



General Assembly

Distr.
GENERAL

A/45/823
7 December 1990

ORIGINAL: ENGLISH

Forty-fifth session
Agenda item 75

**REPORT OF THE SPECIAL COMMITTEE TO INVESTIGATE ISRAELI PRACTICES
AFFECTING THE HUMAN RIGHTS OF THE PALESTINIAN PEOPLE AND OTHER
ARABS OF THE OCCUPIED TERRITORIES**

Report of the Special Political Committee

Rapporteur: Ms. Catherine von HEIDENSTAM (Sweden)

I. INTRODUCTION

1. The item entitled "Report of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories" was included in the provisional agenda of the forty-fifth session of the General Assembly in accordance with Assembly resolution 44/48 A of 8 December 1989.
2. At its 3rd plenary meeting, on 21 September 1990, the General Assembly, on the recommendation of the General Committee, decided to include the item in its agenda and to allocate it to the Special Political Committee.
3. The Special Political Committee considered the item at its 18th, 20th, 22nd, 24th, 26th and 27th meetings, from 21 to 28 November 1990 (see A/SPC/45/SR.18, 20, 22, 24, 26 and 27).
4. The Committee had before it the following reports:
 - (a) Note by the Secretary-General transmitting the twenty-second report of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories (A/45/576);
 - (b) Note by the Secretary-General transmitting the periodic report of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of

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the Palestinian People and Other Arabs of the Occupied Territories, covering the period from 25 August to 30 November 1989 (A/45/84);

(c) Note by the Secretary-General transmitting the periodic report of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories, covering the period from 1 December 1989 to 31 March 1990 (A/45/306);

(d) Report of the Secretary-General submitted in pursuance of General Assembly resolution 44/48 A (A/45/608);

(e) Report of the Secretary-General submitted in pursuance of General Assembly resolution 44/48 B (A/45/609);

(f) Report of the Secretary-General submitted in pursuance of General Assembly resolution 44/48 C (A/45/610);

(g) Report of the Secretary-General submitted in pursuance of General Assembly resolution 44/48 D (A/45/611);

(h) Report of the Secretary-General submitted in pursuance of General Assembly resolution 44/48 E (A/45/612);

(i) Report of the Secretary-General submitted in pursuance of General Assembly resolution 44/48 F (A/45/613);

(j) Report of the Secretary-General submitted in pursuance of General Assembly resolution 44/48 G (A/45/614).

5. The Committee also had before it 19 letters, dated 27 December 1989 (A/45/72-S/21061), 23 April (A/45/253-S/21269), 27 April (A/45/258-S/21276), 21 May (A/45/283-S/21308), 22 May (A/45/285-S/21311), 30 May (A/45/295-S/21321), 12 June (A/45/311-S/21356), 22 June (A/45/317-S/21369), 26 June (A/45/326-S/21378), 26 July (A/45/360-S/21410), 14 September (A/45/506-S/21752), 21 September (A/45/532-S/21809), 24 September (A/45/534-S/21813), 8 October (A/45/596-S/21850), 19 October (A/45/655-S/21888) 2 November (A/45/703-S/21926), 5 November (A/45/704-S/21928), 14 November (A/45/722-S/21942) and 19 November 1990 (A/45/727-S/21949) from the Permanent Observer of Palestine to the United Nations or the Chargé d'affaires a.i. of the Permanent Observer Mission of Palestine to the United Nations addressed to the Secretary-General; 5 letters, dated 31 January (A/45/93-S/21118), 9 February (A/45/116-S/21137), 13 February (A/45/121-S/21143), 27 April (A/45/260-S/21280) and 24 May (A/45/290-S/21335) from the Permanent Representative of the Union of Soviet Socialist Republics to the United Nations addressed to the Secretary-General; 2 letters, dated 7 February (A/45/114-S/21134) and 27 March 1990 (A/45/182-S/21213), from the Permanent Representative of Saudi Arabia to the United Nations and the Chargé d'affaires a.i. of the Permanent Mission of Saudi Arabia to the United Nations respectively, addressed to the Secretary-General; a letter dated 12 February 1990 (A/45/122-S/21144) from the Permanent Representative of Tunisia to the United Nations addressed to the Secretary-General; a letter dated 23 May 1990 (A/45/288-S/21332) from the Permanent

Representative of Ireland to the United Nations addressed to the Secretary-General; a letter dated 28 June 1990 (A/45/333 and Corr.1) from the Permanent Representative of the Syrian Arab Republic to the United Nations addressed to the Secretary-General; a letter dated 19 September 1990 (A/45/421-S/21797) from the Permanent Representative of Egypt to the United Nations addressed to the Secretary-General; a letter dated 18 October 1990 (A/45/650-S/21886) from the Permanent Representative of Indonesia to the United Nations addressed to the Secretary-General; and a letter dated 20 March 1990 (A/45/175-S/21199) from the Chairman of the Committee on the Exercise of the Inalienable Rights of the Palestinian People addressed to the Secretary-General.

6. At the 18th meeting, on 21 November, the representative of Sri Lanka, Chairman of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories, introduced the Committee's report (A/45/576).

II. CONSIDERATION OF PROPOSALS

7. In the course of its deliberations, the Special Political Committee considered seven draft resolutions, as set forth below.

A. Draft resolution A/SPC/45/L.27

8. At the 27th meeting, on 28 November, the representative of Bangladesh introduced a draft resolution (A/SPC/45/L.27 sponsored by Afghanistan, Bangladesh, Brunei Darussalam, Burkina Faso, Cuba, Indonesia, Malaysia, Pakistan and Zambia, joined subsequently by the Comoros, India and Madagascar.

