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QUESTION OF PALESTINE
THE SITUATION IN THE MIDDLE EAST
REPORT OF THE SPECIAL COMMITTEE TO
INVESTIGATE ISRAELI PRACTICES
AFFECTING THE HUMAN RIGHTS OF
THE POPULATION OF THE
OCCUPIED TERRITORIES

SECURITY COUNCIL
Thirty-seventh year

Report of the Secretary-General

CONTENTS

	<u>Paragraphs</u>	<u>Page</u>
I. INTRODUCTION	1 - 3	2
II. MILITARY DEVELOPMENTS AND UNITED NATIONS PEACE-KEEPING OPERATIONS	4 - 50	3
III. SITUATION IN THE OCCUPIED TERRITORIES	51 - 66	14
IV. PALESTINE REFUGEE PROBLEM	67 - 70	17
V. QUESTION OF PALESTINE	71 - 78	18
VI. SEARCH FOR A PEACEFUL SETTLEMENT	79 - 85	21
VII. OBSERVATIONS	86 - 91	24

I. INTRODUCTION

1. At its thirty-sixth session, the General Assembly adopted resolution 36/226 A of 17 December 1981, in which it, inter alia, condemned Israel's continued occupation of the Palestinian and other Arab territories and demanded the immediate, unconditional and total withdrawal of Israel from all occupied territories; 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 of the Palestinian people of its inalienable national rights; reaffirmed further that a settlement 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; rejected all partial agreements and separate treaties in so far as they 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its physical character, demographic composition, institutional structure and status, were null and void and should be rescinded immediately; condemned Israel's aggression and practices against the Palestinian people in the occupied Palestinian territories and outside those territories, and condemned Israel; annexationist policies and practices in the occupied Syrian Golan Heights; condemned the Israeli aggression against Lebanon; called for strict respect of the territorial integrity, sovereignty and political independence of Lebanon; deplored Israeli violations of the airspace of various Arab countries and demanded their immediate cessation; considered that the agreements on strategic co-operation between the United States of America and Israel signed on 30 November 1981 would encourage Israel to pursue its aggressive and expansionist policies and practices; and called upon all States to put an end to the flow to Israel of any military, economic or financial resources that would encourage it to pursue its aggressive policies against the Arab countries and the Palestinian people. The Assembly requested the Secretary-General to report to the Security Council periodically on the development of the situation and to submit to the General Assembly at its thirty-seventh session a comprehensive report covering the developments in the Middle East in all their aspects.

2. At its thirty-sixth session, its ninth emergency special session and its resumed seventh emergency special session, the General Assembly adopted resolutions 36/147 E, ES-9/1 and ES-7/4. In those resolutions, which are more fully referred to below (see paras. 52, 57 and 74), the Assembly requested the Secretary-General to submit reports on the question of the Syrian Golan Heights and the question of Palestine at its thirty-seventh session.

3. In order to avoid duplication, the reports requested of the Secretary-General in the above-mentioned four resolutions have been combined in the present comprehensive report, which is being submitted to the General Assembly, under agenda items 31, 34 and 61, and also to the Security Council. This report is based mainly on information available in United Nations documents, to which references are made whenever appropriate.

II. MILITARY DEVELOPMENTS AND UNITED NATIONS
PEACE-KEEPING OPERATIONS

4. The status of the cease-fire in the Middle East and the activities of the United Nations peace-keeping operations in the area - the United Nations Truce Supervision Organization (UNTSO), the United Nations Disengagement Observer Force (UNDOF) and the United Nations Interim Force in Lebanon (UNIFIL) - up to November 1981 were described in the report of the Secretary-General of 11 November 1981 (A/36/655-S/14746, paras. 2-14).
5. Until May 1982, the area was generally quiet, and the activities of the three United Nations peace-keeping operations remained essentially unchanged. The mandate of UNDOF was extended by the Security Council until 30 November 1982 (resolution 506 1982). The mandate of UNIFIL was extended until 19 June 1982 (resolution 498 1981). The Council also approved in February 1982, an increase in the strength of UNIFIL from approximately 6,000 to approximately 7,000 troops (resolution 501 (1982)).
6. In the Israel-Lebanon sector, the cease-fire which had come into effect on 24 July 1981 generally held, although there were serious breaches on 21 April and 9 May 1982, and tension remained at a high level. Intensive efforts were made both in the field and at United Nations Headquarters to maintain the cease-fire and to restore it after hostile acts occurred.
7. In early June 1982, the situation in that sector changed radically, and large-scale hostilities took place in Lebanon. On 4 June, Israeli aircraft attacked targets in the Beirut area. This attack was followed by intense exchanges of fire in southern Lebanon and across the Lebanese-Israeli border, involving the armed elements (mainly the Palestine Liberation Organization and the Lebanese National Movement) on the one hand, and the Israel Defence Forces and the de facto forces (Christian and associated militias) on the other.
8. In the light of these developments, the Secretary-General addressed an appeal to all concerned, on 4 June, for an immediate cease-fire. Later that day, the President of the Security Council made a statement on behalf of its members, urgently appealing to all the parties to adhere strictly to the cease-fire that had been in effect since 24 July 1981 and to refrain immediately from any hostile act likely to provoke an aggravation of the situation (S/15163).
9. On 5 June, the Security Council adopted resolution 508 (1982), calling on all the parties to the conflict to cease immediately and simultaneously all military activities within Lebanon and across the Lebanese-Israeli border and no later than 0600 hours local time on Sunday, 6 June. That same evening, the Palestine Liberation Organization (PLO) reaffirmed its commitment to stop all military operations across the Lebanese border. The Permanent Representative of Israel informed the Secretary-General that the resolution of the Security Council would be brought before the Israeli Cabinet (see S/15174).
10. On the morning of 6 June, Israeli forces moved into Lebanese territory in strength. The Commander of UNIFIL, Lieutenant-General Callaghan, immediately

instructed all UNIFIL units to attempt to prevent the entry and advance of the Israeli forces unless their safety was seriously imperilled. However, given the overwhelming strength of the Israeli forces, UNIFIL positions in the line of the invasion were overrun or bypassed.

11. On the evening of 6 June, the Security Council adopted resolution 509 (1982), in which it demanded that Israel withdraw all its military forces forthwith and unconditionally to the internationally recognized boundaries of Lebanon and that all parties observe strictly the terms of resolution 508 (1982). The next day, the Secretary-General reported to the Security Council on the positions of the Governments of Israel and Lebanon and that of the PLO regarding the implementation of the resolution (see S/15178).

12. By 7 June, Israeli forces, comprising more than two mechanized divisions, with air and naval support, had reached positions north of the UNIFIL area (S/15194/Add.1).

13. On 8 June, the Security Council met again to consider a draft resolution submitted by Spain, according to which the Council would condemn the non-compliance with resolutions 508 (1982) and 509 (1982) by Israel, demand that within six hours all hostilities must be stopped in compliance with those resolutions and decide, in the event of non-compliance, to meet again to consider practical ways and means in accordance with the Charter of the United Nations (S/15185). The draft resolution was not adopted, owing to the negative vote of a permanent member (S/PV.2377).

14. Meanwhile, in the light of the radically altered situation in which UNIFIL had now to function, the Secretary-General instructed the Force to continue to man its positions and, as an interim task, to provide protection and humanitarian assistance to the population of the area. On 9 June, the Secretary-General took measures to co-ordinate United Nations efforts to bring assistance to the population affected by the hostilities (see A/37/508 and Add.1).

15. On 11 June, the Government of Israel and the Syrian Arab Republic separately announced that, beginning 12 noon local time, each would cease fire, subject to certain conditions being met. As hostilities in Lebanon continued, however, the Secretary-General issued a statement in which he expressed concern at the continued hostilities and at reported statements from the Israeli side that the present cease-fire did not apply to their actions against the Palestinians (S/15194/Add.2).

16. Over the week-end of 12 and 13 June, the Secretary-General remained in constant touch, with the Government of Lebanon and other parties, seeking to explore the possibility of sending United Nations observers to monitor the cease-fire in the Beirut area. The Security Council held consultations in the late evening of 13 June, but no decision was reached on this matter.

17. On 18 June, the Security Council considered the report of the Secretary-General on UNIFIL (S/15194 and Add.1 and 2), whose mandate was about to expire. The Council adopted resolution 511 (1982), in which it decided, as an interim measure, to extend the mandate of the Force for a period of two months, until 19 August 1982, and authorized the Force during that period to carry out, in addition, the interim tasks referred to by the Secretary-General, that is, to extend protection and humanitarian assistance to the population of the area.

