



General Assembly

Distr.
LIMITED

A/AC.183/L.2/Add.6

1 April 1986

ENGLISH AND FRENCH ONLY

COMMITTEE ON THE EXERCISE OF THE INALIENABLE
RIGHTS OF THE PALESTINIAN PEOPLE

RESOLUTIONS AND DECISIONS
OF THE GENERAL ASSEMBLY AND THE SECURITY COUNCIL
RELATING TO THE QUESTION OF PALESTINE

1985

Addendum

Introductory note

1. At the request of the Committee on the Exercise of the Inalienable Rights of the Palestinian People, the Secretariat prepared, in 1976, a document containing resolutions and decisions of the United Nations relating to the question of Palestine from 1947 to 1975.
2. In 1980, the Secretariat prepared an addendum for the period 1976-1979; in 1982 a second addendum for the period 1980-1981 was prepared; in 1983 a third addendum was prepared for the year 1982; in 1984 a fourth addendum was prepared for the year 1983; and in 1985, a fifth addendum was prepared for the year 1984.
3. This present document, covering 1985, is intended to bring this chronological compilation up to date. The resolutions of the Security Council are those relating to substantive matters.

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A. The General Assembly

40/25. Importance of the universal realization of the right of peoples to self-determination and of the speedy granting of independence to colonial countries and peoples for the effective guarantee and observance of human rights

The General Assembly,

Reaffirming its faith in the importance of the implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples contained in its resolution 1514 (XV) of 14 December 1960,

Reaffirming the importance of the universal realization of the right of peoples to self-determination, national sovereignty and territorial integrity and of the speedy granting of independence to colonial countries and peoples as imperatives for the full enjoyment of all human rights,

Reaffirming the obligation of all Member States to comply with the principles of the Charter of the United Nations and the resolutions of the United Nations regarding the exercise of the right to self-determination by peoples under colonial and foreign domination,

Recalling its resolution 2649 (XXV) of 30 November 1970 and all resolutions on this question,

Recalling also its resolution 1514 (XV) of 14 December 1960 and all resolutions concerning the implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples,

Recalling further its resolutions 3103 (XXVIII) of 12 December 1973, 3314 (XXIX) of 14 December 1974 and 38/137 of 19 December 1983, as well as Security Council resolutions 405 (1977) of 14 April 1977, 419 (1977) of 24 November 1977, 496 (1981) of 15 December 1981 and 507 (1982) of 28 May 1982, in which the United Nations condemned the recruiting and the use of mercenaries, in particular against developing countries and national liberation movements,

Recalling further its resolutions on the question of Namibia, in particular resolution ES-8/2 of 14 September 1981, and Security Council resolutions 532 (1983) of 31 May 1983, 539 (1983) of 28 October 1983 and 566 (1985) of 19 June 1985,

Recalling the Paris Declaration on Namibia and the Programme of Action on Namibia, adopted by the International Conference in Support of the Struggle of the Namibian People for Independence, 1/

Bearing in mind the outcome of the International Conference on the Alliance between South Africa and Israel, held at Vienna from 11 to 13 July 1983, 2/

1/ See Report of the International Conference in Support of the Struggle of the Namibian People for Independence, Paris, 25-29 April 1983 (A/CONF.120/13), part three.

2/ See A/38/311-S/15883, annex.

Welcoming the holding at Tunis from 7 to 9 August 1984 of the Conference of Arab Solidarity with the Struggle for Liberation in Southern Africa, 3/

Recalling resolutions CM/Res.1002 (XLII) on South Africa and CM/Res.1003 (XLII) on Namibia adopted by the Council of Ministers of the Organization of African Unity at its forty-second ordinary session, held at Addis Ababa from 10 to 17 July 1985, 4/

Reaffirming that the system of apartheid imposed on the South African people constitutes a violation of the fundamental rights of that people, a crime against humanity and a constant threat to international peace and security,

Gravely concerned at the continuation of the illegal occupation of Namibia by South Africa and the continued violations of the human rights of the people in the Territory and of the other peoples still under colonial domination and alien subjugation,

Expressing its profound indignation at and its preoccupation with the brutal repression that followed the imposition of the so-called "new constitution" and the state of emergency by the apartheid régime of South Africa in defiance of world public opinion,

Reaffirming its resolution 39/2 of 28 September 1984 and recalling Security Council resolution 554 (1984) of 17 August 1984, which rejected the so-called "new constitution" as null and void, and Council resolution 569 (1985) of 14 August 1985,

Deeply concerned at the continued terrorist acts of aggression committed by the Pretoria régime against independent African States in the region,

Deeply indignant at the continued occupation of part of the territory of Angola by the troops of the racist régime of South Africa and the persistent, hostile and unprovoked acts of aggression and sustained armed invasions carried out by that régime in violation of the sovereignty, airspace and territorial integrity of Angola, in particular the armed invasion of Angola on 28 September 1985,

Recalling Security Council resolutions 527 (1982) of 15 December 1982 and 535 (1983) of 29 June 1983 on Lesotho, and Council resolutions 568 (1985) of 21 June 1985 and 572 (1985) of 30 September 1985 on Botswana,

Reaffirming the national unity and territorial integrity of the Comoros,

Recalling the Political Declaration adopted by the First Conference of Heads of State and Government of the Organization of African Unity and the League of Arab States, held at Cairo from 7 to 9 March 1977, 5/

Recalling further its relevant resolutions on the question of Palestine, in particular resolutions 3236 (XXIX) and 3237 (XXIX) of 22 November 1974, 36/120 of 10 December 1981, ES-7/6 of 19 August 1982, 37/86 of 10 December 1982, 38/58 of 13 December 1983 and 39/49 D of 11 December 1984,

3/ See A/39/450-S/16726.

4/ See A/40/666, annex II.

5/ A/32/61, annex I.

Recalling the Geneva Declaration on Palestine and the Programme of Action for the Achievement of Palestinian Rights, adopted by the International Conference on the Question of Palestine, 6/

Considering that the denial of the inalienable rights of the Palestinian people to self-determination, sovereignty, independence and return to Palestine and the repeated acts of aggression by Israel against the people of the region constitute a serious threat to international peace and security,

Deeply shocked and alarmed at the deplorable consequences of the Israeli invasion of Lebanon and recalling all the relevant resolutions of the Security Council, in particular resolutions 508 (1982) of 5 June 1982, 509 (1982) of 6 June 1982, 520 (1982) of 17 September 1982 and 521 (1982) of 19 September 1982,

1. Calls upon all States to implement fully and faithfully all the resolutions of the United Nations regarding the exercise of the right to self-determination and independence by peoples under colonial and foreign domination;
2. Reaffirms the legitimacy of the struggle of peoples for their independence, territorial integrity, national unity and liberation from colonial domination, apartheid and foreign occupation by all available means, including armed struggle;
3. Reaffirms the inalienable right of the Namibian people, the Palestinian people and all peoples under foreign and colonial domination to self-determination, national independence, territorial integrity, national unity and sovereignty without foreign interference;
4. Strongly condemns those Governments that do not recognize the right to self-determination and independence of all peoples still under colonial domination and alien subjugation, notably the peoples of Africa and the Palestinian people;
5. Calls for the full and immediate implementation of the declarations and programmes of action on Namibia and on Palestine adopted by the international conferences on those questions;
6. Reaffirms its vigorous condemnation of the continued illegal occupation of Namibia by South Africa;
7. Condemns the racist régime of South Africa for its installation of a so-called "interim administration" in Windhoek and declares that action to be illegal, null and void;
8. Further condemns the policy of "bantustanization" and reiterates its support for the oppressed people of South Africa in its just and legitimate struggle against the racist minority régime of Pretoria;
9. Reaffirms its rejection of the so-called "new constitution" as null and void and reiterates that peace in South Africa can only be guaranteed by the establishment of majority rule through the full and free exercise of adult suffrage by all the people in a united and undivided South Africa;

10. Strongly condemns the wanton killing of peaceful and defenceless demonstrators and workers on strike, as well as the arbitrary arrests of the leaders and activists of the United Democratic Front, National Forum, trade unions and other mass organizations, and demands their immediate and unconditional release, in particular that of Nelson Mandela and Zephania Mothopeng;

11. Strongly condemns South Africa for the imposition of the state of emergency under its repugnant Internal Security Act and calls for the immediate lifting of the state of emergency, as well as the repeal of the Internal Security Act;

12. Condemns South Africa for its increasing oppression of the Namibian people, for the massive militarization of Namibia and for its armed attacks launched against the States in the region in order to destabilize them politically and to sabotage and destroy their economies;

13. Strongly condemns the establishment and use of armed terrorist groups by South Africa with a view to pitting them against the national liberation movements and destabilizing the legitimate Governments of southern Africa;

14. Strongly condemns the repeated acts of aggression and the continued occupation of parts of southern Angola and demands the immediate and unconditional withdrawal of the South African troops from Angolan territory;

15. Strongly condemns the persistent, hostile and unprovoked acts of aggression and sustained armed invasions carried out by the racist régime of South Africa in violation of the sovereignty, airspace and territorial integrity of Angola, in particular the armed invasion of Angola on 28 September 1985;

16. Strongly reaffirms its solidarity with the independent African countries and national liberation movements that are victims of murderous acts of aggression and destabilization by the racist régime of Pretoria, and calls upon the international community to render increased assistance and support to those countries in order to enable them to strengthen their defence capacity, defend their sovereignty and territorial integrity and peacefully rebuild and develop;