9. At the same meeting, the Committee voted on draft resolution A/SPC/45/L.27 as follows:

(a) Operative paragraph 6 was adopted by a recorded vote of 63 to 20, with 32 abstentions. The voting was as follows: 1/

1/ The representatives of Belgium, Portugal and Spain subsequently stated that their delegations had intended to vote against operative paragraph 6 of draft resolution A/SPC/45/L.27; the representatives of Ghana and Malaysia subsequently stated that their delegations had intended to vote in favour of operative paragraph 6 of draft resolution A/SPC/45/L.27; the representative of the United Republic of Tanzania subsequently stated that, had his delegation been present during the vote, it would have voted in favour of operative paragraph 6 of draft resolution A/SPC/45/L.27.

In favour: Afghanistan, Albania, Algeria, Angola, Bahrain, Bangladesh, Benin, Botswana, Brunei Darussalam, Burkina Faso, Byelorussian Soviet Socialist Republic, China, Colombia, Congo, Cuba, Cyprus, Djibouti, Guinea, Guyana, Haiti, India, Indonesia, Iran (Islamic Republic of), Iraq, Jordan, Lebanon, Lesotho, Libyan Arab Jamahiriya, Madagascar, Maldives, Mali, Mauritania, Mexico, Mongolia, Morocco, Myanmar, Namibia, Nepal, Niger, Nigeria, Oman, Pakistan, Qatar, Saudi Arabia, Senegal, Sierra Leone, Singapore, Somalia, Sri Lanka, Sudan, Suriname, Swaziland, Syrian Arab Republic, Togo, Tunisia, Uganda, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Arab Emirates, Yemen, Yugoslavia, Zambia, Zimbabwe.

Against: Australia, Canada, Czechoslovakia, Denmark, Finland, France, Germany, Greece, Hungary, Iceland, Ireland, Israel, Italy, Japan, Malta, Netherlands, New Zealand, Norway, United Kingdom of Great Britain and Northern Ireland, United States of America.

Abstaining: Argentina, Austria, Bahamas, Barbados, Belgium, Bolivia, Brazil, Bulgaria, Cameroon, Central African Republic, Costa Rica, Côte d'Ivoire, Ecuador, Egypt, Ethiopia, Jamaica, Kenya, Liechtenstein, Luxembourg, Malawi, Peru, Philippines, Poland, Portugal, Romania, Samoa, Spain, Sweden, Thailand, Turkey, Uruguay, Venezuela.

(b) The draft resolution as a whole was adopted by a recorded vote of 80 to 2, with 36 abstentions (see para. 25, draft resolution A). The voting was as follows: 2/

In favour: Afghanistan, Albania, Algeria, Angola, Argentina, Bahrain, Bangladesh, Barbados, Benin, Bolivia, Botswana, Brazil, Brunei Darussalam, Burkina Faso, Byelorussian Soviet Socialist Republic, Chile, China, Colombia, Congo, Cuba, Cyprus, Djibouti, Ecuador, Egypt, Ethiopia, Guinea, Guyana, Haiti, India, Indonesia, Iran (Islamic Republic of), Iraq, Jordan, Kenya, Lebanon, Lesotho, Libyan Arab Jamahiriya, Madagascar, Malaysia, Maldives, Mali, Mauritania, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Nicaragua, Niger, Nigeria, Oman, Pakistan, Peru,

2/ The representative of Barbados subsequently stated that her delegation had intended to abstain on draft resolution A/SPC/45/L.27 as a whole; the representative of Ghana subsequently stated that his delegation had intended to vote in favour of draft resolution A/SPC/45/L.27 as a whole; the representative of the United Republic of Tanzania subsequently stated that, had his delegation been present during the vote, it would have voted in favour of draft resolution A/SPC/45/L.27 as a whole.

Philippines, Qatar, Saudi Arabia, Senegal, Sierra Leone, Singapore, Somalia, Sri Lanka, Sudan, Suriname, Swaziland, Syrian Arab Republic, Thailand, Togo, Tunisia, Turkey, Uganda, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Arab Emirates, Venezuela, Yemen, Yugoslavia, Zambia, Zimbabwe.

Against: Israel, United States of America.

Abstaining: Australia, Austria, Belgium, Bulgaria, Cameroon, Canada, Central African Republic, Costa Rica, Côte d'Ivoire, Czechoslovakia, Denmark, Finland, France, Germany, Greece, Hungary, Iceland, Ireland, Italy, Jamaica, Japan, Liechtenstein, Luxembourg, Malawi, Malta, Netherlands, New Zealand, Norway, Poland, Portugal, Romania, Samoa, Spain, Sweden, United Kingdom of Great Britain and Northern Ireland, Uruguay.

B. Draft resolution A/SPC/45/L.28

10. At the 27th meeting, on 28 November, the representative of Pakistan introduced a draft resolution (A/SPC/45/L.28) sponsored by Afghanistan, Bangladesh, Brunei Darussalam, Burkina Faso, Cuba, Indonesia, Malaysia, Pakistan and Zambia, joined subsequently by the Comoros, India and Madagascar.

