



**UNITED
NATIONS**

THE QUESTION OF PALESTINE

The Origins and Evolution of the Palestine Problem – CEIRPP, DPR study, part III:
1978-1983

**The Origins and Evolution
of the Palestine Problem:**

1917-1988

PART III

1978-1983

INTRODUCTION

The evolution of the question of Palestine from its beginning up to the year 1977 has been dealt with in parts I and II of the present study. Since 1978 the question has remained in the forefront of United Nations attention. Its political and humanitarian aspects in particular have reverted to the centre of international attention as never before.

It has become evident that the overwhelming majority of the members of the international community are convinced that the attainment of the legitimate rights of the Palestinian people is a sine qua non for peace in the Middle East.

Certain basic considerations have also emerged which have the acceptance of the majority among the international community. These are that:

(a) The question of Palestine is at the heart of the problem of the Middle East and consequently no solution to the Middle East problem can be envisaged without taking into account the inalienable rights of the Palestinian people;

(b) The realization of the inalienable rights of the Palestinian people to return to their homes and to self-determination, and the right to establish their own independent State in Palestine will contribute to a solution of the crisis in the Middle East;

(c) The participation of the Palestine Liberation Organization (PLO), the representative of the Palestinian people, on an equal footing with all other parties on the basis of General Assembly resolutions 3236 (XXIX) and 3375 (XXX), is indispensable in all efforts, deliberations and conferences on the question of Palestine and the situation in the Middle East undertaken under the auspices of the United Nations;

(d) The acquisition of territory by force is inadmissible and hence the obligation which devolves on Israel to withdraw completely and unconditionally from all territory so occupied.

These views have been expressed repeatedly and unanimously by intergovernmental organizations such as the Conference of Heads of State or Government of Non-Aligned Countries, the Organization of African Unity and the Organization of the Islamic Conference and the Warsaw Treaty Organization, as well as by individual Governments.

While many States and organizations have consistently maintained this position, in recent years other governmental groups have also taken positions which appear to approach this conclusion. At the meeting of the Heads of State and Government and Ministers for Foreign Affairs of the European Community in Venice, Italy, in its declaration of 13 June 1980, the then Group of Nine detailed its position on the Middle East. 1/ It declared that the time had come to promote the recognition and implementation of the two principles universally accepted by the international community: the right to existence and security of all States in the region, including Israel, and justice for all the peoples, which implied the recognition of the legitimate rights of the Palestinian people. It took a firm position on the question of Palestine and on the fact that the Palestinian people must be placed in a position to exercise fully their right to self-determination; that the Palestine Liberation Organization should be associated with the negotiations to that end; that Israel should put an end to the occupation of the territories which it had held since 1967; that Israeli settlements constituted a serious obstacle to peace in the Middle East and were illegal under international law and that the Nine would not accept any unilateral initiative designed to change the status of Jerusalem.

On 28 July 1982, a draft resolution was presented by Egypt and France to the Security Council. In its main provisions the resolution reaffirmed the right of all States in the region to existence and security, as well as the legitimate national rights of the Palestinian people, including the right to self-determination, with all its implications. This draft resolution was never put to a vote.

Furthermore, in September 1983, the International Conference on the Question of Palestine, which was widely attended, adopted inter alia the following principles:

- the need to oppose and reject such Israeli policies and practices in the occupied territories, including Jerusalem, and any de facto situation created by Israel as were contrary to international law and relevant United Nations resolutions, particularly the establishment of settlements;

- the need to reaffirm as null and void 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, including the expropriation of land and property situated thereon, and in particular the so-called "Basic Law" on Jerusalem and the proclamation of Jerusalem as the capital city of Israel;

- the right of all States in the region to existence within secure and internationally recognized boundaries, with justice and security for all the people, the sine qua non of which was their recognition and attainment of the legitimate, inalienable rights of the Palestinian people.

Events on the spot, however, remained on a negative course, although no major offensive took place after the cease-fire agreement signed on 24 July 1981. A period of some nine months of relative stability ensued. After some sporadic but fatal incidents in June 1982, Israel invaded Lebanon initially with the declared intention of driving Palestinians out of a zone 25 miles wide which bordered on Israel. However, after declaring that "its intention was to eliminate the PLO", Israel subsequently moved its troops in Lebanon to Beirut where the forces of the PLO held out for over two months. The PLO's withdrawal from Beirut came only after a cease-fire had been arranged on 14 August which was to be maintained with the help of multinational troops. PLO troops withdrew from Beirut and were transferred to neighbouring countries. After appropriate guarantees of safety were provided for thousands of Palestinian civilians who would be left behind, the Organization's headquarters moved to Tunisia.

On 15 September 1982 Bashir Gemayel, President-elect of Lebanon, was assassinated shortly after the withdrawal of the multinational troops.

Early on the same day, Israeli forces advanced into West Beirut. By 16 September the Israeli army had established its control of most of the West Beirut sector of the city and took up positions around the Palestinian refugee camps. The following day the Security Council unanimously adopted resolution 520 (1982) condemning the recent incursions by Israel into Beirut in violation of the cease-fire agreements and of Security Council resolutions.

On 17 September reports were received that armed men had the previous evening entered the Sabra and Shatila Palestinian refugee camps in West Beirut and were engaging in wholesale killing of the civilian population.

On 18 September it was confirmed that a large-scale massacre had taken place in the refugee camps. A large number of bodies of men, women and children were found, some of them mutilated, many of them apparently killed while trying to escape; many homes had been blown up with their occupants still inside; there also appeared to be a mass grave on the perimeter of one of the camps.

The events in Lebanon in the summer of 1982 once again highlighted the need for a settlement of the question of Palestine. International interest in urgently finding some solution was again reflected in the various proposals made at the time.

On 1 September 1982, President Reagan made detailed proposals summarizing the position of the United States of America regarding a comprehensive Middle East settlement which, in the view of the United States Government, would take into account the preoccupation of all parties and would respond to the legitimate rights of the Palestinian people. Self-government by the Palestinians of the West Bank and Gaza, in association with Jordan, offered the best chance for a durable, just and lasting peace. This approach was based on the principle that the Arab-Israeli conflict should be resolved through negotiations involving an exchange of territory for peace. This exchange is enshrined in United Nations Security Council resolution 242 (1967). He remained convinced that Jerusalem must remain undivided, but its final status should be decided through negotiations. 2/ However, these proposals were immediately rejected by Israel and were subsequently criticized by most Arab States which felt that the proposals fell short of ensuring Palestinians the exercise of their rights in Palestine.

On 9 September 1982, the twelfth Arab Summit Conference, held at Fez, Morocco, adopted an eight-point peace plan for the Middle East: 3/

- (a) The withdrawal of Israel from all the Arab territories occupied by it in 1967, including Arab Jerusalem;
- (b) The dismantling of the settlements established by Israel in the Arab territories since 1967;

(c) The guaranteeing of freedom of worship and performance of religious rites of 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 those who did 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 Jerusalem as its capital;

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

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

Although rejected by Israel, these proposals, which converge on many points with the position of the United Nations as initially recommended by the Committee on the Exercise of the Inalienable Rights of the Palestinian People, have been regarded by many as a sound basis for a settlement.

On 15 September 1982 a six-point plan for the Middle East settlement was presented by L. I. Brezhnev, Chairman of the Presidium of the Supreme Soviet and General Secretary of the Central Committee of the Communist Party of the Soviet Union. These six points, subsequently reaffirmed on 5 January 1983 by the Political Consultative Committee of the States Parties to the Warsaw Treaty, were: the inadmissibility of the acquisition of territory by force, and consequently, the need for the complete withdrawal of Israel from all Arab territories occupied since 1967, the Golan Heights, the West Bank of the Jordan, including the eastern part of Jerusalem, the Gaza Strip and the Lebanese territories; the exercise in practice of the inalienable rights of the Arab people of Palestine to self-determination and to the establishment of their own independent State in the Palestinian territories – the West Bank of the Jordan and the Gaza Strip; safeguarding the right of all States in the region to secure an independent existence and development on a basis of complete reciprocity; termination of the state of war and the establishment of peace between the Arab States and Israel; and the elaboration and adoption of international guarantees of a peaceful settlement. 4/

The events of the summer of 1982 also had their reflection in the United Nations, both in the General Assembly and in the Security Council.

I. PALESTINE AND THE UNITED NATIONS, 1978-1983

The General Assembly has repeatedly reaffirmed the inalienable rights of the people of Palestine to self-determination without external interference and to national independence and sovereignty in Palestine. It has also reaffirmed the inalienable right of the Palestinians to return to their homes and property from which they have been displaced and uprooted. The Assembly also emphasized that full respect for the realization of the inalienable rights of the people of Palestine was indispensable for a solution of the problem and recognized that the Palestinian people is a principal party in the establishment of a just and lasting peace in the Middle East. In 1974 the Assembly had conferred on the PLO the status of observer in the Assembly and in other international conferences held under United Nations auspices. ^{5/} The representative of the PLO has since been invited to participate in the Security Council debates and that invitation has conferred upon it the same rights of participation as those conferred on a Member State when it is invited to participate under rule 37 of the provisional rules of procedure of the Security Council. In the International Conference on the Question of Palestine, the PLO participated in it as the representative of the party most directly concerned. The Conference decided that the PLO delegation should be placed among the full participants in the Conference.

The Assembly has also repeatedly endorsed the recommendations of the Committee on the Exercise of the Inalienable Rights of the Palestinian People and has urged the Council to do so as soon as possible. However, many of the resolutions adopted by the United Nations in the General Assembly and the Security Council on the question of Palestine have not been implemented and the wider Arab-Israeli tension and the situation in the Middle East are still unresolved. The matter remains before the Security Council.

