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UNITED NATIONS RELIEF AND WORKS AGENCY FOR PALESTINE
REFUGEES IN THE NEAR EAST

University of Jerusalem "Al-Quds" for Palestine refugees

Report of the Secretary-General

1. The present report is submitted in pursuance of General Assembly resolution 40/165 K of 16 December 1985, the operative part of which reads as follows:

"The General Assembly,

"...

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

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

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

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

* A/41/150.

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

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

2. The General Assembly first considered the establishment of the proposed university at its thirty-fifth session. At that session it adopted, on 3 November 1980, resolution 35/13 B in which it requested the Secretary-General, in co-ordination with the Council of the United Nations University, the United Nations Relief and Works Agency for Palestine Refugees in the Near East and the United Nations Educational, Scientific and Cultural Organization, "to study ways and means of establishing at Jerusalem a university of arts and sciences to cater to the needs of Palestine refugees in the area, under the aegis of the United Nations".

3. Since then, the General Assembly has adopted five further resolutions on the subject (36/146 G of 16 December 1981, 37/120 C of 16 December 1982, 38/83 K of 15 December 1983, 39/99 K of 14 December 1984 and 40/165 K of 16 December 1985) and the Secretary-General has submitted four reports (A/37/599, A/38/386, A/39/528 and A/40/543) on the measures he has taken in pursuance of the General Assembly resolutions, including the preparation of a functional feasibility study for establishing the proposed university at Jerusalem.

4. Before the adoption by the General Assembly of resolution 40/165 K, the Secretary-General indicated that in order to comply with the request addressed to him in paragraph 4 of the resolution, it would be necessary to complete the functional feasibility study initiated in pursuance of previous Assembly resolutions. To that end, after the adoption of the resolution, the Secretary-General contacted the Rector of the United Nations University, who designated a highly qualified expert to assist in the preparation of the study.

5. On 12 March 1986, the Secretary-General addressed to the Permanent Representative of Israel to the United Nations a note verbale in which, with reference to the request addressed to him by the General Assembly, he stated the following:

"As the Secretary-General has indicated to the General Assembly, it would be necessary, in order to comply with its request, to complete the functional feasibility study initiated in pursuance of previous Assembly resolutions, notably resolution 36/146 G. To that end, the Secretary-General has requested the Rector of the United Nations University to make available a qualified expert, and the Rector has designated a distinguished Spanish scholar, Dr. Federico Mayor, of the Universidad Autonoma in Madrid, to assist in the preparation of the proposed study. In order to carry out his task, the expert would naturally be expected to visit the area and to meet with the competent Israeli officials, bearing in mind that Israel exercises effective authority in the area concerned.

"The Secretary-General is, of course, aware of the questions raised in the past by the Government of Israel and of the position it has taken in the General Assembly regarding the proposed university. Recalling the clarifications already given by the Secretariat, 1/ he is of the opinion that such questions could be best discussed on the occasion of the visit of the United Nations expert. Accordingly, in view of the new resolution adopted by the General Assembly on the subject, and bearing in mind his obligation to report to the Assembly at its forthcoming session, the Secretary-General would be grateful if the Government of Israel would facilitate the visit at a mutually convenient date."

6. On 10 June 1986, the Permanent Representative of Israel sent the following reply to the Secretary-General:

"The position of the Government of Israel on this resolution was set out in a statement of the representative of Israel on 15 December 1983 (A/38/PV.98), in a letter of the Permanent Representative of Israel dated 22 May 1984 to then Under-Secretary-General Mr. Brian Urquhart 2/ and in a note verbale of the Permanent Representative of Israel dated 2 May 1985 addressed to the Secretary-General. 3/

"The Government of Israel has consistently voted against this resolution for reasons outlined in the above-mentioned documents. It is clear that the sponsors of resolution 40/165 K are exploiting the field of higher education in order to politicize issues totally extraneous to genuine academic pursuits.

"The higher academic institutions in Judea and Samaria are successfully meeting all the requirements of the inhabitants of the area, while continuing to improve their standards of education. In June 1967, there were no university facilities in Judea and Samaria. It was the Israel administration which enabled the establishment of such institutions, including five universities as well as other colleges and teacher training schools. Today, more than 15,000 students attend classes at these higher academic institutions.

"Consequently, until substantive clarifications to questions raised by my Government in the above-mentioned documents are provided, the Government of Israel is unable to take this matter further."

7. In view of the position taken by the Government of Israel, it has not been possible to complete the functional feasibility study on the proposed university at Jerusalem as planned.

Notes

1/ See A/40/543, para. 4.

2/ See A/39/528, para. 11.

3/ See A/40/543, para. 10.