18. On 19 June, the Council adopted resolution 512 (1982), in which it called upon all the parties to the conflict to respect the rights of the civilian populations, to refrain from all acts of violence against those populations and to take all appropriate measures to alleviate the suffering caused by the conflict, in particular, by facilitating the dispatch and distribution of aid provided by United Nations agencies and by non-governmental organizations, in particular, the International Committee of the Red Cross. In view of the circumstances which made it difficult to obtain precise estimates on relief and rehabilitation needs arising from the hostilities, the Secretary-General appointed, on 25 June, an interagency survey mission, headed by Ambassador Anders Thunborg of Sweden, to assess the situation on the spot (see S/15267).

19. In the early morning of 26 June, the Security Council met to consider a draft resolution submitted by France according to which the Council would demand an immediate cessation of hostilities throughout Lebanon, the immediate withdrawal of the Israeli forces engaged around Beirut, as a first step, to a distance of 10 kilometres from the periphery of that city and the simultaneous withdrawal of Palestinian armed forces to existing camps; the Council would request the Secretary-General, as an immediate measure, to station United Nations military observers, by agreement with the Government of Lebanon, with instructions to supervise the cease-fire and disengagement in and around Beirut (S/15255/Rev.2). The draft resolution was not adopted owing to the negative vote of a permanent member (S/PV.2381).

20. Meeting again on 4 July, the Security Council adopted resolution 513 (1982), in which, alarmed by the continued sufferings of the Lebanese and Palestinian civilian populations in south Lebanon and in West Beirut, the Council called for respect for the rights of the civilian populations without any discrimination and repudiated all acts of violence against those populations. It also called for the restoration of the normal supply of vital facilities such as water, electricity, food and medical provisions, particularly in Beirut.

21. On 29 July, the Security Council met at the request of the Permanent Representatives of Egypt and France, who submitted to the Council a joint draft resolution. According to the draft resolution, the Council would demand an immediate cease-fire throughout Lebanon, call for the departure of all non-Lebanese forces except those authorized by Lebanon, and request the Secretary-General to station United Nations military observers, by agreement with the Government of Lebanon, in order to supervise the cease-fire and disengagement in and around Beirut and to prepare a report on the prospects for the deployment of a United Nations peace-keeping force which could take up positions beside the Lebanese interposition forces. The draft resolution also contained provisions concerning negotiations towards a peaceful settlement of the Middle East conflict (see para. 81 below).

22. The Council did not conclude its consideration of that draft resolution but, on the proposal of the representative of Spain, it adopted that afternoon resolution 515 (1982), in which it demanded that the Government of Israel lift immediately the blockade of the city of Beirut in order to permit the dispatch of supplies to meet the urgent needs of the civilian population and allow the distribution of aid provided by United Nations agencies and by non-governmental organizations, particularly the International Committee of the Red Cross.

23. The Security Council met again on the morning of 1 August and adopted resolution 516 (1982), in which, alarmed by the continuation and intensification of military activities and taking note of the latest massive violations of the cease-fire in and around Beirut, the Council confirmed its previous resolutions and demanded an immediate cease-fire and a cessation of all military activities within Lebanon and across the Lebanese-Israeli border. The Council further authorized the Secretary-General to deploy immediately, on the request of the Government of Lebanon, United Nations observers to monitor the situation in and around Beirut, and requested him to report back to the Council on compliance with the resolution not later than four hours from its adoption.

24. Following the adoption of the resolution, the Permanent Representative of Lebanon requested, on behalf of his Government, the stationing of United Nations observers in the Beirut area to ensure that the cease-fire was fully observed by all concerned (S/15333). The same day, the Secretary-General informed the Council that he had instructed the Chief of Staff of UNTSO, Lieutenant-General Erskine, to make the necessary arrangements, in consultation with the parties concerned, for the immediate deployment of United Nations observers in and around Beirut in accordance with the resolution. He also reported that, while assurances of co-operation were received from the Lebanese Government and the PLO, the Israeli authorities stated that this was a very important matter which had to be brought before the Israeli Cabinet (S/15334).

25. On 3 August, the Secretary-General submitted to the Security Council a second report, informing the Council of the efforts that had continued towards the speedy implementation of resolution 516 (1982). The Israeli authorities had informed the Chief of Staff of UNTSO that the Israeli Cabinet would discuss this subject on 5 August, following the return of the Foreign Minister from abroad. The Secretary-General added that, although the detailed plan for the deployment of United Nations observers in the Beirut area had been ready since 1 August, it could not be put into full effect until the reply from the Israeli Government was received. Meanwhile, as a temporary arrangement, the Secretary-General had instructed General Erskine to take immediate steps to set up initially observation machinery in territory controlled by the Lebanese Government, in close consultation and co-operation with the Lebanese National Army. In this connection, the United Nations observers assigned to the Israel-Lebanon Mixed Armistice Commission were constituted as the Observer Group Beirut (OGB) (S/15334/Add.1).

26. The Security Council held a meeting on the evening of 3 August, at which the President of the Council read out a statement on behalf of the members, expressing their serious concern at the prevailing high state of tension and at reports of military movements and continued outbreaks of firing in and around Beirut, contrary to the demand in resolution 516 (1982) for an immediate cease-fire and cessation of all military activities within Lebanon and across the Lebanese-Israeli border. The members of the Council expressed full support for the efforts of the Secretary-General and for the steps he had taken to secure the immediate deployment of United Nations observers to monitor the situation in and around Beirut. They insisted that all parties must observe strictly the terms of resolution 516 (1982) and called for the immediate lifting of all obstacles to the dispatch of supplies and the distribution of aid to meet the urgent needs of the civilian population (S/15342).

27. On 4 August, the Security Council adopted resolution 517 (1982), in which, expressing deep shock and alarm at the consequences of the Israeli invasion of Beirut on 3 August, it confirmed its demand for an immediate cease-fire and withdrawal of Israeli forces from Lebanon; censured Israel for its failure to comply with its resolutions; and called for the prompt return of Israeli troops which had moved forward subsequent to 1325 hours New York time on 1 August. The Council took note of the decision of the Palestine Liberation Organization to move the Palestinian armed forces from Beirut; authorized the Secretary-General, as an immediate step, to increase the number of United Nations observers in and around Beirut; and requested him to report on the implementation of the resolution not later than 1000 hours EDT on 5 August.
28. The responses of the parties to resolution 517 (1982) were transmitted to the Security Council by the Secretary-General in his report of 5 August 1982 (S/15345 and Add.1 and 2).
29. On the morning of 6 August, the Security Council met to consider the report of the Secretary-General. A draft resolution was submitted by the USSR, by which the Security Council would strongly condemn Israel for not implementing resolutions 516 (1982) and 517 (1982) and decide that, in order to carry out the above-mentioned decisions of the Security Council, all the States Members of the United Nations should refrain from supplying Israel with any weapons and from providing it with any military aid until the full withdrawal of Israeli forces from all Lebanese territory (S/15347/Rev.1). The draft resolution was not adopted owing to the negative vote of a permanent member (S/PV.2391).
30. On 12 August, the Security Council adopted resolution 518 (1982), in which, expressing most serious concern about continued military activities in Lebanon, it demanded that Israel and all parties to the conflict observe strictly the terms of Security Council resolutions relevant to the immediate cessation of all military activities within Lebanon and, particularly, in and around Beirut; demanded the immediate lifting of all restrictions on the city of Beirut in order to permit the free entry of supplies to meet the urgent needs of the civilian population in Beirut and requested the United Nations observers in and in the vicinity of Beirut to report on the situation; and demanded that Israel co-operate fully in the effort to secure the effective deployment of the United Nations observers, as requested by the Government of Lebanon.
31. On 13 August, the Secretary-General reported to the Security Council on the positions of the parties on the resolution. He further informed the Council that efforts were continuing to bring additional observers to the Beirut area and also to enable the 10 United Nations observers of OGB to function effectively for the purposes envisaged by the Security Council in its resolutions. With regard to the situation of the civilian population, Ambassador Thunborg, Chairman of the United Nations Interagency Survey Mission, had return to the area on 10 August at the Secretary-General's request to reassess the immediate needs of the affected population, with special reference to those in West Beirut. The Secretary-General concluded the report by expressing the hope that it would be possible to achieve, without delay, a solution of this urgent humanitarian problem. He also hoped that, with the co-operation of all concerned, the current efforts to resolve the broader aspects of the situation would be successful and would lead to the implementation of the resolutions of the Security Council (S/15362).

