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REPORT  
OF THE  
COMMITTEE ON THE EXERCISE OF  
THE INALIENABLE RIGHTS  
OF THE PALESTINIAN PEOPLE

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NOTE

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#### LETTER OF TRANSMITTAL

28 September 1983

Sir,

I have the honour to enclose herewith the report of the Committee on the Exercise of the Inalienable Rights of the Palestinian People for submission to the General Assembly in accordance with paragraph 4 of resolution [37/86 A](#).

Accept, Sir, the assurances of my highest consideration.

( Signed ) Massamba SARRE  
Chairman of the Committee  
on the Exercise of the Inalienable  
Rights of the Palestinian People

His Excellency  
Mr. Javier Perez de Cuellar  
Secretary-General of the United Nations

## I. INTRODUCTION

1. The Committee on the Exercise of the Inalienable Rights of the Palestinian

People, 1/ was established by General Assembly resolution 3376 (XXX) of 10 November 1975. Its first report, 2/ submitted to the Assembly at its thirty-first session, contained specific recommendations proposed by the Committee to enable the Palestinian people to exercise its inalienable rights, as previously recognized and defined by the Assembly.

2. The Committee's recommendations were first endorsed by the General Assembly at its thirty-first session - seven sanguinary years ago - as a basis for the solution of the question of Palestine.

3. In its reports to the General Assembly at each subsequent session, 3/ the Committee retained its recommendations unchanged. On each occasion they were again endorsed by the Assembly with renewed emphasis. After a thorough discussion of the Committee's report and an appraisal of the situation in Palestine, the Assembly also reviewed and renewed the mandate of the Committee.

4. Despite repeated urgings by the Committee, however, its recommendations have not yet been acted upon by the Security Council, neither have they been implemented. Meanwhile, the situation in the occupied Palestinian and other Arab territories arising from Israeli practices remains extremely tense and last year erupted into massive violence and armed conflict, which caused tremendous loss of life and raised a storm of protest and resentment throughout the world.

5. Throughout this difficult period, the Palestinian people remain with their rights arrogantly trampled upon, their legitimate aspirations unfulfilled, yet they maintain their hope in resolute international action to inspire a peaceful political solution. This year, after intensive preparations, an International Conference on the Question of Palestine was held at Geneva from 29 August to 7 September 1983 to assess the present situation, and made recommendations accordingly.

## II. MANDATE OF THE COMMITTEE

6. The latest mandate of the Committee was specified in paragraphs 3 and 4 of General Assembly resolution 37/86 A of 10 December 1982, paragraph 2 of resolution 37/86 B of

10 December 1982 and paragraph 2 of resolution 36/120 C of 10 December 1981. By those paragraphs the Assembly:

(a) Requested the Committee to keep the situation relating to the question of Palestine under review and to report and make suggestions to the Assembly or the Security Council, as appropriate;

(b) Authorized the Committee to continue to exert all efforts to promote the implementation of its recommendations, to send delegations or representatives to international conferences where such representation would be considered by it to be appropriate, and to report thereon to the Assembly at its thirty-eighth session and thereafter;

(c) Requested the Secretary-General to ensure that the Division for Palestinian Rights of the Secretariat continued to discharge the tasks detailed in paragraph 1 of Assembly resolution 32/40 B, paragraph 2 (b) of resolution 34/65 D and paragraph 3 of resolution 36/120 B, in consultation with the Committee on the Exercise of the Inalienable Rights of the Palestinian People and under its guidance;

(d) Authorized the Committee to act as the Preparatory Committee for the International Conference on the Question of Palestine, to hold sessions particularly for this purpose and to make recommendations regarding, inter alia, the site, scheduling of and participation in the Conference, and the provisional agenda of the Conference.

### III. ORGANIZATION OF WORK

#### A. Election of officers

7. At its 87th meeting, on 6 January 1983, which was opened by the Secretary-General, the Committee decided to re-elect the following officers:

<u>Chairman</u> :	Mr. Massamba Sarre (Senegal)
<u>Vice-Chairmen</u> :	Mr. Raul Roa-Kouri (Cuba) Mr. Mohammed Farid Zarif (Afghanistan)
<u>Rapporteur</u> :	Mr. Victor J. Gauci (Malta)

#### B. Participation in the work of the Committee

8. The Committee reconfirmed that those States Members of the United Nations and Permanent Observers to the United Nations that wished to participate in the work of the Committee as observers could do so, and during 1983 it again welcomed in that capacity Algeria, Czechoslovakia, Ecuador, Egypt, Iraq, Jordan, the Libyan Arab Jamahiriya, Mauritania, Morocco, the Syrian Arab Republic, the United Arab Emirates, Viet Nam, the League of Arab States, the Organization of the Islamic Conference and the Palestine Liberation Organization. These States and organizations continued throughout 1983 to participate in the work of the Committee. In answer to previous invitations, and at their request, Niger and Nicaragua also participated as observers from 22 October 1982 and from 22 April 1983, respectively.

#### C. Re-establishment of the Working Group

9. The Committee once again unanimously decided that the Working Group that it had established in 1977 should continue to function in order to facilitate the work of the Committee by: (a) keeping up to date with events that affected the work of the Committee and suggesting action that the Committee could usefully undertake and (b) assisting the Committee in any other specific assignment related to its work.

10. The Committee decided to reconfirm the present membership of the Working Group' Malta (Chairman), Afghanistan, Cuba, German Democratic Republic, Guinea, Guyana, India, Pakistan, Senegal, Tunisia, Turkey, Ukrainian Soviet Socialist Republic and, as representative of the people directly concerned, the Palestine Liberation Organization. In view of its added responsibilities, the Committee accepted the principle of enlargement of the Working Group, which became open to all members and observers.

11. At its 88th meeting, on 26 January, the Committee also decided that the representative of India should act as deputy for the Chairman of the Working Group during any unavoidable absence connected with other pressing and simultaneous engagements.

12. It was further decided that the three subgroups of the Working Group previously established should be continued.

13. The first of these subgroups, together with the Division for Palestinian Rights, monitors daily events in the occupied territories and, as appropriate, drafts a letter for signature and transmittal by the Chairman to the Secretary-General, the President of the Security Council or the President of the General Assembly.

14. The second subgroup assists the Division in the detailed work of organizing seminars.

15. The third subgroup has the task of: (a) periodically reviewing, with the assistance of the Division, progress made in the studies that already had been planned, and arrangements for reproducing those already published in languages other than the official languages of the United Nations, (b) updating studies and films produced by the Division' and (c) implementing the organization of the Day of Solidarity with the Palestinian people.

### IV. ACTION TAKEN BY THE COMMITTEE

A. Action taken in accordance with paragraphs 3 and 4  
of General Assembly resolution 37/86 A

1. Review of the situation relating to the question of Palestine and  
efforts to implement the recommendations of the Committee

16. The Committee continued to follow closely developments in the occupied Palestinian and other Arab territories and, on several occasions, in response to events on the spot, authorized its Chairman to communicate to the Secretary-General and to the President of the Security Council its concern at the Israeli Government's practices and policies in those territories.

17. These communications dealt mainly with illegal Israeli settlements in the occupied territories, the annexation of vast areas of Arab-owned land, and other widespread violation by Israel of the rights of the Palestinian people.

18. Those practices, policies and violations by Israel led the Committee, in addition to its letters of protest, to urge that the commission established by the Security Council in its resolution [446 \(1979\)](#) to examine the situation relating to Israeli settlements in the Arab and Palestinian territories occupied since 1967 should be re-activated as a matter of priority. It was recalled, in particular, that the Commission had unanimously adopted its latest report as far back as 25 November 1980, but the report had not yet been considered by the Security Council, despite specific and persistent urging by the Committee that the report be considered immediately and its recommendations urgently acted upon ([A/37/240-S/15120](#)).

19. The Committee draws the attention of the international community to the fact that, in the course of 1983, the Government of Israel has pursued its relentless policy of establishing and enlarging settlements in the occupied territories despite the illegality of those actions, the censure of international opinion, the decisions of the United Nations, and even against public and parliamentary questioning of that policy within Israel itself.

20. Those policies constitute a network of settlement programmes and several other administrative and economic procedures designed to force individual and mass transfers of the indigenous Arab population from the West Bank and Gaza in order to accomplish Israel's objective of evacuating the Arab inhabitants from those territories.

