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

Protection of Palestine refugees

Report of the Secretary-General

1. The present report is submitted pursuant to General Assembly resolution 37/120 J of 16 December 1982, entitled "Protection of Palestine refugees", the operative paragraphs of which read as follows:

"The General Assembly,

"...

"1. Urges the Secretary-General, in consultation with the United Nations Relief and Works Agency for Palestine Refugees in the Near East, and pending the withdrawal of Israeli forces from the Palestinian and other Arab territories occupied by Israel since 1967, including Jerusalem, to undertake effective measures to guarantee the safety and security and the legal and human rights of the Palestinian refugees in the occupied territories;

"2. Calls upon Israel, the occupying Power, to release forthwith all detained Palestine refugees, including the employees of the United Nations Relief and Works Agency for Palestine Refugees in the Near East;

"3. Also calls upon Israel to desist forthwith from preventing those Palestinians registered by the United Nations Relief and Works Agency for Palestine Refugees in the Near East as refugees in Lebanon from returning to their camps in Lebanon;

"4. Further calls upon Israel to allow the resumption of health, medical, educational and social services rendered by the United Nations Relief and Works Agency for Palestine Refugees in the Near East to the Palestinians in the refugee camps in southern Lebanon;

"5. Requests the Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East to co-ordinate his activities in rendering these services with the Government of Lebanon, the host country;

"6. Urges the Commissioner-General to provide housing, in consultation with the Government of Lebanon, to the Palestine refugees whose houses were demolished or razed by the Israeli forces, in order to protect them from the severity of the weather;

"7. Requests the Commissioner-General, in consultation with the Government of Lebanon, to prepare a report on the totality of the damage caused to the Palestine refugees and their property and to the Agency's facilities, as well as those of other international bodies, as a result of the Israeli aggression;

"8. Requests the Secretary-General, in consultation with the Commissioner-General, to report to the General Assembly before the opening of its thirty-eighth session on the implementation of the present resolution."

2. Following the adoption of that resolution, the Secretary-General brought it to the attention of the Government of Israel and requested it to provide him with all available information relevant to its implementation. The information received from the Government of Israel is set out in paragraph 9 below.

3. During the period under review, the Permanent Observer of the Palestine Liberation Organization (PLO) submitted to the Secretary-General a number of complaints concerning actions said to have been taken by Israeli authorities against Palestinian refugees in occupied territories. Most of those complaints were also sent to the President of the Security Council and were brought by the latter to the attention of the members of the Council. The Secretary-General and senior officials of the Secretariat, particularly the Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA), were in touch with the Israeli authorities at various levels concerning the question of the protection of Palestine refugees in occupied territories. In this connection, it is relevant to recall that before the adoption of this resolution the Legal Counsel had made a statement to the Special Political Committee concerning paragraph 1. In his statement, the Legal Counsel, inter alia, said that it was difficult to see how the Secretary-General could undertake effective measures to guarantee the safety and security and legal and human rights of the Palestine refugees without either effectively exercising certain sovereign powers, including police powers, in the occupied territories or exerting authority and control over the occupying power itself. He pointed out that international organizations acting within a given territory were obliged to act with the consent and, as necessary, the co-operation of the authorities in effective control of that

territory. If such consent and co-operation were not forthcoming, the Secretary-General would be unable to undertake the measures required to fulfill the request contained in the resolution.

4. Although, for the reasons mentioned above, it has not been possible for the Secretary-General to undertake the effective measures requested of him by the General Assembly, the Commissioner-General of UNRWA, as the senior United Nations official responsible for providing services to the Palestine refugees, has initiated actions, within the limits imposed by his mandate and in close consultation with the Secretary-General, towards the ends specified by the Assembly.

5. In the occupied territories of the West Bank and the Gaza Strip, the Commissioner-General or his representatives have immediately taken up with the authorities concerned any actions, such as the closing of schools and the imposition of camp curfews, which have interfered with the Agency's education, health and relief services to the refugees. In south Lebanon, the question of the personal security of the Palestine refugees has been, and continues to be, a matter of deep concern. The Commissioner-General, with the full support of the Secretary-General, has repeatedly drawn the attention of the Lebanese and Israeli Governments, as well as other Governments concerned, to the dangers to the security of Palestine refugees in Lebanon and has urged that adequate measures be taken for their protection.