32. Also on 13 August, the Secretary-General submitted to the Security Council a report on UNIFIL (S/15357), whose mandate was to expire the following week. He observed that, despite the difficulties it had faced, the Force had been deeply engaged in extending protection and humanitarian assistance to the civilian population in its area. It had also extended the fullest co-operation possible to the humanitarian efforts of various United Nations programmes and the International Committee of the Red Cross. There was no doubt in his mind that the presence of UNIFIL had provided an important stabilizing and moderating influence in southern Lebanon during those difficult weeks. The overall situation in the area, however, remained uncertain and fraught with danger. He had been in constant touch with the Government of Lebanon, which had indicated that, in the existing circumstances, UNIFIL should continue to be stationed in the area for an additional interim period of two months, pending further consideration of the situation in the light of pertinent Security Council resolutions. The Permanent Representative of Lebanon, referring to his letter of 26 July 1982 (S/15309), had also reiterated his Government's request that UNIFIL assist the Lebanese authorities in discharging their responsibilities. Taking all factors into account, and bearing in mind the position of the Government of Lebanon, the Secretary-General recommended that the Security Council extend the mandate of UNIFIL for a further interim period.

33. Having studied the Secretary-General's report, the Security Council adopted on 17 August resolution 519 (1982), in which it referred to the need, pending an examination by the Council of the situation in all its aspects, to preserve in place the capacity of the United Nations to assist in the restoration of the peace and of the authority of the Lebanese Government throughout Lebanon and decided to prolong the mandate of UNIFIL for a further interim period of two months, until 19 October 1982. The Council authorized the Force during that period to carry out, in addition, the interim tasks in the humanitarian and administrative fields assigned to it in resolution 511 (1982); called on all concerned to extend full co-operation to the Force in the discharge of its tasks; supported the efforts of the Secretary-General, with a view to optimum use of UNTSO observers, as envisaged by relevant resolutions of the Security Council; and decided to consider the situation fully and in all its aspects before 19 October 1982.

34. On 20 August, the Secretary-General received a letter from the Permanent Representative of Lebanon, informing him that the Government of Lebanon had requested the deployment of a multinational force in Beirut to assist the Lebanese armed forces as they carried out the orderly and safe departure from Lebanon of Palestinian armed personnel in the Beirut area, in a manner which would further the restoration of the sovereignty and authority of the Government of Lebanon over the Beirut area. The Governments of France, Italy and the United States of America had entered into agreement with the Government of Lebanon for the deployment of their troops to participate in that multinational force. In total, the force would consist of approximately 2,000 men and would remain in West Beirut for a period of 30 days. His Government had requested the deployment of the multinational force to make it possible to begin restoring the independence, sovereignty and territorial integrity of Lebanon. It was fully committed to the observance of the purposes and principles of the Charter of the United Nations and the pertinent resolutions adopted by the Security Council relating to the situation in Lebanon, and intended to give all necessary assistance to the United Nations Observer Group Beirut in fulfilling its mission.

35. In a communication dated 20 August (A/37/393-S/15371), the President of the United States of America informed the Secretary-General that, in response to the request of the Lebanese Government, the United States Government had agreed to deploy a force of about 800 men to Beirut for a period not exceeding 30 days. The President indicated that the deployment of the United States force was consistent with the purposes and principles of Articles 1 and 2 of the Charter and that the force would work closely with the United Nations observer group stationed in the Beirut area. The Governments of France and Italy also informed the Secretary-General of the participation of military personnel of their countries in the multinational force.

36. On 2 September, the Secretary-General submitted a report (S/15382) to the Security Council on the situation in the Beirut area. The cease-fire which had gone into effect on 12 August had generally held. The first contingent of the multinational force had arrived in Beirut on 21 August and the remainder on 25 and 26 August. The evacuation of the Palestinian armed elements and the Arab Deterrent Force from the Beirut area began on 21 August and was completed on 1 September.

37. In a second report dated 15 September (S/15382/Add.1) the Secretary-General indicated that the withdrawal of the multinational force started on 10 September and had been completed on 13 September. Between 2 and 8 September, elements of the Lebanese Armed Forces and Internal Security Forces had moved to new positions in West and South Beirut and the situation in the Beirut area had remained generally calm until 13 September. On 14 September, however, tension had greatly increased when President-elect Bashir Gemayel and several others were killed in a bomb explosion. The following day, infantry personnel and armour of the Israel Defence Forces had moved forward from their previous positions in West Beirut and had taken new positions in the area.

38. On 16 September, the Secretary-General issued a statement in which he expressed concern at the developments in Lebanon following the assassination of President-elect Bashir Gemayel and, in particular, at the movement of Israeli forces into West Beirut. The same day, the Security Council met at the request of the Permanent Representative of Lebanon and on 17 September adopted resolution 520 (1982), in which it condemned the recent Israeli incursions into Beirut in violation of the cease-fire agreements and of Security Council resolutions; demanded an immediate return to the positions occupied by Israel before 15 September, as a first step towards the full implementation of Council resolutions; called again for the strict respect for Lebanon's sovereignty, territorial integrity, unity and political independence under the sole and exclusive authority of the Lebanese Government through the Lebanese Army throughout Lebanon; and reaffirmed its resolutions 512 (1982) and 513 (1982) calling for respect for the rights of the civilian population. The Council also expressed its support for the efforts of the Secretary-General to implement resolution 516 (1982) concerning the deployment of United Nations observers to monitor the situation in and around Beirut and requested all the parties concerned to co-operate fully in the application of the resolution.

39. On 18 September, United Nations observers of OGB reported that, on 17 September, fighting in the Sabra Camp in the southern suburbs of Beirut had been

in progress, that the presence of Kataeb (Phalange) units had been observed at Bir Hassan, in the hospital and the airport areas in the vicinity of Sabra Camp; and that West Beirut, with the exception of Sabra Camp, had been under control by the Israel Defence Forces around 1500 hours GMT on 17 September. On the morning of 18 September, all of West Beirut had been under control by the Israel Defence Forces and the presence of Kataeb units had again been observed in the same general areas as on the previous day. Two teams of OGB observers had reached the Sabra Camp at 0830 hours GMT and found many clusters of bodies of men, women and children in civilian clothes who appeared to have been massacred in groups of 10 or 20. Observer Group Beirut had received information from the Lebanese Army that the units seen in the Sabra area and its vicinity were in fact Kataeb units mixed with Lebanese de facto forces coming from southern Lebanon.

40. On the morning of 18 September 1982, the Secretary-General was informed by the Israeli Foreign Ministry that, as previously announced, the presence of the Israel Defence Forces in West Beirut would be of limited duration and that the Government of Israel had instructed those Forces to evacuate their positions in West Beirut when the Lebanese Army was ready to assume control over them. Discussions to that end had been arranged between the Governments of Israel and Lebanon and had resulted in several positions being handed over by the Israel Defence Forces to the Lebanese Army. The Israel Defence Forces surrounded the camps when it became aware of what had happened there during the night, so as to prevent repetition.

41. At 1640 hours on 18 September, the Permanent Representative of Israel informed the Secretary-General that the Israel Defence Forces had been deployed west of the camps and had left the access to the east open in the expectation that the Lebanese Army would enter the camps and take up positions as called for by the Habib plan. When the Israel Defence Forces had found out, on the morning of 18 September, that this had not happened, they had surrounded the camps to protect the population. In a further message, the Permanent Representative of Israel stated that an arrangement had been reached between the Israel Defence Forces and the Lebanese Army for the latter to enter the three camps, Fakhani, Sabra and Chatila, at 1000 hours local time on 19 September.

42. Upon receiving the first reports of the killings, the Secretary-General issued, on the morning of 18 September, a statement expressing shock and horror and calling urgently for an end to the violence.

43. Later the same morning, the Secretary-General submitted a report to the Security Council on the developments mentioned in paragraphs 39 to 42 above (S/15400). In that report, the Secretary-General also informed the Council that he had received a visit by the Permanent Representatives of France, Italy and the United States, who had urged the immediate dispatch of United Nations observers to the Beirut area. After recalling his repeated efforts in this regard since 13 June 1982, the Secretary-General indicated that he had instructed General Erskine to make a renewed approach to the Israeli authorities in order to obtain their co-operation in increasing the number of United Nations observers in Beirut. At the same time, the Secretary-General expressed the view in his report that, in the situation that prevailed, unarmed military observers, however courageous or numerous, were not enough. He also noted that, in the UNIFIL area in the south, conditions had remained quiet and UNIFIL had successfully prevented the harassment of the civilian population by any armed groups.