11. At the same meeting, the Committee voted on draft resolution A/SPC/45/L.28 as follows:

(a) Operative paragraph 1 was adopted by a recorded vote of 119 to 1. The voting was as follows: 3/

In favour: Afghanistan, Albania, Algeria, Angola, Argentina, Australia, Austria, Bahamas, Bahrain, Bangladesh, Barbados, Belgium, Benin, Bolivia, Botswana, Brazil, Brunei Darussalam, Bulgaria, Byelorussian Soviet Socialist Republic, Cameroon, Canada, Central African Republic, Chile, China, Colombia, Congo, Costa Rica, Côte d'Ivoire, Cuba, Cyprus, Czechoslovakia, Denmark, Djibouti, Ecuador, Egypt, Ethiopia, Fiji, Finland, France, Germany, Greece, Guinea, Guyana, Haiti, Hungary, Iceland, India, Indonesia, Iran (Islamic Republic of), Iraq, Ireland, Italy, Jamaica, Japan, Jordan, Kenya, Lebanon, Lesotho, Libyan Arab Jamahiriya, Liechtenstein, Luxembourg, Madagascar, Malawi, Malaysia,

3/ The representative of Ghana subsequently stated that his delegation had intended to vote in favour of operative paragraph 1 of draft resolution A/SPC/45/L.28; the representative of the United Republic of Tanzania subsequently stated that, had his delegation been present during the vote, it would have voted in favour of operative paragraph 1 of draft resolution A/SPC/45/L.28.

Maldives, Mali, Malta, Mauritania, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Peru, Philippines, Poland, Portugal, Qatar, Romania, Samoa, Saudi Arabia, Senegal, Sierra Leone, Singapore, Somalia, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Syrian Arab Republic, Thailand, Togo, Tunisia, Turkey, Uganda, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, United States of America, Uruguay, Venezuela, Yemen, Yugoslavia, Zambia, Zimbabwe.

Against: Israel.

Abstaining: None.

(b) The draft resolution as a whole was adopted by a recorded vote of 118 to 1, with 1 abstention (see para. 25, draft resolution B). The voting was as follows: 4/

In favour: Afghanistan, Albania, Algeria, Argentina, Australia, Austria, Bahamas, Bahrain, Bangladesh, Barbados, Belgium, Benin, Bolivia, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Byelorussian Soviet Socialist Republic, Cameroon, Canada, Central African Republic, Chile, China, Colombia, Congo, Costa Rica, Côte d'Ivoire, Cuba, Cyprus, Czechoslovakia, Denmark, Djibouti, Ecuador, Egypt, Ethiopia, Fiji, Finland, France, Germany, Greece, Guinea, Guyana, Haiti, Hungary, Iceland, India, Indonesia, Iran (Islamic Republic of), Iraq, Ireland, Italy, Jamaica, Japan, Jordan, Kenya, Lebanon, Lesotho, Libyan Arab Jamahiriya, Liechtenstein, Luxembourg, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Mauritania, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Peru, Philippines, Poland, Portugal, Qatar, Romania, Samoa, Saudi Arabia, Senegal, Sierra Leone, Singapore, Somalia, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Syrian Arab Republic, Thailand, Togo, Tunisia, Turkey, Uganda, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, Uruguay, Venezuela, Yemen, Yugoslavia, Zambia, Zimbabwe.

4/ The representative of Ghana subsequently stated that his delegation had intended to vote in favour of draft resolution A/SPC/45/L.28 as a whole; the representative of the United Republic of Tanzania subsequently stated that, had his delegation been present during the vote, it would have voted in favour of A/SPC/45/L.28 as a whole.

Against: Israel.

Abstaining: United States of America.

C. Draft resolution A/SPC/45/L.29

12. At the 27th meeting, on 28 November, the representative of Pakistan introduced a draft resolution (A/SPC/45/L.29) sponsored by Afghanistan, Bangladesh, Brunei Darussalam, Burkina Faso, Cuba, Indonesia, Malaysia, Pakistan and Zambia, joined subsequently by the Comoros, India and Madagascar.

13. At the same meeting, the Committee adopted draft resolution A/SPC/45/L.29 by a recorded vote of 120 to 1, with 1 abstention (see para. 25, draft resolution C). The voting was as follows: 5/

In favour: Afghanistan, Albania, Algeria, Angola, Argentina, Australia, Austria, Bahamas, Bahrain, Bangladesh, Barbados, Belgium, Benin, Bolivia, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Byelorussian Soviet Socialist Republic, Cameroon, Canada, Central African Republic, Chile, China, Colombia, Congo, Costa Rica, Côte d'Ivoire, Cuba, Cyprus, Czechoslovakia, Denmark, Djibouti, Ecuador, Egypt, Ethiopia, Fiji, Finland, France, Germany, Ghana, Greece, Guinea, Guyana, Haiti, Hungary, Iceland, India, Indonesia, Iran (Islamic Republic of), Iraq, Ireland, Italy, Jamaica, Japan, Jordan, Kenya, Lebanon, Lesotho, Libyan Arab Jamahiriya, Liechtenstein, Luxembourg, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Mauritania, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Peru, Philippines, Poland, Portugal, Qatar, Romania, Samoa, Saudi Arabia, Senegal, Sierra Leone, Singapore, Somalia, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Syrian Arab Republic, Thailand, Togo, Tunisia, Turkey, Uganda, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, Uruguay, Venezuela, Yemen, Yugoslavia, Zambia, Zimbabwe.

Against: Israel.

Abstaining: United States of America.

5/ The representative of the United Republic of Tanzania subsequently stated that, had his delegation been present during the vote, it would have voted in favour of the draft resolution.

