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Report of the Secretary-General

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I. INTRODUCTION

1. This report is submitted in pursuance of General Assembly resolution 38/180 D of 19 December 1983. In that resolution, the Assembly dealt with various aspects of the situation in the Middle East and requested the Secretary-General to report to the Security Council periodically on the development of the situation and to submit to the Assembly at its thirty-ninth session a report covering the developments in the Middle East in all their aspects. The report is based mainly on information available in United Nations documents, to which reference is made whenever appropriate.

II. MILITARY DEVELOPMENTS AND UNITED NATIONS PEACE-KEEPING ACTIVITIES

2. The status of the cease-fire in the Middle East and the activities of the United Nations peace-keeping operations in the area up to September 1983 were dealt with in the report of the Secretary-General of 30 September 1983 (A/38/458-S/16015, paras. 3-8). The activities of the United Nations in this field have remained essentially the same. There continue to be three United Nations peace-keeping operations in the area: two peace-keeping forces, the United Nations Disengagement Observer Force (UNDOF) and the United Nations Interim Force in Lebanon (UNIFIL), and one observer mission, the United Nations Truce Supervision Organization (UNTSO). At present, they operate mainly in the Israel-Syria and Israel-Lebanon sectors.

(a) Israel-Syria sector

3. UNDOF, with some 1,300 troops provided by Austria, Canada, Finland and Poland, is deployed between the Israeli and Syrian forces on the Golan Heights in accordance with the disengagement agreement concluded between Israel and the Syrian Arab Republic in May 1974. A group of UNTSO observers is detailed to the Force and assists it in the performance of its tasks. The mandate of UNDOF has been extended twice by the Security Council during the reporting period, the last time on 30 May 1984 for a further period of six months until 30 November 1984 (resolution 551 (1984)). The activities of the Force since September 1983 are described in two reports of the Secretary-General to the Security Council, dated 21 November 1983 and 21 May 1984 (S/16169 and S/16573 and Corr.1). As reported by the Secretary-General, the situation in the Israel-Syria sector has remained generally quiet; UNDOF has continued to perform its functions effectively with the co-operation of the parties, and there have been no serious incidents.

(b) Israel-Lebanon sector

4. There are two United Nations peace-keeping operations in Lebanon: UNIFIL and the Observer Group Beirut, which is a part of UNTSO. UNIFIL, which is deployed in southern Lebanon, was established by the Security Council on 19 March 1978 following the first Israeli invasion of Lebanon. Its terms of reference were to confirm the withdrawal of the Israeli forces as called for by the Security Council, to restore international peace and security and to assist the Government of Lebanon in ensuring the return of its effective authority in the area. The second Israeli

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invasion of Lebanon, which was launched in June 1982, radically altered the situation in which UNIFIL had to function. Following the invasion, the Secretary-General instructed the Force, as interim tasks, to maintain its positions in its area of deployment and to provide protection and humanitarian assistance to the local population to the extent possible. With the approval of the Security Council, the Force has continued to carry out these interim tasks. The activities of UNIFIL since September 1983 are described in three reports of the Secretary-General to the Security Council dated 12 October 1983, 9 April 1984 and 9 October 1984 (S/16036, S/16472 and S/16776). During the reporting period, the Security Council has extended the mandate of UNIFIL on an interim basis three times, the last time on 12 October 1984 for a further interim period of six months until 19 April 1985 (resolution 555 (1984)). The authorized strength of UNIFIL is 7,000, but, because of its reduced activities, it had until recently some 5,680 troops provided by Fiji, Finland, France, Ghana, Ireland, Italy, the Netherlands, Norway, Senegal and Sweden. A group of UNTSO observers assists the Force in the performance of its tasks.

5. Observer Group Beirut (OGB) was established in August 1982 in pursuance of Security Council resolution 516 (1982) and given the task of monitoring the situation in and around Beirut. OGB comprises up to 50 observers headed by an officer-in-charge under the overall command of the Chief of Staff of UNTSO.

