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ISRAEL'S DECISION TO BUILD A CANAL LINKING THE MEDITERRANEAN SEA
TO THE DEAD SEA

Report of the Special Political Committee

Rapporteur: Mr. Faruk LOGOGLU (Turkey)

I. INTRODUCTION

1. The item entitled "Israel's decision to build a canal linking the Mediterranean Sea to the Dead Sea" was included in the provisional agenda of the thirty-seventh session of the General Assembly in accordance with resolution 36/150 of 16 December 1981.
2. At its 4th plenary meeting, on 24 September 1982, the General Assembly, on the recommendation of the General Committee, decided to include the item in its agenda and to allocate it to the Special Political Committee.
3. The Special Political Committee had before it the report of the Secretary-General (A/37/328-S/15277 and Corr.1) submitted pursuant to resolution 36/150.
4. The Special Political Committee considered the item at its 46th and 49th meetings, from 7 to 9 December 1982 (see A/SPC/37/SR.46-49).

II. CONSIDERATION OF DRAFT RESOLUTION A/SPC/37/L.41

5. At the 47th meeting, on 8 December, a draft resolution (A/SPC/37/L.41) sponsored by Iraq, Jordan, Pakistan, Saudi Arabia and Yemen was introduced. The draft resolution reads as follows:

"The General Assembly,

"Recalling its resolution 36/150 of 16 December 1981,

"Recalling the rules and principles of international law relative to the fundamental rights and duties of States,

"Bearing in mind the principles of international law relative to belligerent occupation of land, including the Fourth Geneva Convention of 12 August 1949; and reaffirms their applicability to all Arab territories occupied since 1967, including Jerusalem,

"Taking note of the report of the Secretary-General, document A/37/328-S/15277 of 30 June 1982,

"Convinced that the construction of the canal linking the Mediterranean Sea with the Dead Sea by Israel will cause direct, serious and irreparable damages to Jordan's rights and legitimate vital interests in the economic, agricultural, demographic and ecological fields,

"Noting with regret the non-compliance, by Israel, with its resolution 36/150,

"1. Condemns Israel's non-compliance with its resolution 36/150;

"2. Emphasizes that the construction of the canal linking the Mediterranean to the Dead Sea is a violation of the rules and principles of international law, especially those relating to the fundamental rights and duties of States; and to belligerent occupation of land;

"3. Demands that Israel abandon immediately its decision to construct this canal and cease forthright all actions and/or plans taken toward the implementation of this decision;

"4. Calls upon all States, specialized agencies, governmental and non-governmental organizations, not to assist, directly or indirectly in preparations for and execution of this project, and strongly urges the national, international and multinational corporations to do likewise;

"5. Requests the Secretary-General to monitor and assess on a continuing basis, and through any competent expert organ he may deem appropriate the adverse effects, on Jordan and on the Arab territories occupied since 1967, including Jerusalem, arising from the implementation of the Israeli decision to construct this canal and to report to the thirty-eighth session;

"6. Decides to include in the provisional agenda of its thirty-eighth session the item entitled "Israel's Decision to Build a Canal Linking the Mediterranean Sea to the Dead Sea".

6. On 7 December, the Secretary-General, in accordance with rule 153 of the rules of procedure of the General Assembly, submitted a statement (A/SPC/37/L.42) on the administrative and financial implications of the draft resolution.

7. At the 49th meeting, on 9 December, the representative of Jordan introduced a revised draft resolution (A/SPC/37/L.41/Rev.1) sponsored by Iraq, Jordan, Pakistan, Saudi Arabia and Yemen, subsequently joined by India and Morocco.