44. On the evening of 18 September, the Security Council met to consider the above developments. In the early morning of 19 September, it adopted resolution 521 (1982), by which, noting that the Government of Lebanon had agreed to the dispatch of United Nations observers to the sites of the greatest human suffering and losses in and around Beirut, it condemned the criminal massacre of Palestinian civilians in that city; reaffirmed its resolutions 512 (1982) and 513 (1982), which called for respect for the rights of the civilian population; authorized the Secretary-General as an immediate step to increase the number of United Nations observers in and around Beirut from 10 to 50 and insisted that there should be no interference with the deployment of the observers; requested the Secretary-General, in consultation with the Government of Lebanon, to ensure the rapid deployment of those observers in order that they might contribute to the effort to ensure full protection for the civilian population; and requested the Secretary-General to initiate urgent consultations, in particular with the Government of Lebanon, on additional steps which the Council might take, including the possible deployment of United Nations forces, to assist that Government in ensuring full protection for the civilian population in and around Beirut. The Council also insisted that all concerned must permit the United Nations observers and forces established by the Council in Lebanon to be deployed and to discharge their mandates and called attention to the obligation of all Member States under Article 25 of the Charter to accept and carry out the decisions of the Council.

45. On 20 September, the Secretary-General submitted to the Security Council a report in pursuance of resolution 521 (1982) (S/15408). He indicated that, immediately after the adoption of the resolution, he had instructed the Chief of Staff of UNTSO, General Erskine, to contact the Israeli authorities with a view to getting the necessary co-operation for sending 40 additional United Nations observers to Beirut without delay. On the morning of 20 September, General Erskine was informed of the decision of the Israeli Cabinet to concur with the dispatch of the observers and, on the same day, a first group of 25 United Nations military observers was dispatched to Beirut. The Secretary-General also reported that, following the adoption of the resolution, he had requested the Commander of UNIFIL, General Callaghan, to comment on the possibility of sending UNIFIL units to the Beirut area should the Lebanese Government so request and the Security Council so decide. General Callaghan had informed the Secretary-General that he could send some 2,000 men without seriously impairing the capacity of UNIFIL to perform its own interim tasks. On the morning of 20 September, however, the Permanent Representative of Lebanon had informed the Secretary-General that his Government had formally requested the reconstitution of the multinational force. On the same day, the Permanent Observer of the Palestine Liberation Organization had informed him that the PLO insisted that "military forces, or United Nations military forces, or agreed multinational forces, should be deployed immediately to undertake the effective safeguards".

46. On 21 September, the Permanent Representative of France informed the Secretary-General of his Government's decision to accede to the Lebanese Government's request for co-operation in the deployment in and around Beirut of a multinational force (S/15420). Subsequently, the Secretary-General was similarly informed by Italy (S/15442) and by the United States (S/15435). On 1 October, the Minister for Foreign Affairs of Lebanon informed the Secretary-General that his Government had requested the deployment of the Multinational Force to make it

possible to begin restoring the independence, sovereignty and territorial integrity of Lebanon, pending further consultations with the Secretary-General, in accordance with Security Council resolution 521 (1982) (S/15445).

47. On 24 September 1982, the General Assembly, meeting in a resumed seventh emergency special session, adopted resolution ES-7/9, by which it, *inter alia*, condemned the criminal massacre of Palestinian and other civilians in Beirut on 17 September 1982; urged the Security Council to investigate, through the means available to it, the circumstances and extent of the massacre and to make public the report on its findings as soon as possible; decided to support fully the provisions of Security Council resolutions 508 (1982) and 509 (1982); resolved that, in conformity with its resolution 194 (III) and subsequent relevant resolutions, the Palestinian refugees should be enabled to return to their homes and property, and demanded that Israel comply unconditionally and immediately with the present resolution; urged the Security Council, in the event of continued failure by Israel to comply with Security Council resolutions 508 (1982) and 509 (1982) and the present resolution, to meet in order to consider practical ways and means in accordance with the Charter of the United Nations; and called upon all States and international agencies and organizations to continue to provide the most extensive humanitarian aid possible to the victims of the Israeli invasion of Lebanon.

48. At the end of September, the Secretary-General submitted two further reports in pursuance of resolution 521 (1982) (S/15408/Add.1 and 2). He indicated that 10 additional observers had arrived in Beirut on 21 September and 5 the next day, thus bringing the total strength of OGB to 50. The situation in the Beirut area had remained generally calm. Contingents of the multinational force had started arriving on 24 September and, by 30 September, the total strength of the force, consisting of French, Italian and United States contingents, had reached approximately 4,000. The Lebanese Armed Forces operating in Beirut as of 30 September had a strength of 3,500. The Israeli forces began withdrawing from the Beirut area and, by 30 September, OGB observed only two Israeli check-points near Khalde, south of the Beirut airport. That airport was reopened to civilian traffic on that day.

49. Since the thirty-sixth session of the General Assembly, a number of communications have been addressed to the President of the General Assembly, the President of the Security Council or the Secretary-General concerning military developments and hostile activities in and around Lebanon. Those communications were from Afghanistan (A/37/364), Australia (S/15356), Belgium on behalf of the 10 member States of the European Community (A/37/277-S/15195, A/37/320-S/15265), Brazil (A/37/331-S/15276), China (A/37/293-S/15224, A/37/336-S/15284, A/37/343-S/15297), Cuba on behalf of the Movement of Non-Aligned Countries (A/37/95-S/14880, S/15165, A/37/281-S/15200, S/15233, A/37/299-S/15243, A/37/300, A/37/332, S/15274, S/15322), Cyprus (A/37/294-S/15225), Czechoslovakia (A/37/284-S/15211), Egypt (A/37/270-S/15183), Ethiopia (S/15302), Fiji (A/37/276-S/15190), France (A/37/309, S/15254), the German Democratic Republic (A/37/272-S/15186, A/37/313-S/15262, A/37/383-S/15352), Hungary (A/37/306-S/15251), Iraq on behalf of the Organization of the Islamic Conference (A/37/286-S/15220), Israel (A/37/257-S/15132, S/15271, A/37/327, S/15341), Japan (S/14994, A/37/399-S/15372), Jordan (A/37/304-S/15248, S/15272, S/15328), the Lao People's

Democratic Republic (A/37/303), Lebanon (S/14875, S/14888, S/14962, S/14989, S/15064 and Corr.1, S/15087, A/37/228, S/15161, S/15162, S/15261, A/37/316, A/37/346-S/15300, S/15309, A/37/360, S/15310, S/15324, S/15326, S/15333, S/15353, A/37/491), Madagascar (A/37/312-S/15259), Mauritania (A/37/314-S/15263), Mongolia (S/15034, A/37/280-S/15197), Mozambique (A/37/302), Nicaragua (S/15349, A/37/379), Niger (A/37/282-S/15209), Oman on behalf of the Member States of the League of Arab States at the United Nations (S/15170), Pakistan (A/37/287-S/15221, S/15288), Saudi Arabia on behalf of the Third Islamic Summit Conference (A/37/269-S/15180), Seychelles (A/37/341-S/15294), Sierra Leone (A/37/278), Singapore on behalf of the States members of the Association of South-East Asian Nations (A/37/283-S/15210), Thailand also on behalf of the States members of ASEAN (A/37/324-S/15268, A/37/387-S/15364), the Union of Soviet Socialist Republics (S/15005, S/15187, A/37/289-S/15223, A/37/361-S/15312, A/37/374-S/15346), Viet Nam (A/37/273, A/37/298, A/37/369, A/37/385) and the Palestine Liberation Organization (S/15164, annex; A/37/295-S/15226, annex; A/37/345-S/15299, annex; S/15308, annexes; S/15318, annexes; S/15332, annex; S/15336, annexes; S/15340, annex; S/15348, annex; S/15350, annex; S/15354, annex). A number of communications have also been received from Israel regarding violent incidents in Israel, the Israeli occupied territories and elsewhere (A/37/65-S/14836, A/37/71-S/14842, A/37/79-S/14856, A/37/116-S/14906, A/37/118 and Corr.1-S/14910 and Corr.1, A/37/165, S/14938, S/14939, A/37/166, S/14951, S/14965, A/37/175, S/14972, A/37/190, S/15066, A/37/223, S/15107, A/37/253, S/15158, A/37/266). Communications were also received from the Permanent Representative of Cyprus transmitting the text of the final communiqué of the Extraordinary Ministerial meeting of the Co-ordinating Bureau of Non-Aligned Countries on the Question of Palestine, held at Nicosia from 15 to 17 July 1982 (A/37/366-S/15327) and from the Permanent Observer of the League of Arab States, transmitting the text of the declaration issued by the Committee of Six of the League during its meeting at Jeddah on 28 and 29 July 1982 (S/15329). In addition, two communications were received from the Chairman of the Committee on the Exercise of the Inalienable Rights of the Palestinian People (A/37/274-S/15188, A/37/288-S/15222).