D. Draft resolution A/SPC/45/L.30

14. At the 25th meeting, on 22 November, the representative of Pakistan introduced a draft resolution (A/SPC/45/L.30) sponsored by Afghanistan, Bangladesh, Brunei Darussalam, Burkina Faso, Cuba, Indonesia, Malaysia, Pakistan and Zambia, joined subsequently by the Comoros, India and Madagascar.

15. At the same meeting, the Committee adopted draft resolution A/SPC/45/L.30 by a recorded vote of 119 to 2 (see para. 25, draft resolution D). The voting was as follows: 5/

In favour: Afghanistan, Albania, Algeria, Angola, Argentina, Australia, Austria, Bahamas, Bahrain, Bangladesh, Barbados, Belgium, Benin, Bolivia, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Byelorussian Soviet Socialist Republic, Cameroon, Canada, Central African Republic, Chile, China, Colombia, Congo, Costa Rica, Côte d'Ivoire, Cuba, Cyprus, Czechoslovakia, Denmark, Djibouti, Ecuador, Egypt, Ethiopia, Fiji, Finland, France, Germany, Ghana, Greece, Guinea, Guyana, Haiti, Hungary, Iceland, India, Indonesia, Iran (Islamic Republic of), Iraq, Ireland, Italy, Jamaica, Japan, Jordan, Kenya, Lebanon, Lesotho, Libyan Arab Jamahiriya, Liechtenstein, Luxembourg, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Mauritania, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Peru, Philippines, Poland, Portugal, Qatar, Romania, Samoa, Saudi Arabia, Senegal, Sierra Leone, Singapore, Somalia, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Syrian Arab Republic, Togo, Tunisia, Turkey, Uganda, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, Uruguay, Venezuela, Yemen, Yugoslavia, Zambia, Zimbabwe.

Against: Israel, United States of America.

Abstaining: None.

E. Draft resolution A/SPC/45/L.31

16. At the 27th meeting, on 28 November, the representative of Bangladesh introduced a draft resolution (A/SPC/45/L.31) sponsored by Afghanistan, Bangladesh, Brunei Darussalam, Burkina Faso, Cuba, Indonesia, Malaysia, Pakistan and Zambia, joined subsequently by the Comoros, India and Madagascar.

17. At the same meeting, the Committee adopted draft resolution A/SPC/45/L.31 by a recorded vote of 120 to 1, with 1 abstention (see para. 25, draft resolution E). The voting was as follows: 5/

In favour: Afghanistan, Albania, Algeria, Angola, Argentina, Australia, Austria, Bahamas, Bahrain, Bangladesh, Barbados, Belgium, Benin, Bolivia, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Byelorussian Soviet Socialist Republic, Cameroon, Canada, Central African Republic, Chile, China, Colombia, Congo, Costa Rica, Côte d'Ivoire, Cuba, Cyprus, Czechoslovakia, Denmark, Djibouti, Ecuador, Egypt, Ethiopia, Fiji, Finland, France, Germany, Ghana, Greece, Guinea, Guyana, Haiti, Hungary, Iceland, India, Indonesia, Iran (Islamic Republic of), Iraq, Ireland, Italy, Jamaica, Japan, Jordan, Kenya, Lebanon, Lesotho, Libyan Arab Jamahiriya, Liechtenstein, Luxembourg, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Mauritania, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Peru, Philippines, Poland, Portugal, Qatar, Romania, Samoa, Saudi Arabia, Senegal, Sierra Leone, Singapore, Somalia, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Syrian Arab Republic, Thailand, Togo, Tunisia, Turkey, Uganda, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, Uruguay, Venezuela, Yemen, Yugoslavia, Zambia, Zimbabwe.

Against: Israel.

Abstaining: United States of America.

F. Draft resolution A/SPC/45/L.32, as orally revised

18. At the 27th meeting, on 28 November, the Committee had before it the text of a draft resolution sponsored by Afghanistan, Bangladesh, Brunei Darussalam, Burkina Faso, Cuba, Indonesia, Malaysia, Pakistan and Zambia, joined subsequently by the Comoros, India and Madagascar (A/SPC/45/L.32), which read as follows:

"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, 39/95 F of 14 December 1984, 40/161 F of 16 December 1985, 41/63 F of 3 December 1986, 42/160 F of 8 December 1987, 43/21 of 3 November 1988, 43/58 F of 6 December 1988, 44.2 of 6 October 1989 and 44/48 F of 8 December 1989,

"Having considered the report of the Secretary-General of 15 October 1990, 1/

"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, inter alia, it 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 on the Syrian Arab Golan, 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, 2/

"Reaffirming the applicability of the Fourth Geneva Convention to the occupied Syrian Arab Golan,

"Bearing in mind Security Council resolution 237 (1967) of 14 January 1967,

"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 Arab Golan 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;

"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 Arab Golan are null and

1/ A/45/613.

2/ United Nations, Treaty Series, vol. 75, No. 973.

void, constitute a flagrant violation of international law and of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, and have no legal effect;

"4. Deplores the Israeli practices regarding the confiscation of lands and the diversion of water resources to the Israeli settlements, as well as the social, economic and cultural changes imposed by Israeli authorities over the occupied Syrian Arab Golan, which have resulted in the deterioration of the status of the Syrian Arab citizens at the occupied Syrian Arab Golan and in preventing the exportation of their agricultural products;

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

"6. Deplores the violations by Israel of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949;

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

"8. Requests the Secretary-General to report to the General Assembly at its forty-sixth session on the implementation of the present resolution."