21. It is the declared policy of Israel to place up to 400,000 non-indigenous, colonial settlers in the West Bank within the next five years and 1.4 million Jews over the next 30 years ([see A/37/604-S/15482](#)). As a result, the total number of such settlers in the West Bank and East Jerusalem has already increased from 91,000 in April 1979 to some 140,000 in 1982 ([see A/38/282, para. 39 \(d\)](#)).

22. Approximately 153 illegal Israeli settlements are estimated to have been established in the West Bank and East Jerusalem by the end of 1982. This represents an area of some 2,453 km<sup>2</sup>, which is equivalent to 44 per cent of the total West Bank territory, including East Jerusalem ([see A/38/282, para. 39 \(a\) and \(b\)](#)). In still further violation of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, [1](#) and in defiance of General Assembly and Security Council resolutions, the Government of Israel approved, on 16 January 1983, the establishment of four more new settlements in the West Bank ([see A/38/78-S/15572](#)).

23. A close look at these Israeli settlement activities reveals that Israel's intention is to fragmentize the demographic, geographic, economic and social unity of the occupied Arab territories.

24. Education has also been seriously affected by Israeli policy in the occupied territories. As a result of the application of military order number 854 of 8 July 1982, 28 professors of Palestinian origin were expelled for refusing, as a matter of principle, to sign a "pledge" not to support any "terrorist organization". Seven professors of foreign nationality were debarred for the same reason ([see A/38/278, para. 116](#)).

25. Frequent closing of universities and schools has seriously disrupted academic life. For example, between February 1982 and February 1983, 14 such institutions were closed temporarily.

26. Frequent eruption of violence and armed conflict has also had devastating effect on civilian life. It has been estimated that between 1967 and 1981 a total of 1,291 houses were demolished, often as a result of punitive action ([see A/38/278, appendix I](#)). During the period 1 September 1981 to 25 July 1982, no less than 453 violent incidents occurred, involving the civilian population and resulting in arrest, injury and even death ([see A/37/485, para. 154](#)). The violence subsequently assumed even graver dimensions.

27. It is clear that Israel intends to pursue a policy of colonization based on outmoded concepts and in violation of international law and United Nations resolutions. Democratically elected mayors and city councils have been summarily dismissed and replaced by Israeli administrators, the latest such incident having taken place at Hebron. The Israeli occupying authorities in that city have not only pursued a policy of establishing illegal settlements on the outskirts of the city, but have now started a new phase by placing settlements within the central city itself, surrounded by old, well established Arab neighbourhoods, causing widespread resentment and friction.

28. Furthermore, Israeli settlement is draining the West Bank's own underground water resources and Palestinian farmers are kept short of essential water supplies.

29. It is no less disturbing that, since 1981, elections cannot be held in the West Bank, undoubtedly because the results would be unfavourable to Israel ([see A/36/177-S/14 430](#)).

30. In addition, widespread reports indicated that the Islamic and Christian religious sites had been subjected to several acts of desecration and sacrilegious acts by Israeli settlers. It was established that these acts had been carried out with the knowledge of the Israeli occupation authorities.

## 2. Reaction to developments in the occupied territories

### (a) Emergency special session of the General Assembly

31. As a result of the aggravated tension in the area, the Committee, in terms of its mandate, recommended in 1980 the convening of an emergency special session of the General Assembly. The first meetings were held from 22 to 29 July 1980. Because of the subsequent grave developments in the region, it was found necessary to reconvene the seventh emergency special session in 1982 during the periods 20 to 28 April, 25 to 26 June and from 16 to 19 August. [5/](#)

32. As a result of still further deterioration of the situation by the tragic events in Lebanon, and owing to the inability of the Security Council to take action, the seventh emergency special session was reconvened for the fourth time on 24 September 1982.

33. At that session, the General Assembly adopted, by a recorded vote of 147 to with no abstentions, resolution ES-7/9 of 24 September 1982 in which it condemned the criminal massacre of Palestinian and other civilians in Beirut on 17 September 1982; urged the Security Council to investigate, through the means available to it, the circumstances and extent of the massacre and to make public the report on its findings as soon as possible [no such investigation has yet been reported]; decided to support fully the provisions of Council resolutions [508 \(1982\)](#) and [509 \(1982\)](#), in which the Council, *inter alia*, had demanded that (a) Israel withdraw all its military forces forthwith and unconditionally to the internationally recognized boundaries of Lebanon and (b) all parties to the conflict cease immediately and simultaneously all military activities within Lebanon and across the Lebanese-Israeli border, 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; reaffirmed the fundamental principle of the inadmissibility of the acquisition of territory by force' resolved that, in conformity with its resolution

[194 \(III\)](#) and subsequent resolutions, the Palestinian refugees should be enabled to return to their homes and property, and demanded that Israel comply unconditionally and immediately with the resolution, urged the Council, in the event of continued failure by Israel to comply with the demands contained in resolutions 508 (1982) and 509 (1982) and resolution ES-7/9, to meet in order to consider practical ways and means in accordance with the Charter of the United Nations; called upon all States and international agencies and organizations to continue to provide the most extensive humanitarian aid possible to the victims of the Israeli invasion of Lebanon; and decided to adjourn the seventh emergency special session temporarily and to authorize the President of the latest regular session of the Assembly to resume its meetings upon request from Member States.

34. As at the three previous resumed sessions, the Committee continued to play its customary role, including the drafting of resolution ES-7/9 for consideration by the General Assembly. The Committee nevertheless feels bound to observe that none of these resolutions has been implemented.

### (b) Communications to the Secretary-General and the President of the Security Council

35. In the course of the period under review, and in response to events on the spot, several letters were sent to the President of the Council and to the Secretary-General as follows.

36. In his letter dated 29 October 1982 ([A/37/587-S/15476](#)), the Chairman drew the attention of the Secretary-General and the President of the Security Council to press reports confirming the death of a Palestinian youth from the Balata refugee camp as a result of action taken by Israeli settlers. Following that incident, protest demonstrations had been organized in most of the towns and refugee camps in the occupied Palestinian territories. It had been reported that Israeli troops opened fire on the demonstrators and that the Israeli occupation authorities had threatened to close down all schools in the West Bank in order to prevent pupils from taking part in such demonstrations. In the light of those developments, the Chairman, expressing the view of the Committee, urged the Secretary-General to use his good offices in order that measures might be taken to protect the rights of Palestinians in the occupied territories.

37. On 8 November 1982 ([A/37/604-S/15482](#)), the Chairman expressed the deep concern of the Committee regarding the persistence of the Israeli policy of establishing settlements in the occupied Palestinian territories. He cited reports that the Deputy Prime Minister and Housing Minister of Israel had announced, on 3 November 1982, that another five settlements would be established in the West Bank. The Chairman stressed that the continuation of that policy of changing the demographic character of the occupied territories in violation of the Fourth Geneva Convention of 12 August 1949 and in defiance of General Assembly and Security Council resolutions, could only aggravate the tense and explosive situation which already existed in the occupied Palestinian territories.

38. On 21 January 1983 ([A/38/78-S/15572](#)), the Chairman again took up the matter of the Israeli policy of establishing non-indigenous colonial settlements in the occupied Palestinian territory of the West Bank. He said it had been reliably reported that the Government of Israel had approved, on 16 January 1983, the establishment of four new settlements in the occupied West Bank. Further referring to the repressive measures being taken against Palestinians in the occupied territories, he noted that the Committee had learned that the occupying authorities had adopted a policy of mass arrests, assembling trade-unionists, students, teachers, writers and journalists who were summoned for interrogation and, in many cases, imprisonment. Also, it had been reliably reported that persons who had been termed "Palestinians detained for security reasons" had started a hunger strike in protest against the inhumane conditions of detention in the prisons of Al-Rhalil and Jenin.