50. Developments in and around Beirut since 15 September 1982 and, in particular, the killing of civilians in Palestine refugee camps in that city were the subject of a number of communications addressed to the President of the Security Council or the Secretary-General. These communications, which were circulated as documents of the Security Council or the General Assembly, were from Austria (S/15416), China (A/37/483-S/15430), Cuba on behalf of the Movement of Non-Aligned Countries (A/37/470-S/15418), Egypt (A/37/464-S/15412), France (S/15407), Guyana (A/37/486-S/15433), Jamaica (A/37/487-S/15434), Jordan (A/37/463-S/15411), the Libyan Arab Jamahiriya (A/37/456-S/15397; A/37/472), Madagascar (A/37/465-S/15413), Mongolia (A/37/480), Pakistan (A/37/502-S/15438), Suriname (S/15406), Tunisia (S/15396), the Union of Soviet Socialist Republics (A/37/471-S/15419), Viet Nam (A/37/489) and the Palestine Liberation Organization (S/15399, annex; S/15404, annex). A communication was also received from the Chairman of the Committee on the Exercise of the Inalienable Rights of the Palestinian People (A/37/462-S/15410). Other communications on the same subject were also addressed to the Secretary-General by Bangladesh, Finland, Israel, Maldives, Mexico, and Romania, as well as by the Secretary-General of Organization of the Islamic Conference.

III. SITUATION IN THE OCCUPIED TERRITORIES

51. The action taken by the United Nations prior to November 1981 on the situation in the occupied territories, including Jerusalem, was outlined in the Secretary-General's report of 11 November 1981 (A/36/655-S/14746, paras. 15-21).

52. The General Assembly, at its thirty-sixth 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/36/579), which was composed of Senegal, Sri Lanka and Yugoslavia, adopted resolutions 36/147 A to G on 16 December 1981. By these resolutions, the General Assembly, inter alia, reaffirmed that the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 June 1949, 1/ was applicable to the territories occupied by Israel since 1967, including Jerusalem, and demanded that Israel acknowledge and comply with those provisions (resolution 36/147 A); demanded that the Government of Israel desist forthwith from taking any action which would result in changing the legal status, geographical nature or demographic composition of those territories (resolution 36/147 B); demanded that Israel desist forthwith from a number of policies and practices mentioned in the resolution (resolution 36/147 C); 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 their immediate return (resolution 36/147 D); determined that all legislative and administrative measures and actions taken or to be taken by Israel that purport 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 36/147 E); 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 these institutions, in particular the orders for the closure of the universities of Bir Zeit, Bethlehem and Al-Najah (resolution 36/147 F); and demanded that Israel inform the Secretary-General of the results of the investigations relevant to the assassination attempts against the Mayors of Nablus, Ramallah and El Bireh, after expressing its concern that Israel had failed to apprehend and prosecute the perpetrators of those attempts (resolution A/36/147 G).

53. On 17 December 1981, the General Assembly adopted resolution 36/226 B, by which it declared that Israel's decision to apply Israeli law to the occupied Syrian Golan Heights was null and void; determined that the Geneva Convention of 12 August 1949 continued to apply to the Syrian territory occupied in 1967; and demanded that Israel rescind its decision and all measures relating to it. The Assembly requested the Security Council, in the event of Israel's failure to implement the resolution, to invoke Chapter VII of the Charter of the United Nations.

54. On 17 December 1981, the Security Council adopted resolution 497 (1981) in which it decided that the Israeli decision to impose its laws, jurisdiction and administration in the occupied Syrian Golan Heights was null and void, and demanded that Israel rescind forthwith its decision. The Security Council requested the Secretary-General to report to it on the implementation of this resolution within two weeks and decided that in the event of non-compliance by Israel it would meet urgently, and not later than 5 January 1982, to consider taking appropriate measures.

55. The position of the Israeli Government on Security Council resolution 497 (1981) was set forth in the Secretary-General's reports of 21 December (A/36/846-S/14805 and Corr.1) and 31 December (S/14821).

56. The Security Council held eight meetings on this question in the course of January 1982. On 20 January, it voted on a draft resolution submitted by Jordan, by which the Council would strongly condemn Israel for its failure to comply with resolution 497 (1981) and General Assembly resolution 36/226 B and decide that all Member States should consider applying concrete and effective measures in order to nullify the Israeli annexation of the Syrian Golan Heights and to refrain from providing any assistance to and co-operation with Israel in all fields (S/14832/Rev.1). The draft resolution was not adopted owing to the negative vote of a permanent member. On 28 January, the Council adopted resolution 500 (1982) calling for an emergency special session of the General Assembly to examine this question.

57. On 29 January 1982, the General Assembly met in emergency special session and, on 5 February 1982, adopted resolution ES-9/1, by which it strongly condemned Israel for its failure to comply with Security Council resolution 497 (1981) and Assembly resolution 36/226 B; declared that Israel's decision of 14 December 1981 to impose its laws, jurisdiction and administration on the occupied Syrian Golan Heights constituted an act of aggression under the provisions of Article 39 of the Charter of the United Nations and Assembly resolution 3314 (XXIX); reiterated that this decision, as well as all action taken by Israel to give effect to it, was null and void; determined that the continued occupation of the Golan Heights constituted a continuing threat to international peace and security; called upon all Member States to refrain from supplying Israel with any weapons and to apply other measures to isolate Israel, urged non-member States, specialized agencies of the United Nations system and international institutions to act in conformity with the provisions of the resolution; and requested the Secretary-General to follow up the implementation of the resolution and to report thereon at intervals of two months to Member States as well as to the Security Council and to submit a comprehensive report to the Assembly at its thirty-seventh session.

58. Information on the implementation of the resolution was received, at the request of the Secretary-General, from 14 Member States and 5 specialized agencies. These replies were brought to the attention of the General Assembly and the Security Council (A/37/169-S/14953 and Add.1 and 2).

59. On 11 February 1982, the Commission on Human Rights adopted resolutions 1982/1 A and B concerning the question of violation of human rights in the occupied territories. These resolutions, in which the Commission condemned Israeli policies and practices in the occupied territories along lines similar to those of General Assembly resolution 36/147 C were brought to the attention of the Assembly (A/37/322-S/15269).

60. The situation in the occupied territories was again the subject of consideration by the Security Council at four meetings in March and April 1982. A draft resolution submitted by Jordan (S/14943), by which the Council would have denounced the violation of the liberties and rights of the inhabitants of those territories and called on Israel to rescind its decision disbanding the elected

municipal council of El Bireh and its decision to remove the Mayors of Nablus and Ramallah, was not adopted owing to the negative vote of a permanent member (S/PV.2348).

61. In April, the Security Council held six further meetings to consider a shooting incident which took place on 11 April at the Al-Aqsa Mosque in Jerusalem. On 20 April, the Council voted on the draft resolution (S/14985), by which the Council would condemn in the strongest terms the acts of sacrilege perpetrated within the precincts of al-Haram al-Shareef (Al-Aqsa Mosque). The draft resolution was not adopted owing to the negative vote of a permanent member (S/PV.2357).

62. The Special Committee held periodic meetings in implementation of the request of the General Assembly under resolution 36/147 C. During the period between these meetings, the Special Committee was kept informed of events taking place in the occupied territories relevant to its mandate; the information was gathered from a variety of sources including oral testimonies 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 would be undertaken. The report of the Special Committee under Assembly resolution 36/147 C (A/37/485) will be submitted to the thirty-seventh session of the Assembly.