A. Emergency special session of the General Assembly on the question of Palestine

In view of the constantly deteriorating situation in the region, and the fact that the Security Council was unable to adopt and implement the recommendations of the Committee on the Exercise of the Inalienable Rights of the Palestinian People endorsed by the General Assembly for lack of unanimity among its permanent members, the question of Palestine was considered by the General Assembly in an emergency special session held between 22 and 29 July 1980.

Resolution ES-7/2 was adopted by 112 votes in favour to 7 against, with 24 abstentions.

In it, the General Assembly recalled and reaffirmed its resolutions 3236 and 3237 (XXIX) and all other relevant United Nations resolutions pertinent to the question of Palestine. It reaffirmed that a comprehensive, just and lasting peace in the Middle East could not be established without the withdrawal of Israel from all the occupied Palestinian and other Arab territories, including Jerusalem, and without the achievement of a just solution of the problem of Palestine on the basis of the attainment of the inalienable rights of the Palestinian people in Palestine. It reaffirmed also the inalienable rights of the Palestinian people in Palestine including the right to return, the right to self-determination and the right to establish its own independent sovereign State. The General Assembly reaffirmed the right of the Palestine Liberation Organization, the representative of the Palestinian people, to participate on an equal footing in all efforts, deliberations and conferences on the question of Palestine and the situation in the Middle East within the framework of the United Nations. It reaffirmed the fundamental principle of the inadmissibility of the acquisition of territory by force, called upon Israel to withdraw from all the Palestinian and other Arab territories occupied since 1967, including Jerusalem, and urged that such withdrawal should start before 15 November 1980. It also demanded that Israel comply with all United Nations resolutions relevant to the historic character of the Holy City of Jerusalem. It expressed its opposition to all policies and plans aimed at the resettlement of the Palestinians outside of their homeland. The General Assembly requested and authorized the Secretary-General to take the necessary measures towards the implementation of the recommendations contained in paragraphs 59 to 72 of the report of the Committee on the Exercise of the Inalienable Rights of the Palestinian People as a basis for the solution of the question of Palestine. It also requested the Secretary-General to report to the General Assembly at its thirty-fifth session on the implementation of the present resolution. It also requested the Security Council, in the event of non-compliance by Israel, to convene in order to consider the situation and the adoption of effective measures under Chapter VII of the Charter. It decided to adjourn temporarily and to authorize the President of the latest regular session of the General Assembly to resume its meetings upon request from Member States.

In recent years, General Assembly resolutions endorsing the recommendations of the Committee have had increasing support in the voting. In 1980 a resolution was adopted by 98 in favour to 16 against with 32 abstentions. In 1981 the voting pattern was 111 to 12 with 20 abstentions and, in 1982, 119 in favour to 2 against with 21 abstentions; in 1983, 126 in favour to 2 against with 19 abstentions.

As a consequence of further grave incidents, the seventh emergency special session of the General Assembly was resumed in April, June, August and September 1982, a clear indication of the international concern given to the question of Palestine.

B. Invasion of Lebanon by Israel in 1982

When Israel invaded Lebanon on 4 June 1982 the Security Council met urgently and on 5 and 6 June unanimously adopted resolutions 508 (1982) and 509 (1982) respectively. These resolutions, inter alia, called upon

all the parties to the conflict to cease all military activities within Lebanon immediately and simultaneously demanded that Israel should withdraw its military forces from Lebanon forthwith and unconditionally. The texts of the two resolutions are annexed (annex II).

Cease-fire arrangements had come into effect on 12 August 1982 but the Security Council met on 17 September 1982 to consider the situation in Lebanon in the light of Israeli incursions into West Beirut. In resolution 520 (1982), the Security Council condemned Israeli incursions into West Beirut and demanded an immediate return to the positions occupied by Israel before 15 September 1982. The text of the resolution is annexed (annex II).

In November 1983, following disaffection within the PLO, hostilities broke out between some armed elements in and around the Lebanese city of Tripoli.

On 23 November the Security Council unanimously adopted resolution 542 (1983) by which it requested the parties concerned immediately to accept a cease-fire and invited them to settle their differences exclusively by peaceful means. The text of the resolution is attached (annex II).

In December the Chairman of the Executive Committee of the PLO, Yasser Arafat, accompanied by 3,000 armed elements and 1,000 militia, embarked from Tripoli aboard Greek ships. The Secretary-General, after having had consultations with the members of the Security Council, agreed to the request that a United Nations flag be flown over the evacuation ships as a humanitarian gesture.

Massacres of Palestinian civilians in the refugee camps of Sabra and Shatila occurred on 17 and 18 September 1982, when several hundred men, women and children were brutally killed. In this connection, the Israeli Government decided on 28 September to authorize the establishment of an independent judicial inquiry into the political and military circumstances of the Beirut massacre. The report was published on 8 February 1983. 6/ Another investigation has been carried out by the Lebanese Government but its findings are not yet available.

On 19 September the Security Council unanimously adopted resolution 521 (1982) condemning the massacre and requesting the Secretary-General to take steps aimed at ensuring full protection of civilians in and around Beirut. The text of the resolution is attached (annex II).

At a one-meeting resumption of its seventh emergency special session on the question of Palestine on 24 September 1982, the Assembly adopted resolution ES-7/9 by a recorded vote of 147 in favour to 2 against, with no abstentions. Separate votes were taken on two operative paragraphs of that resolution. Operative paragraph 2, by

which the Assembly urged the Security Council to investigate, through the means available to it, the circumstances and extent of the massacre of Palestinian and other civilians in Beirut on 17 September 1982, and to make public the report on its findings as soon as possible, was adopted by a vote of 146 in favour to none against, with no abstentions. Operative paragraph 4, by which the Assembly demanded that all Member States and other parties observe strict respect for the sovereignty, territorial integrity, unity and political independence of Lebanon within its internationally recognized boundaries, was adopted by a recorded vote of 149 in favour to none against, with no abstentions. The text of the resolution is attached (annex II).

When the question of Palestine was considered by the General Assembly from 30 November to 2 December 1982, in resolution 37/86 D, the Assembly reaffirmed the principle of inadmissibility of the acquisition of territory by force and also reaffirmed that a comprehensive, just and lasting peace in the Middle East could not be established without the unconditional withdrawal of Israel from the Palestinian and other Arab territories occupied since 1967, including Jerusalem, and without the exercise and attainment by the Palestinian people of its inalienable rights in Palestine in accordance with the principles of the Charter and the relevant resolutions of the United Nations. It requested the Security Council to discharge its responsibilities under the Charter and recognize the inalienable rights of the Palestinian Arab people, including the right to self-determination and the right to establish its independent Arab State in Palestine. The Assembly reiterated its request that the Security Council take the necessary measures, in execution of the relevant United Nations resolutions, "to implement the plan which, inter alia, recommends that an independent Arab State shall come into existence in Palestine".

In resolution 37/86 E, the Assembly recalled, in particular, the principles relevant to the question of Palestine that had been accepted by the international community, including the right of all States in the region to existence within internationally recognized boundaries, and justice and security for all the people, which required recognition and attainment of the legitimate rights of the Palestinian people, including the right of self-determination and the right to establish an independent State in Palestine. In conformity with the fundamental principle of the inadmissibility of the acquisition of territory by force, the Assembly demanded that Israel withdraw completely and unconditionally from all the Palestinian and other Arab territories occupied since June 1967, including Jerusalem, with all property and services intact. The Assembly urged the Security Council to facilitate the process of Israeli withdrawal and recommended that, following the withdrawal of Israel from the occupied Palestinian territories, those territories should be subjected to a short-term transitional period under the supervision of the United Nations, during which the Palestinian people would exercise their right to self-determination. The Assembly also urgently called for the achievement of a comprehensive, just and lasting peace, based on the resolutions of the United Nations and under its auspices, in which all the parties concerned, including the PLO, the representative of the Palestinian people, would participate on an equal footing.

C. Israeli settlements in the occupied territories

As a result of the Israeli policies and practices in establishing settlements in the Palestinian and other Arab territories, occupied since 1967, in resolution 446 (1979) the Security Council determined that the policy of Israel in establishing settlements in the Palestinian and other Arab territories occupied since 1967 had no legal validity and constituted a serious obstruction to achieving a comprehensive, just and lasting peace in the Middle East.

It called on Israel to abide scrupulously by the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949 ^{7/} and to desist from taking any action which would result in changing the legal status and geographical nature and materially affecting the demographic composition of the Arab territories occupied since 1967, including Jerusalem, and, in particular, not to transfer parts of its own civilian population into the occupied Arab territories.

It also established a Commission consisting of three members of the Security Council to examine the situation relating to settlements in the Arab territories occupied since 1967, including Jerusalem, and requested the Commission to submit its report to the Security Council by 1 July 1979. The members of the Commission were Bolivia, Portugal and Zambia under the chairmanship of Portugal.

The Commission was unable to obtain the co-operation of the Government of Israel in the fulfilment of its mandate despite its repeated appeals to Israeli authorities.

In its endeavours to discharge its mandate, the Commission brought up to date the basic information already at the disposal of the Security Council. It determined the consequences of the settlement policy on the local Arab population and assessed the impact of that policy and its consequences regarding the urgent need to achieve a comprehensive, just and lasting peace in the Middle East. ^{8/}

On 20 July 1979, the Security Council adopted resolution 452 (1979) which commended the work done by the Commission and requested it, in view of the magnitude of the problem of settlements, to report back to the Security Council before 1 November 1979.