17. Reaffirms that the practice of using mercenaries against sovereign States and national liberation movements constitutes a criminal act and calls upon the Governments of all countries to enact legislation declaring the recruitment, financing and training of mercenaries in their territories and the transit of mercenaries through their territories to be punishable offences, and prohibiting their nationals from serving as mercenaries, and to report on such legislation to the Secretary-General;

18. Strongly condemns the continued violations of the human rights of the peoples still under colonial domination and alien subjugation, the continuation of the illegal occupation of Namibia, South Africa's attempts to dismember its Territory, the perpetuation of the racist minority régime in southern Africa and the denial to the Palestinian people of their inalienable national rights;

19. Further strongly condemns the racist régime of Pretoria for its acts of destabilization, armed aggression and economic blockade against Lesotho and strongly urges the international community to extend maximum assistance to Lesotho to enable it to fulfil its international humanitarian obligations towards refugees and to use its influence on the racist régime so that it would desist from its terrorist acts against Lesotho;

20. Strongly condemns the unprovoked and unwarranted military attack on the capital of Botswana and demands that the racist régime pay full and adequate compensation to Botswana for the loss of life and damage to property;

21. Denounces the collusion between Israel and South Africa and expresses support for the Declaration of the International Conference on the Alliance between South Africa and Israel; 2/

22. Strongly condemns the policy of those Western States, Israel and other States whose political, economic, military, nuclear, strategic, cultural and sports relations with the racist minority régime of South Africa encourage that régime to persist in its suppression of the aspirations of peoples to self-determination and independence;

23. Again demands the immediate application of the mandatory arms embargo against South Africa, imposed under Security Council resolution 418 (1977) of 4 November 1977, by all countries and more particularly by those countries that maintain military and nuclear co-operation with the racist Pretoria régime and continue to supply it with related matériel;

24. Calls for the full implementation of the provisions of the Paris Declaration on Sanctions against South Africa and the Special Declaration on Namibia adopted by the International Conference on Sanctions against South Africa, 7/ held under the auspices of the United Nations and the Organization of African Unity;

25. Demands once again the immediate implementation of its resolution ES-8/2 on the question of Namibia;

26. Reaffirms all relevant resolutions adopted by the Organization of African Unity and the United Nations on the question of Western Sahara, including General Assembly resolution 39/40 of 5 December 1984, and calls upon the current Chairman of the Organization of African Unity and the Secretary-General of the United Nations to continue their efforts to find a just and lasting solution to this matter;

27. Urges all States, the specialized agencies, competent organizations of the United Nations system and other international organizations to extend their support to the Namibian people through its sole and legitimate representative, the South West Africa People's Organization, in its struggle to gain its right to self-determination and independence in accordance with the Charter of the United Nations;

28. Notes the contacts between the Government of the Comoros and the Government of France in the search for a just solution to the problem of the integration of the Comorian island of Mayotte into the Comoros, in accordance with the resolutions of the Organization of African Unity and the United Nations on the question;

7/ Report of the International Conference on Sanctions against South Africa, Paris, 20-27 May 1981 (A/CONF.107/8), sect. X.

29. Calls for a substantial increase in all forms of assistance given by all States, United Nations organs, the specialized agencies and non-governmental organizations to the victims of racism, racial discrimination and apartheid through their national liberation movements recognized by the Organization of African Unity;

30. Demands the immediate release of women and children detained in Namibia and South Africa;

31. Strongly condemns the constant and deliberate violations of the fundamental rights of the Palestinian people, as well as the expansionist activities of Israel in the Middle East, which constitute an obstacle to the achievement of self-determination and independence by the Palestinian people and a threat to peace and stability in the region;

32. Demands the immediate and unconditional release of all persons detained or imprisoned as a result of their struggle for self-determination and independence, full respect for their fundamental individual rights and compliance with article 5 of the Universal Declaration of Human Rights, 8/ under which no one shall be subjected to torture or to cruel, inhuman or degrading treatment;

33. Urges all States, the specialized agencies, competent organizations of the United Nations system and other international organizations to extend their support to the Palestinian people through its sole and legitimate representative, the Palestine Liberation Organization, in its struggle to regain its right to self-determination and independence in accordance with the Charter;

34. Expresses its appreciation for the material and other forms of assistance that peoples under colonial rule continue to receive from Governments, organizations of the United Nations system and intergovernmental organizations, and calls for a substantial increase in this assistance;

35. Urges all States, the specialized agencies and other competent organizations of the United Nations system to do their utmost to ensure the full implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples and to intensify their efforts to support peoples under colonial, foreign and racist domination in their just struggle for self-determination and independence;

36. Requests the Secretary-General to give maximum publicity to the Declaration on the Granting of Independence to Colonial Countries and Peoples and to give the widest possible publicity to the struggle of oppressed peoples for the achievement of their self-determination and national independence and to report periodically to the General Assembly on his activities in this regard;

37. Decides to consider this item again at its forty-first session on the basis of the reports that Governments, organizations of the United Nations system and intergovernmental and non-governmental organizations have been requested to submit concerning the strengthening of assistance to colonial territories and peoples.

96th plenary meeting
29 November 1985

40/82. Establishment of a nuclear-weapon-free zone in the region of the Middle East

The General Assembly,

Recalling its resolutions 3263 (XXIX) of 9 December 1974, 3474 (XXX) of 11 December 1975, 31/71 of 10 December 1976, 32/82 of 12 December 1977, 33/64 of 14 December 1978, 34/77 of 11 December 1979, 35/147 of 12 December 1980, 36/87 of 9 December 1981, 37/75 of 9 December 1982, 38/64 of 15 December 1983 and 39/54 of 12 December 1984 on the establishment of a nuclear-weapon-free zone in the region of the Middle East,

Recalling also the recommendations for the establishment of such a zone in the Middle East consistent with paragraphs 60 to 63, and in particular paragraph 63 (d), of the Final Document of the Tenth Special Session of the General Assembly, 1/

Emphasizing the basic provisions of the above-mentioned resolutions, which call upon all parties directly concerned to consider taking the practical and urgent steps required for the implementation of the proposal to establish a nuclear-weapon-free zone in the region of the Middle East and, pending and during the establishment of such a zone, to declare solemnly that they will refrain, on a reciprocal basis, from producing, acquiring or in any other way possessing nuclear weapons and nuclear explosive devices and from permitting the stationing of nuclear weapons on their territory by any third party, to agree to place all their nuclear facilities under International Atomic Energy Agency safeguards and to declare their support for the establishment of the zone and deposit such declarations with the Security Council for consideration, as appropriate,

Reaffirming the inalienable right of all States to acquire and develop nuclear energy for peaceful purposes,

Emphasizing further the need for appropriate measures on the question of the prohibition of military attacks on nuclear facilities,

Bearing in mind the consensus reached by the General Assembly at its thirty-fifth session that the establishment of a nuclear-weapon-free zone in the region of the Middle East would greatly enhance international peace and security,

Desirous to build on that consensus so that substantial progress can be made towards establishing a nuclear-weapon-free zone in the region of the Middle East,

Emphasizing the essential role of the United Nations in the establishment of a nuclear-weapon-free zone in the region of the Middle East,

1/ Resolution S-10/2.

Having examined the report of the Secretary-General, 2/

1. Urges all parties directly concerned to consider seriously taking the practical and urgent steps required for the implementation of the proposal to establish a nuclear-weapon-free zone in the region of the Middle East in accordance with the relevant resolutions of the General Assembly and, as a means of promoting this objective, invites the countries concerned to adhere to the Treaty on the Non-Proliferation of Nuclear Weapons; 3/

2. Calls upon all countries of the region that have not done so, pending the establishment of the zone, to agree to place all their nuclear activities under International Atomic Energy Agency safeguards;

3. Invites those countries, pending the establishment of a nuclear-weapon-free zone in the region of the Middle East, to declare their support for establishing such a zone, consistent with the relevant paragraph of the Final Document of the Tenth Special Session of the General Assembly, and to deposit those declarations with the Security Council;

4. Further invites those countries, pending the establishment of the zone, not to develop, produce, test or otherwise acquire nuclear weapons or permit the stationing on their territories, or territories under their control, of nuclear weapons or nuclear explosive devices;

5. Invites the nuclear-weapon States and all other States to render their assistance in the establishment of the zone and at the same time to refrain from any action that runs counter to both the letter and spirit of the present resolution;

6. Extends its thanks to the Secretary-General for his report containing the views of parties concerned regarding the establishment of a nuclear-weapon-free zone in the region of the Middle East; 2/

7. Takes note of the above-mentioned report;

8. Requests those parties that have not yet communicated their views to the Secretary-General to do so;

9. Welcomes any further comments from those parties that have already communicated their views to the Secretary-General;

2/ A/40/442 and Add.1.

3/ Resolution 2373 (XXII), annex.

10. Requests the Secretary-General to submit a report to the General Assembly at its forty-first session on the implementation of the present resolution;

11. Decides to include in the provisional agenda of the forty-first session the item entitled "Establishment of a nuclear-weapon-free zone in the region of the Middle East".

113th plenary meeting
12 December 1985

40/96. Question of Palestine

A

The General Assembly,

Recalling its resolutions 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 and 39/49 A of 11 December 1984,

Having considered the report of the Committee on the Exercise of the Inalienable Rights of the Palestinian People, 1/

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 163 to 172 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 2/ adopted by the International Conference on the Question of Palestine and to report and make suggestions to the General Assembly or the Security Council, as appropriate;

1/ Official Records of the General Assembly, Fortieth Session, Supplement No. 35 (A/40/35).