63. During its thirty-sixth session, the General Assembly adopted three further resolutions which are relevant to the situation in the occupied territories. By its resolution 36/73 of 4 December 1981, the General Assembly took note of the report of the Secretary-General on the living conditions of the Palestinian people (A/36/26 and Add.1, 2 and 3); condemned Israel for the deteriorating living conditions of the Palestinian people in the occupied Palestinian territories; affirmed that the elimination of the Israeli occupation was a prerequisite for the social and economic development of the Palestinian people in those territories; and requested the Secretary-General to submit to the General Assembly at its thirty-seventh session, through the Economic and Social Council, a comprehensive and analytical report on the deteriorating living conditions of the Palestinian people in the occupied territories. The report requested of the Secretary-General will be issued shortly.

64. By its resolution 36/150 of 16 December 1981, the General Assembly demanded that Israel cease forthwith implementation of its project of a canal linking the Mediterranean Sea and the Dead Sea; requested the Security Council to consider initiating measures to halt the execution of this project; called upon all States not to assist in the preparation for and the execution of this project; and requested the Secretary-General to submit to the Assembly and the Security Council, by 30 June 1982, a study on the Israeli canal and its effects on Jordan and the Palestinian territories occupied since 1967. The report of the Secretary-General on this subject was circulated on 30 June (A/37/328-S/15277).

65. Lastly, by its resolution 36/173 of 17 December 1981, the General Assembly emphasized the right of the Arab States and peoples whose territories were under Israeli occupation to full and effective permanent sovereignty and control over their natural and all other resources, wealth and economic activities; reaffirmed that all measures undertaken by Israel to exploit the human, natural and all other

resources, wealth and economic activities in the occupied Palestinian and other Arab territories were illegal and called upon Israel to desist immediately from such measures; called upon all States to support the Arab States and peoples in the exercise of the above-mentioned rights, and requested the Secretary-General to submit to the Assembly at its thirty-seventh session a comprehensive report on permanent sovereignty over national resources in the occupied territories, including Jerusalem, and make proposals for follow-up and implementation. The report requested of the Secretary-General on this subject will be circulated shortly.

66. The situation in the occupied territories has been the subject of a number of communications addressed to the President of the Security Council or the Secretary-General. These communications dealt with the question of the Golan Heights (A/37/59, S/14825, S/14827, S/14828, A/37/60 and Corr.1-S/14829 and Corr.1, S/14838 and Corr.1, S/14849, A/37/92-S/14876, A/37/106-S/14893, A/37/151-S/14914), the question of Israeli settlements and the purchase or annexation of land in the occupied territories (A/37/81-S/14859, A/37/108-S/14895, A/37/189-S/14983, A/37/215-S/15029, S/15038), matters relating to Jerusalem and the Holy Places (A/37/80-S/14858, A/37/159-S/14928, S/14967, S/14969, S/14982, S/15091, A/37/231-S/15093, S/15109, A/37/239-S/15114, A/37/262, S/15318) and other matters relating to the situation in the occupied territories (S/14884, A/37/101, A/37/153, S/14912, S/14916, S/14917, A/37/155, S/14923, S/14924, S/14930, A/37/168-S/14952, S/14991, A/37/448-S/15391). In addition, two communications were received from the Permanent Representative of Israel expressing reservations concerning the convening of the ninth emergency special session of the General Assembly (A/ES-9/4, S/14852).

IV. PALESTINE REFUGEE PROBLEM

67. The Palestine refugee problem and the efforts of the United Nations to assist the refugees up to October 1981 were dealt with in the report of the Secretary-General of 11 November 1981 (A/36/655-S/14746, paras. 22-24).

68. 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) ^{2/} at its thirty-sixth session, the General Assembly adopted eight resolutions on 16 December 1981. In resolution 36/146 F, the Assembly noted with regret that repatriation or compensation of the refugees as provided for in paragraph 11 of the Assembly resolution 194 (III) 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) 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 doing all it could within the limits of available resources; reiterated its request that the headquarters of UNRWA should be relocated within the area of its 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 1982; 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 1981; and called upon all Governments as a matter of urgency to make the most generous efforts possible to meet the anticipated needs of UNRWA.

69. The other resolutions adopted by the General Assembly dealt with the removal and resettlement of Palestine refugees in the Gaza Strip (resolution 36/146 A), population and refugees displaced since 1967 (resolution 36/146 B), the revenues derived from Palestine refugee properties (resolution 36/146 C), assistance to persons displaced as a result of the June 1967 hostilities (resolution 36/146 D), the Working Group on the Financing of UNRWA (resolution 36/146 E), the University of Jerusalem for Palestine refugees (resolution 36/146 G) and offers by Member States of grants and scholarships for higher education for the Palestine refugees (resolution 36/146 H).

70. The developments since the adoption of those resolutions are described in the annual report of the Commissioner-General of UNRWA. ^{3/} The Commissioner-General has also submitted a special report on the activities of the Agency to provide emergency assistance to the Palestine refugees affected by the recent hostilities in Lebanon (A/37/479). The General Assembly has also before it the reports of the Secretary-General on the offers of scholarships and grants for Palestine refugees (A/37/427), on the population and refugees displaced since 1967 (A/37/426), on the Palestine refugees in the Gaza Strip (A/37/425) and on the revenues derived from Palestine refugee properties (A/37/488 and Corr.1) as well as the report of the United Nations Conciliation Commission for Palestine (A/37/497). In addition, the report of the Secretary-General on the University of Jerusalem for Palestine refugees under resolution 36/146 G and the report of the Working Group on the Financing of UNRWA under resolution 36/146 E will be submitted shortly.

V. QUESTION OF PALESTINE

71. The action taken by the United Nations on the question of Palestinian rights up to 4 November 1981 was outlined in the report of the Secretary-General of that date (A/36/655-S/14746, paras. 25-28).

72. At its thirty-sixth session, the General Assembly considered the report of the Committee on the Exercise of the Inalienable Rights of the Palestinian People ^{4/} and adopted, on 10 December 1981, six resolutions. In those resolutions the Assembly, *inter alia*, requested the Committee to keep the situation relating to the Question of Palestine under review (resolution 36/120 A); requested the Secretary-General to ensure that the Special Unit on Palestinian Rights, in consultation with the Committee and under its guidance, continue to discharge the tasks detailed in previous Assembly resolutions (resolution 36/120 B); decided to convene, under the auspices of the United Nations, an International Conference on the Question of Palestine not later than 1984 (resolution 36/120 C); reaffirmed that a comprehensive, just and lasting peace in the Middle East could not be established

without the achievement of a just solution of the problem of Palestine on the basis of the attainment by the Palestinian people of its inalienable rights in Palestine, including the right of return and the right to self-determination, national independence and sovereignty (resolution 36/120 D); determined that all legislative and administrative measures and actions taken by Israel, which had altered or purported to alter the character and status of the Holy City of Jerusalem, were null and void and must be rescinded forthwith (resolution 36/120 E); and expressed its strong opposition to all partial agreements and separate treaties which constituted a flagrant violation of the rights of the Palestinian people, the principles of the Charter and of the international law and declared that all agreements and separate treaties had no validity in so far as they purported to determine the future of the Palestinian people and of the Palestinian territories occupied by Israel since 1967 (resolution 36/120 F).

73. On 11 February 1982, the Commission on Human Rights adopted resolution 1982/3, by which it, inter alia, reaffirmed the inalienable right of the Palestinian people to self-determination without external interference and to the establishment of a fully independent and sovereign State in Palestine.