19. At the same meeting, the representative of Bangladesh introduced the draft resolution and, on behalf of the sponsors, orally revised the text by deleting operative paragraph 4.

20. At the same meeting, the Committee adopted draft resolution A/SPC/45/L.32, as orally revised, by a recorded vote of 119 to 1, with 1 abstention (see para. 25, draft resolution F). The voting was as follows: 5/

In favour: Afghanistan, Albania, Algeria, Angola, Argentina, Australia, Austria, Bahamas, Bahrain, Bangladesh, Barbados, Belgium, Benin, Bolivia, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Byelorussian Soviet Socialist Republic, Cameroon, Canada, Central African Republic, Chile, China, Colombia, Congo, Costa Rica, Côte d'Ivoire, Cuba, Cyprus, Czechoslovakia, Denmark, Djibouti, Ecuador, Egypt, Ethiopia, Fiji, Finland, France, Germany, Ghana, Greece, Guinea, Guyana, Haiti, Hungary, Iceland, India, Indonesia, Iran (Islamic Republic of), Iraq, Ireland, Italy, Jamaica, Japan, Jordan, Kenya, Lebanon, Lesotho, Libyan Arab Jamahiriya, Liechtenstein, Luxembourg, Madagascar, Malaysia, Maldives, Mali, Malta, Mauritania, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Peru, Philippines, Poland, Portugal, Qatar, Romania, Samoa, Saudi Arabia, Senegal, Sierra Leone, Singapore, Somalia, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Syrian Arab Republic,

Thailand, Togo, Tunisia, Turkey, Uganda, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, Uruguay, Venezuela, Yemen, Yugoslavia, Zambia, Zimbabwe.

Against: Israel.

Abstaining: United States of America.

G. Draft resolution A/SPC/45/L.33

21. At the 27th meeting, on 28 November, the representative of Bangladesh introduced a draft resolution (A/SPC/45/L.33) sponsored by Afghanistan, Bangladesh, Brunei Darussalam, Burkina Faso, Cuba, Indonesia, Malaysia, Pakistan and Zambia, joined subsequently by the Comoros, India and Madagascar.

22. At the same meeting, the Committee adopted draft resolution A/SPC/45/L.33 by a recorded vote of 120 to 2 (see para. 25, draft resolution G). The voting was as follows: 5/

In favour: Afghanistan, Albania, Algeria, Angola, Argentina, Australia, Austria, Bahamas, Bahrain, Bangladesh, Barbados, Belgium, Benin, Bolivia, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Byelorussian Soviet Socialist Republic, Cameroon, Canada, Central African Republic, Chile, China, Colombia, Congo, Costa Rica, Côte d'Ivoire, Cuba, Cyprus, Czechoslovakia, Denmark, Djibouti, Ecuador, Egypt, Ethiopia, Fiji, Finland, France, Germany, Ghana, Greece, Guinea, Guyana, Haiti, Hungary, Iceland, India, Indonesia, Iran (Islamic Republic of), Iraq, Ireland, Italy, Jamaica, Japan, Jordan, Kenya, Lebanon, Lesotho, Libyan Arab Jamahiriya, Liechtenstein, Luxembourg, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Mauritania, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Peru, Philippines, Poland, Portugal, Qatar, Romania, Samoa, Saudi Arabia, Senegal, Sierra Leone, Singapore, Somalia, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Syrian Arab Republic, Thailand, Togo, Tunisia, Turkey, Uganda, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, Uruguay, Venezuela, Yemen, Yugoslavia, Zambia, Zimbabwe.

Against: Israel, United States of America.

Abstaining: None.

23. A statement in explanation of vote was made by the representative of the United States of America before the vote (see A/SPC/45/SR.27).

24. Following the voting on all the draft resolutions, statements in explanation of vote were made by the representatives of Costa Rica, Norway, Austria, Australia, Italy (on behalf of the States members of the European Community), New Zealand, Argentina, Sweden and the Islamic Republic of Iran (see A/SPC/45/SR.27).

III. RECOMMENDATIONS OF THE SPECIAL POLITICAL COMMITTEE

25. The Special Political Committee recommends to the General Assembly the adoption of the following resolutions:

Report of the Special Committee to Investigate Israeli Practices
Affecting the Human Rights of the Palestinian People and Other
Arabs of the Occupied Territories

A

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, 6/

Aware of the uprising (intifadah) of the Palestinian people since 9 December 1987 against Israeli occupation, which has received significant attention and sympathy from world public opinion,

Deeply concerned at the alarming situation in the Palestinian territory occupied since 1967, including Jerusalem, as well as in the other occupied Arab territories, as a result of their continued occupation by Israel, the occupying Power, and of its persistent policies against the Palestinian people,

Bearing in mind the provisions of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, 7/ as well as of other relevant conventions and regulations,

Taking into account the need to consider measures for the impartial protection of the Palestinian people under Israeli occupation,

Recalling the relevant resolutions of the Security Council, in particular resolutions 605 (1987) of 22 December 1987, 607 (1988) of 5 January 1988, 608 (1988) of 14 January 1988, 636 (1989) of 6 July 1989, 641 (1989) of 30 August 1989, 672 (1990) of 12 October 1990 and 673 (1990) of 24 October 1990,

6/ Resolution 217 A (III).

7/ United Nations, Treaty Series, vol. 75, No. 973.