Following the submission of the Commission's second report (S/13679), the Security Council, on 1 March 1980, adopted resolution 465 (1980) which commended the work done by the Commission in preparing its second report and accepted the conclusions and recommendations contained in the above-mentioned report. It determined that "all measures taken by Israel to change the physical character, demographic composition, institutional structure or status of the Palestinian and other Arab territories occupied since 1967, including Jerusalem, or any part thereof have no legal validity and that Israel's policy and practices of settling parts of its population and new immigrants in those territories constitute a flagrant violation of the Geneva Convention relative to the Protection of Civilian Persons in Time of War and also constitute a serious obstruction to achieving a comprehensive, just and lasting

peace in the Middle East". The resolution called upon "all States not to provide Israel with any assistance to be used specifically in connection with settlements in the occupied territories" and requested the Commission "to continue to examine the situation relating to settlements in the Arab territories occupied since 1967, including Jerusalem, to investigate the reported serious depletion of natural resources, particularly the water resources with a view to ensuring the protection of those important natural resources of the territories under occupation, and to keep under close scrutiny the implementation of the present resolution". The Commission was requested to report to the Security Council before 1 September 1980.

In its third report (S/14268), the Commission concluded that:

"In the fulfilment of its mandate and during its contacts with the government authorities, pertinent organizations and private individuals directly concerned, the Commission has examined the situation in the closest manner possible, as the previous reports so indicate. The Commission has noted deep anxiety about what was unanimously considered as a continuous process of deterioration of the situation in the occupied Arab territories, including Jerusalem, which is marked by heightened tensions and increased conflict and could lead to a major conflagration.

"Consequently, after having carefully examined all the elements of information which the Commission has been in a position to gather in the implementation of its mandate, the Commission would like to reaffirm the entirety of the conclusions contained in its two previous reports, and more specifically the following:

"(a) The Israeli Government is actively pursuing its wilful, systematic large-scale process of establishing settlements in the occupied territories;

"(b) A correlation exists between the establishment of Israeli settlements and the displacement of the Arab population;

"(c) In the implementation of its policy of settlements, Israel is resorting to methods – often coercive and sometimes more subtle – which include the control of water resources, the seizure of private property, the destruction of houses and the banishment of persons in complete disregard for basic human rights;

"(d) The settlement policy has brought drastic and adverse changes to the economic and social pattern of the daily life of the remaining Arab population and is causing profound changes of a geographical and demographic nature in the occupied territories, including Jerusalem;

"(e) Those changes constitute a violation of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, and of the relevant decisions adopted by the Security Council in the matter.

"Consequently the Commission wishes to reiterate that Israel's policy of settlement, by which, as an example, 33.3 per cent of the West Bank has been confiscated to date, has no legal validity and constitutes a serious obstruction to achieving a comprehensive, just and lasting peace in the area.

"In view of the recent deterioration of the situation in the occupied Arab territories, the Commission considers that Israel's settlement policy, with the unjustified sufferings which it imposes on a defenceless population, is an incitement to further unrest and violence.

"The Israeli policy of settlements has led to major displacements and dispossession of Palestinians, adding to the ever-growing number of refugees with all the attendant consequences.

"Available evidence shows that Israeli occupying authorities continue to deplete the natural resources, particularly water resources, in the occupied territories for their advantage and to the detriment of the Palestinian people.

"As water is a scarce and precious commodity in the area, its control and apportionment means control of the most vital means of survival. It would seem, therefore, that Israel employs water both as an economic and even political weapon to further its policy of settlements. Consequently, the economy and agriculture of the Arab population is adversely affected by the exploitation of water resources by the occupying authorities.

"On Jerusalem, the Commission has noted with grave concern that tension and confrontation between Israel and the Islamic world have increased, especially following the enactment of a 'basic law' in the Israeli Knesset, proclaiming a change in the character and status of the Holy City, which has also affected Christendom."

The third report of the Commission has not as yet been considered by the Security Council.

Despite the resolutions of the General Assembly and the Security Council declaring the settlements illegal, Israel has persisted in the pursuit of its policies of establishing settlements in the occupied Arab territories and by 1983 had established 204 settlements and has publicly stated its plan to increase that number in the near future.

D. The status of Jerusalem

Bearing in mind the specific status and special character of the City of Jerusalem and the need for protection and preservation of the unique and spiritual dimension of the Holy Places in Jerusalem, in June 1980, in reaction to proposed legislative action by Israel to make a united Jerusalem its capital, the Security Council considered the question and adopted resolution 476 (1980), by which it deplored the persistence of Israel in changing the physical character, demographic composition, institutional structure and the status of the Holy City. The Security Council was gravely concerned about the legislative steps initiated in the Israeli Knesset with the aim of changing the character and the status of Jerusalem.

After the enactment of the "Basic Law" by Israel the Security Council adopted resolution 478 (1980). In this resolution, the Security Council called upon those States that had established diplomatic missions at Jerusalem to withdraw such missions from the Holy City. As a result, 13 countries withdrew their missions from Jerusalem.

In resolution 35/169 E of 15 December 1980, the General Assembly also censured in the strongest terms the enactment by Israel of the "Basic Law" on Jerusalem which constituted a violation of international law and did not affect the continued application of the Geneva Convention of 1949 in the Palestinian and other Arab territories occupied since June 1967, including administrative measures and actions taken by Israel which altered or purported to alter the character and status of Jerusalem, particularly the "Basic Law" and the proclamation of Jerusalem as the capital of Israel, were null and void and must be rescinded forthwith.

In resolution 36/120 E of 10 December 1981, the General Assembly deplored the persistence of Israel in changing the physical character, the demographic composition, the institutional structure and the status of the Holy City of Jerusalem. It determined once again 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 and in particular, the so-called "Basic Law" and the proclamation of Jerusalem as the capital of Israel, were null and void and must be rescinded forthwith. Israel has however continued to pursue its policies in Jerusalem and to consider Jerusalem its eternal capital.

E. Violation of human rights

Since its establishment by General Assembly resolution 2443 (XXIII) of 19 December 1968, the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Population in the Occupied Territories has been following developments concerning human rights in the territories occupied by Israel as a result of the war of June 1967. It has reported regularly to the Secretary-General in accordance with its mandate and these reports have been transmitted to the General Assembly. At each session, the General Assembly has

renewed the mandate of the Special Committee, requesting the Committee to continue with its investigations. Ever since its inception, the Special Committee has requested the co-operation of the Government of Israel in the execution of its mandate. Israel has refused to co-operate with the Special Committee, including denying it access to the occupied territories in order to examine allegations of violations of human rights received by the Special Committee.

On 22 January 1982, the Special Committee requested the Secretary-General to establish contact with the Israeli Government and to use his good offices to make another effort aimed at securing their co-operation. On 23 February 1982 the Special Committee was informed that the Israeli authorities had not changed their position.

Following the dismissal on 18 March 1982 of the Mayor and Municipal Council of the town of El Bireh by the occupation authorities, strikes and demonstrations took place in several West Bank towns, provoking clashes with Israeli troops and leading to the death of a number of demonstrators. This was followed on 25 March by the summary dismissal of the mayors of Nablus and Ramallah, again leading to further resistance by the local population and corresponding intervention by the Israeli army.

The Special Committee, in its 1982 report (A/37/485), noted that the situation in the occupied territories remained volatile, and the level of determination in the resistance of the civilian population to the occupation clearly was reaching limits that would threaten further violence.

Among the conclusions of the Special Committee in its 1982 report to the thirty-seventh session of the General Assembly were:

"... the Special Committee continued to apply its mandate and it informed itself on the situation in the occupied territories on the basis of sources considered to be reliable and in any not contradicted by the Government of Israel. The information contained in the preceding chapter led to a fundamental conclusion, namely that the persistent violation of human rights derives from the very fact of a 15-year military occupation and a policy of colonization and annexation of the occupied territories. The Palestinian people as well as the Syrian people under occupation cannot expect to enjoy their fundamental rights so long as they are denied the right to self-determination. None is free to enjoy his rights if he is not himself directly or indirectly responsible and involved in the determination and the application of his rights and obligations as a citizen. In a situation of occupation it is the occupying Power which dictates the limits of these rights. The years of occupation have shown that the Government of Israel as an occupying Power has legislated in such a manner as to subject the civilian population to the Government of Israel's own requisites. The military orders through which Israel has changed law in all areas have exceeded 950 in all. In the Golan Heights, Israel claims to have applied, in its entirety, Israeli legislation which constitutes de facto annexation, and this is a flagrant violation of international law.

"It is therefore vital that the international community recognizes that the violation of human rights in the occupied territories will cease only when the Palestinian people are allowed to enjoy their right to self-determination. The Syrian nationals in the Golan Heights who are themselves under occupation will not secure their own rights until that territory is reintegrated into Syrian territory ...

"The results of the prolonged occupation has led to the complete subjugation of the economy of the occupied territories to the Israeli economy. Agriculture in these territories, which is the main economic sector, is largely conditioned by the vicissitudes of Israeli agriculture. The latter, benefiting from subsidies and centralized planning, has taken control of markets that would normally constitute the outlets for agriculture in the West Bank.

"Parallel to these events and starting in September 1981, the Government of Israel, in its efforts to eliminate the popular base of the municipalities, undertook the establishment of 'village leagues' in various areas. These 'village leagues' are without any popular base and include persons whose reputation and standing in the Palestinian community leave room for doubt. These 'village leagues' have been accorded, over a period of time, such power and influence as to make them indispensable in the daily life of the civilian population in the occupied territories. Originally established as 'charitable organizations' they have already been accorded the power to issue certain permits, as, for example, building permits and permits for summer visits issued to persons wishing to visit relatives abroad ...

"... the Special Committee notes that there is a greater tendency to consolidate the settlements that have already been established and these in particular in those areas considered as being densely populated by Palestinians, as, for example, the peripheries of the towns of Hebron, Nablus and Ramallah. The Special Committee concluded that the argument of security invoked in support of the policy of annexation and settlement is without any justification."