39. In a letter dated 22 March 1983 ([A/38/122-S/15653](#)), the Chairman expressed the Committee's deep concern at further evidence of violation of legal and human rights on the part of the occupying Israeli authorities against the Palestinians on the West Bank. He referred to an occasion on 10 March 1983, when Israeli soldiers were discovered and prevented from detonating explosives intended for destruction of the Al-Aqsa Mosque. On a previous occasion, on 4 March, a time bomb had been discovered at that Mosque. In the same letter, the Chairman reported still further anti-Palestinian activities perpetrated by the occupying authorities. These included the wounding of a young Palestinian at Jerusalem on 12 March, and the subsequent beating of a Palestinian woman and her children who had come to his aid. On the same day, Israeli troops had broken into the local school at the Shufat refugee camp, attacked students and beat them severely. Meanwhile, at Hebron, occupying authorities had ordered the closing of the Polytechnic Institute in retaliation for previous student participation in anti-occupation demonstrations. Al-Khalil University and schools at Halhoul, Yatta, Beit Sahour and Nablus had also been ordered closed. At Yatta, on 16 March, it had been reported that Israeli settlers were continuing to terrorize the occupied population. Booby traps had been discovered at the gate of the Haifa High School in the town of Jenin, which were fortunately discovered and detonated. On 17 March, it had been reported that Israeli occupation troops had opened fire on Palestinian anti-occupation demonstrators at Beit Sahour. One school had been ordered closed until further notice, bringing to five the number of schools so closed in the Bethlehem area. At the same time, curfews remained on Palestinian refugee camps and particularly brutal measures had been taken against the Dheiseh Camp.

40. On 30 March 1983 ([A/38/128-S/15667](#)), the Chairman drew attention to a particularly distressing event in the occupied territories of the West Bank concerning widely reported illness among Arab schoolgirls. Local residents had believed the illness to have been induced by some kind of poison, perhaps even gas poisoning, in the girls' classrooms. It had been variously reported that from 250 to some 1,000 young people had been so affected. The Chairman said he was aware that investigators from the International Committee of the Red Cross and the United Nations had been called upon and, pending results of their investigations, he urged the Secretary-General to exert the full authority of his office to ascertain the extent, cause and perpetrators of that abhorrent event. This matter was subsequently taken up by the Security Council in informal consultations on 4 April 1983 and a report on the subject (S/15756) was transmitted to the Council by the Secretary-General on 10 May.

41. On 18 July 1983 ([A/38/306-S/15880](#)), the Chairman referred to reports that the Israeli Government intended to carry out its decision to restore an old quarter of Hebron and establish non-indigenous colonial settlers there, despite the local Arab resistance. He emphasized that this policy was exceptional in that the planned settlements would be situated in the very centre of the town of Hebron, not on the outskirts, and would be surrounded by long-established Arab quarters. The Chairman went on to point out that that policy had exacerbated tensions and had given rise to numerous manifestations of violence and other related acts in the town. He referred to the burning of some 90 per cent of the Arab stalls in the town market and the dismissal of the acting mayor of the town, the latter action having been approved by the Israeli cabinet on 10 July 1983. In that connection, the Chairman quoted an official statement by the Israeli labour opposition party, which said that any attempt to create a mixed city in Hebron against the wishes of the Arab population would cause generations of grief.

(c) Action taken within the Security Council

42. In addition to transmitting letters on matters of urgency to the Secretary-General and the President of the Security Council, the Committee, through its Chairman, participated in meetings of the Security Council called to consider the accelerating tension in the occupied Arab and Palestinian territories. Between 12 November 1982 and 2 August 1983, the Council devoted 10 meetings to consideration of current Israeli activities and policies.

43. On 12 November 1982, the Security Council met at the request of the Arab Group and of the Organization of the Islamic Conference to consider the question of Israel's perseverance in its policy of establishing settlements in the occupied Arab and Palestinian territories.

44. In his statement to the Council on that occasion, the Chairman of the Committee expressed the fear that, under the cover of the tragic events in Lebanon, and profiting from the fact that the troubles it had created in that country were monopolizing world attention, Israel might be emboldened to put into effect its plans for the illegal annexation of the West Bank and the Gaza Strip to satisfy its ambitions based on alleged political security considerations.

45. In defiance of international public opinion and international law, Israel had not only continued to strengthen its existing settlements, but had indicated that several new settlements would be established by means of illegal confiscation of land at the expense of the Arab inhabitants. He stressed that the settlements were not mere agricultural co-operatives but rather urban centres, often at commuting distance from Israeli metropolitan zones, thus hindering a future solution.

46. Nearly every day there had been reports of repressive measures taken against the civilian population of the West Bank and Gaza. News representatives had spoken of demonstrations suppressed by force with, inevitably, loss of human life. Schools had been closed for reasons that were hardly convincing. Foreign teachers had been forced to sign political declarations under threat of deportation. Mayors and other elected officials had been relieved of their duties.

47. In response to further requests from the Arab Group, the Security Council resumed consideration of the situation in the occupied Arab territories on 11, 14 and 16 February and 20 May 1983. It was decided that the Council would meet again to consider the item at a future date.

48. The Security Council also met in informal consultations on 4 April 1983, in order to consider the alleged poisoning of young girls in the occupied territories of the West Bank. In a statement made by the President of the Council on 4 April following the consultations (S/15680), the Secretary-General was requested to conduct independent inquiries concerning the causes and effects of the serious problem of the reported cases of poisoning, and urgently to report on the findings.

49. Immediately upon receipt of that statement, the Secretary-General, who had already been in touch with the Director-General of the World Health Organization (WHO), requested that an independent inquiry be conducted by WHO in pursuance of the wishes of the Security Council.

50. On 10 May 1983, a report on this subject (S/15756) was accordingly transmitted to the Security Council. The report concluded that the WHO inquiry had not been able to identify any specific cause or causes of the emergency. However, the initial medical records and interviews with cases in the first outbreak and with local health and other authorities suggested that an environmental agent could have provoked at least some cases in the first outbreak.

51. It was the recommendation of the Director-General of WHO that, in view of the anxiety under which the population lived in the occupied territories, and given the susceptibility of girls during the stressful transitional period of adolescence, everything possible should be done to protect the local population from unnecessary alarm. For that purpose, the presence of WHO should be made available in the event of any suspected recrudescence of this ill-defined health emergency. Although it was considered unlikely that patients would suffer any significant sequelae, there should be provision for clinical follow-up by WHO, should any of the young people or their families so request.

52. In response to further requests from the Arab Group, in the light of recent attacks perpetrated against Arab civilians in the occupied Arab territories, and especially the killing and wounding of students at the Islamic College of the Arab city of Al-Rhalil on 26 July 1983, the Security Council met on 28 and 29 July and on 1 and 2 August 1983 in a series of five meetings. The Council had before it a draft resolution that would have condemned these attacks and would have reaffirmed its determination, in the event of non-compliance by Israel, to examine practical ways and means in accordance with the relevant provisions with the Charter of the United Nations in order to secure full implementation of the resolution.

53. The Security Council would also have determined that the policies and practices of Israel in establishing settlements in Palestine and other Arab territories occupied in 1967, including Jerusalem, had no legal validity, constituted a major and serious obstacle to achieving a comprehensive, just and lasting peace in the Middle East, and were in contravention of paragraph 49 (6) of the Geneva Convention Relative to the Protection of Civilian Persons in Time of War of 12 August 1949.

54. Owing to the negative vote of one permanent member, the Security Council failed to adopt the resolution.

### 3. Attendance at conferences

55. In accordance with paragraph 4 of resolution 37/86 A of 10 December 1982, in which the General Assembly authorized the Committee on the Exercise of the Inalienable Rights of the Palestinian People to a end delegations or representatives to international conferences where such representation would be considered appropriate, the Committee accordingly accepted several such invitations in late 1982 and in 1983.

56. In late 1982, the Committee was represented at the Sixty-ninth Inter-Parliamentary Conference on the



Question of Palestine held in Rome from 12 to 23 September 1982, the Meeting of the Ministers for Foreign Affairs and Heads of Delegation of the Non-Aligned Countries, held in New York from 4 to 9 October 1982; the Conference of the International Association of Democratic Lawyers on Palestine and Peace in the Middle East, held at Brussels from 23 to 24 October 1982; the Thirty-ninth Ordinary Session of the Council of Ministers and the Nineteenth Session of the Assembly of Heads of States and Governments of the Organization of African Unity, which were scheduled to be held at Tripoli from 15 to 21 November and 23 to 26 November 1982, respectively.