6. On 14 February 1983, UNRWA sent a note verbale to the Permanent Mission of Israel to the International Organizations in Vienna, drawing the attention of the Israeli authorities to incidents in south Lebanon, particularly in the Sidon area, where Palestine refugees had been killed and the houses of refugees destroyed or damaged by unidentified persons. In other cases, masked men had made threats against refugees so as to make them leave their homes. UNRWA pointed out that in the circumstances existing in south Lebanon the Israeli armed forces were obliged to ensure the protection of the lives and property of local inhabitants, in accordance with article 27 of the Fourth Geneva Convention of 1949. 1/

7. On 21 March 1983, the Permanent Mission of Israel in Vienna replied that, without prejudice to the status of the Israeli Defence Forces (IDF) in Lebanon, Israel was aware of those Forces' responsibilities for maintaining and ensuring the security of the population, including Palestinians, in the area under their control, and that they would do their utmost to provide protection, both in and outside the refugee camps. In this connection, the Israeli Defence Forces had already adopted a number of measures:

"A. Permanent military presence in the refugee camps was intensified throughout south Lebanon by means of patrols, fixed positions, observation posts, control barricades and check-posts. The IDF conducts ongoing security activities in towns and villages throughout Lebanon.

"B. High-level meetings were held, in Sidon and elsewhere, with the various authorities and elements, who were told in no uncertain terms that the IDF views their actions with severity and were required to desist from harassing the Palestinian population.

"C. Under the auspices of the IDF Commander in Sidon, a meeting was arranged between the commanders of the Lebanese forces and members of the Palestinian Committee in the Sidon area. Both sides were encouraged to conduct a continuous dialogue so as to prevent violence. At another meeting along similar lines, the UNRWA representative in Sidon was also present.

"D. The IDF Commander in Sidon has met with local Christian and Moslem leaders, and warned that the IDF views all acts of violence with utmost severity, requesting the leaders to wield their influence among their people to induce calm.

"E. IDF Commanders in the Sidon area maintain constant ongoing contact with members of the Palestinian Committee for the sake of obtaining information and prevent the harassment of the Palestinian population."

While it was impossible for the Israeli Defence Forces to put a guard next to every Palestinian home, neither the Government of Israel nor the Israeli Defence Forces was shirking its responsibility, and they would continue to do whatever was possible and necessary to protect the lives and property of Palestinian refugees in the areas under Israeli control in south Lebanon.

8. In a further note, dated 1 June 1983, UNRWA informed the Israeli authorities that since March the situation had considerably deteriorated. Several Palestine refugees had been harassed and some killed. The Agency drew attention once again to the considerations expressed in its note of 14 February 1983 to the Mission and requested that it be informed urgently of such additional steps as the Israeli authorities intended to take to ensure the safety and security of Palestine refugees resident in south Lebanon.

9. In a note verbale dated 26 August 1983, the Permanent Representative of Israel to the United Nations informed the Secretary-General that his Government's position remained as stated to UNRWA on 21 March (see para. 7 above) and that the description of the measures taken by the Israeli Defence Forces to improve the security of all residents of south Lebanon remained valid. The Permanent Representative stated that, without prejudice to its status in Lebanon, the Israeli Defence Forces continued to do its utmost to maintain order and security for all inhabitants.

10. In his annual report for 1982-1983, 2/ the Commissioner-General of UNRWA, in paragraphs 5 to 7 of the Foreword, after noting that the responsibility for the protection of the civilian population lies with the territorial sovereign or, in the case of occupied territory, the occupying Power, stated that he considered it to be a clear moral duty for the Agency to assist in ensuring the safety of the Palestine refugees. Further details concerning the Agency's efforts in this regard may be found in the annual report of the Commissioner-General. 3/

11. The question of the continued detention of UNRWA employees by Israel, referred to in paragraph 2 of the resolution, has been pursued with the Israeli authorities by the Secretary-General and the Commissioner-General. Their interventions on

behalf of those staff members are described fully in a separate report by the Secretary-General (A/C.5/38/18).

12. With regard to the restoration of services to Palestine refugees in Lebanon, as referred to in paragraphs 3 to 6 of the resolution, the Commissioner-General has supplied the following information.

13. The education, health and relief services of the United Nations Relief and Works Agency for Palestine Refugees in the Near East were gradually re-established in southern Lebanon in the latter months of 1982. Repairs were made to premises which had not been severely damaged and alternative temporary accommodation was found for other facilities. All of the schools had reopened by the spring of 1983, although in southern Lebanon makeshift classrooms had been set up in 15 marquee tents in the Ein el-Hilweh camp near Saida. The Sibliin Training Centre, near Saida, recommenced courses for second-year trainees in November 1982 and accepted a new intake of students in February 1983. The health programme has been fully reactivated, and efforts have been made to compensate in part for the loss of other medical facilities previously available to the Palestine refugees in south Lebanon, through the appointment of additional doctors, nurses and auxiliary medical workers, and through arrangements with a hospital each in Saida and Tyre for in-patient care. In association with UNRWA, the UNIFIL hospital in Nakoura is accepting patients who require orthopaedic surgery; the Norwegian Refugee Council has established a rehabilitation centre in Tyre for the physically handicapped; and the International Rescue Committee of the United States has undertaken to establish and operate a 12-bed intermediate health care unit in Saida. The relief programme has been augmented, to provide additional food rations, household and other goods to the displaced refugees, many more of whom have become destitute since June 1982. Cash assistance and building materials have been issued for the repair of refugees' homes.