The General Assembly has repeatedly adopted resolutions condemning Israel's policies and actions in the occupied territories. During the thirty-eighth session of the General Assembly, resolution 38/79 D was adopted after consideration of the Special Committee's report (A/38/409) by a vote of 115 in favour to 2 against, with 27 abstentions. The text of the resolution is attached (annex II).

Similar action has been taken by the Human Rights Commission which has also condemned Israel's violation of human rights in the occupied territories, reaffirmed the inalienable rights of the Palestinian people and recognized their right to regain their rights by all means in accordance with the purposes and principles of the Charter of the United Nations (Official Records of the Economic and Social Council, 1983, Supplement No. 3 (E/1983/13 and Corr.1)).

F. The International Conference on the Question of Palestine

In resolution 36/120 C, the General Assembly decided to convene, under the auspices of the United Nations, an international conference on the question of Palestine not later than 1984, on the basis of General Assembly resolution ES-7/2, for a comprehensive effort to seek effective ways and means to enable the Palestinian people to attain and to exercise its rights.

The gravity of the Palestinian question has reached new heights as a result of the Israeli invasion of Lebanon, the Sabra and Shatila massacres and the creeping annexation of the West Bank. In essence, time seemed to be running out.

Accordingly, at the resumed seventh emergency special session of the General Assembly on the question of Palestine, in resolution ES-7/7 the General Assembly took note of the final communiqué of the Extraordinary Ministerial Meeting of the Co-ordinating Bureau of the non-aligned countries on the question of Palestine and, on the basis of its recommendations, decided to convene the International Conference on the Question of Palestine at the headquarters of UNESCO, in Paris, from 16 to 27 August 1983.

On the basis of the recommendations of the Preparatory Committee for the International Conference on the Question of Palestine, the General Assembly at its thirty-seventh session endorsed the two main objectives of the Conference as:

(a) To increase international awareness of the facts relating to the question of Palestine;

(b) To attain governmental and non-governmental support for effective ways and means to enable the Palestinian people to exercise its inalienable rights in Palestine on the basis of United Nations resolutions. More specifically, the purpose of the Conference was to ensure Palestinian rights and the establishment of a Palestinian State within the framework of action adopted by the General Assembly at its thirty-first session. The Conference would set in motion agreed modalities for the implementation of agreed decisions.

The Preparatory Committee planned five regional meetings to deal with specific themes. The African regional meeting took place at Arusha, United Republic of Tanzania, from 29 March to 12 April 1983. Political and juridical aspects of the question of Palestine were discussed at the meeting. Managua was the site of the Latin American meeting from 11 to 15 April 1983. Its main theme was Palestine and international law. The Western

Asia meeting at Sharjah, United Arab Emirates, from 25 to 29 April 1983 dealt with economic, civic, social and cultural conditions of the Palestinians. The Asian regional meeting held at Kuala Lumpur, from 3 to 7 May 1983, discussed the question of Palestine and world politics. The European meeting took place at Geneva, from 4 to 8 July 1983 and took up the issue of the United Nations role and the future of Palestine.

At each regional preparatory meeting for the International Conference on the Question of Palestine, recommendations were adopted which formed part of the documentation of the Conference.

The International Conference on the Question of Palestine was held at the United Nations Office at Geneva from 29 August to 7 September 1983, in conformity with General Assembly resolution 36/120 C of 10 December 1982, and with the subsequent recommendations of the Preparatory Committee.

Of high importance was the representative character of the Conference. Representative attendance of such a high level and in such large numbers reflected the hopes of the international community that the Conference would contribute to genuine peace and security and manifest the new, quasi-global consensus which has unequivocally emerged for the achievement of Palestinian rights.

One hundred and thirty-seven States attended the Conference, 20 of them as observers. The PLO participated in the Conference as the representative of the party most directly concerned. The Conference decided that, in the spirit of General Assembly resolutions 3210 (XXIX) and 3375 (XXX) of 14 October 1974 and 10 November 1975 respectively, the delegation of the Palestine Liberation Organization should be placed among the full participants in the Conference.

In addition, 25 intergovernmental organizations, United Nations bodies and programmes, as well as specialized agencies and related organizations, participated in the work of the Conference. A total of 104 non-governmental organizations were represented by observers. Sixteen eminent persons made their valuable contributions. This overwhelming international presence spoke for itself: never before have so many governmental representatives, representing an overwhelming percentage of humanity, and so many non-governmental organizations devoted so much time and energy exclusively and directly to the rights of the Palestinian people, rights to which the people of Palestine are entitled no less than other peoples.

At its eighth plenary session, the Conference heard a statement by Yasser Arafat, Chairman of the Executive Committee of the PLO.

In his address, he deplored the negative role of the United States in the Security Council and explained the reasons why the Palestine Liberation Organization could not accept the proposal advanced by President Reagan. The Palestine National Council accepted the Arab peace plan adopted by the twelfth Arab Summit Conference at Fez on 9 September 1982 and supported the peace initiative of the Soviet Union.

Mr. Arafat stressed that the people of Palestine rejected war and were fighting for justice. He expressed the hope that the Conference could advance the search for practical means to secure the inalienable rights of the Palestinian people.

In that regard, the PLO wished to put forward the following considerations:

- (a) The Middle East region should remain secure from monopolization by any one Power in the world;
- (b) Regaining of the rights of the Palestinian people was a legitimate international responsibility;
- (c) The Fez Summit resolutions provided the minimum base for the attainment of justice;
- (d) The only basis for peace in the region was the exercise of the Palestinian people's right to return, self-determination and national independence;
- (e) The continuation of Israeli military aggression with United States support destroyed any prospects for peace;
- (f) United States-Israeli policies which called for capitulation were rejected by the PLO;
- (g) The PLO was ready to co-operate with the United Nations system within the framework of its resolutions relating to the question of Palestine. The PLO called for an international conference, under the auspices of the United Nations, in which the two major Powers would participate with all concerned parties in accordance with relevant United Nations resolutions.

Mr. Arafat conveyed his greetings to democratic Jewish forces in and outside Israel that had rejected Israel's policies against the Palestinian people.

He stressed that all efforts to destroy the Palestine Liberation Organization and to liquidate its infrastructure had failed. The Organization was determined to continue the struggle until victory.

At its concluding session on 7 September 1983, the Conference adopted, by acclamation, the Geneva Declaration on Palestine and the Programme of Action for the Achievement of Palestinian Rights. The Geneva Declaration on Palestine contains guidelines, consistent with the principles of international law, which have been presented on this question, such as the Arab Peace Plan, adopted at the twelfth Arab Summit Conference in Fez, in September 1982, which should serve as a basis for concerted international efforts to resolve the question of Palestine. The Declaration calls for the convening under the auspices of the United Nations of an international peace conference on the Middle East with the participation of all parties to the Arab-Israeli conflict including the Palestine Liberation Organization, as well as the United States of America, the Union of Soviet Socialist Republics, and other concerned States, on an equal footing. The Programme of Action for the Achievement of Palestinian Rights consists of recommendations addressed to Member States, to the Security Council, the Secretary-General and organs and bodies of the United Nations system, as well as to world-wide public opinion to undertake concrete action to assist the Palestinian people in securing and implementing its inalienable rights, in particular, the establishment of a sovereign State of its own in Palestine.

At its thirty-eighth session, the General Assembly, in resolution A/38/58 A endorsed once more the recommendations of the Committee; it also requested the Committee to keep under review the implementation of the Programme of Action for the Achievement of Palestinian Rights adopted by the International Conference.

The General Assembly, in resolution 38/58 C endorsed the Geneva Declaration, as well as the call for convening an international peace conference on the Middle East, in conformity with the following guidelines:

(a) The attainment by the Palestinian people of its legitimate inalienable rights, including the right to return, the right to self-determination and the right to establish its own independent State in Palestine;

(b) The right of the Palestine Liberation Organization, the representative of the Palestinian people, to participate on an equal footing with other parties in all efforts, deliberations and conferences on the Middle East;

(c) The need to put an end to Israel's occupation of the Arab territories, in accordance with the principle of the inadmissibility of the acquisition of territory by force, and consequently, the need to secure Israeli withdrawal from the territories occupied since 1967, including Jerusalem;

(d) The need to oppose and reject such Israeli policies and practices in the occupied territories, including Jerusalem, and any de facto situation created by Israel as are contrary to international law and relevant United Nations resolutions, particularly the establishment of settlements, as these policies and practices constitute major obstacles to the achievement of peace in the Middle East;

(e) The need to reaffirm as null and void all legislative and administrative measures and actions taken by Israel, the occupying Power, which have altered or purported to alter the character and status of the Holy City of Jerusalem, including the expropriation of land and property situated thereon, and in particular the so-called "Basic Law" on Jerusalem and the proclamation of Jerusalem as the capital of Israel;

(f) The right of all States in the region to existence within secure and internationally recognized boundaries, with justice and security for all the people, the sine qua non of which is the recognition and attainment of the legitimate, inalienable rights of the Palestinian people as stated in subparagraph (a) above.

The General Assembly invites all parties to the Arab-Israeli conflict, including the PLO, as well as the United States of America, the Union of Soviet Socialist Republics and other concerned States, to participate in the International Peace Conference on the Middle East on an equal footing and with equal rights.

II. CONCLUSION

The question of Palestine and the situation in the Middle East continues to dominate international affairs and remains vitally important to the political and economic stability of the region and of the world at large.

