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QUESTION OF PALESTINE

SECURITY COUNCIL
Thirty-fifth year

Report of the Secretary-General

1. The present report is submitted in pursuance of paragraph 12 of General Assembly resolution ES-7/2, adopted on 29 July 1980 during its seventh emergency special session, in which the General Assembly requested the Secretary-General to report to it at its thirty-fifth session on the implementation of the resolution.
2. In that resolution, the General Assembly recalled and reaffirmed its resolutions 3236 (XXIX) and 3237 (XXIX) of 22 November 1974 and all other relevant United Nations resolutions pertinent to the question of Palestine (para. 1); reaffirmed, in particular, that a comprehensive, just and lasting peace in the Middle East could not be established, in accordance with the Charter of the United Nations and the relevant United Nations resolutions, without the withdrawal of Israel from all the occupied Palestinian and other Arab territories, including Jerusalem, and without the achievement of a just solution of the problem of Palestine on the basis of the attainment of the inalienable rights of the Palestinian people in Palestine (para. 2); reaffirmed the inalienable right of the Palestinians to return to their homes and property in Palestine, from which they had been displaced and uprooted, and called for their return (para. 3); reaffirmed also the inalienable rights in Palestine of the Palestinian people, including (a) the right to self-determination without external interference, and to national independence and sovereignty, and (b) the right to establish its own independent sovereign State (para. 4); reaffirmed the right of the Palestine Liberation Organization, the representative of the Palestinian people, to participate on an equal footing in all efforts, deliberations and conferences on the question of Palestine and the situation in the Middle East within the framework of the United Nations (para. 5); reaffirmed the fundamental principle of the inadmissibility of the acquisition of territory by force (para. 6); called upon Israel to withdraw completely and unconditionally from all the Palestinian and other Arab territories occupied since June 1967, including Jerusalem, with all property and services intact, and urged that such withdrawal from all the occupied territories should start before 15 November 1980 (para. 7); demanded that Israel should fully comply with provisions of resolution 465 (1980) adopted unanimously by the Security Council on 1 March 1980 (para. 8); further demanded that Israel should fully comply with

all United Nations resolutions relevant to the historic character of the Holy City of Jerusalem, in particular Security Council resolution 476 (1980) of 30 June 1980 (para. 9); and expressed its opposition to all policies and plans aimed at the resettlement of the Palestinians outside their homeland (para. 10).

3. In a letter dated 30 July 1980, the Secretary-General requested the Permanent Representative of Israel to inform him at an early date of the measures taken or envisaged by the Government of Israel to implement the provisions of General Assembly resolution ES-7/2. The reply of the Permanent Representative of Israel is contained in a letter dated 4 November 1980. It reads as follows:

"I have the honour to refer to your letter of 30 July 1980 with which you enclosed a copy of resolution ES-7/2, adopted by the General Assembly on 29 July 1980.

"It will be recalled that Security Council resolution 242 (1967) constitutes the only agreed basis for a negotiated settlement of the Arab-Israel conflict.

"In this connection, I should like to refer to the statement made by the Minister for Foreign Affairs of Israel on 29 September 1980 in the course of the general debate at the thirty-fifth regular session of the General Assembly. On that occasion, the Foreign Minister stated that the Camp David Framework Accord for Peace in the Middle East - which is based on Security Council resolution 242 (1967) - is the only approach which is within the realm of the possible, and that, in accordance with that Framework Accord, negotiations have been taking place for the attainment of full autonomy for the Palestinian Arab inhabitants of Judea, Samaria and the Gaza District. He also urged those who genuinely seek peace to encourage the progress which has already been achieved in the Camp David process.

4. In paragraph 13 of General Assembly resolution ES-7/2, the General Assembly requested the Security Council, in the event of non-compliance by Israel with the resolution, to convene in order to consider the situation and the adoption of effective measures under Chapter VII of the Charter. By a note dated 5 August 1980 (S/14088), the Secretary-General brought to the attention of the Security Council General Assembly resolution ES-7/2 and in particular paragraph 13 of the resolution. The present report is being circulated as a document of the General Assembly and the Security Council.

5. In paragraph 11 of the resolution, the General Assembly requested and authorized the Secretary-General, in consultation, as appropriate, with the Committee on the Exercise of the Inalienable Rights of the Palestinian People, to take the necessary measures towards the implementation of the recommendations contained in paragraphs 59 to 72 of the report of the Committee to the General Assembly at its thirty-first session 1/ as a basis for the solution of the question

1/ Official Records of the General Assembly, Thirty-first Session, Supplement No. 35 (A/31/35).

of Palestine. The Secretary-General has given careful consideration, in consultation with the Bureau of the Committee on the Exercise of the Inalienable Rights of the Palestinian People, as to what measures he could take towards the implementation of the recommendations of the Committee. Those recommendations concern essentially (a) the establishment by the Security Council of a time-table for the complete withdrawal by the Israeli occupation forces from those areas occupied in 1967; (b) certain measures to be taken by the United Nations during and after the withdrawal, including the possibility of setting up temporary peace-keeping forces to facilitate the process of withdrawal; (c) measures to be taken to facilitate the return of displaced Palestinians to their homes and (d) action to be taken by the Security Council on the question of the Israeli settlements in occupied territories. With regard to the setting up of temporary peace-keeping forces, in the event of the Security Council taking a decision on this matter, contingency plans can be presented to the Council without delay. With regard to the return of displaced Palestinians, it may be recalled that in 1978 the Committee on the Exercise of the Inalienable Rights of the Palestinian People inquired what the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA) might be able to do as preparatory work to implement the Committee's recommendations. The Commissioner-General of UNRWA stated in his reply that, given the authority, the funds and the co-operation of the Governments concerned, UNRWA could be capable of providing the assistance referred to by the Committee promptly, efficiently and economically. ^{2/} The Commissioner-General has reiterated this assurance to the Secretary-General. With respect to the other measures referred to in the recommendations of the Committee, such as those in paragraph 72 (e), (f) and (h) of the report of the Committee, they can be taken only after the question of the withdrawal has been resolved. The question of the withdrawal, as well as that of the settlements in occupied territories, has been dealt with by the General Assembly in paragraphs 7 and 8 of resolution ES-7/2 and also in its paragraph 12, which requests the Security Council to take up the matter in the case of non-compliance. The above conclusions of the Secretary-General have been brought to the attention of the Bureau of the Committee on the Exercise of the Inalienable Rights of the Palestinian People.

^{2/} Official Records of the General Assembly, Thirty-third Session, Supplement No. 35 (A/33/35), para. 45.