74. The seventh emergency special session of the General Assembly, which had been suspended in July 1981, was resumed in April, June and August and again in September 1982. On 28 April, the Assembly adopted resolution ES-7/4, in which it, inter alia, reaffirmed previous resolutions; reaffirmed the fundamental principle of the inadmissibility of acquisition of territory by force; reaffirmed that all the provisions of the Hague Conventions of 1907 and the Geneva Convention relative to the Protection of Civilian Persons in Time of War of 1949 applied to all territories occupied by Israel since 1967; demanded that Israel should comply with the provisions of Security Council resolution 465 (1980); demanded that Israel should comply with all United Nations resolutions relevant to the status and unique character of the Holy City of Jerusalem; expressed its rejection of all policies and plans aiming at the resettlement of the Palestinians outside their homeland; condemned Israel for various actions in the occupied territories; condemned all policies which frustrated the exercise of the inalienable rights of the Palestinian people; and urged all Governments which had not yet done so to recognize the inalienable rights of the Palestinian people and to renounce the policy of providing Israel with military, economic and political assistance; condemned the policies which encouraged the flow of human resources to Israel; declared that Israel's record and actions confirmed that it was not a peace-loving Member State and that it had carried out neither its obligations under the Charter nor its commitment under General Assembly resolution 273 (III); called upon Israel to observe and apply the provisions of the Geneva Convention relative to the Protection of Civilian Persons in Time of War and the principles of international law governing military occupation in all the occupied territories; demanded that Israel should permit entry into the occupied territories of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Population of the Occupied Territories and of the Commission established by Security Council resolution 446 (1979); urged the Security Council to recognize the inalienable rights of the Palestinian people and to endorse the recommendations of the Committee on the Exercise of the Inalienable Rights of the Palestinian People; called upon the Secretary-General, in concurrence with the Security Council and in consultation as appropriate with the Committee, to initiate contacts with all

parties to the Arab-Israeli conflict, including the Palestine Liberation Organization, with a view to finding concrete ways and means to achieve a comprehensive, just and lasting solution in conformity with the principles of the Charter and relevant resolutions and based on the implementation of the recommendations of the Committee as endorsed by the Assembly at its thirty-first session; and requested the Secretary-General to follow up the implementation of the resolution and to report thereon at appropriate intervals to Member States as well as to the Security Council and to submit a comprehensive report to the Assembly at its thirty-seventh session under the item entitled "Question of Palestine".

75. On 26 June, the General Assembly adopted resolution ES-7/5, in which it decided to support fully the provisions of Security Council resolutions 508 (1982) and 509 (1982); urged the Security Council, in the event of continued failure by Israel to comply with the demands contained in those resolutions, to meet in order to consider practical ways and means in accordance with the Charter of the United Nations; and requested the Secretary-General to delegate a high-level commission to investigate and assess the extent of loss of human life and material damage and to report on the result of this investigation to the Assembly and the Security Council.

76. On 19 August, the General Assembly adopted three further resolutions - ES-7/6, ES-7/7 and ES-7/8. In those resolutions, the Assembly demanded that Israel carry out the provisions of Security Council resolutions 509 (1982), 511 (1982), 512 (1982), 513 (1982), 515 (1982), 516 (1982), 517 (1982) and 519 (1982); urged the Secretary-General, with the concurrence of the Security Council and the Government of Lebanon and pending the withdrawal of Israel from Lebanon, to undertake effective measures to guarantee the safety and security of the Palestinian and Lebanese civilian population in South Lebanon; it requested the Secretary-General and organizations of the United Nations system, in co-operation with the International Committee of the Red Cross and other non-governmental organizations, to investigate the strict application by Israel of the provisions of the Geneva Convention of 1949 and other instruments in the case of those detained; and called upon the Secretary-General to initiate contact with all the parties to the Arab-Israeli conflict, including the Palestine Liberation Organization, with a view to convening an international conference, under the auspices of the United Nations, to find concrete ways and means of achieving a comprehensive, just and lasting solution, conducive to peace in conformity with the principles of the Charter and relevant resolutions (resolution ES-7/6); decided to convene the International Conference on the Question of Palestine at the headquarters of the United Nations Educational, Scientific and Cultural Organization in Paris from 16 to 27 August 1983 (resolution ES-7/7); and also decided to commemorate 4 June of each year as the International Day of Innocent Children Victims of Aggression (resolution ES-7/8).

77. On 24 September 1982, the General Assembly adopted resolution ES-7/9, to which a reference has already been made (see para. 47 above).

78. The report of the Committee on the Exercise of the Inalienable Rights of the Palestinian People has been submitted to the General Assembly. 5/ The General Assembly will also have before it at its thirty-seventh session the report of the Secretary-General on the International Conference on Palestine. 6/ In addition, since the General Assembly discussed the matter at its thirty-sixth session, a

number of communications have been received from the Chairman or the Acting Chairman of the Committee (A/37/75-S/14844, A/37/94-S/14879, A/37/109-S/14897, A/37/240-S/15120, A/37/301-S/15244, A/37/339-S/15290, A/37/449-S/15393). By a letter dated 20 April 1982 (A/37/205-S/14990), the Permanent Representative of Kuwait transmitted to the Secretary-General the text of the final communiqué of the Extraordinary Ministerial Meeting of the Co-ordinating Bureau of the Non-Aligned Countries on the Question of Palestine, held in Kuwait from 5 to 8 April 1982. The final communiqué and other documents of the Ministerial Meeting of the Co-ordinating Bureau of the Non-Aligned Countries, held at Havana from 31 May to 5 June 1982, were transmitted to the Secretary-General by the Alternate Permanent Representative of Cuba in a letter dated 22 June 1982 (A/37/333-S/15278). In addition, letters were received from the Permanent Representatives of Israel (A/ES-7/18, A/ES-7/20, A/37/499) and the United States of America (A/ES-7/16, A/ES-7/17) expressing reservations concerning the resumption of the seventh emergency special session of the General Assembly.

VI. SEARCH FOR A PEACEFUL SETTLEMENT

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

80. At its thirty-sixth session, resumed seventh emergency special session and ninth emergency special session, the General Assembly adopted several resolutions on various aspects of the Middle East conflict which are pertinent to the search for a settlement in the region. Of particular relevance are resolutions 36/226 A on the situation in the Middle East and resolutions 36/120 and ES-7/4 on the question of Palestine. These resolutions are summarized in earlier parts of this report (see paras. 1, 72 and 74 above).

81. In July 1982, during the recent hostilities in Lebanon, Egypt and France submitted a joint draft resolution (S/15317) to the Security Council which was aimed both at bringing about an immediate cease-fire in Lebanon and at promoting a peace settlement in the Middle East as a whole. The latter part of the draft resolution read, inter alia:

"[The Security Council] considers that the settlement of the Lebanese problem should contribute to the initiation of a durable restoration of peace and security in the region within the framework of negotiations based on the principles of security for all States and justice for all peoples, in order namely to:

(a) Reaffirm the right of all States in the region to existence and security in accordance with Security Council resolution 242 (1967);

(b) Reaffirm the legitimate national rights of the Palestinian people, including the right to self-determination with all its implications, on the understanding that to this end the Palestinian people shall be represented in the negotiations and, consequently, the Palestine Liberation Organization shall be associated therein;

(c) Call for the mutual and simultaneous recognition of the parties concerned".

No action has as yet been taken on the draft resolution.

82. Following the evacuation of the Palestinian armed elements from Beirut (see paras. 34-36 above), the President of the United States of America made a statement on 1 September 1982 in which he put forward certain proposals for the search of a peaceful settlement in the Middle East. The statement, the text of which was communicated to the Secretary-General, contained the following main points:

(a) The Camp David Accords remain the foundation of United States policy, the aim of which is to reconcile Israel's legitimate security concerns with the legitimate rights of the Palestinians. But a fresh start is needed.

(b) There must be a five-year transition period during which the Palestinians of the West Bank and Gaza will have full autonomy. This period would begin after free elections for a self-governing Palestinian authority.

(c) The United States will not support the use of any additional land for settlements during the transitional period; an immediate settlement freeze by Israel could create confidence for wider talks.

(d) The purpose of the transition period is the peaceful and orderly transfer of authority from Israel to the Palestinians of the West Bank and Gaza. Such a transfer must not interfere with Israel's security requirements.

(e) Beyond the transition period, the United States will not support the establishment of an independent Palestinian State in the West Bank and Gaza, nor annexation or permanent control by Israel. Self-government by the Palestinians of the West Bank and Gaza in association with Jordan offers the best chance for a just and lasting peace.

(f) Security Council resolution 242 (1967) remains wholly valid as the foundation stone of the Middle East peace effort of the United States. In return for peace, the withdrawal provision of that resolution applies to all fronts, including the West Bank and Gaza.

(g) When the border is negotiated between Jordan and Israel, the extent to which Israel should be asked to give up territory will be heavily affected by the extent of normalization and the security arrangements offered in return.

(h) Jerusalem must remain undivided, but its final status should be decided through negotiations.

(i) The United States will oppose any proposal that threatens the security of Israel, and its commitment to Israel's security is ironclad.