6. In February 1984, following heavy exchanges of fire in the Beirut area, the Security Council met at the request of France (S/PV.2514-2516, and 2519) and on 29 February voted on a French draft resolution by which it would have issued an urgent appeal for an immediate cease-fire throughout Lebanon and decided to constitute a United Nations force to take up a position in the Beirut area as soon as all elements of the Multinational Force had withdrawn from Lebanese territory and territorial waters (S/16351/Rev.2). The draft resolution was not adopted, owing to the negative vote of a permanent member of the Council.

7. In August/September 1984, the Security Council met at the request of Lebanon (S/PV.2552-2556), and on 6 September voted on a draft resolution submitted by the Lebanese representative by which it would have affirmed that the provisions of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, 1/ applied to the territories occupied by Israel in southern Lebanon and demanded that Israel immediately lift all restrictions and obstacles to the restoration of normal conditions in the areas under its occupation in violation of that Convention (S/16732). The draft resolution was not adopted, owing to the negative vote of a permanent member of the Council.

8. During the period under review, the Security Council also dealt with hostilities that took place in northern Lebanon in the autumn of 1983. On 11 November 1983, the President of the Council made a statement (S/16142) and, on 23 November, the Security Council adopted resolution 542 (1983), in which it deplored the loss of human life caused by the events in northern Lebanon; reiterated its call for the strict respect for the sovereignty, political independence and territorial integrity of Lebanon within its internationally recognized boundaries; requested the parties concerned immediately to accept a cease-fire; and requested the Secretary-General to follow the situation, to consult with the Government of Lebanon and to report to the Council. On 26 November,

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a cease-fire was agreed by the parties involved in the fighting in the Tripoli area. On 1 December, the Secretary-General received a request from the Chairman of the Executive Committee of the Palestine Liberation Organization (PLO) for permission to use the United Nations flag to facilitate the departure of PLO forces from Tripoli. In a statement made on 3 December during consultations of the Security Council, the Secretary-General indicated that he had decided, on humanitarian grounds, to authorize the flying of the United Nations flag alongside the national flag of the ships which would evacuate the armed elements of PLO (S/16194). That statement was supported by the members of the Council (S/16195). The evacuation took place on 20 December 1983 (see the Secretary-General's report of 21 December 1983 (S/16228)).

9. Since the thirty-eighth session, a number of communications have been addressed to the President of the Security Council and the Secretary-General on various aspects of the situation. Those communications, which have been circulated as official documents of the General Assembly and/or the Security Council, were sent by France on behalf of the 10 States members of the European Economic Community (A/39/123-S/16389), Israel (A/39/57-S/16233, A/39/75-S/16276, S/16377, A/39/120, A/39/125, S/16391, S/16458, A/39/166, A/39/177-S/16474, S/16479, A/39/181, A/39/328-S/16645, A/39/350-S/16671, A/39/355-S/16678, A/39/377-S/16691, A/39/410-S/16706, A/39/542-S/16762), Lebanon (A/39/63-S/16252, S/16471, A/39/282-S/16597, A/39/330-S/16650, A/39/340-S/16660, A/39/365-S/16682, S/16772) and the Syrian Arab Republic (S/16520, A/39/360). Communications were also received from PLO and were circulated at the request of Egypt (S/16570, annex) and Democratic Yemen (A/39/509-S/16749, annex).

III. SITUATION IN THE OCCUPIED TERRITORIES

10. The action taken by the United Nations prior to September 1983 on the situation in the occupied territories, including Jerusalem, was outlined in the Secretary-General's report (A/38/458-S/16015, paras. 9-16).