2/ 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. 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 where such activities would be considered by it to be appropriate, and to report thereon to the General Assembly at its forty-first session and thereafter;

5. 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 in 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) of 11 December 1948, as well as other United Nations bodies associated with the question of Palestine, 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;

7. Decides to circulate the report of the Committee to all the competent bodies of the United Nations and urges them to take the necessary action, as appropriate, in accordance with the Committee's programme of implementation;

8. Requests the Secretary-General to continue to provide the Committee with all the necessary facilities for the performance of its tasks.

114th plenary meeting
12 December 1985

B

The General Assembly,

Having considered the report of the Committee on the Exercise of the Inalienable Rights of the Palestinian People, 1/

Noting the particularly relevant information contained in paragraphs 135 to 150 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 and 39/49 B of 11 December 1984,

1. Takes note with appreciation of the action taken by the Secretary-General in compliance with General Assembly resolution 39/49 B;

2. Requests the Secretary-General to ensure that the Division for Palestinian Rights of the Secretariat continues to discharge the tasks detailed in paragraph 1 of General Assembly resolution 32/40 B, paragraph 2 (b) of resolution 34/65 D, paragraph 3 of resolution 36/120 B and paragraphs 2 and 3 of resolution 38/58 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 provide the Division for Palestinian Rights with the necessary resources to accomplish its tasks and to expand its work programme, particularly through additional meetings for non-governmental organizations, in order to heighten awareness of the facts relating to the question of Palestine and to create a more favourable atmosphere for the full implementation of the recommendations of the Committee on the Exercise of the Inalienable Rights of the Palestinian People;

4. Further 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;

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 Division for Palestinian Rights in the performance of their tasks;

6. 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 and the issuance by them of special postage stamps for the occasion.

114th plenary meeting
12 December 1985

C

The General Assembly,

Having considered the report of the Committee on the Exercise of the Inalienable Rights of the Palestinian People, 1/

Noting, in particular, the information contained in paragraphs 151 to 162 of that report,

Recalling its resolutions 38/58 E of 13 December 1983 and 39/49 C of 11 December 1984,

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 resolutions 38/58 E and 39/49 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, special series of radio programmes and television broadcast;

(e) To organize fact-finding news missions to the area for journalists;

(f) To organize regional and national encounters for journalists.

114th plenary meeting
12 December 1985

D

The General Assembly,

Recalling its resolutions 38/58 C of 13 December 1983 and 39/49 D of 11 December 1984, in which it, inter alia, endorsed the convening of an International Peace Conference on the Middle East,

Reaffirming its resolution 39/49 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 reply of the President of the Security Council to the Secretary-General, dated 26 February 1985, in which he, inter alia, stated on the subject of the Conference: "in this context, members of the Council invite the Secretary-General to continue consultations on the subject in any manner he deems appropriate in the light of General Assembly resolution 39/49 D", 3/

Having considered again the reports of the Secretary-General of 13 March 1984 4/ and 13 September 1984, 5/ in which he stated, inter alia, that "it

3/ See A/40/168-S/17014, para. 3.

4/ 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.

5/ 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.

was clear from the replies of the Governments of Israel and the United States of America that they were not prepared to participate in the proposed Conference", and regretting the continued negative response of these two Governments and the lack of willingness to reconsider their position towards the Conference,

Having considered the reports of the Secretary-General of 11 March 1985 6/ and 22 October 1985, 7/ in which he, inter alia, referred to the difficulties experienced in his efforts made the previous year with a view to convening the Conference,

Having heard the constructive statements made by numerous representatives, including that of the Palestine Liberation Organization,

Taking note of the positive positions of the concerned parties, including the Palestine Liberation Organization, and of other States on the convening of the Conference, 5/

Taking note also of the position of the Palestine Liberation Organization which condemns all acts of terrorism, whether committed by States or individuals, including acts of terrorism committed by Israel against the Palestinian people and the Arab nation,

Reiterating once again its conviction that the convening of the Conference would constitute a major contribution by the United Nations towards the achievement of a comprehensive, just and lasting solution to the Arab-Israeli conflict,

1. Takes note with appreciation of the reports of the Secretary-General;
2. Reaffirms again 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;
3. Stresses the urgent need for additional constructive efforts by all Governments in order to convene the Conference without further delay and for the achievement of its peaceful objectives;
4. Determines that the question of Palestine is the root-cause of the Arab-Israeli conflict in the Middle East;
5. Calls upon the Governments of Israel and the United States of America to reconsider their positions towards the attainment of peace in the Middle East through the convening of 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 March 1986;
7. Decides to consider at its forty-first session the report of the Secretary-General on the implementation of the present resolution.

114th plenary meeting
12 December 1985

6/ See A/40/168-S/17014, para. 2.

7/ A/40/779-S/17581 and Corr.1.

40/161. Report of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Population of the Occupied Territories

A

The General Assembly,

Recalling its resolutions 38/79 A of 15 December 1983 and 39/95 A of 14 December 1984,

Taking note of the report of the International Committee of the Red Cross of 13 December 1983, 1/

Taking note also of the report of the Secretary-General of 30 September 1985, 2/

Taking note further of the report of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Population of the Occupied Territories, 3/

1. Calls 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;

2. Notes the initial release of Ziyad Abu Eain, among others, from prison on 20 May 1985;

3. Deplores the Israeli subsequent arbitrary detention of Ziyad Abu Eain and others;

4. Demands that the Government of Israel, the occupying Power, rescind its action against Ziyad Abu Eain and others and release them immediately;

5. Requests the Secretary-General to report to the General Assembly as soon as possible and not later than the beginning of its forty-first session on the implementation of the present resolution.

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1/ See A/38/735.

2/ A/40/686.

3/ See A/40/702.

C

The General Assembly,

Recalling Security Council resolution 465 (1980) of 1 March 1980,

Recalling also its resolutions 32/5 of 28 October 1977, 33/113 B of 18 December 1978, 34/90 C of 12 December 1979, 35/122 B of 11 December 1980, 36/147 B of 16 December 1981, 37/88 B of 10 December 1982, 38/79 C of 15 December 1983 and 39/95 C of 14 December 1984,

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

Confirming that the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, 4/ is applicable to all Arab territories occupied since June 1967, including Jerusalem,

1. Determines that all such measures and actions taken by Israel in the Palestinian and other Arab territories occupied since 1967, including Jerusalem, are in violation of the relevant provisions of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, and constitute a serious obstacle to the efforts to achieve a comprehensive, just and lasting peace in the Middle East and therefore have no legal validity;
2. Strongly deplores the persistence of Israel in carrying out such measures, in particular the establishment of settlements in the Palestinian and other occupied Arab territories, including Jerusalem;
3. Demands that Israel comply strictly with its international obligations in accordance with the principles of international law and the provisions of the Geneva Convention;
4. Demands once more that Israel, the occupying Power, 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 occupied since 1967, including Jerusalem;
5. Urgently calls upon all States parties to the Geneva Convention to respect and to exert all efforts in order to ensure respect for and compliance with its provisions in all Arab territories occupied by Israel since 1967, including Jerusalem;
6. Requests the Secretary-General to report to the General Assembly at its forty-first session on the implementation of the present resolution.

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D

The General Assembly,

Guided by the purposes and principles of the Charter of the United Nations and by the principles and provisions of the Universal Declaration of Human Rights, 5/

Bearing in mind the provisions of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, 4/ as well as of other relevant conventions and regulations,

Recalling all its resolutions on the subject, in particular, resolutions 32/91 B and C of 13 December 1977, 33/113 C of 18 December 1978, 34/90 A of 12 December 1979, 35/122 C of 11 December 1980, 36/147 C of 16 December 1981, 37/88 C of 10 December 1982, 38/79 D of 15 December 1983 and 39/95 D of 14 December 1984,

Recalling also the relevant resolutions adopted by the Security Council, by the Commission on Human Rights, in particular its resolutions 1983/1 of 15 February 1983, 6/ 1984/1 of 20 February 1984, 7/ 1985/1 A and B of 19 February 1985, 8/ and 1985/2 of 19 February 1985, 8/ and by other United Nations organs concerned and by the specialized agencies,

Having considered the report of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Population of the Occupied Territories, 3/ which contains, inter alia, self-incriminating public statements made by officials of Israel, the occupying Power,

Taking note of the letter dated 29 July 1985 from the Permanent Representative of Jordan addressed to the Secretary-General, 9/ concerning the closing down of the Roman Catholic Medical Facility Hospice at Jerusalem,

1. Commends the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Population of the Occupied Territories for its efforts in performing the tasks assigned to it by the General Assembly and for its thoroughness and impartiality;

2. Deplores the continued refusal by Israel to allow the Special Committee access to the occupied territories;

3. Demands that Israel allow the Special Committee access to the occupied territories;

5/ Resolution 217 A (III).

6/ See Official Records of the Economic and Social Council, 1983, Supplement No. 3 (E/1983/13 and Corr.1), chap. XXVII, sect. A.

7/ Ibid., 1984, Supplement No. 4 (E/1984/14 and Corr.1), chap. II, sect. A.

8/ Ibid., 1985, Supplement No. 22 (E/1985/22) chap. II, sect. A.

9/ A/40/517-S/17371.

