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Chairman: Mr. STARCEVIC (Yugoslavia)

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The meeting was called to order at 3.20 p.m.

AGENDA ITEM 73 (continued)

UNITED NATIONS RELIEF AND WORKS AGENCY FOR PALESTINE REFUGEES IN THE NEAR EAST
(A/SPC/38/L.13 and L.14):

- (a) REPORT OF THE COMMISSIONER-GENERAL (A/38/13)
- (b) REPORT OF THE WORKING GROUP ON THE FINANCING OF THE UNITED NATIONS RELIEF AND WORKS AGENCY FOR PALESTINE REFUGEES IN THE NEAR EAST (A/38/558)
- (c) REPORT OF THE UNITED NATIONS CONCILIATION COMMISSION FOR PALESTINE (A/38/397)
- (d) REPORT OF THE JOINT INSPECTION UNIT (A/38/143 and Add.1)
- (e) REPORTS OF THE SECRETARY-GENERAL (A/38/149, 361 and Add.1, 382, 386, 418, 419 and 420)

Miss GERVAIS (Canada): Once again this year this Committee is being asked to consider the problem of the Palestinian refugees in the Middle East, a problem which unfortunately has been with us for more than 30 years. Last year the deliberations on the resolutions on the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA) were deeply affected by the situation in Lebanon and by the horrors perpetrated against Palestinians in the refugee camps of Sabra and Shatila. Only a short time has passed since those tragic events, but we hope that talks now under way in Geneva will lead to positive results that will benefit the Palestinian refugees in Lebanon.

The events of the past 18 months in the Middle East have proved once again that every one of our countries is in some way affected by the persisting conflict in that region. The international community has been shocked and horrified by the senseless terrorist attacks against the headquarters of the American and French peace-keeping contingents, and more recently an Israeli position, in Lebanon. We note, too, from the Commissioner-General's report that, despite the tireless efforts of UNRWA workers, much remains to be done to ameliorate the desperate conditions of refugees in Lebanon. His report makes clear the size of the problem there, in the West Bank, Gaza and elsewhere and the need for continued international support for UNRWA.

We note in particular the Commissioner-General's comments that in financial terms UNRWA experienced a relatively good year in 1983 and was able to avert a financial crisis threatening its education programme. It is also clear that the

(Miss Gervais, Canada)

favourable cash balance carried into 1983 is being rapidly expended and will not last long into 1984. Our attention is also drawn to the Commissioner-General's warning that the comparatively comfortable year of 1983 should not lead to complacency. It is indeed alarming, considering the vast needs of the Palestinian refugees, to read of the Commissioner-General's concern that the number of Governments giving financial support to UNRWA has declined. We earnestly urge Member States to rectify the situation and contribute generously to the Agency. Canada has always supported UNRWA's activities, and my delegation was gratified to hear the Commissioner-General say that a decision by the Canadian Government to make a cash contribution to UNRWA's education programme was of significant benefit.

Canada appreciates the difficult and very demanding circumstances under which UNRWA operations are conducted. We continue to believe the Agency is well administered and efficient, and we are gratified that the Joint Inspection Unit's report underlines the exceptional accomplishments in adverse circumstances of UNRWA employees. We are also pleased to note that the Joint Inspection Unit supported the Canadian request made last year that the Agency's budgetary reports should provide Member States with fuller information and that the Commissioner-General has undertaken measures to improve that situation in the next financial year.

UNRWA has an extremely important role to play in helping to maintain stability in a volatile area of the world and in assisting needy Palestinian refugees in their daily lives. While we hope that conditions will soon emerge which will make UNRWA's services unnecessary, we must nevertheless deal with the reality of the day and the results of 30 years' turmoil in the region. Once again we urge Member States to heed the Commissioner-General's appeal for financial support so that UNRWA may continue to carry out its essential activities in the areas of humanitarian relief and education.

Canada continues to believe that it is only through a negotiated settlement which makes provision for a Palestinian homeland in the West Bank and Gaza that the Palestinian people will be able to realize their legitimate rights and fulfil their human potential. We again urge the parties to the conflict to take the path of compromise and negotiation, so that all the people of the region may live free under conditions of a just and durable peace.

