestinian peace talks.

We call on the Security Council to fulfil the responsibility entrusted to it under the Charter of the United Nations for maintaining international peace and security, to take the necessary decisions and to demand from Israel an immediate end to the occupation of the Palestinian territories and to aggressive policies and settlement activities, as well as compliance with the resolutions adopted by the Council on the situation in the Middle East, including the question of Palestine.

We reaffirm our full support for a comprehensive, just and lasting solution to the Israeli-Palestinian conflict based on a two-State solution that allows the Palestinian people to exercise their right to self-determination and their right to an independent and sovereign State with the pre-1967 borders and East Jerusalem as its capital, and the right of return for refugees.

As for General Assembly resolution 73/23, the Republic of Cuba expresses its strongest condemnation of the decision of the United States Government to recognize the occupied Syrian Golan as the territory of Israel, which constitutes a serious and

flagrant violation of the Charter of the United Nations, international law and the relevant resolutions of the Security Council, in particular resolution 497 (1981).

This new manoeuvre by Washington, which harms the legitimate interests of the Syrian people and of the Arab and Islamic nations, will have serious consequences for stability and security in the Middle East and will further exacerbate tensions in that volatile region.

The Security Council must fulfil its responsibility under the Charter of the United Nations for maintaining international peace and security, and take the necessary decisions to curb that unilateral action taken by the United States to support Israel in its intention to annex the occupied territory of the Syrian Golan Heights.

We will continue to support the demand of the Government of the Syrian Arab Republic to recover the Golan Heights, which were seized by Israel in 1967. We once again call for the total and unconditional withdrawal of Israel from the Syrian Golan and all other occupied Arab territories.

Islamic Republic of Iran

[Original: English]

According to international law, the territory of a State shall not be the object of acquisition by another State resulting from the threat or use of force, and no territorial acquisition resulting from the threat or use of force shall be recognized as legal. This is a peremptory norm of international law applicable to all States under all circumstances.

Therefore, in the view of the Islamic Republic of Iran, the proclamation by the United States President on 21 March 2019 concerning the recognition of the sovereignty of the Israeli regime over the occupied Syrian Golan constitutes a material breach of a peremptory norm of international law, is a grave violation of the purpose and principles of the United Nations, blatantly violates the United Nations Charter, in particular its Article 2, is a gross violation of relevant resolutions of the Security Council and runs counter to relevant resolutions of the General Assembly.

The Islamic Republic of Iran condemns, in the strongest possible terms, such a shameful statement, and considers it null and void and as having no legal weight and value. Such a politically irresponsible and provocative statement and legally unlawful proclamation can in no way change the fact that the occupied Syrian Golan is and will remain an integral part of the territory of the Syria Arab Republic.

In the light of the above, on 26 March 2019, the President of the Islamic Republic of Iran condemned the U.S. statement as an unlawful act violating international law and maintained that such worrying remarks in violation of the rights of the Palestinian and Syrian nations, particularly about the occupied Syrian Golan, are very dangerous for regional security. Further, on 6 April 2019, the President underlined that Golan is part of Syria’s territory, which has been taken by the occupiers, and nothing can deny this historical fact.

In regional and international forums, the Islamic Republic of Iran has also continually expressed its principled position on the occupied Syrian Golan. In this connection, Iran strongly supported General Assembly resolution 73/23 entitled “The Syrian Golan”, which “declares that the Israeli decision of 14 December 1981 to impose its laws, jurisdiction and administration on the occupied Syrian Golan is null and void” and “demands once more that Israel withdraw from all the occupied Syrian Golan to the line of 4 June 1967 in implementation of the relevant Security Council resolutions”.

Likewise, at an extraordinary meeting of the Organization of Islamic Cooperation (OIC) on 22 March 2019, the Foreign Minister of the Islamic Republic of Iran condemned the U.S. President's pro-Israeli statement on the occupied Syrian Golan, stating that all OIC member States were shocked by the continued attempts of the U.S. President to give what is not his to racist Israel: first Al-Quds and now Golan.

The Islamic Republic of Iran also supported the part of the Final Communiqué of the fourteenth Islamic Summit Conference, held in Makkah Al-Mukarramah, Kingdom of Saudi Arabia, on 31 May 2019, concerning the occupied Syrian Golan, which affirmed non-recognition of any decision or action aiming to change the legal and demographic status of Golan and rejected the American President's proclamation, dismissing it as null and void and of no legal effect.