4. Reaffirms the fact that occupation itself constitutes a grave violation of the human rights of the civilian population of the occupied Arab territories;

5. Condemns the continued and persistent violation by Israel of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, and other applicable international instruments, and condemns in particular those violations which the Convention designates as "grave breaches" thereof;

6. Declares once more that Israel's grave breaches of that Convention are war crimes and an affront to humanity;

7. Reaffirms, in accordance with the Convention, that the Israeli military occupation of the Palestinian and other Arab territories is of a temporary nature, thus giving no right whatsoever to the occupying Power over the territorial integrity of the occupied territories;

8. Strongly condemns the following Israeli policies and practices:

(a) Annexation of parts of the occupied territories, including Jerusalem;

(b) Imposition of Israeli laws, jurisdiction and administration on the Syrian Golan Heights, which has resulted in the effective annexation of the Syrian Golan Heights;

(c) Illegal imposition and levy of heavy and disproportionate taxes and dues;

(d) Establishment of new Israeli settlements and expansion of the existing settlements on private and public Arab lands, and transfer of an alien population thereto;

(e) Eviction, deportation, expulsion, displacement and transfer of Arab inhabitants of the occupied territories and denial of their right to return;

(f) Confiscation and expropriation of private and public Arab property in the occupied territories and all other transactions for the acquisition of land involving the Israeli authorities, institutions or nationals on the one hand and the inhabitants or institutions of the occupied territories on the other;

(g) Excavation and transformation of the landscape and the historical, cultural and religious sites, especially at Jerusalem;

(h) Pillaging of archaeological and cultural property;

(i) Destruction and demolition of Arab houses;

(j) Collective punishment, mass arrests, administrative detention and ill-treatment of the Arab population;

(k) Ill-treatment and torture of persons under detention;

(l) Interference with religious freedoms and practices as well as family rights and customs;

(m) Interference with the system of education and with the social and economic and health development of the population in the occupied Palestinian and other Arab territories;

(n) Interference with the freedom of movement of individuals within the occupied Palestinian and other Arab territories;

(o) Illegal exploitation of the natural wealth, resources and population of the occupied territories;

9. Condemns also the Israeli repression against and closing of the educational institutions in the occupied Syrian Golan Heights, particularly the prohibition of Syrian textbooks, Syrian educational system, the deprivation of Syrian students from pursuing their higher education in Syrian universities, the denial of the right to return to Syrian students receiving their higher education in the Syrian Arab Republic, forcing Hebrew on Syrian students, the imposition of courses that promote hatred, prejudice and religious intolerance and the dismissal of teachers, all in clear violation of the Geneva Convention;

10. Strongly condemns the arming of Israeli settlers in the occupied territories to commit acts of violence against Arab civilians and the perpetration of acts of violence by these armed settlers against individuals, causing injury and death and wide-scale damage to Arab property;

11. Reaffirms that all measures taken by Israel to change the physical character, demographic composition, institutional structure or legal status of the occupied territories, or any part thereof, including Jerusalem, are null and void, and that Israel's policy of settling parts of its population and new immigrants in the occupied territories constitutes a flagrant violation of the Geneva Convention and of the relevant resolutions of the United Nations;

12. Demands that Israel desist forthwith from the policies and practices referred to in paragraphs 8, 9 and 10 above;

13. Calls upon Israel, the occupying Power, to take immediate steps for the return of all displaced Arab and Palestinian inhabitants to their homes or former places of residence in the territories occupied by Israel since 1967, in implementation of Security Council resolution 237 (1967) of 14 June 1967;

14. Urges international organizations, including the specialized agencies, in particular the International Labour Organisation, to examine the conditions of Arab workers in the occupied Palestinian and other Arab territories, including Jerusalem;

15. Reiterates its call upon all States, in particular those States parties to the Geneva Convention, in accordance with article 1 of that Convention, and upon international organizations, including the specialized agencies not to recognize any changes carried out by Israel in the occupied territories and to avoid actions, including those in the field of aid, which might be used by Israel in its pursuit of the policies of annexation and colonization or any of the other policies and practices referred to in the present resolution;

16. Requests the Special Committee, pending early termination of Israeli occupation, to continue to investigate Israeli policies and practices in the Arab

territories occupied by Israel since 1967, to consult, as appropriate, with the International Committee of the Red Cross in order to ensure the safeguarding of the welfare and human rights of the population of the occupied territories and to report to the Secretary-General as soon as possible and whenever the need arises thereafter;

17. Requests the Special Committee to continue to investigate the treatment of civilians in detention in the Arab territories occupied by Israel since 1967;

18. Condemns Israel's refusal to permit persons from the occupied territories to appear as witnesses before the Special Committee and to participate in conferences and meetings held outside the occupied territories;

19. Requests the Secretary-General:

(a) To provide all necessary facilities to the Special Committee, including those required for its visits to the occupied territories, with a view to investigating the Israeli policies and practices referred to in the present resolution;

(b) To continue to make available additional staff as may be necessary to assist the Special Committee in the performance of its tasks;

(c) To ensure the widest circulation of the reports of the Special Committee and of information regarding its activities and findings, by all means available through the Department of Public Information of the Secretariat and, where necessary, to reprint those reports of the Special Committee that are no longer available;

(d) To report to the General Assembly at its forty-first session on the tasks entrusted to him in the present paragraph;

20. Requests the Security Council to ensure Israel's respect for and compliance with all the provisions of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, in the Palestinian and other Arab territories occupied since 1967, including Jerusalem, and to initiate measures to halt Israeli policies and practices in those territories;

21. Calls upon Israel, the occupying Power, to allow the reopening of the Roman Catholic Medical Facility Hospice at Jerusalem in order to continue to provide needed health and medical services to the Arab population in the city;

22. Decides to include in the provisional agenda of its forty-first session the item entitled "Report of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Population of the Occupied Territories".

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E

The General Assembly,

Recalling Security Council resolutions 468 (1980) of 8 May 1980, 469 (1980) of 20 May 1980 and 484 (1980) of 19 December 1980,

Recalling also its resolutions 36/147 D of 16 December 1981, 37/88 D of 10 December 1982, 38/79 E of 15 December 1983 and 39/95 E of 14 December 1984,

Taking note of the report of the Secretary-General of 14 August 1985, 10/

Deeply concerned at the expulsion by the Israeli military occupation authorities of the Mayor of Halhul, the Mayor of Hebron who has since died, the Sharia Judge of Hebron and, in 1985, other Palestinians,

Alarmed by the decision of the Israeli military occupation authorities on 26 October 1985 to expel four Palestinian leaders,

Recalling the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, 4/ in particular article 1 and the first paragraph of article 49, which read as follows:

"Article 1

"The High Contracting Parties undertake to respect and to ensure respect for the present Convention in all circumstances."

"Article 49

"Individual or mass forcible transfers, as well as deportations of protected persons from occupied territory to the territory of the occupying Power or to that of any other country, occupied or not, are prohibited, regardless of their motive ...",

Reaffirming the applicability of the Geneva Convention to the Palestinian and other Arab territories occupied by Israel since 1967, including Jerusalem,

1. Strongly condemns Israel, the occupying Power, for its persistent refusal to comply with the relevant Security Council and General Assembly resolutions;

2. Demands that the Government of Israel, the occupying Power, rescind the illegal measures taken by the Israeli military occupation authorities in expelling the Mayor of Halhul, the Sharia Judge of Hebron and, in 1985, other Palestinians and that it facilitate the immediate return of the expelled Palestinians so that they can, inter alia, resume the functions for which they were elected and appointed;

3. Calls upon Israel, the occupying Power, to rescind its illegal decision taken on 26 October 1985 and refrain from deporting the four Palestinian leaders;

4. Further calls upon Israel, the occupying Power, to cease forthwith the expulsion of Palestinians and to abide scrupulously by the provisions of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949;

5. Requests the Secretary-General to report to the General Assembly as soon as possible and not later than the beginning of its forty-first session on the implementation of the present resolution.

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F

The General Assembly,

Deeply concerned that the Arab territories occupied since 1967 have been under continued Israeli military occupation,

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

Recalling also its resolutions 36/226 B of 17 December 1981, ES-9/1 of 5 February 1982, 37/88 E of 10 December 1982, 38/79 F of 15 December 1983 and 39/95 F of 14 December 1984,

Having considered the report of the Secretary-General of 18 September 1985, 11/

Recalling its previous resolutions, in particular resolutions 3414 (XXX) of 5 December 1975, 31/61 of 9 December 1976, 32/20 of 25 November 1977, 33/28 and 33/29 of 7 December 1978, 34/70 of 6 December 1979 and 35/122 E of 11 December 1980, in which it, inter alia, called upon Israel to put an end to its occupation of the Arab territories and to withdraw from all those territories,

Reaffirming once more the illegality of Israel's decision of 14 December 1981 to impose its laws, jurisdiction and administration in the Syrian Golan Heights, which has resulted in the effective annexation of that territory,

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

Recalling the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, 4/

1. Strongly condemns Israel, the occupying Power, for its refusal to comply with the relevant resolutions of the General Assembly and the Security Council, particularly Council resolution 497 (1981), in which the Council, inter alia, decided that the Israeli decision to impose its laws, jurisdiction and administration on the occupied Syrian Golan Heights was null and void and without international legal effect and demanded that Israel, the occupying Power, should rescind forthwith its decision;

2. Condemns the persistence of Israel in changing the physical character, demographic composition, institutional structure and legal status of the occupied Syrian Arab Golan Heights;

3. 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 Syrian Golan Heights are null and void and 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;

4. Strongly condemns Israel for its attempts and measures to impose forcibly Israeli citizenship and Israeli identity cards on the Syrian citizens in the occupied Syrian Arab Golan Heights and calls upon it to desist from its repressive measures against the population of the Syrian Arab Golan Heights;

5. Calls once again upon Member States not to recognize any of the legislative or administrative measures and actions referred to above;

6. Requests the Secretary-General to submit to the General Assembly at its forty-first session a report on the implementation of the present resolution.