11. The General Assembly, at its thirty-eighth session, after considering the report of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Population of the Occupied Territories (A/38/409), which is composed of Senegal, Sri Lanka and Yugoslavia, adopted resolutions 38/79 A to H on 15 December 1983. By these resolutions, the General Assembly demanded that Israel immediately release Ziad Abu Eain, as well as other prisoners who were duly registered to be freed (38/79 A); reaffirmed that the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, was applicable to the Arab territories occupied by Israel since 1967, including Jerusalem, and demanded that Israel acknowledge and comply with its provisions (resolution 38/79 B); demanded that the Government of Israel desist forthwith from taking any action that would result in changing the legal status, geographical nature or demographic composition of the occupied territories (resolution 38/79 C); demanded that Israel desist forthwith from certain policies and practices mentioned in the resolution and renewed the mandate of the Special Committee (resolution 38/79 D); demanded that the Government of Israel rescind the expulsion of the Mayors of Hebron and Halhul and the Sharia Judge of Hebron and that it facilitate

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their immediate return (resolution 38/79 E); determined that all legislative and administrative measures and actions taken or to be taken by Israel that purported to alter the character and legal status of the Syrian Arab Golan Heights were null and void and constituted a violation of international law (resolution 38/79 F); condemned Israeli policies and practices against Palestinian students and faculty in the educational institutions in the occupied Palestinian territories and demanded that it rescind all actions and measures taken against those institutions, ensure their freedom and refrain from hindering the effective operation of those institutions (resolution 38/79 G); expressed deep concern that Israel had failed to apprehend and prosecute the perpetrators of the assassination attempts against the Mayors of Nablus, Ramallah and Al Bireh, and demanded that Israel inform the Secretary-General of the results of the relevant investigations (resolution 38/79 H).

12. The reports submitted by the Secretary-General under resolutions 38/79 E, F, G and H have been circulated as documents A/39/527, A/39/532 and Corr.1, A/39/501 and A/39/339 respectively. The reports under resolutions 38/79 A and D will be submitted at a later date.

13. In January 1984, concern was expressed to the President of the Security Council regarding legislation then under consideration by the Israeli Knesset (see S/16249, S/16255 and A/39/70-S/16261). The President of the Council also received a letter from the Permanent Representative of Israel on the subject (S/16269). Following consultations of the Security Council on 26 January 1984, the President issued a statement saying that the Council recalled in this connection its previous resolutions stressing the applicability of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, and urged that no steps be taken that could lead to further aggravation of tension in the area (S/16293).

14. On 20 February 1984, the Commission on Human Rights adopted resolutions 1984/1 A and B concerning the question of violation of human rights in the occupied territories. In those resolutions the Commission condemned Israeli policies and practices in the occupied territories along lines similar to those of General Assembly resolution 38/79 D.

15. Furthermore, the Commission adopted resolution 1984/2 of 20 February 1984 by which it declared that Israel's decision of 14 December 1981 to impose its laws, jurisdiction and administration on the occupied Syrian Golan Heights had no legal validity, and called upon Israel to rescind it. By resolution 1984/3 of the same date, the Commission condemned Israel for its continued occupation of and persistence in developing the colonialization of the occupied Palestinian and other Arab territories, including Jerusalem, which aimed at changing their demographic composition, institutional structure and status. The Commission reaffirmed that such measures constituted a grave violation of the Geneva Convention relative to the Protection of Civilian Persons in Time of War of 12 August 1949 and the Hague Convention of 1907, and that they were null and void with regard to international law.

16. The Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Population of the Occupied Territories held periodic meetings in

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implementation of the request of the General Assembly under resolution 38/79 D. During the period between the meetings, the Special Committee was kept informed of events taking place in the occupied territories relevant to its mandate. Information was gathered from a variety of sources, including oral testimony and written communications. At its periodic meetings, the Special Committee reviewed this information and assessed the human rights situation in the occupied territories with a view to deciding whether any action was required. The report of the Special Committee under Assembly resolution 38/79 D will be circulated as document A/39/591.