Additionally, the Islamic Republic of Iran supported the Communiqué of the Coordinating Bureau of the Non-Aligned Movement, which condemns the statement of the U.S. President of 21 March 2019 in relation to the occupied Syrian Golan and requests the Security Council to shoulder its responsibility by clearly condemning this provocative statement as it is an escalatory and grave violation of international law, the purposes and principles of the United Nations and relevant United Nations resolutions, particularly Security Council resolution 497 (1981).

Libya

[Original: Arabic]

– Libya has consistently stood by the Palestinian people and supported its struggle to exercise all its legitimate rights, in accordance with international conventions and norms.

– Libya reiterates that a comprehensive, just and lasting peace can only be achieved through the establishment of a fully sovereign Palestinian State with its capital in Al-Quds al-Sharif. In that connection, Libya reiterates its commitment to the Arab Peace Initiative of 2002.

– Libya has stated that it rejects and denounces any attempts or statements made or positions taken by any party whatsoever that are aimed at changing the historical, legal and religious status quo in occupied Jerusalem. In keeping with its position, Libya participated in the extraordinary meeting of the Council of the Ministers for Foreign Affairs of the Organization of Islamic Cooperation that was held on 13 December 2017 in Istanbul, Turkey, and supported the resolution adopted at that meeting rejecting the decision of the American Administration to recognize Jerusalem as the capital of Israel and transfer its embassy to occupied Jerusalem.

– Libya supports and calls for adherence to all General Assembly resolutions relating to the Palestinian issue, in particular the resolutions concerning illegal Israeli actions in occupied East Jerusalem and other occupied Palestinian territory that were adopted at the tenth emergency special session.

– Libya supports the resolutions of the League of Arab States, the Organization of Islamic Cooperation, the African Union and the Movement of Non-Aligned Countries, all of which reiterate the right of the Palestinian people to self-determination and to establish its independent State with Jerusalem as its capital, and the need to end the inhumane treatment of Palestinians by the occupying authorities, which have consistently violated all international resolutions and instruments.

Morocco

[Original: Arabic]

I. Political and diplomatic efforts

Under the leadership of His Majesty King Mohammed VI, the Chair of the Al-Quds Committee, Morocco continued to stress the following points in various international forums and in bilateral meetings conducted by Moroccan officials with their foreign counterparts:

- Jerusalem remains at the heart of the conflict in the Middle East and is central to any resolution arrived at by the Israelis and Palestinians.
- There is an urgent need to break the deadlock in the peace process and we must not succumb to despair. The two-State solution continues to be the only solution that can establish security and stability in the region.
- The unity, sanctity and spiritual nature of Al-Quds al-Sharif, and its distinct status as a city of peace, must be maintained.
- Any unilateral actions taken in occupied Jerusalem must be rejected and considered to be void and without effect and in violation of Security Council resolutions concerning Al-Quds al-Sharif. Such actions are prejudicial to the symbolism and the legal, cultural and religious status of the city. They also put the city's future in jeopardy and run counter to efforts to create a climate that is suitable for bringing about a just peace based on international law.
- States are urged to respect the legal and political status quo in Jerusalem, in line with Security Council resolutions 476 (1980) and 478 (1980).
- East Jerusalem falls within the Palestinian territories occupied since 1967 and is the capital of the Palestinian State. The question of East Jerusalem is therefore one of the final status issues that must be resolved through negotiations between the Israelis and Palestinians.
- The two-State solution is the strategic choice that the international community has agreed upon to put an end to the Palestinian-Israeli conflict, in accordance with internationally authoritative resolutions and the Arab Peace Initiative.
- Continued and intensified settlement-building activity in the Occupied Palestinian Territory threatens to undermine the two-State solution and constitutes a flagrant violation of Security Council resolutions, in particular resolution 2334 (2016).
- In order to establish a just and comprehensive peace in the Middle East, internationally authoritative resolutions must be implemented, with a view to ensuring an end to the Israeli occupation of Palestinian territories and the establishment, within the June 1967 borders, of an independent Palestinian State with East Jerusalem as its capital living side by side with Israel in security and peace.
- Economic proposals to address the repercussions of the Israeli-Palestinian conflict cannot replace a comprehensive political plan that satisfies the just aspirations of the Palestinian people to freedom and independence, in accordance with the two-State solution.
- Jerusalem is central to the Israeli-Palestinian conflict, as emphasized in the joint statement on Jerusalem that His Majesty King Mohammed VI and His Holiness Pope Francis signed during the latter's visit to Morocco on 30 March 2019. In that statement, they consider the city to be a sacred place of encounter and

emphasize the importance of preserving it as the common patrimony of humanity, a symbol of peaceful coexistence for the followers of the three monotheistic religions and the home of mutual respect and dialogue.