In his report of 1981 on the work of the United Nations, the Secretary-General stated:

"The United Nations has since 1948 been engaged in a practical way in operations designed to control conflict in the Middle East. Without these efforts the situation would undoubtedly be infinitely more dangerous and destructive than it actually is. The Organization is also a universal forum in the framework of which efforts to evolve a peaceful settlement may in the end best be pursued. Such efforts will require not only the participation of all concerned, but their active determination to succeed. The issues are well known and include the right of all States in the area to live in peace, within secure and recognized boundaries free from threats or acts of force, the inalienable rights of the Palestinian people, including their right to self-determination, and withdrawal from occupied territories. In this context, the question of Jerusalem remains of primary importance. We need urgently, in the interests of world peace as well as of the peoples of the Middle East, to take every possible step to encourage the will to negotiate and to settle on a solution to the central and obdurate problem of the Middle East."

And in 1982:

"It is absolutely essential that serious negotiations on the various aspects of the [the Middle East] problem involve all the parties concerned at the earliest possible time. Far too much time has already elapsed, far too many lives and far too many opportunities have been lost, and too many faits accomplis have been created.

"I feel that the Security Council, the only place in the world where all the parties concerned can sit at the same table, could become a most useful forum for this absolutely essential effort."

In its report to the thirty-eighth session of the General Assembly, the Committee on the Exercise of the Inalienable Rights of the Palestinian People considered the final documents of the International Conference on the Question of Palestine to be of great value for a comprehensive, just and lasting political settlement of the question of Palestine. While unanimously supporting the Geneva Declaration and the Programme of Action, the Committee appealed to the General Assembly at its thirty-eighth session and to the Security Council to endorse those documents and to give full support for their implementation.

The Committee recommended resolute action by all nations, particularly those in the region, through the Security Council, so that the present destructive momentum will be revised, conflict will cease and a steady course of action in the search for durable and comprehensive peace will be set in motion.

The Committee also recommended that concrete actions be undertaken in order to convene an international peace conference on the Middle East as it was proposed at the International Conference on the Question of Palestine and appeals to all parties concerned, as well as the United States of America and the Union of Soviet Socialist Republics to co-operate fully on this matter.

Notes

1/ A/35/299-S/14009.

2/ The New York Times, 2 September 1982, sect. A. p. 11.

3/ A/37/696-S/15510.

4/ A/38/696-S/15556.

5/ General Assembly resolutions 3210 (XXIX) and 3237 (XXIX).

6/ The Commission of Inquiry into the events at the refugee camps in Beirut, 1983. Final report published in The Jerusalem Post of 9 February 1983.

7/ United Nations, Treaty Series, vol. 75, No. 973.

8/ S/13450.

Annex I

A. GENEVA DECLARATION ON PALESTINE

In pursuance of General Assembly resolutions 36/120 C of 10 December 1981, ES-7/7 of 19 August 1982 and 37/86 C of 10 December 1982, an International Conference on the Question of Palestine was convened at the United Nations Office at Geneva from 29 August to 7 September 1983 to seek effective ways and means to enable the Palestinian people to attain and to exercise their inalienable rights. The Conference was opened by the Secretary-General of the United Nations, Javier Pérez de Cuéllar and presided over by the Minister of Foreign Affairs of Senegal, Moustapha Niassé.

1. The Conference, having thoroughly considered the question of Palestine in all its aspects, expresses the grave concern of all nations and peoples regarding the international tension that has persisted for several decades in the Middle East, the principal cause of which is the denial by Israel, and those supporting its expansionist policies, of the inalienable legitimate rights of the Palestinian people. The Conference reaffirms and stresses that a just solution of the question of Palestine, the core of the problem, is the crucial element in a comprehensive, just and lasting political settlement in the Middle East.

2. The Conference recognizes that, as one of the most acute and complex problems of our time, the question of Palestine – inherited by the United Nations at the time of its establishment – requires a comprehensive, just and lasting political settlement. This settlement must be based on the implementation of the relevant United Nations resolutions concerning the question of Palestine and the attainment of the legitimate, inalienable rights of the Palestinian people, including the right to self-determination and the right to the establishment of its own

independent State in Palestine and should also be based on the provision by the Security Council of guarantees for peace and security among all States in the region, including the independent Palestinian State, within secure and internationally recognized boundaries. The Conference is convinced that the attainment by the Palestinian people of their inalienable rights, as defined by General Assembly resolution 3236 (XXIX) of 22 November 1974, will contribute substantially to the achievement of peace and stability in the Middle East.

3. The Conference considers the role of the United Nations in the achievement of a comprehensive, just and lasting peace in the Middle East to be essential and paramount. It emphasizes the need for respect for, and application of the provisions of the Charter of the United Nations, the resolutions of the United Nations relevant to the question of Palestine and the observance of the principles of international law.

4. The Conference considers that the various proposals, consistent with the principles of international law, which have been presented on this question, such as the Arab peace plan adopted unanimously at the twelfth Arab Summit Conference held at Fez, Morocco, in September 1982, should serve as guidelines for concerted international effort to resolve the question of Palestine. These guidelines include the following:

(a) The attainment by the Palestinian people of its legitimate inalienable rights, including the right to return, the right to self-determination and the right to establish its own independent State in Palestine;

(b) The right of the Palestine Liberation Organization, the representative of the Palestinian people, to participate on an equal footing with other parties in all efforts, deliberations and conferences on the Middle East;

(c) The need to put an end to Israel's occupation of the Arab territories, in accordance with the principle of the inadmissibility of the acquisition of territory by force, and, consequently, the need to secure Israeli withdrawal from the territories occupied since 1967, including Jerusalem;

(d) The need to oppose and reject such Israeli policies and practices in the occupied territories, including Jerusalem, and any de facto situation created by Israel as are contrary to international law and relevant United Nations resolutions, particularly the establishment of settlements, as these policies and practices constitute major obstacles to the achievement of peace in the Middle East;

(e) The need to reaffirm as null and void all legislative and administrative measures and actions taken by Israel, the occupying Power, which have altered or purported to alter the character and status of the Holy City of Jerusalem, including the expropriation of land and property situated thereon, and in particular the so-called "Basic Law" on Jerusalem and the proclamation of Jerusalem as the capital of Israel;

(f) The right of all States in the region to existence within secure and internationally recognized boundaries, with justice and security for all the people, the sine qua non of which is the recognition and attainment of the legitimate, inalienable rights of the Palestinian people as stated in paragraph (a) above.

5. In order to give effect to these guidelines, the Conference considers it essential that an international peace conference on the Middle East be convened on the basis of the principles of the Charter of the United Nations and the relevant resolutions of the United Nations, with the aim of achieving a comprehensive, just and lasting solution to the Arab-Israeli conflict, an essential element of which would be the establishment of an independent Palestinian State in Palestine. This peace conference should be convened under the auspices of the United Nations, with the participation of all parties to the Arab-Israeli conflict, including the Palestine Liberation Organization, as well as the United States of America, the Union of Soviet Socialist Republics and other concerned States, on an equal footing. In this context the Security Council has a primary responsibility to create appropriate institutional arrangements on the basis of relevant United Nations resolutions in order to guarantee and to carry out the accords of the International Peace Conference.

6. The International Conference on the Question of Palestine emphasizes the importance of the time factor in achieving a just solution to the problem of Palestine. The Conference is convinced that partial solutions are inadequate and delays in seeking a comprehensive solution do not eliminate tensions in the region.

B. PROGRAMME OF ACTION FOR THE ACHIEVEMENT OF PALESTINIAN RIGHTS

The International Conference on the Question of Palestine agreed that no effort should be spared to seek effective ways and means to enable the Palestinian people to attain and exercise their rights in Palestine in accordance with the Charter of the United Nations, the Universal Declaration of Human Rights a/ and the principles of international law. The Conference, taking into consideration the Geneva Declaration on Palestine (sect. A above), recommended the following Programme of Action.

I

The International Conference on the Question of Palestine recommends that all States, individually or collectively, consistent with their respective constitutions and their obligations under the Charter of the United Nations and in conformity with the principles of international law:

1. Recognize the great importance of the time factor in solving the question of Palestine;
2. Intensify efforts for the establishment of an independent Palestinian State within the framework of a comprehensive, just and lasting settlement to the Arab-Israeli conflict in accordance with the Charter of the United Nations, the relevant United Nations resolutions and the guidelines of the Geneva Declaration on Palestine;
3. Consider the continued presence of Israel in the occupied Palestinian and other Arab territories, including Jerusalem, as exacerbating instability in the region and endangering international peace and security;
4. Oppose and reject, as a serious and continuing obstacle to peace, the expansionist policies pursued by Israel in the Palestinian and other Arab territories occupied since 1967, including Jerusalem, and in particular the alteration of the geographic nature and demographic composition, and the Israeli attempt to alter, through domestic legislation, the legal status of those territories, and all the measures taken in violation of the Geneva Convention relative to the Treatment of Prisoners of War b/ and the Geneva Convention relative to the Protection of Civilian Persons in Time of War, c/ both of 12 August 1949, and of the Hague Regulations of 1907 d/ such as the establishment and expansion of settlements, the transfer of Israeli civilians into those territories and the individual and mass transfers therefrom of the Arab Palestinian population;
5. Refrain from providing Israel with assistance of such a nature as to encourage it militarily, economically and financially to continue its aggression, occupation and disregard of its obligations under the Charter and the relevant resolutions of the United Nations;
6. Not encourage migration to the occupied Arab territories until Israel has put a definitive end to the implementation of its illegal policy of establishing settlements in the Palestinian and other Arab territories occupied since 1967;
7. Fully comply with the relevant resolutions of the United Nations and its specialized agencies on the Holy City of Jerusalem, including those which reject Israel's annexation of Jerusalem and its declaration of that city as its capital;
8. Undertake universal efforts to protect the Holy Places and urge Israel to take measures to prevent their desecration;