Mr. FISCHER (Austria): The United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA) is looking back upon a year during which it had to operate under extremely difficult conditions. Therefore my

(Mr. Fischer, Austria)

delegation should like at the outset to pay a tribute to the Commissioner-General of UNRWA, Mr. Olof Rydbeck, and his staff and to commend them for the admirable manner in which the Agency has accomplished its tasks.

As long as there does not exist a just and equitable solution to the question of Palestine there can, in our view, be no doubt about the necessity to continue UNRWA's operations. My delegation therefore whole-heartedly supports the proposed renewal by the General Assembly of UNRWA's mandate which expires in 1984.

The relief assistance in Lebanon was one of UNRWA's main tasks during the past year. Austria has been among the contributors to this programme, which has provided emergency relief over the past year to a great number of refugees who suffered particular hardship after the events of summer 1982. We have learnt with satisfaction that the programme will continue through the coming winter.

The serious situation which has arisen for the Palestine refugees in and around Tripoli is of the most immediate concern to us. Due priority must be given to special emergency measures by UNRWA, in conjunction with the International Committee of the Red Cross, to respond to the needs of the refugee civilians in the area.

Austria hopes that the problem of rehousing the refugees in Lebanon can be solved in a comprehensive manner. In view of the fact that only about half the registered refugees in Lebanon were camp inhabitants, aid will have to be brought not only to the camp inhabitants but also to the other refugees who have been displaced either by fighting or subsequent individual adverse circumstances resulting in the loss of their homes situated outside the camps. On the other hand, we appreciate that the Government of Lebanon has authorized UNRWA to restore the refugee camps. In this context, we have taken due note of the programme of reconstruction and of the appeal launched by the Commissioner-General in this regard.

The question regarding the security of the refugees and of UNRWA staff raises the most serious concerns. We believe that UNRWA has every moral justification to assist, through representations with the parties responsible, in securing the safety of the refugees even in the absence of the physical capability or the proper legal powers. We feel sorry about the loss of lives and the injuries that occurred among refugees and UNRWA staff during the past year. Austria joins in the appeal that those who have effective control should do everything in their power to protect the lives of the refugees and the members of UNRWA staff. In this context,

(Mr. Fischer, Austria)

Austria believes that the 1946 Convention on the Privileges and Immunities of the United Nations should be scrupulously respected with regard to UNRWA and its personnel, in order to facilitate the proper functioning of the Agency which is already operating under the most difficult circumstances.

My delegation noted with satisfaction that UNRWA's long-standing request to be authorized to improve schooling for refugee children is being recognized. We note with satisfaction also that priority should be given to the construction of new school-buildings in order to create satisfactory physical conditions for schooling. We are also gratified that the health of schoolchildren too is receiving special attention. In this context, the assessment of the situation which has been undertaken by the World Health Organization is most commendable. Finally, we are pleased to learn that more than 70,000 destitute refugees are benefiting from UNRWA's welfare programmes and that in case of necessity those programmes can still be expanded.

With regard to the financing of UNRWA, my delegation agrees with the Commissioner-General that the temporarily improved situation which prevailed during 1983 will not continue in 1984. Therefore, constant vigilance regarding UNRWA's financial requirements and the readiness of Governments to contribute adequately to the Agency's funding needs seems desirable. My Government is prepared in the future to support UNRWA's operations, as it has done in the past.

Mr. ABDULGHAFFAR (Bahrain) (interpretation from Arabic): The question of Palestinian refugees differs in its various aspects from all the other refugee problems that have faced the world since the beginning of this century. This problem emerged as a new political reality in the heart of the Arab world when the Zionist conspiracy aiming at the establishment of a Jewish State in Palestine in 1948 was fully implemented. Thus the birth of the Jewish State occurred simultaneously with the displacement of the Palestinian people from the land of its ancestors in which they had lived for thousands of years. It was quite natural then that that illegitimate entity would resort to the United Nations to give it international legitimacy.

History has pointed out that the West supported Israel's request to become a Member of this Organization, in particular the United States which insisted that the Israeli request be considered urgently. That American position forced the then Syrian representative to the United Nations to state that the urgent consideration of the question was tantamount to rewarding the Israelis for killing United Nations Mediator Count Bernadotte.