17. During its thirty-eighth session, the General Assembly also adopted resolution 38/85 (15 December 1983) concerning Israel's decision to build a canal linking the Mediterranean Sea to the Dead Sea, resolution 38/144 (19 December 1983) concerning permanent sovereignty over national resources in the occupied Palestinian and other Arab territories, and resolution 38/166 (19 December 1983) concerning living conditions of the Palestinian people in the occupied Palestinian territories. These questions are the subject of reports which have been circulated under agenda item 77 (A/39/142), 12 (A/39/326-E/1984/111), and 80 j (A/39/233-E/1984/79).

18. Since the thirty-eighth session, a number of communications have been addressed to the President of the Security Council or the Secretary-General on various aspects of the situation in the occupied territories. Those communications, which have been circulated as official documents of the General Assembly and/or the Security Council, were sent by Democratic Yemen as President of the Council of the League of Arab States (A/39/206-S/16501), Israel (A/39/319-S/16640), Jordan (A/39/119-S/16379 and Corr.1, A/39/237-S/16538, A/39/278-S/16589, A/39/283-S/16598, A/39/321-S/16642, A/39/395-S/16695) and Morocco (A/39/257-S/16562). Communications were also received from PLO and were circulated at the request of Egypt (S/16311, annex; S/16360, annex; S/16392, annex; S/16450, annex).

IV. PALESTINE REFUGEE PROBLEM

19. The Palestine refugee problem and the efforts of the United Nations to assist the refugees up to September 1983 were dealt with in the report of the Secretary-General (A/38/458-S/16015, paras. 18-21).

20. Following its consideration of the report of the Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA) for the period 1 July 1982 to 20 June 1983, 2/ at its thirty-eighth session, the General Assembly adopted 11 resolutions on 15 December 1983. In resolution 38/83 A, the Assembly noted with regret that repatriation or compensation of the refugees as provided for in paragraph 11 of Assembly resolution 194 (III) of 11 December 1948 had not been effected, that no substantial progress had been made in the programme endorsed by the Assembly in paragraph 2 of its resolution 513 (VI) of 26 January 1952 for the reintegration of refugees either by repatriation or resettlement and that, therefore, the situation of the refugees continued to be a matter of serious concern; expressed its thanks to the Commissioner-General and to all the staff of UNRWA, recognizing that the Agency was

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doing all it could within the limits of available resources; reiterated its request that the headquarters of UNRWA should be relocated to its former site within its area of operations as soon as practicable; noted with regret that the United Nations Conciliation Commission for Palestine had been unable to find a means of achieving progress in the implementation of paragraph 11 of Assembly resolution 194 (III) and requested the Commission to exert continued efforts towards the implementation of that paragraph and to report to the Assembly as appropriate, but not later than 1 October 1984; directed attention to the continuing seriousness of the financial position of UNRWA, as outlined in the report of the Commissioner-General; noted with concern that, despite the commendable and successful efforts of the Commissioner-General to collect additional contributions, this increased level of income to UNRWA was still insufficient to cover essential budget requirements in 1983; called upon all Governments as a matter of urgency to make the most generous efforts possible to meet the anticipated needs of UNRWA; and decided to extend the mandate of UNRWA until 30 June 1987, without prejudice to the provisions of paragraph 11 of Assembly resolution 194 (III).

21. The other resolutions adopted by the General Assembly dealt with the Working Group on the Financing of UNRWA (resolution 38/83 B), assistance to persons displaced as a result of the June 1967 and subsequent hostilities (resolution 38/83 C), offers by member States of grants and scholarships for higher education, including vocational training, for Palestine refugees (resolution 38/83 D), Palestine refugees in the Gaza Strip (resolution 38/83 E), resumption of the ration distribution to Palestine refugees (resolution 38/83 F), population and refugees displaced since 1967 (resolution 38/83 G), revenues derived from Palestine refugee properties (resolution 38/83 H), protection of Palestine refugees (resolution 38/83 I), Palestine refugees in the West Bank (resolution 38/83 J), and the University of Jerusalem "Al-Quds" for Palestine refugees (resolution 38/83 K).