14. UNRWA'S programmes in Lebanon are constructed within the terms of agreements with the Government of Lebanon signed on 6 September 1948 and 26 November 1954. UNRWA is in continuous contact with the Government department designated responsible for the affairs of the Palestine refugees in Lebanon, through its Field Office in Beirut, and the Commissioner-General himself has consulted the Government on the rehabilitation of services on visits to Beirut on two occasions since June 1982.

15. The Commissioner-General's consultations with the Government of Lebanon have also concerned the question of the rehousing of the refugees. The clearance of refugee camp sites began on 4 October 1982, after the Commissioner-General had received the acquiescence of the Government on 1 October. Between October 1982 and the summer of 1983, refugees have been repairing and in some cases rebuilding their homes in the refugee camps. So far the Agency has assisted 13,256 families with cash and building materials at a cost of some \$8 million. In southern Lebanon, the initial work has been completed except in Ein el-Hilweh camp, near Saida, where the destruction was greatest, and Rashdieh camp, near Tyre, which has a particularly large number of male absentees (because of death, detention or flight). On 16 May 1983, the Government confirmed to the Commissioner-General its policy that the refugee camps might be rehabilitated to their status before June 1982. UNRWA's

appeal in June 1983 for \$13 million for the first phase of a reconstruction programme includes \$7 million for refugee housing.

16. Further information on emergency relief, the restoration of regular services and the rehousing of the refugees is given in the annual report of the Commissioner-General of UNRWA to the General Assembly for the period 1 July 1982-30 June 1983. 2/

17. Under paragraph 7 of the resolution, the Commissioner-General of UNRWA is requested, in consultation with the Government of Lebanon, "to prepare a report on the totality of the damage caused to the Palestine refugees and their property and to the Agency's facilities, as well as those of other international bodies, as a result of the Israeli aggression". In this regard, the Commissioner-General has provided the Secretary-General with the information set out below.

18. UNRWA is not in a position to ascertain the totality of damage caused to the Palestine refugees and their property. Estimates of the number of Palestine refugees residing in Lebanon vary. However, the number of Palestine refugees registered with UNRWA in Lebanon as at 30 June 1983 was 244,434, of whom approximately 111,500 were living in refugee camps. The estimated extent of damage caused to refugee houses in camps (i.e. in those areas within the legal boundaries of land placed at the disposal of the Agency by the Government of Lebanon) is given in annex I. It is not possible to place a monetary value on the cost of restoring these houses to the condition they were in prior to the Israeli invasion; nor is the Agency in a position to obtain the necessary information with regard to damage or destruction to the moveable property of Palestine refugees then or now resident in the camps. The extent of the damage and destruction caused to the accommodation and the immoveable property of Palestine refugees living outside the camps or to their moveable property is not known to UNRWA, nor does UNRWA have any means of estimating the extent of such loss and damage. For purposes of the report UNRWA requested the Government of Lebanon to provide such data as are available to it in regard to the totality of the damage caused to Palestine refugees and their property but has not yet received such information.

19. As soon as was practicable after hostilities ceased in south Lebanon the Agency commenced a survey of loss and damage caused to its facilities. For purposes of the survey the expression "facilities" has been interpreted by the Agency to refer primarily to its installations such as schools, clinics, distribution centres, supplementary feeding centres, whether owned or otherwise occupied and administered by the Agency for its programmes, and the moveable property of the Agency such as equipment, furniture, consumable and non-consumable supplies and basic commodities.

20. The survey of damage to the Agency's facilities as defined above takes into account both the damage caused directly by Israeli military action, including such action as the demolition of buildings and the occupation of Agency premises for Israeli military purposes, as well as the indirect damage to its facilities resulting therefrom, as well as from the occupation and consequent damage to and loss of its facilities caused by the local population, who had themselves lost their homes or source of income, as a result of Israeli military operations. The

invasion of south Lebanon resulted in thousands of inhabitants seeking shelter in Agency installations and utilizing Agency property in all parts of Lebanon without the authority of the Agency and in the absence of any control by the appropriate authorities.