57. In 1983, the Committee was represented at the sixteenth session of the Palestine National Council, held at Algiers from 14 to 18 February; the Seventh Summit Conference of the Non-Aligned Countries, held at New Delhi from 7 to 11 March 1983; the meeting of the Parliamentary Association for Euro-Arab Co-operation, held at The Hague from 25 to 26 March 1983; the Conference on Namibia held at Paris from 25 to 29 April 1983; the International Conference on the Alliance between South Africa and Israel, held at Vienna from 11 to 13 July 1983; and the Second World Conference to Combat Racism and Racial Discrimination, held at Geneva from 1 to 12 August 1983.

58. On each of those occasions, representatives of the Committee took the opportunity to make known the work of the Committee and its recommendations and to discuss ways and means of promoting their implementation. The Committee noted, with appreciation and encouragement, conclusive evidence of considerable understanding of, and sympathy for, the problems of the Palestinian people as well as interest in the work of the Committee.

#### 4. Action taken by other organizations

59. The Committee continued to follow with great interest action taken by other organizations on matters relevant to its work. Such action taken in 1982, after the Committee had submitted its report 6/ to the thirty-seventh session of the General Assembly, was duly noted and appreciated. This included the final communiqué of the Meeting of the Ministers for Foreign Affairs and Heads of Delegation of the Non-Aligned countries, held in New York from 4 to 9 October 1982 (A/37/540-S/15454, annex), and the resolution on the question of Palestine adopted at the sixty-ninth Inter-Parliamentary Conference, held at Rome from 12 to 23 September 1982.

60. In 1983, action relevant to the work of the Committee undertaken by other organizations included that of the Political Consultative Committee of the States Parties to the Warsaw Treaty, the Al-Quds, Jerusalem) Committee, the Commission on Human Rights, the Seventh Conference of Heads of State or Government of the Non-Aligned Countries, the Heads of State and Government of the Members of the European community convening as the European Council, and the European Parliament (see paras. 62 to 85).

##### (a) Session of the Political Consultative Committee of the States Parties to the Warsaw Treaty

61. The session of the Political Consultative Committee of the States Parties to the Warsaw Treaty was held at Prague on 4 and 5 January 1983.

62. At that session, the Committee adopted a political declaration (A/38/67-S/15556, annex) which, inter alia, attached particular importance to the solution of the conflict in the Middle East. The participants in the session sharply denounced Israel's invasion of Lebanon, the Israeli aggression against the Palestinian and Lebanese peoples, and the bestial extermination of the civilian population of West Beirut. They held that, in its aggressive acts, Israel had been encouraged by those who granted it aid and support from outside. They demanded the immediate and complete withdrawal of Israeli troops from Lebanon, and safeguards for the independence, sovereignty, unity and territorial integrity of that country.

63. The participants were favourably disposed towards the principles for solving the problem of a Middle East settlement put forward at the Twelfth Arab Summit Conference, held at Fez, Morocco, from 6 to 9 September 1982, and voiced the conviction that a comprehensive settlement in the Middle East must provide for: complete withdrawal of Israeli troops from all Arab territories occupied since 1967, including the eastern part of Jerusalem, recognition of the legitimate rights of the Arab people of Palestine, including the right to create its own independent State; safeguarding the right of all States in the area to secure and independent existence and development; termination of the state of war and installation of peace between the Arab States and Israel; and elaboration and adoption of international guarantees of a peaceful settlement.

64. It was declared that the solution of these tasks necessitated the convening of an international conference with the participation of all interested parties, including the Palestine Liberation Organization, as the sole legitimate representative of the Arab people of Palestine. An important role could and must be played by the United Nations.

##### (b) Seventh session of the Al-Quds (Jerusalem) Committee of the Organization of the Islamic Conference

65. The seventh session of the Al-Quds (Jerusalem) Committee of the Organization of the Islamic Conference was held at Marrakech, Morocco, on 21 and 22 January 1983.

66. Having considered the results of the Arab Summit Meeting, held at Fez from 6 to 9 September 1982, the Committee decided to subscribe to the peace plan adopted at that meeting as a new basis for achieving a just and lasting settlement of the Middle Eastern question.

67. In its final declaration, the Al-Quds Committee called urgently for the setting up of a strategy to face the danger created by the continued Israeli settlements policy at Al-Quds and its surroundings as well as in other parts of occupied Palestinian territories. Further, the Committee appealed to Islamic countries to implement its resolutions without delay, by creating national organizations entrusted with collecting donations to face Israel's continued settlement policy. The Committee also called for the promotion of contacts with the Vatican as well as with the World Council of Churches and other Christian institutions in order to secure support for the Arab peace plan.

(c) Thirty-ninth session of the Commission on Human Rights

68. At its thirty-ninth session, held from 31 January to 11 March 1983, the Commission on Human Rights adopted four resolutions dealing with the situation in the occupied Arab territories, including Palestine (1983/1 A and B, 1983/2 and 1983/3). In resolution 1983/1 A, the Commission strongly condemned Israeli policies and practices, administrative and legislative measures to promote and expand the establishment of settler colonies as well as the following practices in the occupied Arab territories, including Jerusalem:

"(a) The annexation of parts of the occupied territories including Jerusalem;

"(b) The continuing establishment of new Israeli settlements and expansion of the existing settlements on private and public Arab lands, and the transfer of an alien population thereto;

"(c) The arming of 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 of Arab property;

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

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

"(f) The destruction and demolition of Arab houses;

"(g) Mass arrests, collective punishments, administrative detention and ill-treatment of the Arab population and the torture of persons under detention, and the inhuman conditions in prisons;

"(h) The pillaging of archaeological and cultural property;

"(i) The interference with religious freedoms and practices as well as with family rights and customs;

"(j) The systematic Israeli repression against cultural and educational institutions, especially universities, in the occupied Palestinian territories, closing them or restricting and impeding their academic activities by subjecting selection of courses, textbooks and educational programmes, admission of students and appointment of faculty members to the control and supervision of the military occupation authorities and by the expulsion of numerous faculty members of several universities for refusing to sign statements containing political positions, in flagrant defiance and disregard of their right to academic freedom;

"(k) The illegal exploitation of the natural wealth, water and other resources and the population of the occupied territories;

"(l) The dismantlement of the municipal services by dismissing the elected mayors as well as the municipal councils and forbidding Arab aid funds."

69. In resolution 1983/1 B, the Commission reaffirmed that the Geneva Convention relative to the Protection of Civilian Persons in Time of War of 12 August 1949 was applicable to all the Arab territories occupied by Israel since 1967, including Jerusalem, and condemned the failure of Israel to acknowledge the applicability of that Convention to the territories it had occupied since 1967.

70. In resolution 1983/2, the Commission declared that Israel's decision of 14 December 1981 to impose its laws, jurisdiction and administration on the occupied Syrian Golan Heights constituted an act of aggression under the provisions of Article 39 of the Charter of the United Nations and General Assembly resolution 3314 (XXIX), and called upon Israel to rescind its decision, and firmly emphasized the overriding necessity of total and unconditional withdrawal by Israel from all Palestinian and Syrian territories occupied since 1967, including Jerusalem, which was an essential prerequisite for the establishment of a comprehensive and just peace in the Middle East. In resolution 1983/3, the Commission condemned in the strongest terms the large-scale massacre of Palestinian civilians in the Sabra and Shatila refugee camps for which the responsibility of the Israeli Government had been established, and reaffirmed the inalienable right of the Palestinians to return to their homes and property, from which they had been displaced and uprooted by Israel, and called for their return in the exercise of their right to self-determination.

(d) Seventh Conference of Heads of State or Government of Non-Aligned Countries

71. The Seventh Conference of Heads of State or Government of Non-Aligned Countries, which was held at New Delhi from 7 to 12 March 1983, considered, inter alia, the questions of Palestine and Lebanon, as well as the situation in the Middle East, and adopted several paragraphs on these matters in a political declaration (see A/38/132-S/15675 and Corr.1).

72. On the question of Palestine, the Conference decided to set up a Committee, at the level of Heads of State, to co-operate with the seven-member Arab Committee to support the rights of the Arab Palestinian people in accordance with international law and the will of non-aligned countries and their peoples (A/38/132-S/15675, annex, para. 98).

73. The Conference strongly condemned Israel for its continued occupation of Palestinian and other Arab territories and for its persistent acts of repression against the Palestinian people, and demanded the United Nations Security Council to invoke the powers vested in it with a view to imposing on Israel the relevant sanctions prescribed in the United Nations Charter until Israel complied fully with the relevant decisions of the Council concerning Palestine and the Middle East as well as those relating to Lebanon in Council resolutions 508 (1982) and 509 (1982) ( ibid., para. 87).