- The multi-religious character, the spiritual dimension and unique cultural identity of Al-Quds al-Sharif must be protected and promoted.
- The followers of the three monotheistic religions must have free access to holy sites in the Holy City, and they must have the right to perform their religious practices. Doing so would make Al-Quds al-Sharif reverberate with the supplications of all the faithful to God, the creator of everything, for a future in which peace and brotherhood prevail throughout the world.

II. Efforts on the ground

- As part of the constant care and attention that His Majesty King Mohammed VI, the Chair of the Al-Quds Committee, devotes to Al-Quds al-Sharif and to maintaining its architectural, cultural and spiritual heritage, His Majesty has allocated a financial grant as the contribution of Morocco to the restoration and rehabilitation of certain spaces within the Aqsa Mosque and its surroundings (see statement issued by the Ministry of Foreign Affairs and International Cooperation on 17 April 2019). To that end, traditional builders and artisans from Morocco will be sent to repair the celebrated architecture of the Aqsa Mosque.
- The gift of Morocco embodies the ongoing efforts of the Al-Quds Committee, under the leadership of His Majesty King Mohammed VI, to preserve Jerusalem and support the resilience of its people, repair its architectural landmarks, safeguard its cultural and spiritual heritage, and defend its historical and legal status.
- In 2018, Bayt Mal Al-Quds al-Sharif Agency, the field arm of the Al-Quds Committee, executed more than 11 projects valued at $3.7 million, including projects that are designed to protect the cultural and architectural heritage of Jerusalem, provide social assistance, support the resilience of Jerusalemites, disseminate culture and thought, protect culture and preserve the Palestinian archive.
- Morocco funded the $5.4 million acquisition of a building that sits in a strategic location in the heart of the old city of Jerusalem, near the Aqsa Mosque, and covers an area of 2,100 m^2. The building will soon be opened as the Moroccan Cultural Centre, an intellectual, cultural and humanitarian institute that will promote the values of peace and coexistence.
- The Agency launched the second phase of a project to repair and rehabilitate the building that houses the Moroccan Cultural Centre (Morocco House). Costing $1.155 million in total, the project will cover building maintenance, imbuing the space inside with a Moroccan character and the annual cost of operating and guarding the building.

Philippines

[Original: English]

Resolution 73/22 (“Jerusalem”): Jerusalem is a “final status issue” to be resolved in direct negotiations between Israel and Palestine.

Resolution 73/23 (“The Syrian Golan”): The Philippines enjoys friendly relations with the Syrian Arab Republic and continues to support Syria’s territorial integrity over the occupied Golan Heights.

Syrian Arab Republic

[Original: Arabic]

Implementation of General Assembly resolution 73/23, entitled “The Syrian Golan”

1. From the time that Israel occupied the Syrian Golan in 1967, the international community has reiterated that it rejects that occupation and has demanded that Israel, the occupying Power, withdraw from the entire occupied Syrian Golan to the line of 4 June 1967. In its resolution 73/23 of 30 November 2018, entitled “The Syrian Golan”, the General Assembly demands once more that Israel withdraw from all the occupied Syrian Golan to the line of 4 June 1967, in implementation of the relevant United Nations resolutions. In that same resolution, the General Assembly also once again demands that Israel, the occupying Power, comply with United Nations resolutions concerning the occupied Syrian Golan, in particular Security Council resolution 497 (1981). In that resolution, the Security Council declares that the Israeli decision of 14 December 1981 to impose its laws, jurisdiction and administration in the occupied Syrian Golan is null and void and completely illegal. The General Assembly also demands that Israel should rescind forthwith its decision.

2. The Israeli occupation of the Syrian Golan has persisted for more than 52 years. During that time, the United Nations has time and again adopted resolutions in which Israel is called upon to end its occupation of the Syrian Golan, its unremitting repression of Syrian civilians suffering under colonial occupation and its blatant, unchecked violation of international instruments and norms. Nevertheless, Israel continues to turn its back on United Nations resolutions and international law, and continues to occupy the Syrian Golan, in flagrant violation of international instruments and treaties and international law thanks to the protection from accountability provided by certain Security Council members.