21. The difficulties which the Agency faced in carrying out the survey soon after hostilities in south Lebanon ceased last year will be readily appreciated. However, much of the damage was self-evident and, in cases where the designated custodian of Agency property was not available because of the prevailing situation, information was obtained from other staff members in the area. The figures in respect of loss of and damage to all Agency property other than to buildings are based on Agency book values which in some instances go back many years and do not constitute a proper reflection of the actual costs of replacement today, which are much higher. With regard to damages to Agency buildings the actual or estimated repair costs as at February 1983 have been used.

22. On the basis of its survey, the Agency estimates the totality of the damage caused to Agency facilities as amounting to \$US 4,584,557. Annex II provides a summary of the damage to Agency facilities as defined above by region and categories of Agency property (buildings, equipment, furniture, supplies and basic commodities).

23. An assessment was also made of the damage to the infrastructure of the camps, such as roads, pathways, electricity supply lines, water and sewage networks. The Agency estimates that a sum of \$US 7 million will be required to restore these facilities to the level which existed immediately prior to June 1982. The details of this estimate are provided in Annex III.

24. The Agency has requested information from other United Nations bodies functioning in Lebanon with regard to damage they suffered pertinent to this report. The information received is summarized in Annex IV.

Notes

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

2/ Official Records of the General Assembly, Thirty-eighth Session, Supplementary No. 13 (A/38/13).

3/ Ibid, paras. 35-37.

ANNEX I

Damage to refugee shelters in camps

(United States dollars)

Camp	Camp population as at 30 June 1975 a/	<u>Percentage of shelters b/</u> damaged destroyed	
1. <u>South Lebanon</u>			
Ein el-Hilweh	26 152	20	80
Buss	5 454	60	40
Rashidiyeh	15 640	40	60
Burj el-Shemali	11 426	40	60
Mia Mia	2 544	30	30
2. <u>Central Lebanon</u> <u>(Beirut)</u>			
Burj el-Barajneh	10 841	65	35
Mar Elias	529	20	10
Shatila	6 089	15	15
Dbayyeh	3 029	NIL	NIL
3. <u>North Lebanon</u> <u>(Including Beqa'a)</u>			
Nahr el-Bared	16 195	NIL	NIL
Beddawi	8 733	NIL	NIL
Wavel	4 759	NIL	NIL

a/ 30 June 1975 is the last date for which accurate figures of the camp populations are available.

b/ Percentages are best estimates made by the engineers in charge of clearing the camps. No proper shelter-by-shelter count could be made.

ANNEX II

Estimated damage to UNRWA facilities in Lebanon

(United States dollars)

	<u>South Lebanon</u>	<u>Central Lebanon</u> (Including Field Office)	<u>North Lebanon</u> (Including Beqa'a Valley)	<u>Total</u>
1. Buildings	2 358 298	407 515	4 909	2 770 722
2. Equipment	277 669	65 458	-	343 127
3. Furniture	474 829	102 482	40 869	618 180
4. Supplies	433 191	201 436	144 752	779 379
5. Basic commodities	93 975	4 760	-	98 735
	3 637 962	781 651	190 530	4 610 143

ANNEX III

Estimated damage to camp infrastructure

(Thousands of United States dollars)

Facilities Camps	Water supply	Drains & seweres	Roads & pathways	Refuse platforms	Latrines	Totals
Rashidiyeh	110	200	40	4	400	754
Burj el-Shemali	500	70	60	4	450	1 084
El Buss	10	25	10	2	250	297
Mia Mia	10	95	42	1	100	248
Ein el-Hilweh	1 000	800	160	6	1 500	3 466
Burj el-Barajneh	5	10	10	4	100	129
Shatila	30	10	10	NIL	50	100
Mar Elias	3	NIL	5	1	20	29
Totals	1 668	1 210	337	22	2 870	6 107 a/

a/ In addition, damage to roads and pathways constructed through refugee self-help and other projects is estimated in excess of \$300,000; damage to electricity grid for UNRWA installations in the camps at about \$150,000, and for other camp purposes at about \$450,000.

ANNEX IV

Damage reported by other United Nations bodies
functioning in Lebanon a/

Organization		Amount (United States dollars)
1.	ILO	
	Repairs to property	89 862
	Staff claims	120 317
2.	UNDP	
	Property (at inventory value) ..	35 360
3.	UNESCO	
	Property	898 421
4.	UNIFIL	
	Property	284 842
	Staff claims	29 476
5.	UNTSO	
	Property	68 427
	Staff claims	72 328

a/ This damage occurred during the hostilities which took place in connection with the Israeli invasion in June 1982. Given the conditions prevailing at the time, it is not possible to account for the damage in terms of specific actions by our or the other of the parties.