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G

The General Assembly,

Bearing in mind the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, 4/

Deeply concerned at the continued harassment by Israel, the occupying Power, against educational institutions in the occupied Palestinian territories,

Recalling its resolutions 38/79 G of 15 December 1983 and 39/95 G of 14 December 1984,

Taking note of the report of the Secretary-General of 14 August 1985, 12/

Taking note of the relevant decisions adopted by the Executive Board of the United Nations Educational, Scientific and Cultural Organization concerning the educational and cultural situation in the occupied territories,

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

2. Condemns Israeli policies and practices against Palestinian students and faculties in schools, universities and other educational institutions in the occupied Palestinian territories, especially the policy of opening fire on defenceless students, causing many casualties;

3. Condemns the systematic Israeli campaign of repression against and closing of universities and other educational and vocational institutions in the occupied Palestinian territories, restricting and impeding the academic activities of Palestinian universities by subjecting the selection of courses, textbooks and educational programmes, the admission of students and the appointment of faculty members to the control and supervision of the military occupation authorities, in clear contravention of the Geneva Convention;

4. Demands that Israel, the occupying Power, comply with the provisions of that Convention, rescind all actions and measures against all educational institutions, ensure the freedom of those institutions and refrain forthwith from hindering the effective operation of the universities and other educational institutions;

5. Requests the Secretary-General to report to the General Assembly as soon as possible and not later than the beginning of its forty-first session on the implementation of the present resolution.

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40/165. United Nations Relief and Works Agency for Palestine Refugees in the Near East

A

Assistance to Palestine refugees

The General Assembly,

Recalling its resolution 39/99 A of 14 December 1984 and all its previous resolutions on the question, including resolution 194 (III) of 11 December 1948,

Taking note of the report of the Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East, covering the period from 1 July 1984 to 30 June 1985, 1/

1. Notes with deep regret that repatriation or compensation of the refugees as provided for in paragraph 11 of General Assembly resolution 194 (III) has not been effected, that no substantial progress has been made in the programme endorsed

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).

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 continues to be a matter of serious concern;

2. Expresses its thanks to the Commissioner-General and to all the staff of the United Nations Relief and Works Agency for Palestine Refugees in the Near East, recognizing that the Agency is doing all it can within the limits of available resources, and also expresses its thanks to the specialized agencies and private organizations for their valuable work in assisting the refugees;

3. Expresses 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;

4. Reiterates its request that the headquarters of the Agency should be relocated to its former site within its area of operations as soon as practicable;

5. Notes with regret that the United Nations Conciliation Commission for Palestine has been unable to find a means of achieving progress in the implementation of paragraph 11 of General Assembly resolution 194 (III), 2/ and requests 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 1986;

6. Directs attention to the continuing seriousness of the financial position of the Agency, as outlined in the report of the Commissioner-General;

7. Notes with profound concern that, despite the commendable and successful efforts of the Commissioner-General to collect additional contributions, this increased level of income to the Agency is still insufficient to cover essential budget requirements in the present year and that, at currently foreseen levels of giving, deficits will recur each year;

8. Calls upon all Governments, as a matter of urgency, to make the most generous efforts possible to meet the anticipated needs of the Agency, particularly in the light of the budgetary deficit projected in the report of the Commissioner-General, and therefore urges non-contributing Governments to contribute regularly and contributing Governments to consider increasing their regular contributions.

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B

Working Group on the Financing of the United Nations Relief and
Works Agency for Palestine Refugees in the Near East

The General Assembly,

Recalling its resolutions 2656 (XXV) of 7 December 1970, 2728 (XXV) of 15 December 1970, 2791 (XXVI) of 6 December 1971, 2964 (XXVII) of 13 December 1972, 3090 (XXVIII) of 7 December 1973, 3330 (XXIX) of 17 December 1974, 3419 D (XXX) of

2/ See A/40/580, annex.

8 December 1975, 31/15 C of 23 November 1976, 32/90 D of 13 December 1977, 33/112 D of 18 December 1978, 34/52 D of 23 November 1979, 35/13 D of 3 November 1980, 36/146 E of 16 December 1981, 37/120 A of 16 December 1982, 38/83 B of 15 December 1983 and 39/99 B of 14 December 1984,

Recalling also its decision 36/462 of 16 March 1982, whereby it took note of the special report of the Working Group on the Financing of the United Nations Relief and Works Agency for Palestine Refugees in the Near East 3/ and adopted the recommendations contained therein,

Having considered the report of the Working Group on the Financing of the United Nations Relief and Works Agency for Palestine Refugees in the Near East, 4/

Taking into account the report of the Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East, covering the period from 1 July 1984 to 30 June 1985, 1/

Gravely concerned at the critical financial situation of the Agency, which has already reduced the essential minimum services being provided to the Palestine refugees and which threatens even greater reductions in the future,

Emphasizing the urgent need for extraordinary efforts in order to maintain, at least at their present minimum level, the activities of the Agency,

1. Commends the Working Group on the Financing of the United Nations Relief and Works Agency for Palestine Refugees in the Near East for its efforts to assist in ensuring the Agency's financial security;

2. Takes note with approval of the report of the Working Group;

3. Requests the Working Group to continue its efforts, in co-operation with the Secretary-General and the Commissioner-General, for the financing of the Agency for a further period of one year;

4. Requests the Secretary-General to provide the necessary services and assistance to the Working Group for the conduct of its work.

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C

Assistance to persons displaced as a result of the
June 1967 and subsequent hostilities

The General Assembly,

Recalling its resolution 39/99 C of 14 December 1984 and all its previous resolutions on the question,

3/ A/36/866; see also A/37/591.

4/ A/40/736; see also A/40/207 for the special report adopted on 26 March 1985.

Taking note of the report of the Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East, covering the period from 1 July 1984 to 30 June 1985, 1/

Concerned about the continued human suffering resulting from the hostilities in the Middle East,

1. Reaffirms its resolution 39/99 C and all its previous resolutions on the question;

2. Endorses, bearing in mind the objectives of those resolutions, the efforts of the Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East to continue to provide humanitarian assistance as far as practicable, on an emergency basis and as a temporary measure, to other persons in the area who are at present displaced and in a serious need of continued assistance as a result of the June 1967 and subsequent hostilities;

3. Strongly appeals to all Governments and to organizations and individuals to contribute generously for the above purposes to the United Nations Relief and Works Agency for Palestine Refugees in the Near East and to the other intergovernmental and non-governmental organizations concerned.

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16 December 1985

D

Offers by Member States of grants and scholarships for
higher education, including vocational training, for
Palestine refugees

The General Assembly,

Recalling its resolution 212 (III) of 19 November 1948 on assistance to Palestine refugees,

Recalling also its resolutions 35/13 B of 3 November 1980, 36/146 H of 16 December 1981, 37/120 D of 16 December 1982, 38/83 D of 15 December 1983 and 39/99 D of 14 December 1984,

Cognizant of the fact that the Palestine refugees have, for the last three decades, lost their lands and means of livelihood,

Having examined the report of the Secretary-General, 5/

Having also examined the report of the Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East, covering the period from 1 July 1984 to 30 June 1985, 1/

1. Urges all States to respond to the appeal contained in General Assembly resolution 32/90 F of 13 December 1977 in a manner commensurate with the needs of Palestine refugees for higher education and vocational training;
2. Strongly appeals to all States, specialized agencies and non-governmental organizations to augment the special allocations for grants and scholarships to Palestine refugees in addition to their contributions to the regular budget of the United Nations Relief and Works Agency for Palestine Refugees in the Near East;
3. Expresses its appreciation to all Governments, specialized agencies and non-governmental organizations that responded favourably to General Assembly resolution 39/99 D;
4. Invites the relevant specialized agencies and other organizations of the United Nations system to continue, within their respective spheres of competence, to extend assistance for higher education to Palestine refugee students;
5. Appeals 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, including, in due course, the proposed University of Jerusalem "Al-Quds" for Palestine refugees;
6. Also appeals to all States, specialized agencies and other international bodies to contribute towards the establishment of vocational training centres for Palestine refugees;
7. Requests the United Nations Relief and Works Agency for Palestine Refugees in the Near East to act as the recipient and trustee for such special allocations and scholarships and to award them to qualified Palestine refugee candidates;
8. Requests the Secretary-General to report to the General Assembly at its forty-first session on the implementation of the present resolution.