3. The Government of the Syrian Arab Republic once again condemns in the strongest terms the illegitimate and immoral decision of the President of the United States of America regarding Israel’s so-called sovereignty over the occupied Syrian Arab Golan. It constitutes a flagrant violation of international law, the Charter of the United Nations and the relevant resolutions of the Organization, including resolution 497 (1981), which was adopted unanimously by the Security Council. In that resolution, the Council acknowledges that the Syrian Arab Golan is an occupied territory and that any actions taken by Israel, the occupying Power, in the occupied Syrian Arab Golan, are null and void and have no legal effect. The Government of the Syrian Arab Republic considers the piece of paper signed by President Trump and offered as a gift to the Prime Minister of the Israeli occupying Power as a mere unilateral act by a party that does not possess the political, legal or moral authority to decide the destinies of the peoples of the world or dispose of territories that constitute an integral part of the Syrian Arab Republic. Such United States practices are dangerous because they represent the current American Administration’s reckless and

unprecedented tendency to undermine international law, humiliate the United Nations and ignore all terms of reference, legal precedent and the relevant Security Council and General Assembly resolutions concerning the Arab-Israeli conflict and the absolute need for Israel to end its occupation of Arab lands and withdraw to the borders of 4 June 1967.

4. The Syrian Government categorically rejects the decision of Israel, the occupying Power, to hold elections for so-called local councils in the occupied Syrian Golan. It strongly condemns that decision, which violates international law and is contrary to international instruments and norms. The Government reiterates that our people in the Golan reject that decision, which they consider to be a blatant affront to their national values and sense of belonging to their motherland, Syria.

5. The Government of the Syrian Arab Republic also condemns the pressure being put by the Israeli occupying authorities on our people in the occupied Syrian Golan to force them to register their land, which was owned by their parents and grandparents, with the Israeli Land Registration Office. They are forcing them to submit title deeds registered in the homeland or other instruments establishing ownership of land to the Land Registration Office of the Israeli occupying authorities, so that they can be given Israeli-issued title deeds in their place. Their land is confiscated if they refuse to submit to this brutal measure. In advance of taking a measure that will affect all villages in the occupied Syrian Golan, the Land Registration Office of the Israeli occupying authorities has asked the residents of the occupied village of Ayn Quniyah and the industrial zone of the occupied village of Majdal Shams to submit their title deeds.

6. The Government of the Syrian Arab Republic denounces the settlement policies that are being implemented by Israel in the occupied Syrian Golan without any regard for the relevant Security Council, General Assembly and Human Rights Council resolutions. In its resolutions, the General Assembly reaffirms the illegality of Israeli settlement building and other activities in the occupied Syrian Golan and renews its call on Israel to desist from changing the physical character, demographic composition, institutional structure and legal status of the occupied Syrian Golan and, in particular, to desist from establishing settlements. The General Assembly has called on Israel to desist from its continuous building of settlements.

7. The Government of the Syrian Arab Republic condemns all Israeli practices and actions aimed at controlling the natural resources of the occupied Syrian Golan and the systematic looting of those resources by Israel, the occupying Power, in flagrant violation of the principle of the permanent sovereignty of peoples under foreign occupation over their natural resources, Security Council resolution 497 (1981) and the General Assembly resolution 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”. Israel continues to deplete the natural resources of the occupied Syrian Golan and deprive the territory’s Syrian population of the ability to benefit from their natural resources, including water. The Israeli occupiers deliberately waste those resources or allow only Israeli settlers to utilize them. Israel has also cleared land adjacent to the ceasefire line in the occupied Syrian Golan and cut down trees. The Israeli occupation authorities have also diverted water from Mas‘adah Lake in the occupied Syrian Golan to Israeli settlements. That Israeli action, which is contrary to international law and the Fourth Geneva Convention of 1949, has created an economic and environmental catastrophe of enormous proportions for Syrian nationals in the occupied Syrian Golan that has caused them to incur significant material losses. The Government of the Syrian Arab Republic also warns of the threat posed by the occupying Israeli authorities’ decision to authorize the United States company Genie Energy to drill for oil in the occupied Syrian Golan, in flagrant violation of

international law, international humanitarian law, the Fourth Geneva Convention and United Nations resolutions. The Government of the Syrian Arab Republic also condemns the installation by the Israeli occupying forces of wind turbines 130 metres in diameter between towns in the occupied Syrian Golan, which will prevent farmers from harvesting their crops during all seasons of the year in those areas and will also cause severe health and environmental harm that will threaten the lives of the people of the occupied Syrian Golan.