8. At its 49th meeting, on 9 December, the Committee adopted draft resolution A/SPC/37/L.41/Rev.1 by a recorded vote of 101 to 2, with 2 abstentions (see para. 10). The voting was as follows: 1/

In favour: Afghanistan, Albania, Algeria, Argentina, Austria, Bahrain, Bangladesh, Belgium, Bhutan, Bolivia, Brazil, Bulgaria, Burma, Burundi, Byelorussian Soviet Socialist Republic, Canada, Central African Republic, Chad, Chile, China, Colombia, Congo, Costa Rica, Cuba, Czechoslovakia, Democratic Yemen, Denmark, Djibouti, Egypt, Ethiopia, Finland, France, German Democratic Republic, Germany, Federal Republic of, Ghana, Greece, Iceland, India, Indonesia, Iran (Islamic Republic of), Iraq, Ireland, Italy, Jamaica, Japan, Jordan, Kenya, Kuwait, Lebanon, Liberia, Libyan Arab Jamahiriya, Luxembourg, Madagascar, Malaysia, Maldives, Mauritania, Mexico, Mongolia, Morocco, Mozambique, Nepal, Netherlands, New Zealand, Nicaragua, Nigeria, Norway, Oman, Panama, Peru, Philippines, Poland, Portugal, Qatar, Romania, Rwanda, Saudi Arabia, Senegal, Singapore, Spain, Sri Lanka, Sudan, Sweden, Syrian Arab Republic, Thailand, Togo, Trinidad and Tobago, Tunisia, Turkey, Uganda, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Cameroon, United Republic of Tanzania, Uruguay, Venezuela, Viet Nam, Yemen, Yugoslavia, Zambia.

Against: Israel, United States of America.

Abstaining: Malawi, Zaire.

9. The representatives of the United States of America and Israel made statements in explanation of vote before the vote and the representative of Jamaica made a statement in explanation of vote after the vote.

1/ After the vote, the delegations of Ecuador and Guyana indicated that, had they been present, they would have voted in favour of the draft resolution.

III. RECOMMENDATION OF THE SPECIAL POLITICAL COMMITTEE

10. The Special Political Committee recommends to the General Assembly the adoption of the following draft resolution:

Israel's decision to build a canal linking the Mediterranean Sea to the Dead Sea

The General Assembly,

Recalling its resolution 36/150 of 16 December 1981,

Recalling the rules and principles of international law relative to the fundamental rights and duties of States,

Bearing in mind the principles of international law relative to belligerent occupation of land, including the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, 2/ and reaffirming their applicability to all Arab territories occupied since 1967, including Jerusalem,

Taking note of the report of the Secretary-General, 3/

Recognizing that the proposed canal, to be constructed partly through the Gaza Strip, a Palestinian territory occupied in 1967, would violate the principles of international law and affect the interests of the Palestinian people,

Confident that the canal linking the Mediterranean Sea with the Dead Sea, if constructed by Israel, will cause direct, serious and irreparable damages to Jordan's rights and legitimate vital interests in the economic, agricultural, demographic and ecological fields,

Noting with regret the non-compliance by Israel with General Assembly resolution 36/150,

1. Deplores Israel's non-compliance with its resolution 36/150;
2. Emphasizes that the canal linking the Mediterranean Sea with the Dead Sea, if constructed, is a violation of the rules and principles of international law, especially those relating to the fundamental rights and duties of States and to belligerent occupation of land;
3. Demands that Israel not construct this canal and cease forthwith all actions and/or plans taken towards the implementation of this project;

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

3/ A/37/328-S/15277 and Corr.1.

4. Calls upon all States, specialized agencies, governmental and non-governmental organizations not to assist, directly or indirectly, in preparations for and execution of this project and strongly urges national, international and multinational corporations to do likewise;
 5. Requests the Secretary-General to monitor and assess, on a continuing basis and through a competent expert organ, all aspects - juridical, political, economic, ecological and demographic - of the adverse effects on Jordan and on the Arab territories occupied since 1967, including Jerusalem, arising from the implementation of the Israeli decision to construct this canal and to forward the findings of this organ on a regular basis to the General Assembly;
 6. Requests the Secretary-General to report to the General Assembly at its thirty-eighth session on the implementation of the present resolution;
 7. Decides to include in the provisional agenda of its thirty-eighth session the item entitled "Israel's decision to build a canal linking the Mediterranean Sea to the Dead Sea".
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