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16 December 1985

E

Palestine refugees in the Gaza Strip

The General Assembly,

Recalling Security Council resolution 237 (1967) of 14 June 1967,

Recalling also General Assembly resolutions 2792 C (XXVI) of 6 December 1971, 2963 C (XXVII) of 13 December 1972, 3089 C (XXVIII) of 7 December 1973, 3331 D (XXIX) of 17 December 1974, 3419 C (XXX) of 8 December 1975, 31/15 E of 23 November 1976, 32/90 C of 13 December 1977, 33/112 E of 18 December 1978, 34/52 F of 23 November 1979, 35/13 F of 3 November 1980, 36/146 A of 16 December 1981, 37/120 E of 16 December 1982, 38/83 E of 15 December 1983 and 39/99 E of 14 December 1984,

Having considered the report of the Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East, covering the period from 1 July 1984 to 30 June 1985, 1/ and the report of the Secretary-General, 6/

Recalling the provisions of paragraph 11 of its resolution 194 (III) of 11 December 1948 and considering that measures to resettle Palestine refugees in the Gaza Strip away from the homes and property from which they were displaced constitute a violation of their inalienable right of return,

Alarmed by the reports received from the Commissioner-General that the Israeli occupying authorities, in contravention of Israel's obligation under international law, persist in their policy of demolishing shelters occupied by refugee families,

1. Reiterates strongly its demand that Israel desist from the removal and resettlement of Palestine refugees in the Gaza Strip and from the destruction of their shelters;

2. Requests the Secretary-General, after consulting with the Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East, to report to the General Assembly, before the opening of its forty-first session, on Israel's compliance with paragraph 1 above.

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F

Resumption of the ration distribution to Palestine refugees

The General Assembly,

Recalling its resolutions 36/146 F of 16 December 1981, 37/120 F of 16 December 1982, 38/83 F of 15 December 1983, 39/99 F of 14 December 1984 and all its previous resolutions on the question, including resolution 302 (IV) of 8 December 1949,

Having considered the report of the Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East, covering the period from 1 July 1984 to 30 June 1985, 1/ and the report of the Secretary-General, 7/

Deeply concerned at the interruption by the Agency, owing to financial difficulties, of the general ration distribution to Palestine refugees in all fields,

1. Regrets that its resolutions 37/120 F, 38/83 F and 39/99 F have not been implemented;

6/ A/40/613.

7/ A/40/766.

2. Calls once again upon all Governments, as a matter of urgency, to make the most generous efforts possible and to offer the necessary resources to meet the needs of the United Nations Relief and Works Agency for Palestine Refugees in the Near East, particularly in the light of the interruption by the Agency of the general ration distribution to Palestine refugees in all fields, and therefore urges non-contributing Governments to contribute regularly and contributing Governments to consider increasing their regular contributions;

3. Requests the Commissioner-General to resume on a continuing basis the interrupted general ration distribution to Palestine refugees in all fields;

4. Requests the Secretary-General, in consultation with the Commissioner-General, to report to the General Assembly at its forty-first session on the implementation of the present resolution.

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16 December 1985

G

Population and refugees displaced since 1967

The General Assembly,

Recalling Security Council resolution 237 (1967) of 14 June 1967,

Recalling also General Assembly resolutions 2252 (ES-V) of 4 July 1967, 2452 A (XXIII) of 19 December 1968, 2535 B (XXIV) of 10 December 1969, 2672 D (XXV) of 8 December 1970, 2792 E (XXVI) of 6 December 1971, 2963 C and D (XXVII) of 13 December 1972, 3089 C (XXVIII) of 7 December 1973, 3331 D (XXIX) of 17 December 1974, 3419 C (XXX) of 8 December 1975, 31/15 D of 23 November 1976, 32/90 E of 13 December 1977, 33/112 F of 18 December 1978, 34/52 E of 23 November 1979, ES-7/2 of 29 July 1980, 35/13 E of 3 November 1980, 36/146 B of 16 December 1981, 37/120 G of 16 December 1982, 38/83 G of 15 December 1983 and 39/99 G of 14 December 1984,

Having considered the report of the Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East, covering the period from 1 July 1984 to 30 June 1985, 1/ and the report of the Secretary-General, 8/

1. Reaffirms the inalienable right of all displaced inhabitants to return to their homes or former places of residence in the territories occupied by Israel since 1967, and declares once more that any attempt to restrict, or to attach conditions to, the free exercise of the right to return by any displaced person is inconsistent with that inalienable right and inadmissible;

2. Considers any and all agreements embodying any restriction on, or condition for, the return of the displaced inhabitants as null and void;

3. Strongly deplores the continued refusal of the Israeli authorities to take steps for the return of the displaced inhabitants;

4. Calls once more upon Israel:

(a) To take immediate steps for the return of all displaced inhabitants;

(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;

5. Requests the Secretary-General, after consulting with the Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East, to report to the General Assembly before the opening of its forty-first session on Israel's compliance with paragraph 4 above.

118th plenary meeting
16 December 1985

H

Revenues derived from Palestine refugee properties

The General Assembly,

Recalling its resolutions 35/13 A to F of 3 November 1980, 36/146 C of 16 December 1981, 37/120 H of 16 December 1982, 38/83 H of 15 December 1983, 39/99 H of 14 December 1984 and all its previous resolutions on the question, including resolution 194 (III) of 11 December 1948,

Taking note of the report of the Secretary-General, 9/

Taking note also of the report of the United Nations Conciliation Commission for Palestine, covering the period from 1 September 1984 to 31 August 1985, 10/

Recalling that the Universal Declaration of Human Rights 11/ and the principles of international law uphold the principle that no one shall be arbitrarily deprived of his or her private property,

9/ A/40/616.

10/ A/40/580, annex.

11/ Resolution 217 A (III).

Considering that the Palestine Arab refugees are entitled to their property and to the income derived from their property, in conformity with the principles of justice and equity,

Recalling, in particular, its resolution 394 (V) of 14 December 1950, in which it directed the United Nations Conciliation Commission for Palestine, in consultation with the parties concerned, to prescribe measures for the protection of the rights, property and interests of the Palestine Arab refugees,

Taking note of the completion of the programme of identification and evaluation of Arab property, as announced by the United Nations Conciliation Commission for Palestine in its twenty-second progress report, 12/ and of the fact that the Land Office had a schedule of Arab owners and file of documents defining the location, area and other particulars of Arab property,

1. Requests the Secretary-General to take all appropriate steps, in consultation with the United Nations Conciliation Commission for Palestine, for the protection and administration of Arab property, assets and property rights in Israel, and to establish a fund for the receipt of income derived therefrom, on behalf of the rightful owners;

2. Calls once again upon Israel to render all facilities and assistance to the Secretary-General in the implementation of the present resolution;

3. Calls upon all other Governments of Member States concerned to provide the Secretary-General with any pertinent information in their possession concerning Arab property, assets and property rights in Israel, which would assist the Secretary-General in the implementation of the present resolution;

4. Deplores Israel's refusal to co-operate with the Secretary-General in the implementation of the resolutions on the question;

5. 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

I

Protection of Palestine refugees

The General Assembly,

Recalling Security Council resolutions 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, 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 523 (1982) of 18 October 1982,

12/ Official Records of the General Assembly, Nineteenth Session, Annex No. 11, document A/5700.

Recalling General Assembly resolutions ES-7/5 of 26 June 1982, ES-7/6 and ES-7/8 of 19 August 1982, ES-7/9 of 24 September 1982, 37/120 J of 16 December 1982, 38/83 I of 15 December 1983 and 39/99 I of 14 December 1984,

Having considered the report of the Secretary-General, 13/

Having also considered the report of the Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East, covering the period from 1 July 1984 to 30 June 1985, 1/

Referring to the humanitarian principles of the Geneva Convention Relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, 14/ and to the obligations arising from the Regulations annexed to the Hague Convention IV of 1907, 15/

Taking into consideration the marked deterioration in the security situation experienced by the refugees living in the Gaza Strip as reported by the Commissioner-General in his statement of 4 November 1985, 16/

Deeply concerned at the lack of security for the Palestine refugees in the Palestinian and other Arab territories occupied since 1967, including Jerusalem, resulting in scores of violent deaths, woundings, kidnappings, disappearances, evictions in the face of threats, explosions and arsons,

Deeply distressed at the sufferings of the Palestinians resulting from the Israeli invasion of Lebanon,

Reaffirming its support for the sovereignty, unity and territorial integrity of Lebanon, within its internationally recognized boundaries,

1. Urges the Secretary-General, in consultation with the United Nations Relief and Works Agency for Palestine Refugees in the Near East, to undertake effective measures to guarantee the safety and security and the legal and human rights of the Palestine refugees in all the territories under Israeli occupation in 1967 and thereafter;

2. Holds Israel responsible for the security of the Palestine refugees in the Palestinian and other Arab territories occupied since 1967, including Jerusalem, and calls upon it to fulfil its obligations as the occupying Power in this regard, in accordance with the pertinent provisions of the Geneva Convention Relative to the Protection of Civilian Persons in Time of War, of 12 August 1949;

13/ A/40/756.

14/ United Nations, Treaty Series, vol. 75, No. 973, p. 287.

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

16/ See A/SPC/40/SR.22, paras. 27-38.

3. Calls once again upon Israel, the occupying Power, to release forthwith all detained Palestine refugees, including the employees of the United Nations Relief and Works Agency for Palestine Refugees in the Near East;

4. Urges the Commissioner-General to provide housing, in consultation with the Government of Lebanon, to the Palestine refugees whose houses were demolished or razed by the Israeli forces;

5. Calls once again upon Israel to compensate the Agency for the damage to its property and facilities resulting from the Israeli invasion of Lebanon, without prejudice to Israel's responsibility for all damages resulting from that invasion;

6. Requests the Secretary-General, in consultation with the Commissioner-General, to report to the General Assembly, before the opening of its forty-first session, on the implementation of the present resolution.