(Mr. Abdulghaffar, Bahrain)

Despite the pressures exerted by one of the super-Powers which supported Israel, the admission of the Zionist State as a Member of the United Nations did not take place in the normal way for a new Member of the Organization; its admission was conditional upon its implementation of United Nations resolutions, in particular General Assembly resolution 181 (II) of 29 November 1947 on the partition of Palestine and General Assembly resolution 194 (III) of 11 December 1948, in particular its operative paragraph 11, which gives the Palestinian refugees the right to return to their homeland and properties or to compensation for those who do not wish to return. It is well known that Israel has not kept its pledges to the United Nations or the international community, especially since it has achieved its political objective in the international arena, that is, becoming a Member of the United Nations.

With Israel's admission as a Member of this Organization it began to dissociate itself from its international obligations towards the Palestinian refugees by making up fantastic stories which history and United Nations documents have shown to be mere lies. As an example, the Israelis have put out the story that some Palestinian refugees voluntarily left their cities and villages and that others left their lands in response to calls addressed to them by the Arab leaders.

Yemakov Herzog, the former Israeli Ambassador to Canada, presented the same story in a debate with the late British historian Arnold Toynbee in Montreal. Professor Toynbee answered that Israeli story by saying:

"Let me give you an example. When the Germans invaded France in 1940 a few millions of France's population left the north for the south, for the same reason that the Palestinian Arabs have fled - because they found themselves in a combat area in 1948. I do not think anybody would agree with me if I said that those French people who fled - as any other civilians in a combat area would do - gave up their rights, lands, properties and homes in the north of France. And if present-day Germans said 'We invaded this country, the French people followed irrational advice and fled, and it is legitimate for us to take their properties', my answer to that would be 'that is foolish'."

My delegation would now like to make the following remarks: first, the report of the Commissioner-General refers explicitly to the repressive measures perpetrated by the Israelis against Palestinian refugees, among which are detention and the demolition of houses in Lebanon, the West Bank and Gaza, and this is a positive note in this year's report; secondly, the Commissioner-General's report

(Mr. Abdulghaffar, Bahrain)

must not fail to refer explicitly to the cause of the Palestinian people and to the United Nations resolutions which clearly mention the right of the refugees to return to their usurped homeland; thirdly, we request the Commissioner-General to take all the necessary measures aimed at establishing the Arab University of Jerusalem, in order to fulfil the needs of the Palestinian refugees, in accordance with the relevant resolutions of the General Assembly; fourthly, UNRWA must make all the necessary efforts to restore the rations programme to the refugees, particularly under present difficult conditions; fifthly, we call for the transfer of UNRWA headquarters to the field of operations as soon as possible, in accordance with General Assembly resolution 37/120 K of 16 December 1982.

Mr. GREGORIADES (Greece): I have the pleasure to speak on behalf of the Ten members of the European Community.

It is both regrettable and disquieting that again this year our debate takes place against a background of continuing upheavals and dangerous developments in most of the area of operations of the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA). The situation in Lebanon and the tensions in the occupied territories of the West Bank and the Gaza Strip pose serious obstacles to the carrying out of UNRWA's humanitarian and relief mission. The Ten are deeply preoccupied by the hostilities taking place at present in northern Lebanon, in and around the city of Tripoli, which cause intolerable suffering and a great loss of human lives, particularly among the civilian population of the region, both Palestinian and Lebanese.

The Commissioner-General of UNRWA, Mr. Olof Rydbeck, in his report to the General Assembly, as well as in his statement before our Committee, illustrated very clearly the distressing situation of the Palestinian refugees, especially in Lebanon. Most disturbing to the Ten is his conclusion that the major problem facing the refugees remains their personal security. The Ten therefore would like to draw the attention of all parties concerned to their responsibility in the matter and would like to join the Commissioner-General in his appeal to those who have effective control in the various areas of Lebanon to do everything in their power to protect the lives of civilians. Furthermore, the Ten believe that no effort should be spared in order to create conditions which would ensure the full and absolute protection of the security, as well as the well-being, of the Palestinian refugees.

(Mr. Gregoriades, Greece)

The Ten are deeply worried by the parts of the Commissioner-General's statement of 9 November 1983 concerning the detention of refugees, including persons belonging to UNRWA's staff, without charge by the Lebanese and Israeli authorities, as well as the demolition of refugee shelters as a punitive measure by the Israeli Defence Force. The Ten concur with the Commissioner-General's remarks on these subjects.