22. The situation of the Palestine refugees and the activities of UNRWA since the adoption of these resolutions are described in the annual report of the Commissioner-General of UNRWA for the period 1 July 1983 to 30 June 1984. ^{3/} The reports of the United Nations Conciliation Commission for Palestine and of the Working Group on the Financing of UNRWA under resolutions 38/83 A and B appear in documents A/39/455 and A/39/575. The reports of the Secretary-General in pursuance of resolutions 38/83 D, E, G, H, I, J and K have been circulated as documents A/39/375, A/39/457, A/39/411, A/39/464 and Add.1, A/39/538, A/39/372 and A/39/528 respectively.

V. QUESTION OF PALESTINE

23. The action taken by the United Nations on the question of Palestine up to September 1983 was outlined in the report of the Secretary-General (A/38/458-S/16015, paras. 23-32).

24. At its thirty-eighth session, on 13 December 1983, the General Assembly adopted five resolutions under the agenda item entitled "Question of Palestine". In resolution 38/58 A, the Assembly endorsed the recommendations of the Committee on the Exercise of the Inalienable Rights of the Palestinian People and authorized

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the Committee to continue to exert all efforts to promote the implementation of its recommendations. In resolution 38/58 B, the Assembly requested the Secretary-General to ensure that the Division for Palestinian Rights continue to discharge its tasks and to provide it with the necessary resources to expand its work programme, and invited all Governments and organizations to lend their co-operation to the Committee. In resolution 38/58 C, the Assembly endorsed the Geneva Declaration on Palestine of 7 September 1983, welcomed and endorsed the call for convening an International Peace Conference on the Middle East in conformity with certain guidelines; invited all parties to the Arab-Israeli conflict, including the Palestine Liberation Organization, as well as the United States of America, the Union of Soviet Socialist Republics and other concerned States, to participate in the Conference; requested the Secretary-General, in consultation with the Security Council, urgently to undertake preparatory measures to convene the Conference; and invited the Security Council to facilitate the organization of the Conference. It also requested the Secretary-General to report on his efforts no later than 15 March 1984. In resolution 38/58 D, the Assembly urged the meeting of specialized agencies and other organizations, referred to in its resolution 38/145 on assistance to the Palestinian people, to be convened in 1984, to take into account the recommendations of the five preparatory meetings of the International Conference on the Question of Palestine and the relevant United Nations resolutions in developing a programme of economic and social assistance to the Palestinian people, and to implement that programme. In resolution 38/58 E, the Assembly requested that the Department of Public Information disseminate all information on the activities of the United Nations system relating to Palestine and take certain measures to that end.

25. The report of the Committee on the Exercise of the Inalienable Rights of the Palestinian People appears in document A/39/35. 4/ The report requested of the Secretary-General in resolution 38/58 C was submitted on 13 March 1984 (A/39/130-S/16409). An addendum to that report was submitted on 13 September 1984.

26. Since the thirty-eighth session, a number of communications have been addressed to the President of the Security Council or the Secretary-General on various aspects of the question of Palestine. Those communications, which have been circulated as official documents of the Security Council and/or the Security Council, were sent by India (A/39/139-S/16430) and the Chairman of the Committee on the Exercise of the Inalienable Rights of the Palestinian People (A/39/99-S/16327, A/39/116-S/16366, A/39/117-S/16373, A/39/157-S/16442, A/39/201-S/16493, A/39/234-S/16531, A/39/263-S/16568, A/39/329-S/16646, A/39/403). Communications were also received from PLO and circulated at the request of Yemen (A/39/449-S/16724, annex) and Jordan (A/39/548-S/16766, annex).