83. The Twelfth Arab Summit Conference, meeting at Fez, Morocco, adopted on 9 September 1982 the following principles for a settlement of the Israeli-Arab conflict:

(a) The withdrawal of Israel from all the Arab territories occupied by it in 1967, including Arab Al Qods (Jerusalem);

(b) The dismantling of the settlements established by Israel in the Arab territories since 1967;

(c) The guaranteeing of freedom of worship and practice of religious rites for all religions in the Holy Places;

(d) The reaffirmation of the right of the Palestinian people to self-determination and to the exercise of their inalienable and imprescriptible national rights, under the leadership of the Palestine Liberation Organization, their sole and legitimate representative, and the indemnification of all those who do not desire to return;

(e) The placing of the West Bank and the Gaza Strip under the control of the United Nations for a transitional period not exceeding a few months;

(f) The establishment of an independent Palestinian State with Al Qods (Jerusalem) as its capital;

(g) The establishment by the Security Council of guarantees of peace among all States of the region, including the independent Palestinian State;

(h) The guaranteeing by the Security Council of the implementation of these principles.

84. On 15 September 1982, the President of the Presidium of the Supreme Soviet of the USSR made a statement (A/37/457-S/15403) in which he set out the following principles as the basis for a peaceful settlement in the Middle East:

(a) The principle of the inadmissibility of the acquisition of foreign territories by aggression must be strictly observed. Accordingly, all the territories occupied by Israel since 1967 - the Golan Heights, the West Bank of the Jordan, the Gaza Strip and the Lebanese territory - must be returned to the Arabs. The borders between Israel and its Arab neighbours must be declared inviolable.

(b) The inalienable right of the Arab people of Palestine to self-determination and to the establishment of their own independent State in the Palestinian territories which will be freed from Israeli occupation - the West Bank and Gaza - must be guaranteed in practice. Palestinian refugees must be granted the opportunity to return to their homes or receive compensation for properties which they left.

(c) East Jerusalem must be returned to the Arabs and become an integral part of the Palestinian State. Freedom of access of the faithful to the Holy Places of the three religions must be guaranteed throughout Jerusalem.

(d) The right of all States in the region to security, independent existence and development must be guaranteed on a basis of complete reciprocity.

(e) The state of war must be ended and peace established between the Arab States and Israel. All parties to the conflict, including Israel and a Palestinian State, must undertake to respect each other's sovereignty, independence and territorial integrity and to settle any dispute through negotiations.

(f) International guarantees for the settlement must be worked out and adopted. The permanent members of the Security Council or the Council as a whole could assure the role of guarantors.

Such a settlement, he said, could be worked out and implemented only through collective efforts with the participation of all interested parties, including the Palestine Liberation Organization, as provided for in the USSR proposal for an international conference on the Middle East.

85. Since the Secretary-General's last comprehensive report on this item was issued on 11 November 1981, a number of communications have been addressed to him, to the President of the Security Council or to the President of the General Assembly, which dealt with the situation in the Middle East or specific aspects thereof. These communications have been circulated as documents of the Security Council or the General Assembly, as appropriate. In addition to those referred to in the preceding sections of this report (see paras. 49, 50, 66 and 78 above), the Permanent Representative of Belgium transmitted the text of the statement issued by the Ministers for Foreign Affairs of the 10 member States of the European Community, meeting at Luxembourg on 26 and 27 April 1982, concerning the Israeli withdrawal from Sinai on 25 April 1982 (A/37/218-S/15039). The Israeli withdrawal was also the subject of communications from the Union of Soviet Socialist Republics (A/37/213-S/15015) and Egypt (A/37/220-S/15051). Other communications relating to the search for a settlement in the Middle East were also received from Egypt and France (S/15315, S/15316), Egypt (A/37/411-S/15376) and Israel (A/37/423-S/15386). The text of the statement made by the Heads of State and Government of the 10 member States of the European Community meeting at Brussels on 29 and 30 March 1982 was transmitted by the Permanent Representative of Belgium (A/37/170-S/14954). The statement on the situation in the Middle East issued at Brussels on 20 September 1982 by the Ministers for Foreign Affairs of the 10 member States of the European Community was transmitted by the Permanent Representative of Denmark (A/37/473-S/15421).

VII. OBSERVATIONS

86. The Palestinian problem and the Israeli-Arab conflict in the Middle East have been a major concern of the United Nations for some 35 years. They have probably claimed more time and more attention from our Organization than any other international problem.

87. The past 35 years have seen a long series of efforts to resolve that conflict by peaceful means, many undertaken under United Nations auspices. The approval of the Partition Plan by the General Assembly in November 1947, the conclusion of the General Armistice Agreement of 1949 under the auspices of the United Nations Mediator for Palestine, the unanimous adoption of Security Council resolution 242 (1967) of 22 November 1967 and the Jarring mission, the adoption of Security Council resolution 338 (1973) of 21 October 1973, the convening of the Geneva Peace Conference in December 1973 and the disengagement agreements of 1974 are important milestones on the rocky road of the search for peace in the Middle East. Each of these events could have led to a general peace settlement but failed to do so because one or another of the parties concerned refused to make the necessary accommodations.

88. Thus, instead of general peace, there have been in the Middle East a succession of cease-fires. In most cases, the cease-fires were called for by the Security Council and supervised by United Nations peace-keeping operations. In difficult and often dangerous circumstances, United Nations military observers and soldiers of United Nations forces carried out their thankless peace-keeping tasks through observation, supervision, interposition, liaison and good offices. But, lacking enforcement means, United Nations peace-keeping operations can function properly only with the co-operation of the parties and on a clearly defined mandate from the Security Council. In the complexity of the situation in the Middle East, these conditions could not always be met. Nevertheless, with dedication and courage, the United Nations observers and soldiers did much to maintain a precarious peace. But, in the absence of a resolution of the underlying political and security issues, the situation remained unstable, and over the years the cease-fires were marred by numerous incidents and five full-fledged wars. With the development of increasingly sophisticated weapons, each succeeding war has become more destructive and each new round of fighting has added to the complexity of the conflict and made it more difficult to resolve. The recent tragic events in Lebanon have forcefully highlighted the urgent need to seek a peaceful settlement of the Palestinian problem and other aspects of the Middle East conflict.

89. It is therefore with keen interest that I have noted the various initiatives undertaken recently to this effect, including the Franco-Egyptian draft resolution of 29 July 1982, the proposals put forward by the United States Government following the evacuation of Palestinian armed elements from Beirut, and the subsequent proposals from the League of Arab States and the Government of the USSR. Although the above-mentioned proposals contain provisions that are, for the time being at least, unacceptable to one party or another, I feel that they deserve careful study and that every opportunity should be seized to overcome the present impasse and shift the conflict from military confrontation to peaceful negotiation. It is important, however, that the intermediate steps that may be required should not obscure the ultimate necessity for a comprehensive settlement which alone can ensure a just and lasting peace in the Middle East.

90. After so many years of debate, the issues dividing the opposing sides are now well known. There is, it seems to me, a wide measure of agreement that, in order to reconcile the basic aspirations and the vital interests of all the parties concerned, a settlement must meet the following conditions: the withdrawal of the Israeli forces from occupied territories, which now must include those in Lebanon;

respect for 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.

91. I am deeply conscious of the formidable difficulties which still lie on the way to the attainment of a comprehensive settlement. The parties to the conflict continue to be divided by extreme distrust and fear and are still reluctant to envision those concessions and adjustments without which no compromise is possible. In a situation of such deeply rooted conflict, it is often easier for the parties to adopt radical positions rather than conciliatory policies and the stronger party may be tempted to use force to achieve its objectives. A peaceful settlement would require from the Governments and authorities concerned and from their leaders an extraordinary measure of understanding, compassion, courage and statesmanship. It would also require the selfless support of all third-party Governments that are in a position to help, particularly the major Powers. I am also convinced that the United Nations and especially the Security Council should and could play a constructive and crucial role in this connection, both in the peace-making process and the peace-keeping efforts which would be essential in order to prevent a renewal of hostilities and to promote an atmosphere conducive to negotiations.

Notes

- 1/ United Nations Treaty Series, vol. 75, No. 973, p. 287.
- 2/ Official Records of the General Assembly, Thirty-sixth Session, Supplement No. 13 (A/36/13).
- 3/ Ibid., Thirty-seventh Session.
- 4/ Ibid., Thirty-sixth Session, Supplement No. 35 (A/36/35).
- 5/ Ibid., Thirty-seventh Session, Supplement No. 35 (A/37/35).
- 6/ Ibid., Supplement No. 49 (A/37/149).