8. The Syrian Arab Republic condemns the funding by the European Union of a survey on "alternative tourism" to promote tourism in Israeli settlements in the occupied Syrian Golan. The funding was announced at a conference held at the so-called Marom Golan settlement, near the two destroyed Syrian villages of Bab al-Hawa and Muwaysah. More than 100 tourism experts and advisers took part in an exchange of ideas and views on how to promote tourism in the occupied Syrian Golan. These developments are a clear and flagrant violation of the relevant Security Council and General Assembly resolutions. The Government of the Syrian Arab Republic once again calls upon the States members of the European Union and the States Members of the United Nations to refuse, in accordance with their obligations under international law, to import natural or manufactured products from the occupied territories.

9. The Government of the Syrian Arab Republic reiterates that the Israeli occupying forces' policy of arbitrary detention and sham trials is part of a catalogue of Israeli crimes and human rights violations against Syrian civilian citizens in the occupied Syrian Golan stretching back over the more than five decades that Israel has occupied the Syrian Golan. It calls on international bodies to pressure Israel, the occupying Power, for the immediate and unconditional release of the Syrian prisoner Sidqi al-Miqt, the Mandela of Syria, and the imprisoned youth Amal Abu Salih.

10. The Government of the Syrian Arab Republic calls upon the Secretary-General, the Security Council, the United Nations High Commissioner for Human Rights, the President of the Human Rights Council, the President of the International Committee of the Red Cross, and all human rights organizations to pressure Israel, the occupying Power, to guarantee a healthy environment for Syrian citizens in the occupied Syrian Golan, particularly in view of Israeli practices that destroy the environment. Israel has buried nuclear waste in the occupied Syrian Golan, specifically at the foot of Jabal al-Shaykh, in containers with a thirty-year life expectancy that are not secure and prone to cracking, and the radioactive contents of which can seep into soil and groundwater. That exposes Syrian citizens in the occupied Syrian Golan to the risk of cancer, and deaths from cancer now account for 30 per cent of all deaths.

11. The Government of the Syrian Arab Republic also emphasizes that the above-mentioned international bodies must pressure Israel to cease taking peremptory decisions prohibiting citizens in the occupied Syrian Golan from visiting their Syrian homeland via the Qunaytirah crossing. Those arbitrary Israeli measures contravene the Geneva Conventions and other international norms and instruments. They serve only to increase the material, mental and physical suffering of Syrian citizens in the occupied Syrian Golan beyond all legal and moral bounds.

12. My Government reaffirms that the occupied Syrian Arab Golan is an integral part of the territory of the Syrian Arab Republic. Its recovery from the Israeli occupiers by all the means provided for under international law is an eternal right that cannot be bargained over or waived.

13. Lastly, the Government of the Syrian Arab Republic reaffirms that, in order to ensure stability in the Middle East and preserve the credibility of the United Nations, measures must be taken to implement all international resolutions aimed at ending the Israeli occupation of Arab territories, including the Syrian Arab Golan, and

compelling Israel to withdraw to the line of 4 June 1967, in accordance with the relevant United Nations resolutions, including, in particular, Security Council resolutions 242 (1967), 338 (1973), 497 (1981) and 2334 (2016).

Implementation of General Assembly resolution 73/22, entitled "Jerusalem"

1. The Government of the Syrian Arab Republic reiterates its support for General Assembly resolution 73/22, entitled "Jerusalem", and calls on the international community to bring pressure to bear on Israel to end its attempts to Judaize Jerusalem and revoke all its baseless legislative and administrative measures aimed at changing the city's status and identity. It also calls for serious and effective steps to be taken to stop Israel's unlawful practices against the Palestinian people in Jerusalem, above all settlement activities and practices that undermine the city's holy sites.