Recalling also 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, ES-9/1 of 5 February 1982, 37/88 C of 10 December 1982, 38/79 D of 15 December 1983, 39/95 D of 14 December 1984, 40/161 D of 16 December 1985, 41/63 D of 3 December 1986, 42/160 D of 8 December 1987, 43/21 of 3 November 1988, 43/58 A of 6 December 1988, 44/2 of 6 October 1989 and 44/48 A of 8 December 1989,

Recalling further the relevant resolutions adopted by the Commission on Human Rights, in particular its resolutions 1983/1 of 15 February 1983, 8/ 1984/1 of 20 February 1984, 9/ 1985/1 A and B and 1985/2 of 19 February 1985, 10/ 1986/1 A and B and 1986/2 of 20 February 1986, 11/ 1987/1, 1987/2 A and B and 1987/4 of 19 February 1987, 12/ 1988/1 A and B and 1988/2 of 15 February 1988 and 1988/3 of 22 February 1988, 13/ 1989/1 of 17 February 1989, 1989/2 of 17 February 1989 and 1989/19 of 6 March 1989, 14/ 1990/1 of 16 February 1990, 1990/2 of 16 February 1990, 1990/3 of 16 February 1990 and 1990/6 of 19 February 1990, 15/

Having considered the reports of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories, 16/ which contain, inter alia, self-incriminating public statements made by officials of Israel, the occupying Power,

Having also considered the relevant reports of the Secretary-General, 17/

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

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

10/ Ibid., 1985, Supplement No. 2 (E/1985/22), chap. II, sect. A.

11/ Ibid., 1986, Supplement No. 2 (E/1986/22), chap. II, sect. A.

12/ Ibid., 1987, Supplement No. 5 (E/1987/18 and Corr.1 and 2), chap. II, sect. A.

13/ Ibid., 1988, Supplement No. 2 (E/1988/12), chap. II, sect. A.

14/ Ibid., 1989, Supplement No. 2 (E/1989/20), chap. II, sect. A.

15/ Ibid., 1990, Supplement No. 2 (E/1990/94), chap. II, sect. A.

16/ A/45/84, A/45/306 and A/45/576.

17/ S/19443, S/21919 and Corr.1 and A/45/608.

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

2. Deplores the continued refusal by Israel to allow the Special Committee access to the occupied Palestinian territory, including Jerusalem, and other Arab territories occupied by Israel since 1967;

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

4. Reaffirms the fact that occupation itself constitutes a grave violation of the human rights of the Palestinian people in the occupied Palestinian territory, including Jerusalem, and other Arab territories occupied by Israel since 1967;

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 territory, including Jerusalem, 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 Palestinian territory, including Jerusalem;

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

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

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

(e) Eviction, deportation, expulsion, displacement and transfer of Palestinians and other Arabs from the occupied territories and denial of their right to return;

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

(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 Palestinian and other Arab houses;

(j) Collective punishment, mass arrests, administrative detention and ill-treatment of Palestinians and other Arabs;

(k) Torture of Palestinians and other Arabs;

(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 development and health of the Palestinians and other Arabs in the occupied territories;

(n) Interference with the freedom of movement of individuals within the occupied Palestinian territory, including Jerusalem, and other Arab territories occupied by Israel since 1967;

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

9. Also strongly condemns, in particular, the following Israeli policies and practices:

(a) Implementation of an "iron-fist" policy against the Palestinian people in the occupied Palestinian territory;

(b) Escalation of Israeli brutality since the beginning of the uprising (intifadah) on 9 December 1987;

(c) Ill-treatment and torture of children and minors under detention and/or imprisonment;

(d) Closure of headquarters and offices of trade unions and social organizations and harassment of their leaders, including through expulsion, as well as attacks on hospitals and their personnel;

(e) Interference with the freedom of the press, including censorship, detention or expulsion of journalists, closure and suspension of newspapers and magazines, as well as denial of access to international media;

- (f) Killing and wounding of defenceless demonstrators;
- (g) Breaking of bones and limbs of thousands of civilians;
- (h) House and/or town arrests;
- (i) Use of toxic gas, which has resulted, inter alia, in the killing of many Palestinians;

10. Condemns the Israeli repression against and closing of the educational institutions in the occupied Syrian Arab Golan, particularly prohibiting Syrian textbooks and the Syrian educational system, preventing Syrian students from pursuing their higher education in Syrian universities, denying the right of return to Syrian students receiving their higher education in the Syrian Arab Republic, forcing Hebrew on Syrian students, imposing courses that promote hatred, prejudice and religious intolerance, and dismissing teachers, all in clear violation of the Fourth Geneva Convention;

11. Strongly condemns the arming of Israeli settlers in the occupied territories to perpetrate and commit acts of violence against Palestinians and other Arabs, causing deaths and injuries;

12. 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 occupied Palestinian territory, including Jerusalem, and other Arab territories occupied by Israel since 1967, and to initiate measures to halt Israeli policies and practices in those territories;

13. Urges the Security Council to consider the current situation in the Palestinian territory occupied by Israel since 1967, taking into account the recommendations contained in the reports of the Secretary-General, and with a view to securing international protection for the defenceless Palestinian people until the withdrawal of Israel, the occupying Power, from the occupied Palestinian territory;

14. 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 those occupied territories constitutes a flagrant violation of the Fourth Geneva Convention and of the relevant resolutions of the United Nations;

15. Demands that Israel desist forthwith from the policies and practices referred to in paragraphs 8, 9, 10 and 11 above;

16. 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 Palestinians in the city;