118th plenary meeting
16 December 1985

J

Palestine refugees in the West Bank

The General Assembly,

Recalling Security Council resolution 237 (1967) of 14 June 1967,

Recalling also General Assembly resolutions 38/83 J of 15 December 1983 and 39/99 J of 14 December 1984,

Having considered the report of the Secretary-General, 17/

Having also considered the report of the Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East, covering the period from 1 July 1984 to 30 June 1985, 1/

Alarmed by Israel's plans to remove and resettle the Palestine refugees of the West Bank and to destroy their camps,

Recalling the provisions of paragraph 11 of its resolution 194 (III) of 11 December 1948 and considering that measures to resettle Palestine refugees in the West Bank away from the homes and property from which they were displaced constitute a violation of their inalienable right of return,

1. Calls once again upon Israel to abandon its plans and to refrain from the removal, and from any action that may lead to the removal and resettlement, of Palestine refugees in the West Bank and from the destruction of their camps;

2. Requests the Secretary-General, in co-operation with the Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East, to keep the matter under close supervision and to report to the General Assembly, before the opening of its forty-first session, on any developments regarding this matter.

118th plenary meeting
16 December 1985

K

University of Jerusalem "Al-Quds" for Palestine refugees

The General Assembly,

Recalling its resolutions 36/146 G of 16 December 1981, 37/120 C of 16 December 1982, 38/83 K of 15 December 1983 and 39/99 K of 14 December 1984,

Having examined the report of the Secretary-General on the question of the establishment of a university at Jerusalem, 18/

Having also examined the report of the Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East, covering the period from 1 July 1984 to 30 June 1985, 1/

1. Commends the constructive efforts made by the Secretary-General, the Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East, the Council of the United Nations University and the United Nations Educational, Scientific and Cultural Organization, which worked diligently towards the implementation of General Assembly resolution 38/83 D of 15 December 1983 and other relevant resolutions;

2. Further commends the close co-operation of the competent educational authorities concerned;

3. Emphasizes the need for strengthening the educational system in the Arab territories occupied since 5 June 1967, including Jerusalem, and specifically the need for the establishment of the proposed university;

4. Requests the Secretary-General to continue to take all necessary measures for establishing the University of Jerusalem, "Al-Quds", in accordance with General

18/ A/40/543.

Assembly resolution 35/13 B of 3 November 1980, giving due consideration to the recommendations consistent with the provisions of that resolution;

5. Calls upon Israel, the occupying Power, to co-operate in the implementation of the present resolution and to remove the hindrances which it has put in the way of establishing the University of Jerusalem;

6. Requests the Secretary-General to report to the General Assembly at its forty-first session on the progress made in the implementation of the present resolution.

118th plenary meeting
16 December 1985

40/167. Israel's decision to build a canal linking the
Mediterranean Sea to the Dead Sea

The General Assembly,

Recalling its resolutions 36/150 of 16 December 1981, 37/122 of 16 December 1982, 38/85 of 15 December 1983 and 39/101 of 14 December 1984,

Taking note of the report of the Secretary-General, 1/

1. Requests the Secretary-General to monitor on a continuing basis any new development relating to the proposed canal linking the Mediterranean Sea to the Dead Sea and to report all findings in this regard to the General Assembly;

2. Decides to resume consideration of this item in case activities by Israel relating to the said canal are resumed.

118th plenary meeting
16 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, 1/ 24 September 1985 2/ and 22 October 1985, 3/

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, 4/ 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 the 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,

1/ A/40/168-S/17014.

2/ A/40/668 and Add.1.

3/ A/40/779-S/17581 and Corr.1.

4/ See A/37/696-S/15510, annex.

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, 5/ 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 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 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 39/146 A to C of 14 December 1984;

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

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, 4/ reiterated by the Extraordinary Summit Conference of the Arab States held at Casablanca, Morocco, from 7 to 9 August 1985, 6/ 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 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

6/ See A/40/564 and Corr.1, annex.

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 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 ^{7/} 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, ^{3/}

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 justification for aggression",

^{7/} Report of the International Conference on the Question of Palestine, Geneva, 29 August-7 September 1983 (United Nations publication, Sales No. 83.1.21), chap. I, sect. A.

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, 5/ 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, 8/ 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/ Carnegie Endowment for International Peace, The Hague Conventions and Declarations of 1899 and 1907 (New York, Oxford University Press, 1915), p. 100.

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, 3/

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

40/169. Economic development projects in the occupied
Palestinian territories

The General Assembly,

Aware of the Israeli restrictions imposed on the foreign trade of the occupied Palestinian territories,

Aware also of the imposed domination of the Palestinian market by Israel,

Taking into account the need to give Palestinian firms and products direct access to external markets without Israeli interference,

Noting with regret the lack of progress in the implementation of General Assembly resolution 39/223 of 18 December 1984, as reflected in the report of the Secretary-General on economic development projects in the occupied Palestinian territories, 1/

1. Calls for the urgent lifting of the Israeli restrictions imposed on the economy of the occupied Palestinian territories;
2. Recognizes the Palestinian interest in establishing a seaport in the occupied Gaza Strip to give Palestinian firms and products direct access to external markets;
3. Calls upon all concerned to facilitate the establishment of a seaport in the occupied Gaza Strip;
4. Also calls upon all concerned to facilitate the establishment of a cement plant in the occupied West Bank and a citrus plant in the occupied Gaza Strip;
5. Requests the Secretary-General to continue his efforts to facilitate the establishment of the above-mentioned projects and to report to the General Assembly at its forty-first session, through the Economic and Social Council, on the progress made in the implementation of the present resolution.

119th plenary meeting
17 December 1985

40/170. Assistance to the Palestinian people

The General Assembly,

Recalling its resolution 39/224 of 18 December 1984,

Recalling also Economic and Social Council resolution 1985/57 of 25 July 1985,

Recalling further the Programme of Action for the Achievement of Palestinian Rights, adopted by the International Conference on the Question of Palestine, 1/

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

1. Takes note of the report of the Secretary-General on assistance to the Palestinian people; 2/
2. Notes the meeting on assistance to the Palestinian people that was held at Geneva on 5 and 8 July 1985 in response to General Assembly resolution 39/224;
3. Expresses its thanks to the Secretary-General for convening the meeting on assistance to the Palestinian people;

1/ 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.

2/ A/40/353-E/1985/115 and Corr.1 and Add.1 and Add.1/Corr.1.

4. Regards such a meeting as a valuable opportunity to assess progress in economic and social assistance to the Palestinian people and to explore ways and means of enhancing such assistance;

5. Draws the attention of the international community, the United Nations system and intergovernmental and non-governmental organizations to the need to disburse their aid to the occupied Palestinian territories only for the benefit of the Palestinian people;

6. Requests the Secretary-General:

(a) To review the progress made in the implementation of the proposed activities and projects described in his report on assistance to the Palestinian people;

(b) To take all necessary steps to finalize the programme of economic and social assistance to the Palestinian people requested in General Assembly resolution 38/145 of 19 December 1983;

(c) To convene in 1986 a meeting of the relevant programmes, organizations, agencies, funds and organs of the United Nations system to consider economic and social assistance to the Palestinian people;

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

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

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

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

119th plenary meeting
17 December 1985

40/201. Living conditions of the Palestinian people in the occupied Palestinian territories

The General Assembly,

Recalling the Vancouver Declaration on Human Settlements, 1976, 1/ and the relevant recommendations for national action 2/ adopted by Habitat: United Nations Conference on Human Settlements,

Recalling also its resolution 39/169 of 17 December 1984,

Taking note of Commission on Human Settlements resolution 8/3 of 10 May 1985, 3/

Gravely alarmed by the continuation of the Israeli settlement policies, which have been declared null and void and a major obstacle to peace,

Recognizing the need to identify priority development projects needed for improving the living conditions of the Palestinian people in the occupied Palestinian territories,

1. Takes note with concern of the report of the Secretary-General on the living conditions of the Palestinian people in the occupied Palestinian territories; 4/

2. Takes note also of the statement made on 25 October 1985 by the observer of the Palestine Liberation Organization; 5/

3. Rejects the Israeli plans and actions intended to change the demographic composition of the occupied Palestinian territories, particularly the increase and expansion of the Israeli settlements, and other plans and actions creating conditions leading to the displacement and exodus of Palestinians from the occupied Palestinian territories;

4. Expresses its alarm at the deterioration, as a result of the Israeli occupation, in the living conditions of the Palestinian people in the Palestinian territories occupied since 1967;

1/ Report of Habitat: United Nations Conference on Human Settlements, Vancouver, 31 May-11 June 1976 (United Nations publication, Sales No. E.76.IV.7 and corrigendum), chap. I.

2/ Ibid., chap. II.

3/ See Official Records of the General Assembly, Fortieth Session, Supplement No. 8 (A/40/8 and Corr.1), annex I.

4/ A/40/373-E/1985/99.

5/ See Official Records of the General Assembly, Fortieth Session, Second Committee, 17th meeting, paras. 93-99.

5. Affirms that the Israeli occupation is contradictory to the basic requirements for the social and economic development of the Palestinian people in the occupied Palestinian territories;

6. Requests the Secretary-General:

(a) To organize, by April 1987, a seminar on priority development projects needed for improving the living conditions of the Palestinian people in the occupied Palestinian territories, including a comprehensive general housing programme, as recommended in resolution 8/3 of the Commission on Human Settlements;

(b) To make the necessary preparations for the seminar, providing for the participation of the Palestine Liberation Organization;

(c) To invite experts to present papers to the seminar;

(d) To invite also relevant intergovernmental and non-governmental organizations;

(e) To report to the General Assembly at its forty-first session, through the Economic and Social Council, on the preparations for the seminar;

(f) To report to the General Assembly at its forty-second session, through the Economic and Social Council, on the seminar.