2. The Government of the Syrian Arab Republic condemns the decision by the United States of America to move its embassy to the occupied city of Jerusalem and recognize that city as the capital of the Israeli occupation. Such decisions are a flagrant violation of the legal, political and historical status of Jerusalem, and are merely one aspect of the rape of Palestine, the displacement of its people and the establishment of an occupying colonial entity on its soil. Moreover, those decisions constitute a flagrant violation of Security Council and General Assembly resolutions in which Israel is called upon to withdraw from the territories that it occupied in 1967, including Jerusalem. The above-mentioned decisions are therefore simply unilateral actions that have no legitimacy or impact on the legal status of Jerusalem.

3. The Syrian Arab Republic adheres to its principled position of supporting the right of the Palestinian people to self-determination and to establish its independent State, with Jerusalem as its capital, on the entirety of its national territory. We also support the right of return of Palestinian refugees, in accordance with General Assembly resolution 194 (III) of 1948.

4. The Government of the Syrian Arab Republic reaffirms that achieving a just and comprehensive peace requires implementation of United Nations resolutions calling for an end to the Israeli occupation of Arab territories, above all Security Council resolutions 242 (1967), 338 (1973), 497 (1981) and 2334 (2016); Israeli withdrawal from all occupied Arab territories to the line of 4 June 1967; and the establishment of a Palestinian State with Jerusalem as its capital.

State of Palestine

[Original: English]

To the present day, Israel persists in its attempts to alter the demography, character, identity and legal status of Jerusalem, in violation of international law and United Nations Security Council and General Assembly resolutions, including resolution 73/22. Since the onset of the Israeli occupation in 1967, the occupying Power has systematically pursued such illegal policies and measures and, especially from 1980 onward following the unlawful extension of its so-called "Basic Law" to the City, has sought to forcibly cement its attempted annexation of Occupied East Jerusalem.

Regrettably, since the United States President's December 2017 declaration on Jerusalem and transfer of the U.S. Embassy to the City in May 2018, Israeli violations have risen, clearly emboldened by these decisions. Israeli officials have become even more blatant in their contempt of the Security Council and the international consensus on Jerusalem, as reflected in sharp escalation of the following: inflammatory rhetoric boasting of Israel's annexation of the City; justification of illegal actions based on religious edicts and offensive, distorted narratives; threats of further annexation in

the West Bank; increased settlement construction; violations against the City's Palestinian inhabitants, including a rise in demolition of Palestinian homes, revocation of residency rights, seizure of properties by extremist settlers and forced displacement of Palestinian families; rhetoric and pressure against United Nations operations in Occupied East Jerusalem, particularly of the United Nations Relief and Works Agency for Palestine Refugees in the Near East; and dangerous incitement at holy sites, especially in the Old City and at Al-Haram Al-Sharif, undermining the sanctity of holy sites and the right of the Palestinian people, both Muslims and Christians, to freely worship in Jerusalem.

There are countless examples of such inflammatory rhetoric and incitement, such as that by the Israeli Prime Minister declaring, on 28 January 2019, that: "There won't be any more uprooting or halting of settlements – just the opposite: the Land of Israel is ours, and will remain ours", or by another Minister (Regev) that: "This land has a connection with only one people – the Jewish people", or by another Minister (Erdan) that: "The State of Israel does not intend to relinquish in any way its sovereignty over eastern Jerusalem and will not allow any foothold in it". Such rhetoric is echoed repeatedly by officials, stoking tensions and fuelling the aggression of Israeli settlers and religious extremists, as witnessed in the recurrent calls for a Jewish takeover of Al-Haram Al-Sharif and other provocations, risking the outbreak of a religious confrontation with grave repercussions. This has been accompanied by a campaign of systematic intimidation and harassment of Palestinian inhabitants of the City and the creation of a coercive environment aimed at expelling them from their homes and land.

Moreover, Israel's continued closure of numerous Palestinian cultural, social and political institutions in Jerusalem – over 120 institutions have closed since the start of the occupation, including Orient House – has severely affected services to and access by the Palestinian population, which is being increasingly besieged and tormented by the occupation and enduring extremely difficult socioeconomic conditions.

All of this has created an extremely toxic and volatile situation in Jerusalem, about which we continue to alert the General Assembly and Security Council and to urgently appeal for responsible action in line with their Charter duties and relevant resolutions, including, inter alia, Security Council resolutions 476 (1980), 478 (1980) and 2334 (2016) and relevant General Assembly resolutions, from resolution 181 (II) of 29 November 1947 onward, including resolution 73/22 on Jerusalem.