VI. SEARCH FOR A PEACEFUL SETTLEMENT

27. An outline of developments relating to the search for a peaceful settlement of the Middle East problem from November 1967 until September 1983 may be found in the Secretary-General's reports of 18 May 1973 (S/10929), 17 October 1978 (A/33/311-S/12896), 24 October 1979 (A/34/584-S/13578), 24 October 1980 (A/35/563-S/14234), 11 November 1981 (A/36/655-S/14746), 12 October 1982 (A/37/525-S/15451) and 30 October 1983 (A/38/458-S/16015).

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28. At its thirty-eighth session, on 19 December 1983, the General Assembly adopted resolution 38/180 A to E concerning the situation in the Middle East. In resolution 38/180 D the Assembly reaffirmed its conviction that the question of Palestine was the core of the conflict in the Middle East and that no comprehensive, just and lasting peace in the region would be achieved without the full exercise by the Palestinian people of its inalienable national rights; reaffirmed that a just and comprehensive settlement of the situation in the Middle East could not be achieved without the participation on an equal footing of all the parties to the conflict, including the Palestine Liberation Organization; declared that peace in the Middle East was indivisible and must be based on a comprehensive, just and lasting solution under the auspices of the United Nations; welcomed the Arab Peace Plan adopted unanimously at the Twelfth Arab Summit Conference at Fez; condemned Israel's continued occupation of the Palestinian and other Arab territories and demanded the immediate, unconditional and total withdrawal of Israel from all the territories occupied since June 1967; rejected all agreements and arrangements that violated the recognized rights of the Palestinian people and contradicted the principles of just and comprehensive solutions to the Middle East problem; determined that Israel's decision to annex Jerusalem and to declare it its "capital" as well as the measures to alter its physical character, demographic composition, institutional structure and status were null and void and demanded that they be rescinded immediately, condemned Israel's aggression, policies and practices against the Palestinian people in the occupied Palestinian territories and outside, particularly Palestinians in Lebanon; strongly condemned Israel's annexationist policies and practices in the occupied Syrian Golan Heights; considered that the agreements on strategic co-operation between the United States of America and Israel signed on 30 November 1981, together with the recent accords concluded in that context, would encourage Israel to pursue its aggressive and expansionist policies and practices; called upon all States to put an end to the flow to Israel of any military, economic and financial aid, as well as of human resources, aimed at encouraging it to pursue its aggressive policies against the Arab countries and the Palestinian people; strongly condemned the collaboration between Israel and South Africa; and reaffirmed its call for the convening of an International Peace Conference on the Middle East as specified in paragraph 5 of the Geneva Declaration on Palestine. The other parts of General Assembly resolution 38/180 concern Israeli policies in the Syrian Golan Heights and the other occupied territories (resolution 38/180 A), Palestinian cultural property that had been seized in Lebanon by the Israeli forces (resolution 38/180 B), Jerusalem (resolution 38/180 C) and supply of arms and economic aid to Israel (resolution 38/180 E).

29. The Secretary-General's report under resolution 38/180, which includes comments made by Member States on the resolution, has been circulated as document A/39/533.

30. At its thirty-eighth session, the General Assembly also adopted resolution 38/58 C concerning an International Peace Conference on the Middle East (see para. 24 above). The reports submitted by the Secretary-General in pursuance of that resolution are contained in documents A/39/130-S/16409 and Add.1.

31. During the reporting period, the Secretary-General has engaged in continuous discussions with the parties to the Middle East conflict and with others

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concerned. In June 1984, he visited Egypt, Israel, Jordan, Lebanon and the Syrian Arab Republic and had discussions with the leaders of those countries on various aspects of the Middle East problem. Thereafter, in July 1984, the Secretary-General met with the Chairman of the Executive Committee of the Palestine Liberation Organization in Geneva. His continuing contacts on the Middle East have included further discussions with the permanent members of the Security Council and others at Headquarters and with the leaders of Governments whom he has met in various capitals.