119th plenary meeting
17 December 1985

40/432. Israeli economic practices in the occupied
Palestinian and other Arab territories

The General Assembly,

(a) Took note, with concern, of the report of the Secretary-General prepared in pursuance of its decision 39/442 of 18 December 1984; 1/

(b) Requested the Secretary-General to prepare a report on the financial and trade practices of the Israeli occupation authorities in the occupied Palestinian and other Arab territories;

(c) Invited the Secretary-General to utilize the services of competent United Nations bodies in preparing that report;

(d) Requested the Secretary-General to submit the report to the General Assembly at its forty-first session, through the Economic and Social Council.

1/ A/40/381-E/1985/105.

119th plenary meeting
17 December 1985

B. The Security Council

RESOLUTION 561 (1985)

Adopted by the Security Council at its 2575th meeting,
on 17 April 1985

The Security Council,

Recalling its resolutions 425 (1978), 426 (1978), 501 (1982), 508 (1982), 509 (1982) and 520 (1982), as well as all its resolutions on the situation in Lebanon,

Having studied the report of the Secretary-General on the United Nations Interim Force in Lebanon of 11 April 1985 (S/17093), and taking note of the observations expressed therein,

Taking note of the letter of the Permanent Representative of Lebanon addressed to the Secretary-General of 27 March 1985 (S/17062),

Responding to the request of the Government of Lebanon,

1. Decides to extend the present mandate of the United Nations Interim Force in Lebanon for a further interim period of six months, that is, until 19 October 1985;

2. Reiterates its strong support for the territorial integrity, sovereignty and independence of Lebanon within its internationally recognized boundaries;

3. Re-emphasizes the terms of reference and general guidelines of the Force as stated in the report of the Secretary-General of 19 March 1978, approved by resolution 426 (1978), and calls upon all parties concerned to co-operate fully with the Force for the full implementation of its mandate;

4. Reiterates that the United Nations Interim Force in Lebanon should fully implement its mandate as defined in resolutions 425 (1978), 426 (1978) and all other relevant resolutions;

5. Requests the Secretary-General to continue consultations with the Government of Lebanon and other parties directly concerned on the implementation of the present resolution and to report to the Council.

RESOLUTION 563 (1985)

Adopted by the Security Council at its 2581st meeting
on 21 May 1985

The Security Council,

Having considered the report of the Secretary-General on the United Nations Disengagement Observer Force (S/17177),

Decides:

(a) To call upon the parties concerned to implement immediately Security Council resolution 338 (1973) of 22 October 1973;

(b) To renew the mandate of the United Nations Disengagement Observer Force for another period of six months, that is, until 30 November 1985;

(c) To request the Secretary-General to submit, at the end of this period, a report on the developments in the situation and the measures taken to implement Security Council resolution 338 (1973).

NOTE BY THE PRESIDENT OF THE SECURITY COUNCIL

At the 2581st meeting, on 21 May 1985, following the adoption of resolution 563 (1985), the President of the Security Council made the following statement:

"In connection with the resolution just adopted on the renewal of the mandate of the United Nations Disengagement Observer Force, I have been authorized to make the following complementary statement on behalf of the Security Council:

"As is known, the report of the Secretary-General on the United Nations Disengagement Observer Force (S/17177) states, in paragraph 26: 'Despite the present quiet in the Israel-Syria sector, the situation in the Middle East as a whole continues to be potentially dangerous and is likely to remain so, unless and until a comprehensive settlement covering all aspects of the Middle East problem can be reached.' That statement of the Secretary-General reflects the view of the Security Council."

RESOLUTION 564 (1985)

Adopted by the Security Council at its 2582nd meeting,
on 31 May 1985

The Security Council,

Recalling the statement made by its President on 24 May 1985 (S/17215) on behalf of its members on the heightened violence in certain parts of Lebanon,

Alarmed at the continued escalation of violence involving the civilian population, including Palestinians in refugee camps, resulting in grievous casualties, and material destruction on all sides,

1. Expresses anew its deepest concern at the heavy costs in human lives and material destruction affecting the civilian population in Lebanon, and calls on all concerned to end acts of violence against the civilian population in Lebanon and in particular in and around Palestinian refugee camps;

2. Reiterates its calls for respect for the sovereignty, independence and territorial integrity of Lebanon;

3. Calls on all parties to take necessary measures to alleviate the suffering resulting from acts of violence, in particular by facilitating the work of United Nations agencies, especially the United Nations Relief and Works Agency for Palestine Refugees in the Near East, and non-governmental organizations, including the International Committee of the Red Cross, in providing humanitarian assistance to all those affected and emphasizes the need to ensure the safety of all the personnel of these organizations;

4. Appeals to all interested parties to co-operate with the Lebanese Government and the Secretary-General with a view to ensuring the implementation of this resolution, and requests the Secretary-General to report to the Security Council;

5. Reaffirms its intention to continue to follow closely the situation.

RESOLUTION 573 (1985)

Adopted by the Security Council at its 2615th meeting
on 4 October 1985

The Security Council,

Having considered the letter dated 1 October 1985 (S/17509) in which Tunisia made a complaint against Israel following the act of aggression which the latter committed against the sovereignty and territorial integrity of Tunisia,

Having heard the statement by the Minister for Foreign Affairs of Tunisia,

Having noted with concern that the Israeli attack has caused heavy loss of human life and extensive material damage,

Considering that, in accordance with Article 2, paragraph 4, of the Charter of the United Nations, all Members shall refrain in their international relations 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,

Gravely concerned at the threat to peace and security in the Mediterranean region posed by the air raid perpetrated on 1 October 1985 by Israel in the area of Hammam-Plage, situated in the southern suburb of Tunis,

Drawing attention to the serious effect which the aggression carried out by Israel and all acts contrary to the Charter cannot but have on any initiative designed to establish an overall, just and lasting peace in the Middle East,

Considering that the Israeli Government claimed responsibility for the attack as soon as it had been carried out,

1. Condemns vigorously the act of armed aggression perpetrated by Israel against Tunisian territory in flagrant violation of the Charter of the United Nations, international law and norms of conduct;

2. Demands that Israel refrain from perpetrating such acts of aggression or from the threat to do so;

3. Urgently requests the States Members of the United Nations to take measures to dissuade Israel from resorting to such acts against the sovereignty and territorial integrity of all States;

4. Considers that Tunisia has the right to appropriate reparations as a result of the loss of human life and material damage which it has suffered and for which Israel has claimed responsibility;

5. Requests the Secretary-General to report to it on the implementation of this resolution by 30 November 1985 at the latest;

6. Decides to remain seized of the matter.

RESOLUTION 575 (1985)

Adopted by the Security Council at its 2623rd meeting
on 17 October 1985

The Security Council,

Recalling its resolutions 425 (1978), 426 (1978), 501 (1982), 508 (1982), 509 (1982) and 520 (1982), as well as all its resolutions on the situation in Lebanon,

Having studied the report of the Secretary-General on the United Nations Interim Force in Lebanon of 10 October 1985 (S/17557) and taking note of the observations expressed therein,

Taking note of the letter of the Permanent Representative of Lebanon addressed to the Secretary-General of 3 October 1985 (S/17526),

Responding to the request of the Government of Lebanon,

1. Decides to extend the present mandate of the United Nations Interim Force in Lebanon for a further interim period of six months, that is, until 19 April 1986;
2. Reiterates its strong support for the territorial integrity, sovereignty and independence of Lebanon within its internationally recognized boundaries;
3. Re-emphasizes the terms of reference and general guidelines of the Force as stated in the report of the Secretary-General of 19 March 1978, approved by resolution 426 (1978), and calls upon all parties concerned to co-operate fully with the Force for the full implementation of its mandate;
4. Reiterates that the United Nations Interim Force in Lebanon should fully implement its mandate as defined in resolutions 425 (1978), 426 (1978) and all other relevant resolutions;
5. Requests the Secretary-General to continue consultations with the Government of Lebanon and other parties directly concerned on the implementation of the present resolution and to report to the Council.

RESOLUTION 576 (1985)

Adopted by the Security Council at its 2630th meeting,
on 21 November 1985

The Security Council,

Having considered the report of the Secretary-General on the United Nations Disengagement Observer Force (S/17628),

Decides:

- (a) To call upon the parties concerned to implement immediately Security Council resolution 338 (1973) of 22 October 1973;
- (b) To renew the mandate of the United Nations Disengagement Observer Force for another period of six months, that is, until 31 May 1986;
- (c) To request the Secretary-General to submit, at the end of this period, a report on the developments in the situation and the measures taken to implement Security Council resolution 338 (1973).

NOTE BY THE PRESIDENT OF THE SECURITY COUNCIL

At its 2630th meeting, on 21 November 1985, following the adoption of resolution 576 (1985), the President of the Security Council made the following statement:

"In connection with the resolution just adopted on the renewal of the mandate of the United Nations Disengagement Observer Force, I have been authorized to make the following complementary statement on behalf of the Security Council:

"As is known, the report of the Secretary-General on the United Nations Disengagement Observer Force (S/17628) states, in paragraph 25: 'Despite the present quiet in the Israel-Syria sector, the situation in the Middle East as a whole continues to be potentially dangerous and is likely to remain so, unless and until a comprehensive settlement covering all aspects of the Middle East problem can be reached.' That statement of the Secretary-General reflects the view of the Security Council."