In the same context, we believe that it is imperative that all parties concerned should strictly refrain from any action that would infringe in any way whatsoever the inviolability of the Agency's premises. UNRWA installations must not be used for military purposes or in other ways that violate the political independence or the neutral status of the United Nations premises. We also take note of the measures adopted by the Commissioner-General to prevent abuse of UNRWA premises.

The Ten member States of the European Community agree with the Commissioner-General that UNRWA is a political and humanitarian necessity. It is well known that the Agency was created to provide humanitarian assistance to the Palestinian refugees pending a solution of the refugee problem within the framework of a comprehensive political settlement.

The plight of the Palestinian refugees is not only a humanitarian issue; in its essence it is a political problem that can only be solved within the framework of a comprehensive, just and lasting settlement of the Arab-Israeli settlement. The Ten repeatedly have demonstrated their willingness and resolve to work in a concrete way towards achieving such a solution. Their position has been set out in the Venice Declaration of 13 June 1980 and in subsequent statements on the issue, particularly the statements in Brussels on 29 June and 20 September 1982, when they said that a settlement of the Arab-Israel conflict should be based on the principles of security for all States in the region, including Israel's right to exist, justice for all peoples, including the right of self-determination for the Palestinians, with all that this implies, and mutual recognition by all the parties involved.

Furthermore, this year, the Ten, in their statement at Stuttgart on 19 June 1983, reaffirmed their very serious concern at the distress of the Palestinian civilian population and expressed the hope that the relevant international organizations would be allowed to assist that population without hindrance.

(Mr. Gregoriades, Greece)

The European Community and its member States wish to commend once more the Commissioner-General and his staff for the devoted way in which they have carried out UNRWA's mandate under extremely difficult and dangerous conditions. The importance of its services to the Palestinian people in the fields of education, health and social welfare cannot be underestimated. Education in particular is the largest field of UNRWA activities. The standard of education services offered by the Agency remains high and compares favourably with those offered by many countries to their own citizens. Those services are highly regarded by the refugees themselves, because they meet the aspirations of young Palestinians to acquire education and skills. The European Community, mindful of the importance of the education programmes both to UNRWA and to the refugees, has responded positively to the request by the Commissioner-General for contributions in cash rather than donations in kind.

The Community and the Ten note with satisfaction that, in his statement on 9 November 1983, the Commissioner-General stated that the Community's decision contributed to the improvement of UNRWA's cash reserves for 1983.

The European Community and its member States took note of the necessity for the Agency's emergency assistance in Lebanon to continue for a good part of 1984. They call upon all concerned to assist UNRWA in this task.

They also noted that the Commissioner-General's appeal for \$13 million to cover the first stages of reconstruction of UNRWA facilities, particularly schools and refugee housing, has found so far a very meagre response.

The Community and its member States took note of the report of the Working Group on the Financing of UNRWA, document A/38/558, and agree with its conclusions and recommendations contained in its paragraph 22. They are also very much concerned by what that report, as well as the report of the Commissioner-General and his statement of 9 November, revealed about the Agency's financial situation. The improvement of the cash reserves of UNRWA for 1983, owing to the reasons explained by the Commissioner-General in the above-mentioned statement, should not make us forget the seriousness of the financial situation of the Agency. The figures produced by the Commissioner-General are alarmingly eloquent. The total income for 1983 is less, in absolute as well as in real terms, than in 1982. The outlook for 1984 is far from promising. Furthermore, only a relatively small number of countries continue to shoulder the major portion of the financing

(Mr. Gregoriades, Greece)

of UNRWA. Many countries throughout the international community, with the means to contribute, have not done so despite their expressions of concern for the plight of the Palestinian people.

The European Community and its member States contributed more than 27 per cent of UNRWA's budget for 1983. They believe that all Member States should respond, in accordance with their means, to the appeal of the Commissioner-General and contribute their fair share to the financing of the Agency's needs. The volunteer financing of UNRWA's budget is appropriate in itself. It is the response of the international community which has been inadequate.

The Ten took note with great interest of the report of the Joint Inspection Unit (JIU) and concur with the thrust of its remarks. They would like, however, to raise the question of the JIU's recommendation concerning the possibility of placing the Agency's contingent liability for separation benefits on the United Nations regular budget. Although they recognize the motivation and reasoning behind that recommendation, the Ten would, however, like to stress that, as a general policy, they do not concur with adding liabilities which should be financed by voluntary contributions to the regular budget of the United Nations. However, this does not mean that the Ten will not be prepared to consider the serious problem of the financial situation of UNRWA in general.