9. Consider ways and means of meeting the threat that Israel poses to the regional security in Africa in view of Israel's disregard of United Nations resolutions, and its close collaboration with the apartheid régime in the economic, military and nuclear fields, thereby contributing to the continued illegal occupation of Namibia and enhancing the régime's repressive and aggressive capacity;

10. Encourage, through bilateral and multilateral contacts, all States, including Western European and North American States which have not done so, to welcome all peace initiatives based on the recognition of the inalienable rights of the Palestinian people, which were also welcomed by Chairman Yasser Arafat in his address to the International Conference on the Question of Palestine;

11. Seek and develop ways and means to enable the Palestinian people to exercise sovereignty over their natural resources;

12. Express concern that Israel debars Palestinians from economic activity and access to national resources on Palestinian territory, in consistent violation of General Assembly resolutions on the right of the Palestinians to permanent sovereignty over their natural resources;

13. Declare null and void, and counter such measures and practices applied by Israel in the occupied Palestinian and other Arab territories, including Jerusalem, as the annexation and the expropriation of land, water resources, and property and the alteration of the demographic, geographic, historical and cultural features thereof;

14. Undertake measures to alleviate the economic and social burdens borne by the Palestinian people as a result of the continued Israeli occupation of their territories since 1967;

15. Consider contributing or increasing special contributions to the proposed budgets, programmes and projects of the relevant organs, funds and agencies of the United Nations system that have been requested to provide humanitarian, economic and social assistance to the Palestinian people, with particular reference to:

(a) General Assembly resolution 33/147 of 20 December 1978, and the appeal of the Governing Council of the United Nations Development Programme at its thirtieth session, for additional special contributions amounting to at least \$8 million during the third programming cycle (1982-1986) aimed at helping to meet the economic and social needs of the Palestinian people; e/

(b) The proposed programme budget of the United Nations Conference on Trade and Development (UNCTAD) for the biennium 1984-1985 regarding the establishment within UNCTAD of a special economic unit, f/ as requested by that Conference at its sixth session at Belgrade; g/

(c) Establishing a special legal aid fund to assist Palestinians in securing their rights under conditions of occupation, h/ in accordance with the Geneva Convention relative to the Protection of Civilian Persons in Time of War;

16. Ensure that the United Nations Relief and Works Agency for Palestine Refugees in the Near East can meet the essential needs of the Palestinians without interruption or any diminution in the effectiveness of its services;

17. Review the situation of Palestinian women in Israeli occupied territories and, in view of their special hardships, urge the Preparatory Committee of the World Conference to Review and Appraise the Achievements of the United Nations Decade for Women, to be held at Nairobi in 1985, to include this item on the agenda of the Conference;

18. Review, if they have not yet done so, in conformity with their national legislation, their economic, cultural, technical and other relations with Israel, and the agreements governing them with the aim of ensuring that these regulations and agreements will not be interpreted or construed as implying in any way recognition of any modification of the legal status of Jerusalem and of the Palestinian and other Arab territories occupied by Israel since 1967, or an acceptance of Israel's illegal presence in those territories;

19. Recognize that the process of enabling the Palestinian people to exercise its inalienable rights in Palestine is a significant contribution to the restoration of the rule of law in international relations;

20. Assure the observance of the stipulations provided in General Assembly resolution 181 (II) guaranteeing to all persons equal and non-discriminatory rights in civil, political, economic and religious matters and the enjoyment of human rights and fundamental freedoms, including freedom of religion, speech, publication, education, assembly and association;

21. Express concern that the laws applicable in the occupied Arab territories have been totally eclipsed by a plethora of military orders that have been designed to establish a new "legal régime" in violation of the Hague Regulations of 1907, and the Geneva Convention relative to the Protection of Civilian Persons in Time of War;

22. Act in accordance with their obligations under existing international law, in particular with regard to the Geneva Conventions of 1949 which require States Parties to respect and to ensure respect for those conventions in all circumstances, and in particular ensure the respect by Israel for the Geneva Conventions of 1949 in the occupied Palestinian and other Arab territories;

23. Express concern that the Palestinians and other Arabs in the occupied territories are deprived of juridical and other kinds of protection, that they are victims of repressive legislation, involving mass arrests, acts of torture, destruction of houses, and the expulsion of people from their homes, acts which constitute flagrant violations of human rights;

24. Recognize the necessity that Palestinian and Lebanese prisoners detained by Israel be accorded the status of prisoners of war in accordance with the Geneva Convention relative to the Treatment of Prisoners of War of 1949, *i*/ if combatants, or in accordance with the Geneva Convention relative to the Protection of Civilian Persons in Time of War of 1949, *j*/ if civilians;

25. Strive for the adoption of international measures so that Israel will implement in the West Bank and Gaza the provisions of the Hague Regulations of 1907 and the Geneva Convention relative to the Protection of Civilian Persons, in the light of Security Council resolution 465 (1980);

26. Recognize, if they have not yet done so, the Palestine Liberation Organization as the representative of the Palestinian people and establish with it appropriate relations;

27. Encourage, in conformity with their national legislations, the formation of national committees in support of the Palestinian people;

28. Encourage the observance of 29 November as the International Day of Solidarity with the Palestinian People, in a most effective and meaningful way;

29. Request the General Assembly at its thirty-eighth session to designate a Year of Palestine, to be observed at the earliest possible time, taking into consideration the factors necessary to ensure its effective preparation for the purpose of galvanizing world-wide public opinion and support for further implementation of the Geneva Declaration on Palestine and the Programme of Action.

a/ General Assembly resolution 217 A (III).

b/ United Nations, Treaty Series, vol. 75, No. 972, p. 135.

c/ Ibid., No. 973, p. 287.

d/ Carnegie Endowment for International Peace, The Hague Conventions and Declarations of 1899 and 1907 (New York, Oxford University Press, 1915), p. 100.

e/ See Official Records of the Economic and Social Council, 1983, Supplement No. 9 (E/1983/20).

f/ A/C.5/38/4, para. 8 (c).

g/ Recommendation 146 (VI) of 2 July 1983 of the United Nations Conference on Trade and Development.

h/ Recommendation 19 of the Latin American Regional Preparatory Meeting, Managua, 12-15 April 1983 (A/CONF.114/2).

i/ United Nations, Treaty Series, op. cit.

j/ Ibid., No. 973, p. 187.

II

The International Conference on the Question of Palestine stresses the obligation of all Member States, under the Charter of the United Nations to enable the United Nations through an expanded and more effective role to fulfil its responsibility for achieving a solution to the question of Palestine. To this end:

A

States participating in the Conference invite the Security Council, as the organ with primary responsibility for the maintenance of international peace and security:

1. To suppress continuing and growing acts of aggression and other breaches of peace in the Middle East which endanger peace and security in the region and the world as a whole;

2. To take prompt, firm and effective steps and actions to establish an independent sovereign Palestinian State in Palestine through the implementation of the relevant United Nations resolutions, by facilitating the organization of the international peace conference on the Middle East, as called for in paragraph 5 of the Geneva Declaration on Palestine, and by creating in this context the appropriate institutional arrangements on the basis of relevant United Nations resolutions in order to guarantee and carry out the accords of the international peace conference, including the following:

(a) Taking measures consistent with the principle of the inadmissibility of the acquisition of territory by force to ensure Israel's withdrawal from the Palestinian and other Arab territories occupied since 1967, including Jerusalem, within a specific time-table;

(b) Undertaking effective measures to guarantee the safety and security and legal and human rights of the Palestinians in the occupied territories pending the withdrawal of the Israeli forces from the Palestinian and other Arab territories occupied by Israel since 1967, including Jerusalem;

(c) Subjecting those territories, following the withdrawal of Israel, to a short transitional period, under the supervision of the United Nations, during which period the Palestinian people would exercise its right to self-determination;

(d) Facilitating the implementation of the right to return of the Palestinians to their homes and property;

(e) Supervising elections to the constituent assembly of the independent Palestinian State in which all Palestinians shall participate, in the exercise of their right to self-determination;

(f) Providing, if necessary, temporary peace-keeping forces in order to facilitate the implementation of subparagraphs (a)-(e) above.

B

Meanwhile the Security Council is also invited:

1. To take urgent action to bring about an immediate and complete cessation of such Israeli policies in the occupied territories, and in particular, the establishment of settlements as have been determined by the Security Council to have no legal validity and as a serious obstruction to achieving a comprehensive, just and lasting peace in the Middle East;

2. To consider urgently the reports of the Commission established under its resolution 446 (1979) of 22 March 1979, which examined the situation concerning settlements in the Arab territories occupied since 1967, including Jerusalem, and to reactivate the above-mentioned Commission;

3. To initiate action to terminate Israel's exploitative policies which go against the indigenous economic development of the occupied territories, and to compel Israel to lift its restrictions on water use and well-drilling by Palestinian farmers as well as its diversion of West Bank water resources into the Israeli water grid systems;

4. To keep under its constant attention the actions committed by Israel against the Palestinian people in violation of the stipulations provided for in relevant General Assembly resolutions, in particular the stipulations of resolution 181 (II) of 29 November 1947 guaranteeing to all persons equal and non-discriminatory rights and freedoms;

5. To consider, in the event of Israel's persistent non-compliance with the relevant United Nations resolutions which embody the will of the international community, appropriate measures in accordance with the Charter of the United Nations, to ensure Israel's compliance with these resolutions.

C

1. Taking into account the recommendations of the five regional preparatory meetings of the International Conference on the Question of Palestine k/ and United Nations resolutions concerning economic and social assistance to the Palestinian people, the Secretary-General of the United Nations is requested to convene a meeting of the specialized agencies and other organizations associated with the United Nations, as well as representatives of the Palestine Liberation Organization and of those countries which are hosts to Palestinian refugees, and other

potential sources of assistance, to develop a co-ordinated programme of economic and social assistance to the Palestinian people and to ensure its implementation.