17. Also 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;

18. Urges international organizations, including the specialized agencies, in particular the International Labour Organisation, the United Nations Educational, Scientific and Cultural Organization and the World Health Organization, to continue to examine the educational and health conditions in the occupied Palestinian territory, including Jerusalem, and other Arab territories occupied by Israel since 1967;

19. Reiterates its call upon all States, in particular those States parties to the Fourth 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, the occupying Power, in the occupied territories and to avoid actions, including those in the field of aid, that 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;

20. Requests the Special Committee, pending early termination of the Israeli occupation, to continue to investigate Israeli policies and practices in the occupied Palestinian territory, including Jerusalem, and other Arab territories occupied by Israel since 1967, to consult, as appropriate, with the International Committee of the Red Cross in order to ensure that the welfare and human rights of the peoples of the occupied territories are safeguarded and to report to the Secretary-General as soon as possible and whenever the need arises thereafter;

21. Also requests the Special Committee to submit regularly to the Secretary-General periodic reports on the present situation in the occupied Palestinian territory;

22. Further requests the Special Committee to continue to investigate the treatment of prisoners in the occupied Palestinian territory, including Jerusalem, and other Arab territories occupied by Israel since 1967;

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

24. Requests the Secretary-General:

(a) To provide all necessary facilities to the Special Committee, including those required for its visits to the occupied territories, so that it may investigate the Israeli policies and practices referred to in the present resolution;

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

(c) To circulate regularly and periodically the reports mentioned in paragraph 21 above to the States Members of the United Nations;

(d) 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 which are no longer available;

(e) To report to the General Assembly at its forty-sixth session on the tasks entrusted to him in the present resolution;

25. Decides to include in the provisional agenda of its forty-sixth session the item entitled "Report of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories".

B

The General Assembly,

Recalling Security Council resolution 465 (1980) of 1 March 1980, in which, inter alia, the Council affirmed that the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, 18/ is applicable to the Arab territories occupied by Israel since 1967, including Jerusalem,

Recalling also Security Council resolutions 672 (1990) of 12 October 1990 and 673 (1990) of 24 October 1990,

Recalling further its resolutions 3092 A (XXVIII) of 7 December 1973, 3240 B (XXIX) of 29 November 1974, 3525 B (XXX) of 15 December 1975, 31/106 B of 16 December 1976, 32/91 A of 13 December 1977, 33/113 A of 18 December 1978, 34/90 B of 12 December 1979, 35/122 A of 11 December 1980, 36/147 A of 16 December 1981, 37/88 A of 10 December 1982, 38/79 B of 15 December 1983, 39/95 B of 14 December 1984, 40/161 B of 16 December 1985, 41/63 B of 3 December 1986, 42/160 B of 8 December 1987, 43/58 B of 6 December 1988 and 44/48 B of 8 December 1989,

Taking note of the relevant reports of the Secretary-General, 19/

Considering that the promotion of respect for the obligations arising from the Charter of the United Nations and other instruments and rules of international law is among the basic purposes and principles of the United Nations,

18/ United Nations, Treaty Series, vol. 75, No. 973.

19/ S/19443, S/21919 and Corr.1 and A/45/609.

Bearing in mind the provisions of the Fourth Geneva Convention,

Noting that Israel and the concerned Arab States whose territories have been occupied by Israel since June 1967 are parties to that Convention,

Taking into account that States parties to the Fourth Geneva Convention undertake, in accordance with article 1 thereof, not only to respect but also to ensure respect for the Convention in all circumstances,

1. Reaffirms that the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, is applicable to the occupied Palestinian territory, including Jerusalem, and other Arab territories occupied by Israel since 1967;
2. Condemns once again the failure of Israel, the occupying Power, to acknowledge the applicability of the Fourth Geneva Convention to the territories it has occupied since 1967, including Jerusalem;
3. Strongly demands that Israel accept the de jure applicability of the Fourth Geneva Convention and comply with its provisions in the occupied Palestinian territory, including Jerusalem, and other Arab territories occupied by Israel since 1967;
4. Urgently calls upon all States parties to the Fourth Geneva Convention to exert all efforts in order to ensure respect for and compliance with its provisions in the occupied Palestinian territory, including Jerusalem, and other Arab territories occupied by Israel since 1967;
5. Requests the Secretary-General to report to the General Assembly at its forty-sixth session on the implementation of the present resolution.

C

The General Assembly,

Recalling Security Council resolutions 465 (1980) of 1 March 1980, 605 (1987) of 22 December 1987, 672 (1990) of 12 October 1990 and 673 (1990) of 24 October 1990,

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, 39/95 C of 14 December 1984, 40/161 C of 16 December 1985, 41/63 C of 3 December 1986, 42/160 C of 8 December 1987, 43/58 C of 6 December 1988 and 44/48 C of 8 December 1989,

Expressing grave anxiety and concern at the serious situation prevailing in the occupied Palestinian territory, including Jerusalem, and other Arab territories occupied by Israel since 1967, 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,

Taking note of the relevant reports of the Secretary-General, 20/

Confirming that the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, 21/ is applicable to all occupied Palestinian territory, including Jerusalem, and other Arab territories occupied by Israel since 1967,

1. Determines that all such measures and actions taken by Israel in the occupied Palestinian territory, including Jerusalem, and other Arab territories occupied by Israel since 1967 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, 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 occupied Palestinian territory, including Jerusalem, and other Arab territories occupied by Israel since 1967;

3. Demands that Israel comply strictly with its international obligations in accordance with the principles of international law and the provisions of the Fourth Geneva Convention;

4. Demands once more that Israel, the occupying Power, desist forthwith from taking any action that would result in changing the legal status, geographical nature or demographic composition of the occupied Palestinian territory, including Jerusalem, and other Arab territories occupied by Israel since 1967;

5. Urgently calls upon all States parties to the Fourth Geneva Convention to respect and to exert all efforts in order to ensure respect for and compliance with its provisions in all occupied Palestinian territory, including Jerusalem, and other Arab territories occupied by Israel since 1967;

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

D

The General Assembly,

Recalling Security Council resolution 605 (1987) of 22 December 1987,

20/ S/19443, S/21919 and Corr.1 and A/45/610.