74. The Conference considered it necessary, especially since Israel's aggression of 1967, to reaffirm all the principles and resolutions previously adopted by the Non-Aligned Movement in regard to the question of Palestine and the Middle East situation (ibid., para. 101).

75. The Conference expressed its support for and adopted the Arab Peace Plan proclaimed at the Twelfth Arab Summit Conference, held at Fez, Morocco, and emphasized that this Plan constituted a framework for establishing a just and durable peace in the Middle East ( ibid., para. 102 (a)).

76. The conference reaffirmed the principles on which it extended its solid support to the legitimate cause of the Palestinian people and rejected all plans, arrangements and agreements which did not conform to those principles (see ibid., para. 84).

77. The Heads of State or Government welcomed the resolutions of the sixteenth session of the Palestinian National Council, held in Algeria from 12 to 22 February 1983, and affirmed their full solidarity with the Palestine Liberation Organization [ ibid., para. 85).

78. The conference stressed the urgent need to undertake concrete action to achieve a just and comprehensive peace on the basis of the principles enunciated in its declaration (ibid., para. 86).

(e) Meeting of Heads of State and Government of the Members of the European Community, convening as the European Council

79. At its meeting at Brussels on 22 March 1983, the European Council adopted several conclusions on the situation in the Middle East (A/38/124-S/15657).

80. The Council was convinced that all parties should work towards the achievement of withdrawal of all foreign forces from Lebanon and a resumption of negotiations aimed at a comprehensive peace settlement, and expressed support for the efforts of the United States of America to achieve this objective.

81. It was stressed that a lasting peace could only be built on the right to a secure existence for all States in the region, including Israel, and justice for all the peoples, including the right of the Palestinian people to self-determination. These rights must be mutually recognized by the parties themselves. Negotiations will have to embrace all the parties concerned, including the Palestinian people, and the Palestine Liberation Organization will have to be associated with them.

82. The Council concluded that the initiative of the President of the United States of 1 September 1982 indicated a way to peace and the Arab summit meeting at Fez demonstrated a readiness for it. They added that the conclusions of the sixteenth session of the Palestine National Council could and should contribute to the peace process.

83. The Council stressed that the time had come for Israel to show that it stood ready for genuine negotiations on the basis of Security Council resolutions 242 (1967) and 338 (1973), in the first place by refraining from enlarging existing settlements or creating new ones. These settlements were contrary to international law and a major and growing obstacle to peace efforts.

(f) European Parliament

84. At its meeting on 19 May 1983, the European Parliament adopted a resolution regarding the situation in the Middle East. The resolution called on the Foreign Ministers of the European Community meeting in Luxembourg in late May 1983 to take a decision reaffirming the Community's vital role in finding a solution to the political problems of the Middle East. The Foreign Ministers were called upon to use every available means in the context of their common foreign and external economic policy to urge Israel to call an immediate halt to its settlement policy in the West Bank and Gaza.

85. In addition, the Parliament urged the Community to take part in the International Conference on the Question of Palestine.

B. Action taken in accordance with paragraph 2 of resolution 37/86 B

86. In paragraph 2 of resolution 37/86 B of 10 December 1982, the General Assembly requested the Secretary-General to ensure that the Division of Palestinian Rights of the Secretariat continued to discharge the tasks entrusted to it, in consultation with the Committee on the Exercise of the Inalienable Rights of the Palestinian People and under its guidance.

87. In accordance with that resolution, it had originally been intended that three seminars should be held in the course of 1983. However, in view of the rescheduling of the International Conference on the Question of Palestine and consequently of its preparatory meetings, it was decided that only one seminar could be held in 1983, on account of the heavier concentration of work. The eighth seminar on Palestinian rights accordingly took place at Jakarta from 9 to 13 May 1983. The report of that seminar is annexed to the present document (see annex II) .

88. The Committee continued to stress the importance of seminars and recommended that the Division for Palestinian Rights should continue to expand its efforts in this regard on the basis of experience hitherto gained. Committee members attending those events again confirmed that the collective contributions of academicians, parliamentarians and other participating opinion makers had served to promote wider and more objective understanding of the Palestinian question.

89. The Committee noted that, with the co-operation of the Department of Public Information and other offices of the Secretariat, the film on Palestinian rights had been updated, as had the photographic exhibit on Palestinian rights installed at United Nations Headquarters, which was available to United Nations information centres for wide distribution.

90. In addition, the Committee noted that the Division continued to pursue its obligation to prepare and distribute studies on matters relating to the Palestinian question and to have some of them translated into languages other than the official languages of the United Nations.

91. Regarding the International Day of Solidarity with the Palestinian People, the Committee observed with appreciation that this had been duly commemorated in many capitals in 1982. It was hoped that more and more Governments would not only continue to observe the Day in their customary manner but even to do so in a more meaningful and effective manner.

C. Action taken in accordance with paragraph 2 of resolution 36/120 C

92. By paragraph 2 of General Assembly resolution 36/120 C of 10 December 1981, the Committee on the Exercise of the Inalienable Rights of the Palestinian People was authorized to act as the Preparatory Committee for the International Conference on the Question of Palestine, scheduled to be held not later than 1984, in accordance with paragraph 1 of the same resolution. The date was subsequently advanced to 16 to 27 August 1983 and later changed to 29 August to 7 September 1983. Members of the Committee attended all the regional meetings held in connection with Conference preparations.

93. A detailed report of activities concerning preparations for the Conference has been issued separately, so has the report of the Conference itself (A/CONF.114/42).

V. RECOMMENDATIONS OF THE COMMITTEE

94. The Committee, after the intensive activities of the year under review, has abundant evidence that its original recommendations have now been clearly understood by nations and peoples in all geographic regions in the world and that those recommendations are seen to be fair, legally founded, and peaceful, and should therefore be lasting when implemented.

95. The Committee is also greatly encouraged by the positive outcome of the International Conference on the Question of Palestine and feels that a new impetus has now been given to modalities for the attainment of the rights of the Palestinian people as the prerequisite for an overall settlement of the Arab-Israeli conflict. The recommendations of the Committee are duly reflected in the Geneva Declaration on Palestine and the Programme of Action (see A/CONF.114/42) adequately covers the steps needed for implementation.

96. The Committee considers 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 appeals 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.

97. The Committee therefore recommends 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.

98. The Committee also recommends 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/ The Committee is composed of the following members: Afghanistan, Cuba, Cyprus, German Democratic Republic, Guinea, Guyana, Hungary, India, Indonesia, Lao People's Democratic Republic, Madagascar, Malaysia, Mali, Malta, Nigeria, Pakistan, Romania, Senegal, Sierra Leone, Tunisia, Turkey, Ukrainian Soviet Socialist Republic and Yugoslavia.

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

3/ Ibid., Thirty-second Session, Supplement No. 35 (A/32/35), *ibid.*, Thirty-third Session, Supplement No. 35 (A/33/35 and Corr.1) 5 *ibid.*, Thirty-fourth Session, Supplement No. 35 (A/34/35 and Corr.1), *ibid.*, Thirty-fifth Session, Supplement No. 35 (A/35/35 and Corr.1), *ibid.*, Thirty-sixth Session, Supplement No. 35 (A/36/35), and *ibid.*, Thirty-seventh Session, Supplement No. 35 (A/37/35 and Corr.1).

1/ United Nations, Treaty Series, vol. 75, p. 287.

5/ An account of the seventh emergency special session, and its three subsequent resumed sessions, is contained in the Official Records of the General Assembly, Thirty-seventh Session, Supplement No. 35 (A/37/35), paras. 24 to 48.

6/ Official Records of the General Assembly, Thirty-seventh Session, Supplement No. 35 (A/37/35).

#### ANNEX I

##### Recommendations of the Committee endorsed by the General Assembly at its thirty-first session a/

#### I. BASIC CONSIDERATIONS AND GUIDELINES

59. The question of Palestine is at the heart of the Middle East problem, and, consequently, the Committee stressed its belief that no solution in the Middle East can be envisaged which does not fully take into account the legitimate aspirations of the Palestinian people.

60. The legitimate and inalienable rights of the Palestinian people to return to their homes and property and to achieve self-determination, national independence and sovereignty are endorsed by the Committee in the conviction that the full implementation of these rights will contribute decisively to a comprehensive and final settlement of the Middle East crisis.