As affirmed in those resolutions, the international community has been rightly unequivocal in rejecting Israel's unlawful policies and practices in the City throughout the 52 years of this illegal, foreign occupation, which continues to be implemented by such acts of sheer colonization and aggression. Indeed, what is happening in Occupied East Jerusalem is a microcosm of what is happening in the rest of the Occupied Palestinian Territory, from which the City is being increasingly severed and isolated physically, by the multiplying settlements and the Wall illegally constructed by Israel and countless military checkpoints, and also legislatively, by a series of discriminatory laws and annexationist measures and schemes enacted by the Israeli Government.

The General Assembly's adoption on 21 December 2017 of resolution ES-10/19, "Status of Jerusalem", reaffirming relevant resolutions and rejecting Israel's illegal measures and U.S. actions in this regard, was therefore not only a responsible but an invaluable contribution towards protecting the City's legal and historic status, the rights of its Palestinian inhabitants and its holy sites in the face of Israel's entrenchment of occupation and de facto annexation. As affirmed by the Assembly,

Jerusalem remains a final-status issue to be resolved through negotiations in line with relevant United Nations resolutions.

It is shocking however – and a stark testament to the gravity of the challenges faced by the international rules-based order – that Israel continues to so flagrantly disrespect the demands for the cessation of its illegal actions without consequence. Such impunity has severely diminished the viability of the two-State solution on the 1967 lines and continues to obstruct the realization of the rights and legitimate aspirations of the Palestinian people to freedom and independence in their State of Palestine, with East Jerusalem as its capital. Urgent action is needed to reverse the negative trends and salvage the prospects for a peaceful solution.

While deeply concerned by the prevailing situation, we are reassured by the abidance of the established international position, as reflected by the overwhelming support of resolution 73/22. General Assembly legislation on Jerusalem remains principled and not politicized, consistent with the Charter, international law, and relevant United Nations resolutions, as well as the July 2004 advisory opinion of the International Court of Justice, and remains fully respectful of the City's historic and religious dimensions and sensitivities, including with regard to the historic status quo in place for over a century at Al-Haram Al-Sharif. This legislation also clearly reaffirms Israel's status as the occupying Power in East Jerusalem and the international community's non-recognition of Israeli sovereignty over the City as a whole, contrary to claims otherwise.

Such reaffirmations are vital for ensuring the application of international law to Jerusalem, which remains a core issue of the Palestine question. States must be guided by and are obliged to respect these principled positions as an essential part of their international obligations. Such respect will help contribute to the creation of the political horizon that will eventually bring an end to the Israeli occupation, lead to a just resolution of the Israeli-Palestinian situation – the crux of Arab-Israeli conflict – and establish genuine peace, security and coexistence. Pending the achievement of a just solution, the State of Palestine underscores the following:

- Resolution 73/22 reaffirms the Security Council and General Assembly determination "that any actions taken by Israel, the occupying Power, to impose its laws, jurisdiction and administration on the Holy City of Jerusalem are illegal and therefore null and void and have no validity whatsoever", calling on Israel "to immediately cease all such illegal and unilateral measures." This includes the so-called Israeli "Basic Law" on Jerusalem, deemed by both the Council and Assembly as "null and void" and to be "rescinded forthwith". This determination stands and the demand must be respected.

- Resolution 73/22 also recalls Security Council resolution 2334 (2016), which reflects the long-established international stance on the basis of a just solution to the conflict, including with regard to Jerusalem. Resolution 2334 (2016) reaffirmed the inadmissibility of the acquisition of territory by force and underlined that the Council will not recognize "any changes to the 4 June 1967 lines, including with regard to Jerusalem, other than those agreed by the parties through negotiations", and called upon all States "to distinguish, in their relevant dealings, between the territory of the State of Israel and the territories occupied since 1967".

The State of Palestine appeals to all States and organizations to abide by resolution 2334 (2016), including in respect of the obligation of distinction. This must include, inter alia, respect for the call on all States "to refrain from establishing diplomatic missions in the Holy City Jerusalem". We regret the continuing provocative announcements by some States of ill intentions and short-sightedness in this regard.

The demands by the Council and Assembly for the cessation of settlement activities in Occupied East Jerusalem and the rest of the Occupied Palestinian Territory must also be respected. Serious measures must be taken to hold Israel accountable, should it persist with its illegal construction and expansion of settlements, the Wall and associated colonization regime, and to cease the transfer of Israeli settlers to the occupied territory, the demolition of homes and eviction of Palestinian families, including large portions of the Bedouin Palestine refugee community.