32. On 31 July 1984, the Chargé d'affaires a.i. of the Permanent Mission of the Union of Soviet Socialist Republics to the United Nations addressed to the Secretary-General a letter by which he transmitted a text dated 29 July 1984 and entitled "Proposals by the Soviet Union on a Middle East settlement". The proposals deal with the principles to be applied to a settlement as well as the organization and the convening of an International Peace Conference on the Middle East (A/39/368-S/16685).

33. Since the thirty-eighth session of the General Assembly, a number of communications have been addressed to the President of the Security Council or the Secretary-General on various aspects of the situation in the Middle East. In addition to those referred to in the preceding sections of this report (see paras. 9, 18 and 26), communications were received from Afghanistan (A/39/287-S/16602), Bangladesh (A/39/585-S/16783), France on behalf of the ten States members of the European Economic Community (A/39/161-S/16456), India (A/39/560-S/16773), Israel (A/39/79 and Corr.1, A/39/180 and Corr.1), the Libyan Arab Jamahiriya (A/39/322-S/16643), Morocco (A/39/131-S/16414 and Corr.1) and Niger (A/39/236-S/16535). A communication was also received from PLO and circulated at the request of Yemen (A/39/378-S/16693, annex).

VII. OBSERVATIONS

34. The Arab-Israeli conflict in the Middle East and its key issue, the Palestinian problem, have remained unresolved despite intensive efforts undertaken by the United Nations and individual Member States during the past 37 years.

35. The search for a peaceful settlement in the Middle East has followed a pattern that has become all too familiar. Each of the five destructive and inconclusive wars has been followed by a new peace effort, spurred by the renewed awareness of the dangers of continued stalemate. On each occasion proposals were put forward and in some cases partial agreement reached, but the peace effort soon became deadlocked because of the intransigence of one party or another. In time, the sense of urgency was lost and a deadlock was once again allowed to persist until the next major crisis.

36. However, delay does not facilitate a solution of the problem in any way. Each succeeding war becomes more destructive because of the development of new and more sophisticated weapons. Far from resolving old issues, it creates new ones and widens the circle of resentment and mistrust among opposing parties. The interests of major Powers, which have political, economic and strategic concerns in the

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region, are also inevitably involved. New layers of complexity are thus added with each new war and the passage of time.

37. The continued stalemate in the Middle East has also had adverse effects on the authority and status of the United Nations itself. As I observed in my last annual report to the General Assembly, 5/ the international community's inability to solve many of its problems has given rise to a process of side-stepping the United Nations and recourse to other means - force, unilateral action or confronting military alliances - that has weakened reliance on the Organization. I also mentioned that the non-implementation of resolutions, as well as their proliferation, tend to downgrade the seriousness with which Governments and the public view the decisions of the United Nations. Those observations apply especially to the Middle East conflict with the antagonisms and frustrations it has entailed.

38. It seems obvious that the Middle East conflict, involving as it does complex interrelated issues, can ultimately be fully resolved only by a comprehensive settlement covering all its aspects. This fact needs to be kept firmly in mind by the parties concerned, since all the agreements that have been reached in the past, whether within the United Nations framework or outside it, were clearly intended as interim steps in the search for a comprehensive peace. I continue to believe that a comprehensive settlement in the Middle East will have to meet the following conditions: the withdrawal of the Israeli forces from occupied territories; respect of and acknowledgement of the sovereignty, territorial integrity and political independence of every State in the area and their right to live in peace within secure and recognized boundaries, free from threats or acts of force; and, lastly, a just settlement of the Palestinian problem based on the recognition of the legitimate rights of the Palestinian people, including self-determination. In this context, the question of Jerusalem also remains of primary importance.

39. It also seems obvious that a comprehensive settlement will have to be reached, at least in its final stage, if not earlier, through a process of negotiation in which all the parties concerned will participate. In addition, it is generally recognized that the support of the major Powers, especially the Union of Soviet Socialist Republics and the United States of America, is essential for any lasting settlement in the Middle East. From a purely rational point of view, all these requirements could best and most readily be met if negotiations were undertaken under some form of United Nations auspices.