61. The participation of the Palestine Liberation Organization, the representative of the Palestinian people, on an equal footing with other parties, on the basis of General Assembly resolutions 3236 (XXIX) and 3375 (XXX) is indispensable in all efforts, deliberations and conferences on the Middle East which are held under the auspices of the United Nations.

62. The Committee recalls the fundamental principle of the inadmissibility of the acquisition of territory by force and stresses the consequent obligation for complete and speedy evacuation of any territory so occupied.

63. The Committee considers that it is the duty and the responsibility of all concerned to enable the Palestinians to exercise their inalienable rights.

64. The Committee recommends an expanded and more influential role by the United Nations and its organs in promoting a just solution to the question of Palestine and in the implementation of such a solution. The Security Council, in particular, should take appropriate action to facilitate the exercise by the Palestinians of their right to return to their homes, lands and property. The Committee, furthermore, urges the Security Council to promote action towards a just solution, taking into account all the powers conferred on it by the

Charter of the United Nations.

65. It is with this perspective in view and on the basis of the numerous resolutions of the United Nations, after due consideration of all the facts, proposals and suggestions advanced in the course of its deliberations, that the Committee submits its recommendations on the modalities for the implementation of the exercise of the inalienable rights of the Palestinian people.

## II. THE RIGHT OF RETURN

66. The natural and inalienable right of Palestinians to return to their homes is recognized by resolution 194 (III), which the General Assembly has reaffirmed almost every year since its adoption. This right was also unanimously recognized by the Security Council in its resolution 237 (1967), the time for the urgent implementation of these resolutions is long overdue.

67. Without prejudice to the right of all Palestinians to return to their homes, lands and property, the Committee considers the programme of implementation of the exercise of this right may be carried out in two phases'

### Phase one

68. The first phase involves the return to their homes of the Palestinians displaced as a result of the war of June 1967. The Committee recommends that:

- (i) The Security Council should request the immediate implementation of its resolution 237 (1967) and that such implementation should not be related to any other condition,
- (ii) The resources of the International Committee of the Red Cross (ICRC) and/or of the United Nations Relief and Works Agency for Palestine Refugees in the Near East, suitably financed and mandated, may be employed to assist in the solution of any logistical problems involved in the resettlement of those returning to their homes. These agencies could also assist, in co-operation with the host countries and the Palestine Liberation Organization, in the identification of the displaced Palestinians.

### Phase two

69. The second phase deals with the return to their homes of the Palestinians displaced between 1948 and 1967. The Committee recommends that:

- (i) While the first phase is being implemented, the United Nations in co-operation with the States directly involved, and the Palestine Liberation Organization as the interim representative of the Palestinian entity, should proceed to make the necessary arrangements to enable Palestinians displaced between 1948 and 1967 to exercise their right to return to their homes and property, in accordance with the relevant United Nations resolutions, particularly General Assembly resolution 194 (III),
- (ii) Palestinians not choosing to return to their homes should be paid just and equitable compensation as provided for in resolution 194 (III).

## III. THE RIGHT TO SELF-DETERMINATION, NATIONAL INDEPENDENCE AND SOVEREIGNTY

70. The Palestinian people has the inherent right to self-determination, national independence and sovereignty in Palestine. The Committee considers that the evacuation of the territories occupied by force and in violation of the principles of the Charter and relevant resolutions of the United Nations is a conditio sine qua non for the exercise by the Palestinian people of its inalienable rights of Palestinians to their homes and property and with the establishment of an independent Palestinian entity, the Palestinian people will be able to exercise its rights to self-determination and to decide its form of government without external interference.

71. The Committee also feels that the United Nations has an historical duty and responsibility to render all assistance necessary to promote the economic development and prosperity of the Palestinian entity.

72. To these ends, the Committee recommends that:

(a) A timetable should be established by the Security Council for the complete withdrawal by Israeli occupation forces from those areas occupied in 1967; such withdrawal should be completed no later than 1 June

1977;

(b) The Security Council may need to provide temporary peace-keeping forces in order to facilitate the process of withdrawal;

(c) Israel should be requested by the Security Council to desist from the establishment of new settlements and to withdraw during this period from settlements established since 1967 in the occupied territories. Arab property and all essential services in these areas should be maintained intact;

(d) Israel should also be requested to abide scrupulously by the provisions of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, and to declare, pending its speedy withdrawal from these territories, its recognition of the applicability of that Convention;

(e) The evacuated territories, with all property and services intact, should be taken over by the United Nations, which with the co-operation of the League of Arab States, will subsequently hand over these evacuated areas to the Palestine Liberation Organization as the representative of the Palestinian people;

(f) The United Nations should, if necessary, assist in establishing communications between Gaza and the West Bank;

(g) As soon as the independent Palestinian entity has been established, the United Nations, in co-operation with the States directly involved and the Palestinian entity, should, taking into account General Assembly resolution 3375 (XXX), make further arrangements for the full implementation of the inalienable rights of the Palestinian people, the resolution of outstanding problems and the establishment of a just and lasting peace in the region, in accordance with all relevant United Nations resolutions;

(h) The United Nations should provide the economic and technical assistance necessary for the consolidation of the Palestinian entity.

#### Notes

a / Official Documents of the General Assembly, Thirty-second Session, Supplement No. 35 (A/3 2/3 5) .

#### ANNEX II

##### Report of the Eighth United Nations Seminar on the Question of Palestine, held at Jakarta from 9 to 13 May 1983

1. The Eighth United Nations Seminar on the Question of Palestine with "The inalienable rights of the Palestinian people. as its central theme, was held in the Hotel Indonesia, Jakarta, Republic of Indonesia, from 9 to 13 May 1983, in accordance with the terms of General Assembly resolution 36/120 B. Seven meetings were held and 16 panelists presented papers on various aspects of the question of Palestine.
2. The United Nations Committee on the Exercise of the Inalienable Rights of the Palestinian People was represented by a delegation consisting of Mr. Massamba Sarre (Senegal), Chairman of the Committee, Mr. Farid Zarif (Afghanistan), Vice-Chairman of the Committee, Mr. T. P. Sreenivasan (India), Mr. Boer Mauna (Indonesia), Mr. Khalid Mahmood (Pakistan), Mr. Darko Silovic (Yugoslavia) and Mr. Z. L. Terzi (Palestine Liberation Organization). Mr. Sarre was Chairman and Mr. Boer Mauna Rapporteur of the Seminar.
3. The opening session of the Seminar on 9 May 1983 was addressed by Mr. Mochtar Kusumaatmadja, Minister for Foreign Affairs of the Republic of Indonesia, who stated that the Government and people of Indonesia had maintained a long-standing policy of unswerving support for all efforts by the international community to achieve the effective exercise by the Palestinian people of their inalienable rights. Indonesia's position had always been based on the firm conviction that lasting peace could only be established in the Middle East when the question of Palestine had been settled on an equitable and just basis.
4. The Seminar was being convened during a time when the Palestinians were being subjected to ever greater brutal oppression and killings. All of these heinous acts that had brought untold tragedy to the Palestinian people and to Lebanon, had sharply increased the danger of world-wide conflagration and had brought neither peace nor security to Israel.
5. While the terrorization of the Palestinian inhabitants of Lebanon continued, the population of the occupied territories had also experienced intensified repression, intimidation and a reign of terror.
6. A comprehensive, just and lasting solution must be achieved through the restoration to the Palestinian people of their inalienable rights to self-determination and independence and to the establishment of their own sovereign State. No solution could be comprehensive and just unless the Palestine Liberation Organization fully participated in the negotiations of that solution and its implementation. Peace and security in the region could only be based on Israel's total and unconditional withdrawal from all occupied Arab territories, including Jerusalem.

7. The Foreign Minister expressed the hope that on the basis of the deliberations at the Seminar, both the participants and the large international press corps at Jakarta would do their part in heightening awareness and strengthening solidarity with the Palestinian people. He appealed particularly to the Indonesian press to give maximum coverage to the Seminar.