We would conclude by reiterating our firm belief that the mission of UNRWA remains indispensable pending a political solution of the Palestinian problem. That mission deserves sincere and effective political and financial support by the international community.

The CHAIRMAN: I call on the Observer of the Palestine Liberation Organization.

Mr. MANSOUR (Palestine Liberation Organization (PLO)): Mr. Chairman, a few days ago I presented some information about the situation of our refugee camps and their population in the occupied Palestinian territories and I requested the Commissioner-General, Mr. Rydbeck, to inform us about the situation. You promised us that Mr. Rydbeck would do so at a later date. I hope that that date is today, because the situation in the occupied Palestinian territories is deteriorating rapidly and I should like to inform the Committee about the following developments that have taken place in the last 48 hours in the West Bank and Gaza.

(Mr. Mansour, PLO)

In Dheisheh refugee camp, a curfew is still being imposed despite a severe shortage of food supplies in the camp. The Israeli occupation authorities have sent dozens of Palestinians from the camp to Farah military prison near Nablus. In Balata refugee camp, near Nablus, a curfew was imposed after mass demonstrations occurred there last night in support of the Palestine Liberation Organization (PLO) and the Israeli settlers attacked the demonstrators in that refugee camp and opened fire on them. In the Gaza Strip, mass demonstrations took place this morning - I mean 17 November, today - in Nuseirat refugee camp in support of the Palestine Liberation Organization and denouncing the Israeli practices against the Palestinians in the occupied territories. The Israeli forces dispersed the demonstrators, firing tear-gas and bombs and three Palestinians were injured in that refugee camp too.

It is extremely important to hear from the Commissioner-General on this situation and also on the situation of the refugee camps that I mentioned just a few days ago.

The CHAIRMAN: I call on the Commissioner-General.

Mr. RYDBECK (Commissioner-General, United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA)): I had intended to speak tomorrow, when I shall give the latest information at my disposal regarding events in northern Lebanon. In the meantime, I can assure the Observer of the Palestine Liberation Organization (PLO) and other representatives here that the Agency is actively coming to the aid of those affected by events. We are distributing rations, mattresses, blankets and kitchen kits and reinforcing health services; in fact, we are doing whatever we can to assist in this calamity and I think that for the time being that is of the first importance as regards the Agency's role in this context. However, as I have said, tomorrow I shall include in my statement the latest information available to UNRWA on this.

The CHAIRMAN: I now call on the representative of Lebanon, who wishes to speak in exercise of the right of reply.

Mr. CHAMMAS (Lebanon): The delegation of Lebanon will make its statement in the general debate on the item under discussion tomorrow and of course we shall have an opportunity to comment on the reflections of the Commissioner-General of United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA) concerning the subject of detentions of certain members of the UNRWA staff by Lebanese authorities.

(Mr. Chammas, Lebanon)

However, my delegation was listening attentively to the representative of Greece making his statement on behalf of the Ten members of the European Community and whatever the Ten have to say is of great interest to Lebanon and the Lebanese delegation.

We could not but note very seriously the concern he has expressed on behalf of his own delegation and of the Ten with regard to the detention of some UNRWA staff members. But inasmuch as we in the Lebanese delegation try not to bring our tragedy into any other discussion taking place at the United Nations, we do, nevertheless, have a certain sensitivity to certain aspects of any problem, however important that problem may be, being referred to in such a way as to be taken out of their proper context.

The tragedy of Lebanon is too big; it is the security of the whole Lebanese people that is being threatened day in, day out; our very existence is at stake. The reasons for the detention of 29 staff members will be a subject of reply by us, in order to make the record clear, and in the meantime I shall make only a general remark: Lebanon has a long-standing record of strict respect for immunities and rights, whether those emanating from the Vienna Conventions or those concerning United Nations staff, including UNRWA staff. We shall make our observations on any detentions tomorrow, but this should not make us oblivious to the fact that such statements sometimes leave us a little pained if they are not considered within the general context of our larger and much greater tragedy.

The meeting rose at 4 p.m.