40. At its last session, the General Assembly called for the convening of an International Peace Conference in an effort to reach a comprehensive settlement of the Middle East problem and requested me, in consultation with the Security Council, urgently to undertake preparatory measures to this end. In the light of the consultations I have held with the parties concerned, the Members of the Security Council and other interested Governments, it is quite evident that the conditions required for convening the proposed conference with any chance of success are not met at the present time.

41. The various responses to the proposal for a Middle East peace conference exemplify many of the basic problems that have since 1948 hampered all attempts to

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negotiate a just and lasting settlement of the Middle East conflict. There has always been the question of whether talks should be direct, or indirect through some intermediary. There has been the question of whether negotiations should be between Israel and her Arab neighbours one on one, or conducted by all the parties concerned together. There has been the question of whether the negotiating process should be comprehensive or step by step. And there has been the controversy over the manner in which the Palestinian people should be represented.

42. Apart from the above problems, questions of timing and of the willingness to negotiate have tended to frustrate the efforts of third parties to initiate a practical search for a just and lasting settlement. The history of the Arab-Israeli conflict in the Middle East and of the Palestine question has thus been a long record of missed opportunities punctuated by wars and violence that have only served to complicate the situation further and to create new misery and new obstacles to peace.

43. It seems clear to me that none of the parties to this historic and tragic conflict can hope to attain its maximum demands if there is to be a state of real peace in the region. In the changes of fortune, the shifting balance of power and the inexorable development of underlying trends in the Middle East, no party can view the future with equanimity, nor will the world escape the repercussions of continuing violence in this unique area.

44. I believe that the United Nations has a special obligation to make another determined effort to find the means by which we can move forward to a negotiated peace in the Middle East. We have the basis for such a peace in Security Council resolutions 242 (1967) and 338 (1973). We have the experience of all the efforts that have been made from many quarters since 1948 to solve this problem. Given the pressing need for a more durable peace in the area, it should surely be possible to devise a negotiating process acceptable to all the parties concerned on the basis of the two resolutions mentioned above.

45. Earlier this year, both in the Middle East and elsewhere, I discussed with a number of Governments concerned the possibility of using the machinery of the Security Council in a new way to work with the parties concerned on various aspects of the Middle East problem and to distil from the various proposals and plans that have been put forward in recent years the common elements that could help to work out the basis of a negotiating structure. I believed that such a process, if it could be initiated, might still have served to clear the ground and to prepare for a full-fledged effort to negotiate the problem.

46. As far as the proposal for a Middle East peace conference is concerned, I recall that the previous peace conference that met in December 1973, and of which the United States and the Soviet Union were co-chairmen, did in fact serve a useful purpose in relation to the arrangements that followed the 1973 war in the Middle East.

47. I think it is important to consider what a Middle East peace conference could now entail. It could mean many things. It does not necessarily have to be a conference in permanent session. What is now needed, it seems to me, is a

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framework for negotiations and an umbrella under which the necessary contacts could develop according to the demands of the problems that were being considered. It is this kind of framework or auspices that I believe could most usefully serve the needs of all the parties to the Middle East conflict.

48. I do not expect such a concept to be immediately acceptable in the light of views that have been expressed, in some cases very strongly, in the past year. I do however urge that the concept be given careful consideration.

49. For my part, I intend to remain in close consultation with all the parties to the Middle East conflict in case, at any particular juncture, the Secretary-General can play a useful role in furthering the negotiating process. In the light of the deep tension in the Middle East and the emergence of new factors in the situation, nothing could be less realistic than to expect the indefinite continuation of the present situation of no peace - no war.

Notes

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

2/ Official Records of the General Assembly, Thirty-eighth Session, Supplement No. 13 (A/38/13).

3/ Ibid., Thirty-ninth Session, Supplement No. 13 (A/39/13).

4/ Ibid., Supplement No. 35 (A/39/35).

5/ Ibid., Supplement No. 1 (A/39/1).