2. The meeting should also look into the most effective inter-agency machinery to co-ordinate and sustain and intensify United Nations assistance to the Palestinian people.

k/ African region, A/CONF.114/1; Latin American region, A/CONF.114/2; Western Asian region, A/CONF.114/3; Asian region, A/CONF.114/4; European region, A/CONF.114/5.

D

The dissemination of accurate and comprehensive information world wide, and the role of non-governmental organizations and institutions, remains of vital importance in heightening awareness of and support for the inalienable rights of the Palestinian people to self-determination and to the establishment of an independent sovereign Palestinian State. To these ends:

1. The Department for Public Information of the United Nations, in full co-operation and constant consultations with the Committee on the Exercise of the Inalienable Rights of the Palestinian People should:

(a) Co-ordinate all information activities of the United Nations system on Palestine through the Joint United Nations Information Committee (JUNIC);

(b) Expand publications and audio and visual coverage of the facts and of developments pertaining to the question of Palestine;

(c) Publish newsletters and articles in its respective publications on Israeli violations of human rights of the Arab inhabitants in the occupied territories and organize fact-finding missions for journalists to the area;

(d) Organize regional encounters for journalists;

(e) Disseminate appropriate information on the results of the International Conference on the Question of Palestine;

2. Relevant organizations of the United Nations systems should organize meetings, symposia and seminars on topics within their terms of reference and relating to specific problems of the Palestinian people by establishing closer liaison with non-governmental organizations, the media and other groups interested in the question of Palestine.

III

The International Conference on the Question of Palestine, convinced of the important role of world-wide public opinion in resolving the question of Palestine, and in the implementation of the Declaration and Programme of Action, urges and encourages:

1. Intergovernmental and non-governmental organizations to increase awareness by the international community of the economic and social burdens borne by the Palestinian people as a result of the continued Israeli occupation and its negative effects on the economic development of the West Asian region as a whole;

2. Non-governmental organizations and professional and popular associations to intensify their efforts to support the rights of the Palestinian people in every possible way;

3. Organizations such as those of women, teachers, workers, youths and students to undertake exchanges and other programmes of joint action with their Palestinian counterparts;

4. Women's associations, in particular, to investigate the conditions of Palestinian women and children in all occupied territories;

5. The media and other institutions to disseminate relevant information to increase public awareness and understanding of the question of Palestine;

6. Institutions of higher education to promote the study of the question of Palestine in all its aspects;

7. Various jurists' associations to establish special investigative commissions to determine the violations by Israel of the Palestinians' legal rights and to disseminate their findings accordingly;

8. Jurists to initiate with their Palestinian counterparts consultations, research and investigations on the juridical aspects of problems affecting the southern African and Palestinian struggles, in particular the detention of political prisoners and the denial of prisoner-of-war status to detained members of the national liberation movements of southern Africa and Palestine;

9. Parliamentarians, political parties, trade unions, organizations for solidarity and intellectuals particularly in Western Europe and North America, to join their counterparts in other parts of the world in giving their support, where it has not been done, to an initiative which would express the desire of the international community to see the Palestinian people at last living in their own independent homeland in peace, freedom and dignity.

Annex II

A. RESOLUTION 508 (1982)

Adopted by the Security Council at its 2374th meeting
on 5 June 1982

The Security Council,

Recalling its resolutions 425 (1978), 426 (1978) and its ensuing resolutions, and more particularly, resolution 501 (1982),

Taking note of the letters of the Permanent Representative of Lebanon dated 4 June 1982, a/

Deeply concerned at the deterioration of the present situation in Lebanon and in the Lebanese-Israeli border area, and its consequences for peace and security in the region,

Gravely concerned at the violation of the territorial integrity, independence and sovereignty of Lebanon,

Reaffirming and supporting the statement made by the President and the members of the Security Council on 4 June 1982, b/ as well as the urgent appeal issued by the Secretary-General on 4 June 1982,

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

1. Calls upon all the parties to the conflict to cease immediately and simultaneously all military activities within Lebanon and across the Lebanese-Israeli border and not later than 0600 hours local time on Sunday, 6 June 1982;

2. Requests all Member States which are in a position to do so to bring their influence to bear upon those concerned so that the cessation of hostilities declared by Security Council resolution 490 (1981) can be respected;

3. Requests the Secretary-General to undertake all possible efforts to ensure the implementation of and compliance with the present resolution and to report to the Security Council as early as possible and not later than 48 hours after the adoption of this resolution.

a/ *S/15161 and S/15162.*

b/ *S/15163.*

c/ *Official Records of the Security Council, Thirty-seventh Year, Supplement for April, May and June 1982, 2374th meeting.*

B. RESOLUTION 509 (1982)

Adopted by the Security Council at its 2375th meeting
on 6 June 1982

The Security Council,

Recalling its resolutions 425 (1978), of 19 March 1978 and 508 (1982) of 5 June 1982,

Gravely concerned at the situation as described by the Secretary-General in his report to the Council, d/

Reaffirming the need for strict respect for the territorial integrity, sovereignty and political independence of Lebanon within its internationally recognized boundaries,

1. Demands that Israel withdraw all its military forces forthwith and unconditionally to the internationally recognized boundaries of Lebanon;

2. Demands that all parties observe strictly the terms of paragraph 1 of resolution 508 (1982) which called on them to cease immediately and simultaneously all military activities within Lebanon and across the Lebanese-Israeli border;

3. Calls on all parties to communicate to the Secretary-General their acceptance of the present resolution within 24 hours;

4. Decides to remain seized of the question.

d/ Ibid., 2375th meeting.

C. RESOLUTION 520 (1982)

Adopted by the Security Council at its 2395th meeting
on 17 September 1982

The Security Council,

Having considered the report of the Secretary-General of 15 September 1982, e/

Condemning the murder of Bashir Gemayel, the constitutionally elected President-elect of Lebanon, and every effort to disrupt by violence the restoration of a strong, stable government in Lebanon,

Having listened to the statement by the Permanent Representative of Lebanon, f/

Taking note of the determination of Lebanon to ensure the withdrawal of all non-Lebanese forces from Lebanon,

1. Reaffirms its resolutions 508 (1982), 509 (1982) and 516 (1982) in all their components;
2. Condemns the recent Israeli incursions into Beirut in violation of the cease-fire agreements and of Security Council resolutions;
3. Demands an immediate return to the positions occupied by Israel before 15 September 1982, as a first step towards the full implementation of Security Council resolutions;
4. Calls again for the strict respect of the sovereignty, territorial integrity, unity and political independence of Lebanon under the sole and exclusive authority of the Government of Lebanon through the Lebanese Army throughout Lebanon;
5. Reaffirms its resolutions 512 (1982) and 513 (1982) which call for respect for the rights of the civilian populations without any discrimination, and repudiates all acts of violence against those populations;
6. Supports the efforts of the Secretary-General to implement Security Council resolution 516 (1982) concerning the deployment of United Nations observers to monitor the situation in and around Beirut and requests all the parties concerned to co-operate fully in the application of that resolution;
7. Decides to remain seized of the question and asks the Secretary-General to keep the Council informed on developments as soon as possible and not later than 24 hours.

e/ Ibid., document S/15382/Add.1.

f/ Ibid., Thirty-seventh Year, 2394th meeting.

D. RESOLUTION 521 (1982)

Adopted by the Security Council at its 2396th meeting
on 19 September 1982

The Security Council,

Appalled at the massacre of Palestinian civilians in Beirut,

Having heard the report of the Secretary-General, g/

Noting that the Government of Lebanon has agreed to the dispatch of United Nations Observers to the sites of greatest human suffering and losses in and around that city,

1. Condemns the criminal massacre of Palestinian civilians in Beirut;
2. Reaffirms once again its resolutions 512 (1982) and 513 (1982), which call for respect for the rights of the civilian populations without any discrimination, and repudiates all acts of violence against those populations;
3. Authorizes the Secretary-General, as an immediate step, to increase the number of United Nations observers in and around Beirut from ten to fifty, and insists that there shall be no interference with the deployment of the observers and that they shall have full freedom of movement;
4. Requests the Secretary-General, in consultation with the Government of Lebanon, to ensure the rapid deployment of those observers in order that they may contribute in every way possible within their mandate to the effort to ensure full protection for the civilian population;
5. Requests the Secretary-General, as a matter of urgency, to initiate appropriate consultations and, in particular, consultations 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 populations in and around Beirut and requests him to report to the Council within 48 hours;
6. Insists that all concerned must permit United Nations observers and forces established by the Security Council in Lebanon to be deployed and to discharge their mandates and, in this connection, solemnly calls attention

to the obligation of all Member States, under Article 25 of the Charter of the United Nations, to accept and carry out the decisions of the Council in accordance with the Charter;

7. Requests the Secretary-General to keep the Council informed on an urgent and continuing basis.

g/ *Ibid.*, Thirty-seventh Year, Supplement for July, August and September 1982, document S/15400.

E. RESOLUTION 542 (1983)

Adopted by the Security Council at its 2501st meeting
on 23 November 1983

The Security Council,

Having considered the situation prevailing in northern Lebanon,

Recalling the statement made on this question by the President of the Council on 11 November 1983, h/

Deeply concerned by the intensification of the fighting, which continues to cause much suffering and great loss of human life,

1. Deplores the loss of human life caused by the events taking place in northern Lebanon;
2. Reiterates its call for the strict respect for the sovereignty, political independence and territorial integrity of Lebanon within its internationally recognized boundaries;
3. Requests the parties concerned immediately to accept a cease-fire and scrupulously to observe the cessation of hostilities;

4. Invites the parties concerned to settle their differences exclusively by peaceful means and to refrain from the threat or use of force;

5. Pays tribute to the work done by the United Nations Relief and Works Agency for Palestine Refugees in the Near East and by the International Committee of the Red Cross in providing emergency humanitarian assistance to the Palestinian and Lebanese civilians in Tripoli and its surroundings;

6. Calls upon the parties concerned to comply with the provisions of this resolution;

7. Requests the Secretary-General to follow the situation in northern Lebanon, to consult with the Government of Lebanon, and to report to the Council, which remains seized of the question.

h/ S/16142.