8. At the same opening session, Mr. Massamba Sarre, Chairman of the Committee, gave a brief account of the Committee's work. He emphasized the importance of the Seminar as a step towards ensuring that the rights of the Palestinians would be implemented. The Seminar itself was part of a programme to ensure that the facts relating to the question of Palestine reached not only those who were willing to listen but also those who had hitherto consistently refused to do so or had been denied access to the facts. For a long time, biased reporting had had the unfortunate effect of always presenting the Palestinian people and their hopes and ambitions in an unfavourable light or of completely ignoring them. If all the facts were known, the resultant understanding of the question would convince the international community of the just cause of the Palestinians. The International Conference on the Question of Palestine later in the year was a further step in the search for a solution to the problem. It was absolutely essential that every Government should participate in that Conference and play an active role in it.

9. A message from Mr. Yasser Arafat, Chairman of the Executive Committee of the Palestine Liberation Organization, was conveyed to the Seminar by Mr. Zehdi L. Terzi, Permanent Observer of the Palestine Liberation Organization to the United Nations.

Mr. Arafat's message referred to the heroic Palestinian people who had confronted and frustrated the military assault in Lebanon. The Zionists had then resorted to the act of genocide of unarmed defenceless civilians whose only protection was an assurance by the United States that adequate safeguards would be guaranteed. No such safeguards were in sight. The Palestine Liberation Organization had affirmed its adherence to all relevant United Nations resolutions on the question of Palestine. The Palestinian people would persist in carrying the olive branch on the road to peace but would carry, as well, the gun to secure and ensure the peace process and to secure their safety and survival and the attainment and exercise of their inalienable rights.

10. Mrs. Rasil Basu, principal officer of the International Conference on the Question of Palestine, made a statement on behalf of the Secretary-General of the International Conference at the opening session. She outlined the objectives of the Conference and reviewed the work done by the four regional preparatory meetings, held in Africa, Latin America, Asia and West Asia, in preparation for the Conference. Those regional meetings were designed to build a firm political, juridical and socio-economic foundation for the International Conference. Each focused on a specific aspect of the larger Palestinian question. All four meetings underscored that the United Nations must be challenged to sharpen its focus and undertake more concrete steps regarding the question of Palestine.

11. Mr. H. Z. A. Oesman, Assistant Secretary-General of the Organization of the Islamic Conference, made a statement at the opening session. He said that, despite numerous United Nations resolutions on the recognition of the historical rights of the Palestinian people, and the approval of the Fez Peace Plan by the Non-Aligned Movement, the Organization of the Islamic Conference and the League of Arab States' including the Palestine Liberation Organization, the State of Israel was becoming more and more obstinate and oppressive without the least consideration for the official and popular international public opinion that stood by the Palestinian people in their legitimate struggle. The international community must put pressure not only on Israel but also on the country which was behind that entity in order to compel it to abide by United Nations resolutions and particularly by those relating to the problem of Palestine and its people. The big Powers in the world, with the support of other States, should impose peace by cutting the Zionist, racist entity to its proper size, by depriving it of supplies and assistance and by imposing necessary sanctions against it, he concluded.

12. Dr. Muhammad H. El-Farra, Assistant Secretary-General of the League of Arab States, addressed the second meeting of the Seminar. In reviewing the historical transformation in the status of Palestine since the time of the Ottoman Empire up to the present, he cited the 1917 Balfour Declaration as Britain's "worst breach of faith.. The League of Arab States wanted to see a just and lasting peace in Palestine which took Palestinian rights into account. It was against the basic concept of Zionism, which created an exclusively Jewish State on land purloined by force; a "master race" based on a religion, and a militant, expansionist policy, which was implemented in total disregard of the national rights of the Palestinian people. There could be no peace as long as Israeli leaders continued to gloss over the realities of the Palestinian people. The United States must realize that, in dealing with the future of a people, the people must be consulted. Their future must be discussed with their representatives. The Palestine Liberation Organization was the sole legitimate representative of the people of Palestine and without its active participation there could be no peace.

13. The closing meeting was addressed by Mr. Munawir Siadzali, Minister for Religious Affairs of the Republic of Indonesia.

14. Five panels were established to consider different aspects of the central theme "The inalienable rights of the Palestinian people". These panels and their panelists were as follows:

- (a) Israeli policies and practices in the occupied Palestinian and Arab territories in the light of the recent events in the region

Panelists: Mr. Ignatius Benedict Fonseka (Sri Lanka), Mr. Raja Shohadeh (Palestinian); Dr. Muhammad Aziz Shokri (Syrian Arab Republic);

- (b) Asia and Palestine: measures to promote solidarity and mutual support in the search for peace

Panelists: Mr. Hardi (Indonesia); Mr. Nobuo Asai (Japan); Professor R. P. Saksena (India), Mr. Yu



Mengjia (China); Mr. Saeeduddin Ahmed Dar (Pakistan);

(c) The status of the Holy City of Jerusalem

Panelists: Dr. Abdelwahah Bonhdiba (Tunisia); Mr. August Marpaung (Indonesia); Dr. Raouf Nazmi (Egypt); Dr. Kemal Oke (Turkey); H.E. Mr. Kacem Zhiri (Morocco);

(d) The role of the Palestine Liberation Organization in the social, cultural, economic and political development of the Palestinian people

Panelist: Mr. Janusz Zebrowski (Poland);

(e) The role of the United Nations in the search for effective measures to enable the Palestinian people to attain and to exercise its inalienable rights with special emphasis on the importance of the International Conference on the Question of Palestine

Panelists: Dr. Oleg V. Kovtunovich (USSR); Dr. Amin Rais (Indonesia).

15. The Seminar decided that in accordance with previous practice, the papers presented by the panelists should be published in full by the United Nations together with the report of the Seminar. It was felt that that would be a valuable contribution towards an objective appraisal of the question of Palestine.

16. The discussions that followed the presentation of papers covered several aspects of the question of Palestine and demonstrated a general consensus on the issues relating to the problem.

17. The Seminar agreed that the attainment by the Palestinian people of its inalienable rights was a sine qua non for a just and durable peace in the Middle East. The attainment of those rights as well as international law and the provisions of the relevant United Nations resolutions required that Israel should withdraw immediately from the Arab lands it had illegally occupied since 1967. The continued occupation merely served to exacerbate tensions in the area and posed a threat to international peace and security.

18. In spite of the fact that the United Nations had consistently reaffirmed the inalienable rights of the Palestinian people, Israel had continued to violate them and prevent their realization in defiance of international public opinion and in violation of international law.

19. The Seminar noted that the vast majority of the international community was already convinced of the justice of the cause of the Palestinian people and that many constructive suggestions had been made in attempts to enable the Palestinian people to exercise its rights.

20. Asia's interest in and commitment to the cause of the Palestinian people was highlighted by many participants. It was pointed out that, while diplomatic relations had existed between some Asian States and Israel, Israel's policy of aggression and expansion had resulted in changing the attitudes of several of those States. It was only natural that those who had emerged from the status of colonies should be sympathetic to the struggle of the Palestinian people, who were now being subjected to similar oppression. The conflict in the Middle East, at the core of which was the question of Palestine, was of immediate concern to all Asian States since the struggle of the Palestinian people was inseparable from peace in Asia and the world as a whole.

21. Attention was drawn to the fact that Asian support for the rights of the Palestinian people could be traced to the very beginnings of the problem and that Asian nations had supported the just cause of the Palestinians when the question was first discussed in the United Nations in 1947. That support had continued throughout the years.

22. It was recalled that special attention had been paid to the problem at the Asian African Conference at Bandung in April 1955. The final communique of that Conference had contained the following paragraph:

"In view of the existing tension in the Middle East, caused by the situation in Palestine and of the danger of that tension to world peace, the Asian African Conference declared its support of the rights of the Arab people of Palestine and called for the implementation of the United Nations resolutions on Palestine and the achievement of the peaceful settlement of the Palestine question."

23. That support was based on the fundamental and universal principles of peace, freedom, independence, justice and human rights that the Bandung Conference upheld.

24. In order to strengthen the support for the Palestinian cause that already existed in Asia, it was suggested that special United Nations information centres should be established in various cities in Asia in order to establish closer liaison with the media and to ensure that factual information on the question of Palestine was disseminated. The media, particularly the more influential sections of the press, had a special responsibility in this regard.

25. In order to promote solidarity with the Palestinian people, it was suggested that Asian States which had not already done so should sever diplomatic relations with Israel and declare contraband all produce extracted from land and water resources expropriated from Arab lands. Further, Governments should build up pressure on the United States to act in accordance with United Nations resolutions.