21/ United Nations, Treaty Series, vol. 75, No. 973.

Recalling its resolutions 38/79 A of 15 December 1983, 39/95 A of 14 December 1984, 40/161 A of 16 December 1985, 41/63 A of 3 December 1986, 42/160 A of 8 December 1987, 43/21 of 3 November 1988, 43/58 D of 6 December 1988, 44/2 of 6 October 1989 and 44/48 D of 8 December 1989,

Taking note of the reports 22/ of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories,

Taking note also of the relevant reports of the Secretary-General, 23/

1. Deplores the arbitrary detention or imprisonment by Israel of thousands of Palestinians as a result of their resistance against occupation in order to attain self-determination;
2. Calls upon Israel, the occupying Power, to release all Palestinians and other Arabs arbitrarily detained or imprisoned;
3. Requests the Secretary-General to report to the General Assembly as soon as possible but not later than the beginning of its forty-sixth session on the implementation of the present resolution.

E

The General Assembly,

Recalling Security Council resolutions 605 (1987) of 22 December 1987, 607 (1988) of 5 January 1988, 608 (1988) of 14 January 1988, 636 (1989) of 6 July 1989, 641 (1989) of 30 August 1989, 672 (1990) of 12 October 1990 and 673 (1990) of 24 October 1990,

Taking note of the relevant reports of the Secretary-General, 24/

Alarmed by the continuing deportation of Palestinians from the occupied Palestinian territory by the Israeli authorities,

Recalling the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, 25/ in particular article 1 and the first paragraph of article 49, which read as follows:

22/ A/45/84, A/45/306 and A/45/576.

23/ S/19443, S/21919 and Corr.1 and A/45/511.

24/ S/19443, S/21919 and Corr.1 and A/45/612.

25/ United Nations, Treaty Series, vol. 75, No. 973.

"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 Fourth Geneva Convention to the occupied Palestinian territory, including Jerusalem, and other Arab territories occupied by Israel since 1967,

1. Strongly deplores the continuing disregard by Israel, the occupying Power, of the relevant resolutions and decisions of the Security Council and resolutions of the General Assembly;
2. Demands that the Government of Israel, the occupying Power, rescind the illegal measures taken by its authorities in deporting Palestinians and that it facilitate their immediate return;
3. Calls upon Israel, the occupying Power, to cease forthwith the deportation 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;
4. Requests the Secretary-General to report to the General Assembly as soon as possible but not later than the beginning of its forty-sixth session on the implementation of the present resolution.

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, 39/95 F of 14 December 1984, 40/161 F of 16 December 1985, 41/63 F of 3 December 1986, 42/160 F of 8 December 1987, 43/21 of 3 November 1988, 43/58 F of 6 December 1988, 44/2 of 6 October 1989 and 44/48 F of 8 December 1989,

/...

Having considered the report of the Secretary-General of 15 October 1990, 26/

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, inter alia, it 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 on the Syrian Arab Golan, 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, 27/

Reaffirming the applicability of the Fourth Geneva Convention to the occupied Syrian Arab Golan,

Bearing in mind Security Council resolution 237 (1967) of 14 January 1967,

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 Arab Golan 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;

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 Arab Golan are null and void, constitute a flagrant violation of international law and of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, and have no legal effect;

26/ A/45/613.

27/ United Nations, Treaty Series, vol. 75, No. 973.

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

5. Deplores the violations by Israel of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949;

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

7. Requests the Secretary-General to report to the General Assembly at its forty-sixth session on the implementation of the present resolution.

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, 28/

Deeply concerned at the continued and intensified harassment by Israel, the occupying Power, directed against educational institutions in the occupied Palestinian territory,

Recalling Security Council resolutions 605 (1987) of 22 December 1987, 672 (1990) of 12 October 1990 and 673 (1990) of 24 October 1990,

Recalling its resolutions 38/79 G of 15 December 1983, 39/95 G of 14 December 1984, 40/161 G of 16 December 1985, 41/63 G of 3 December 1986, 42/160 G of 8 December 1987, 43/21 of 3 November 1988, 43/58 G of 6 December 1988, 44/2 of 6 October 1989 and 44/48 G of 8 December 1989,

Taking note of the relevant reports of the Secretary-General, 29/

Taking note also 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 Palestinian territory,

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 occupied Palestinian territory, including Jerusalem, and other Arab territories occupied by Israel since 1967;

28/ United Nations, Treaty Series, vol. 75, No. 973.

29/ S/19443, S/21919 and Corr.1 and A/45/614.

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

3. Also condemns the systematic Israeli campaign of repression against and closing of universities, schools and other educational and vocational institutions in the occupied Palestinian territory, in large numbers and for prolonged periods, 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 flagrant contravention of the Fourth Geneva Convention;

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

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