

lem,<sup>59</sup> prepared in pursuance of paragraphs 5 and 7 of resolution 37/120 C,

*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 1982 to 30 June 1983,<sup>44</sup>

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 37/120 C 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. *Takes note* of the various steps recommended in the report of the Secretary-General;

5. *Requests* the Secretary-General to continue to take all necessary measures for establishing the University of Jerusalem "Al-Quds" in accordance with General Assembly resolution 35/13 B of 3 November 1980, giving due consideration to the recommendations consistent with the provisions of that resolution;

6. *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;

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

98th plenary meeting  
15 December 1983

#### 38/84. International co-operation to avert new flows of refugees

*The General Assembly,*

*Reaffirming* its resolutions 36/148 of 16 December 1981 and 37/121 of 16 December 1982 on international co-operation to avert new flows of refugees,

*Having examined* the report of the Secretary-General containing observations received from Governments<sup>60</sup> and the report of the Group of Governmental Experts on International Co-operation to Avert New Flows of Refugees,<sup>61</sup>

*Considering* the urgency, magnitude and complexity of the task before the Group of Governmental Experts,

*Recognizing* the necessity of having all the experts participate in the future sessions of the Group, and concerned that, due to financial constraints, experts from least developed countries have been unable to attend,

1. *Takes note* of the report of the Secretary-General containing observations received from Governments;

2. *Welcomes* the report of the Group of Governmental Experts on International Co-operation to Avert New Flows of Refugees, including its programme of work and recommendations, as a constructive step in the fulfilment of its mandate;

3. *Reaffirms and extends* the mandate of the Group of Governmental Experts as defined in General Assembly resolutions 36/148 and 37/121;

4. *Calls upon* the Secretary-General, without prejudice to the rule contained in resolution 36/148, to assist, as far as possible and by way of exception, the experts coming from least developed countries, appointed by the Secretary-General, to participate fully in the work of the Group of Governmental Experts, in order to fulfil its mandate;

5. *Requests* the Secretary-General to prepare a compilation of the comments and suggestions he may receive from Member States on this item;

6. *Calls upon* the Group of Governmental Experts to continue its work in two sessions of two weeks' duration each during 1984, in order to fulfil its mandate;

7. *Requests* the Group of Governmental Experts to submit a report on its work in time for consideration by the General Assembly at its thirty-ninth session;

8. *Decides* to include in the provisional agenda of its thirty-ninth session the item entitled "International co-operation to avert new flows of refugees".

98th plenary meeting  
15 December 1983

#### 38/85. 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 and 37/122 of 16 December 1982,

*Recalling* the rules and principles of international law relative to the fundamental rights and duties of States,

*Bearing in mind* the principles of international law relative to belligerent occupation of land, including the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949,<sup>62</sup> and reaffirming their applicability to all Arab territories occupied since 1967, including Jerusalem,

*Taking note* of the report of the Secretary-General,<sup>63</sup>

*Recognizing* that the proposed canal, to be constructed partly through the Gaza Strip, a Palestinian territory occupied in 1967, would violate the principles of international law and affect the interests of the Palestinian people,

*Confident* that the canal linking the Mediterranean Sea with the Dead Sea, if constructed by Israel, will cause direct, serious and irreparable damage to Jordan's rights and legitimate and vital interests in the economic, agricultural, demographic and ecological fields,

*Noting with regret* the non-compliance by Israel with General Assembly resolution 36/150,

1. *Deplores* Israel's non-compliance with General Assembly resolution 37/122 and its refusal to receive the team of experts;

2. *Emphasizes* that the canal linking the Mediterranean Sea with the Dead Sea, if constructed, is a violation of the rules and principles of international law, especially those relating to the fundamental rights and duties of States and to belligerent occupation of land;

3. *Demands* that Israel not construct this canal and cease forthwith all actions taken and/or plans made towards the implementation of this project;

4. *Calls upon* all States, specialized agencies and governmental and non-governmental organizations not to

<sup>59</sup> A/38/386.

<sup>60</sup> A/38/274.

<sup>61</sup> A/38/273, annex.

<sup>62</sup> United Nations, *Treaty Series*, vol. 75, No. 973, p. 287.

<sup>63</sup> A/38/502 and Add.1 and 2.

assist, directly or indirectly, in the preparation and execution of this project and strongly urges national, international and multinational corporations to do likewise;

5. *Requests* the Secretary-General to monitor and assess, on a continuing basis and through a competent expert organ, all aspects—juridical, political, economic, ecological and demographic—of the adverse effects on Jordan and on the Arab territories occupied since 1967, including Jerusalem, arising from the implementation of the Israeli decision to construct this canal and to forward the findings of that organ on a regular basis to the General Assembly;

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

7. *Decides* to include in the provisional agenda of its thirty-ninth session the item entitled "Israel's decision to build a canal linking the Mediterranean Sea to the Dead Sea".

*98th plenary meeting  
15 December 1983*