26. Israel's policies and practices in the West Bank and Gaza and other occupied Arab territories were condemned as violations of the human rights of the inhabitants of those territories. Those policies and practices were seen as clear precursors of annexation in violation of international law and opinion. They were seen as aimed at creating "facts" which would make any negotiation on the future of the occupied territories a negotiation on the future of the Arab inhabitants rather than on the sovereignty of the Palestinian people.

27. The Seminar held that military occupation did not and could not displace or transfer sovereignty and that annexation of occupied territory was a violation of the Charter of the United Nations and the tenets of international law. The Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, of which Israel was one of the signatories, applied to the occupied Palestinian and other Arab territories. Any step towards annexation, therefore, would be illegal just as the annexation of Jerusalem and the Golan Heights were declared null and void and without legal effect by resolutions of the United Nations.

28. Israel's illegal policies of land acquisition, settlements and repression in the West Bank and Gaza were also clear violations of international law and practice. Those Israeli policies and practices had been extensively documented by the United Nations Special Committee to Investigate Israeli Practices affecting the Human Rights of the Population of the Occupied Territories, which was established in 1968. The repeated renewal of that Special Committee's mandate, in spite of Israel's refusal to co-operate with it, reflected the international community's concern over the situation in the occupied territories. However, in spite of all the efforts of that Committee and the General Assembly, the human rights situation in those territories had continued to deteriorate.

29. The Special Committee, after objective consideration of the evidence, both oral and written, presented to it, had come to the conclusion that the fundamental right to self-determination in the occupied territories had been disregarded. A policy had been elaborated and was being implemented which was designed to extend Israeli sovereignty over the occupied territories.

30. In violation of the Fourth Geneva Convention of 1949, Israel had established over 130 settlements in the West Bank, Gaza and the Golan Heights and was proceeding with plans to establish several more. Those settlements were now inhabited by Israeli citizens transferred by the Government of Israel. The progression of settlements and encroachment which commenced in 1967 still continued and was facilitated by illegal acquisition of land which belonged to the Arab inhabitants. The establishment of settlements and all that it was giving rise to by way of changes in the legal and administrative institutions in the occupied territories as well as in the way it affected the human rights situation there were increasingly becoming the backbone of Israel's policy of annexation.

31. In addition, there were other measures such as Military Order 854, which was clearly aimed at preventing the evolution of the higher educational institutions and at suppressing every manifestation of Palestinian patriotism. Military Order 854 and its implications, the Seminar noted, had been widely condemned not only by Governments, but also by leading academics.

32. The reality reflected in the reports of the Special Committee showed that the Government of Israel was in the process of annihilating, if not eliminating, a people by illegally creating a situation designed to drive them out of their homeland or to remain in a state of perpetual subjugation.

33. Concern was expressed by the Seminar at the speed with which those policies were being implemented in spite of the international outcry against them. The Seminar felt that a halt and reversal of those policies was urgently required. Recent developments had greatly increased the importance of the time factor. Each day's delay permitted Israel to tighten further its grip on the illegally occupied Arab and Palestinian territories and to carry out its policy of annexation, which was increasingly acknowledged as a major obstacle to peace.

34. The policies and practices pursued by Israel in the occupied territories were illegal because in the final analysis, the occupation itself was illegal.

35. The status of the Holy City of Jerusalem was the subject of considerable discussion. Its history was traced and the conclusion reached that the final status of Jerusalem would be among the most difficult of the issues to solve. The Seminar confirmed that the occupation and Judaization of Jerusalem posed a challenge to the universal conscience and that Israel's unilateral acts to annex the city should continue to be condemned and declared null and void and without legal effect in accordance with relevant resolutions of the United Nations. The Security Council should adopt measures to enforce its decisions.

36. It was not its sacred or religious aspects which gave rise to problems. Israel had annexed Jerusalem by force and was attempting to Judaize it. The annexation of Jerusalem and its gradual Judaization by Israel were calculated to obliterate the unique character of the Holy City. The Israeli practices in Jerusalem had caused an impediment to the decolonization of Jerusalem, which was inseparable from the emergence of Palestine as a State.

37. It was stated that the right of self-determination, an inalienable right of the Palestinian people, extended to the population of Jerusalem itself and the Palestinians, represented by the Palestine Liberation Organization, were justified in insisting on Jerusalem as the capital of the State of Palestine when it was established. Ultimately it was within the framework of respect for the fundamental principles of the right of the Palestinian people to self-determination that the status of Jerusalem would find its solution. The status of Jerusalem as envisaged in United Nations resolutions remained the basis of a solution.

38. The Seminar heard an analysis of the socio-economic contribution of the Palestinian people in the countries throughout which they were dispersed. As a result of the loss of their land, they had turned from agriculture, which had been their main occupation, to urban employment such as light industry, building and

the commercial and social service sectors. Some had entered the legal, medical and other professions and a few had attained high positions in the lands of their adoption.

39. Economic activity at present constituted a very modest part of Palestinian potential, since the majority of the Palestinians were still employed by non-Palestinian employers and only political independence and the end of the Palestinian diaspora would enable Palestinians to build up their own economy.

40. The Palestine Liberation Organization's success in organizing the Palestinian people, not only on the political level but also on the social, economic, cultural and administrative levels had created a structural framework for the Palestinian national identity and would be available when a Palestinian State was established.

41. The Seminar urged all States which had not as yet done so to recognize the Palestine Liberation Organization as the sole, legitimate representative of the Palestinian people, and to extend full diplomatic recognition to it.

42. The Seminar noted that the United Nations had given its constant attention to the question of Palestine and that apart from the General Assembly and the Security Council where various aspects of the problem were continually discussed, several other United Nations bodies also dealt with the problem. However, a solution was no nearer now than it had been in 1947.

43. The inability of the United Nations to resolve the problem was traced to the gross violations of its resolutions and of international law and conventions by Israel even though Israel had acceded to those conventions. It was stated that Israel was able to persist in this defiance because it enjoyed the support of the United States which, by the use of the veto in the Security Council, was able to block any action to implement the recommendations of the Committee on the Exercise of the Inalienable Rights of the Palestinian People.

44. A proposal was made that certain issues could be referred to the International Court of Justice for an advisory opinion. Among these, special emphasis was given to the value of obtaining an advisory opinion on what the legal consequences are for other States, of the continued presence of Israel in the Palestinian and other occupied Arab territories in violation of Security Council resolutions and international law and conventions. Some participants, however, questioned the advisability of adopting that course of action.

45. The path to peace lay in the attainment by the Palestinian people of its inalienable rights and required that the right of all States in the area to security should be guaranteed and that all parties to the conflict, including Israel and the Palestinian State, when it was created, must assume obligations to respect the sovereignty, independence and territorial integrity of each other and to settle any disputes that might arise by peaceful means.

46. Such a settlement required international guarantees. The role of guarantor could be assumed by the Security Council.

47. The Seminar was reminded that proposals for a peaceful solution based on United Nations decisions and resolutions such as those of the non-aligned States, the Fez Arab peace plan and the Soviet proposal, should and could contribute to a just settlement of the problem.

48. The Seminar agreed that the implementation of the relevant United Nations resolutions would lead to a just, durable and comprehensive solution of the problem of Palestine.

49. The International Conference on the Question of Palestine scheduled for August 1983 could make a valuable contribution to a peaceful solution by drawing the attention of world public opinion to the tragedy of the Palestine people and by fostering activities in the search for a just solution. That Conference should stress the responsibility of all States Members of the United Nations for the attainment of a lasting peace in the Middle East. It was urged that participation at the Conference should be at the highest possible level.

50. A suggestion was made that the United Nations, particularly the United Nations Educational, Scientific and Cultural Organization, should arrange a new system to gather and pool information on all the world-wide activities relating to Palestine.

51. It was suggested that the Committee on the Exercise of the Inalienable Rights of the Palestinian People should send missions to capitals of Governments which had not so far extended their full support to the just cause of the Palestinian people, in order to endeavour to persuade them to adopt a more positive attitude in promoting the attainment of Palestinian rights.

52. The Seminar expressed its appreciation to the Government of the Republic of Indonesia for its kind co-operation in providing a venue for the Seminar and for all the courtesy and assistance it had extended to the participants to ensure that the Seminar was a success. The interest in the Seminar shown by the Government was a reflection of its deep commitment to the just cause of the Palestinian people.