F. GENERAL ASSEMBLY RESOLUTION ES-7/9

The question of Palestine

The General Assembly,

Having considered the question of Palestine at its resumed seventh emergency special session,

Having heard the statement of the Palestine Liberation Organization, the representative of the Palestinian people, *i/*

Recalling and reaffirming, in particular, its resolution 194 (III) of 11 December 1948,

Appalled at the massacre of Palestinian civilians in Beirut,

Recalling Security Council resolutions 508 (1982) of 5 June 1982, 509 (1982) of 6 June 1982, 513 (1982) of 4 July 1982, 520 (1982) of 17 September 1982 and 521 (1982) of 19 September 1982,

Taking note of the reports of the Secretary-General relevant to the situation, particularly his report of 18 September 1982, j/

Noting with regret that the Security Council has so far not taken effective and practical measures, in accordance with the Charter of the United Nations, to ensure implementation of its resolutions 508 (1982) and 509 (1982),

Referring to the humanitarian principles of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, k/ and to the obligations arising from the regulations annexed to the Hague Conventions of 1907, l/

Deeply concerned at the sufferings of the Palestinian and Lebanese civilian populations,

Noting the homelessness of the Palestinian people,

Reaffirming the imperative need to permit the Palestinian people to exercise their legitimate rights,

1. Condemns the criminal massacre of Palestinian and other civilians in Beirut on 17 September 1982;
2. Urges the Security Council to investigate, through the means available to it, the circumstances and extent of the massacre of Palestinian and other civilians in Beirut on 17 September 1982, and to make public the report on its findings as soon as possible;
3. Decides to support fully the provisions of Security Council resolutions 508 (1982) and 509 (1982), in which the Council, inter alia, demanded that:
 - (a) Israel withdraw all its military forces forthwith and unconditionally to the internationally recognized boundaries of Lebanon;

(b) All parties to the conflict cease immediately and simultaneously all military activities within Lebanon and across the Lebanese-Israeli border;

4. Demands that all Member States and other parties observe strict respect for the sovereignty, territorial integrity, unity and political independence of Lebanon within its internationally recognized boundaries;

5. Reaffirms the fundamental principle of the inadmissibility of the acquisition of territory by force;

6. Resolves 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 from which they have been uprooted and displaced, and demands that Israel comply unconditionally and immediately with the present resolution;

7. Urges the Security Council, in the event of continued failure by Israel to comply with the demands contained in 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;

8. Calls 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;

9. Requests the Secretary-General to prepare a photographic exhibit of the massacre of 17 September 1982 and to display it in the United Nations visitors' hall;

10. Decides to adjourn the seventh emergency special session temporarily and to authorize the President of the latest regular session of the General Assembly to resume its meetings upon request from Member States.

i/ See A/ES-7/PV.32.

j/ S/15400.

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

l/ Carnegie Endowment for International Peace, The Hague Conventions and Declarations of 1899 and 1907 (New York, Oxford University Press, 1915).

G. GENERAL ASSEMBLY RESOLUTION 38/79

Report of the Special Committee to Investigate Israeli Practices
Affecting the Human Rights of the Population of the Occupied Territories

D

The General Assembly,

Guided by the purposes and principles of the Charter of the United Nations and by the principles and provisions of the Universal Declaration of Human Rights, m/

Bearing in mind the provisions of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, n/ as well as of other relevant conventions and regulations,

Recalling all its resolutions on the subject, in particular resolutions 32/91 B and C of 13 December 1977, 33/113 C of 18 December 1978, 34/90 A of 12 December 1979, 25/122 C of 11 December 1980, 36/147 C of 16 December 1981 and 37/88 C of 10 December 1982, and also those adopted by the Security Council, the Commission on Human Rights, in particular its resolution 1983/1 of 15 February 1983, o/ and other United Nations organs concerned and by the specialized agencies,

Having considered the report of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Population of the Occupied Territories, p/ which contains, inter alia, public statements made by officials of the Government of Israel,

1. Commends the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Population of the Occupied Territories for its efforts in performing the tasks assigned to it by the General Assembly and for its thoroughness and impartiality;

2. Deplores the continued refusal by Israel to allow the Special Committee access to the occupied territories;

3. Demands that Israel allow the Special Committee access to the occupied territories;

4. Reaffirms the fact that occupation itself constitutes a grave violation of the human rights of the civilian population of the occupied Arab territories;

5. Condemns the continued and persistent violation by Israel of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, and other applicable international instruments, and condemns in particular those violations which that Convention designates as "grave breaches" thereof;

6. Declares once more that Israel's grave breaches of that Convention are war crimes and an affront to humanity;

7. Strongly condemns the following Israeli policies and practices:
 - (a) Annexation of parts of the occupied territories, including Jerusalem;

 - (b) Imposition of Israeli laws, jurisdiction and administration on the Syrian Golan Heights, which has resulted in the effective annexation of the Syrian Golan Heights;

 - (c) Establishment of new Israeli settlements and expansion of the existing settlements on private and public Arab lands, and transfer of an alien population thereto;

 - (d) Evacuation, deportation, expulsion, displacement and transfer of Arab inhabitants of the occupied territories and denial of their right to return;

 - (e) Confiscation and expropriation of private and public Arab property in the occupied territories and all other transactions for the acquisition of land involving the Israeli authorities, institutions or nationals on the one hand and the inhabitants or institutions of the occupied territories on the other;

 - (f) Excavations and transformations of the landscape and the historical, cultural and religious sites, especially at Jerusalem;

(g) Pillaging of archaeological and cultural property;

(h) Destruction and demolition of Arab houses;

(i) Collective punishment, mass arrests, administrative detention and ill-treatment of the Arab population;

(j) Ill-treatment and torture of persons under detention;

(k) Interference with religious freedoms and practices as well as family rights and customs;

(l) Interference with the system of education and with the social and economic development of the population in the occupied Palestinian and other Arab territories;

(m) Interference with the freedom of movement of individuals within the occupied Palestinian and other Arab territories;

(n) Illegal exploitation of the natural wealth, resources and population of the occupied territories;

8. Strongly condemns the arming of Israeli settlers in the occupied territories to commit acts of violence against Arab civilians and the perpetration of acts of violence by these armed settlers against individuals, causing injury and death and wide-scale damage to Arab property;

9. Reaffirms that all measures taken by Israel to change the physical character, demographic composition, institutional structure or status of the occupied territories, or any part thereof, including Jerusalem, are null and void, and that Israel's policy of settling parts of its population and new immigrants in the occupied territories constitutes a flagrant violation of the Geneva Convention and of the relevant resolutions of the United Nations;

10. Demands that Israel desist forthwith from the policies and practices referred to in paragraphs 7, 8 and 9 above;

11. Calls upon Israel, the occupying Power, to take immediate steps for the return of all displaced Arab and Palestinian inhabitants to their homes or former places of residence in the territories occupied by Israel since 1967;

12. Urges the international organizations and the specialized agencies, in particular the International Labour Organisation, to examine the conditions of Arab workers in the occupied Palestinian and other Arab territories, including Jerusalem;

13. Reiterates its call upon all States, in particular those States parties to the Geneva Convention, in accordance with article 1 of that Convention, and upon international organizations and the specialized agencies not to recognize any changes carried out by Israel in the occupied territories and to avoid actions, including those in the field of aid, which might be used by Israel in its pursuit of the policies of annexation and colonization or any of the other policies and practices referred to in the present resolution;

14. Requests the Special Committee, pending the early termination of Israeli occupation, to continue to investigate Israeli policies and practices in the Arab territories occupied by Israel since 1967, to consult, as appropriate, with the International Committee of the Red Cross in order to ensure the safeguarding of the welfare and human rights of the population of the occupied territories and to report to the Secretary-General as soon as possible and whenever the need arises thereafter;

15. Requests the Special Committee to continue to investigate the treatment of civilians in detention in the Arab territories occupied by Israel since 1967;

16. Condemns Israel's refusal to permit persons from the occupied territories to appear as witnesses before the Special Committee and to participate in conferences and meetings held outside the occupied territories;

17. Requests the Secretary-General:

(a) To provide all necessary facilities to the Special Committee, including those required for its visits to the occupied territories, with a view to investigating the Israeli policies and practices referred to in the present resolution;

(b) To continue to make available additional staff as may be necessary to assist the Special Committee in the performance of its tasks;

(c) To ensure the widest circulation of the reports of the Special Committee, and of information regarding its activities and findings, by all means available through the Department of Public Information of the Secretariat and,

where necessary, to reprint those reports of the Special Committee which are no longer available;

(d) To report to the General Assembly at its thirty-ninth session on the tasks entrusted to him in the present paragraph;

18. Requests the Security Council to ensure Israel's respect for and compliance with all the provisions of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, in Palestinian and other Arab territories occupied since 1967, including Jerusalem, and to initiate measures to halt Israeli policies and practices in those territories;

19. Decides to include in the provisional agenda of its thirty-ninth session the item entitled "Report of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Population of the Occupied Territories".

m/ Resolution 217 A (III).

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

o/ See Official Records of the Economic and Social Council, 1983, Supplement No. 3 (E/1983/13 and Corr.1), chap. XXVII.

p/ See A/38/409.

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