States must be equally vigilant in demanding that Israel cease fanning the flames of religious strife and must insist that all parties cease all acts of provocation, incitement and inflammatory rhetoric and observe calm and restraint. We recall specifically the Assembly's clear call in resolution 73/22 "for respect for the historic status quo at the holy places of Jerusalem, including the Haram al-Sharif, in word and in practice", and that it urged "all sides to work immediately and cooperatively to defuse tensions and halt all provocations, incitement and violence at the holy sites in the City".

Respect for the historic status quo and Hashemite Kingdom of Jordan's custodianship of the Muslim and Christian holy places is essential and a pillar of stability. All violations must be halted and, as stressed by the Assembly, the unique historic, spiritual, religious and cultural dimensions of the City must be respected and free, unhindered access to the holy places by people of all religions and nationalities must be guaranteed. This must include respect for the City's Arab identity and heritage and for the clear demands for the cessation of Israeli policies aimed at erasing them, including repressive measures targeting Jerusalem's indigenous Palestinian inhabitants and attempting to replace them with Israel's Jewish population and measures to sever the City from its natural Palestinian environs in the rest of the West Bank.

The State of Palestine therefore stresses the urgency of international action to preserve and uphold international law, safeguard Palestinian rights, reverse the negative trends on the ground and restore the possibility of a just peace. We urge the mobilization of political will to implement the relevant resolutions and fulfil legal obligations in this regard. Serious efforts, including practical measures, must be made to convey a firm message to Israel that this illegal and unjust situation will no longer be tolerated and that it cannot persist with its occupation and the colonization of Jerusalem and of the rest of the Palestinian territory it has occupied since 1967 without consequence.

In this regard, committed to multilateralism, Palestine remains insistent on a collective approach to justly resolve the Palestinian question in all aspects, including the question of Jerusalem, in accordance with the relevant resolutions. The permanent responsibility of the United Nations is central in this regard and the Security Council and General Assembly must be at the forefront of upholding this responsibility. We also call for the utilization of the Secretary-General's good offices and the capacities of the Special Coordinator for the Middle East Peace Process to alleviate the plight of the Palestinian people, mediate and preserve hope in the face of rising despair.

For its part, the State of Palestine reaffirms its full respect for international law and all relevant United Nations resolutions; our actions have been consistent in seeking the implementation of those resolutions, including resolution 73/22. We remain convinced that international law is key to rectifying the injustice the Palestinian people have for so long endured, and remain committed to all political, legal, popular and non-violent means to this end. Moreover, despite the political deadlock and serious setbacks, the Palestinian leadership remains, to the present moment, adherent in word and deed to the two-State solution on the pre-1967 borders

and committed to the internationally endorsed terms of reference and parameters of a just solution based on the relevant United Nations resolutions, Madrid principles, Arab Peace Initiative and Quartet road map.

To this end, we will continue drawing the international community's attention to the situation in Jerusalem and continue calling for political and legal action to compel a halt to Israel's illegal and provocative measures in the City. We will also continue seeking support from all partners for Jerusalem's Palestinian inhabitants to alleviate the dire socioeconomic conditions caused by the occupation's illegal, discriminatory and oppressive measures, as well as support to preserve the City's religious and cultural heritage. We will also continue our efforts with the United Nations Committee on the Exercise of the Inalienable Rights of the Palestinian People and the Organization of Islamic Cooperation to engage diplomats, parliamentarians, scholars, civil society and the media on the situation of Jerusalem in all its dimensions in the search for joint solutions based on the law and international obligations.

We reaffirm our readiness to cooperate with responsible, credible, multilateral initiatives aimed at bringing an end to Israel's occupation of Palestinian territory, including East Jerusalem; achieving the two-State solution of an independent, sovereign, contiguous and viable State of Palestine, with East Jerusalem as its capital, living side by side with Israel in peace and security within recognized borders based on the pre-1967 borders; and realizing the inalienable rights of the Palestinian people, including a just solution for the Palestine refugees based on General Assembly resolution 194 (III). Despite the many crises and challenges faced at the moment, the Palestinian leadership has remained and will remain committed to a peaceful and just solution and renews its calls on the international community to uphold its obligations and commitments to the establishment of long-delayed justice, peace and security.

The Permanent Observer of the State of Palestine 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.