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### REPORT OF THE ECONOMIC AND SOCIAL COUNCIL

#### Report of the Second Committee

Rapporteur: Ms. Silvia Cristina CORADO-CUEVAS (Guatemala)

#### I. INTRODUCTION

1. At its 3rd plenary meeting, on 20 September 1996, the General Assembly, on the recommendation of the General Committee, decided to include in the agenda of its fifty-first session the item entitled "Report of the Economic and Social Council" and to allocate to the Second Committee the relevant chapters of the Council's report.<sup>a</sup>
2. The Second Committee considered the item at its 27th, 28th and 35th to 38th meetings, on 6, 18 and 25 November and on 2 December 1996. An account of the Committee's consideration of the item is contained in the relevant summary records (A/C.2/51/SR.27, 28 and 35-38). Attention is also drawn to the general debate held by the Committee at its 3rd to 6th and 8th meetings, from 14 to 18 October (A/C.2/51/SR.3-6 and 8).
3. For its consideration of the item, the Committee had before it the following documents:
  - (a) Relevant chapters of the report of the Economic and Social Council for 1996 (chaps. I, III, IV, V (sects. B-E and H) and VII);<sup>1</sup>
  - (b) Note by the Secretary-General transmitting the report of the Economic and Social Commission for Western Asia on economic and social repercussions of the Israeli settlements on the Palestinian people in the Palestinian territory, including Jerusalem, occupied since 1967, and on the Arab population of the occupied Syrian Golan ([A/51/135-E/1996/51](#));
  - (c) Report of the Secretary-General on preventive action and intensification of the struggle against malaria in developing countries, particularly in Africa (A/51/379);
  - (d) Note by the Secretary-General transmitting the report of the Executive Director of the United Nations Population Fund on the United Nations Population Award (A/51/534).
4. At the 27th meeting, on 6 November, introductory statements were made by the Director of the Division for Policy Coordination and Economic and Social Council Affairs of the Department for Policy Coordination and Sustainable Development, the Director of the Division of Control of Tropical Diseases of the World Health Organization and the Chief of the Regional Commissions New York Office (see A/C.2/51/SR.27).

<sup>a</sup> A/51/3 (Parts I-III); to be issued in final form as Official Records of the General Assembly, Fifty-first Session, Supplement No. 3 (A/51/3/Rev.1).

#### II. CONSIDERATION OF PROPOSALS

B. Draft resolutions A/C.2/51/L.29 and A/C.2/51/L.30 and Rev.2

9. At the 35th meeting, on 18 November, the representative of the Syrian Arab Republic, on behalf of the Group of Arab States, Afghanistan and Cuba, introduced a draft resolution entitled "Economic and social repercussions of the Israeli settlements on the Palestinian people in the Palestinian territory, including Jerusalem, occupied since 1967, and on the Arab population of the occupied Syrian Golan" (A/C.2/51/L.29), which read:

" The General Assembly ,

" Recalling Economic and Social Council resolution 1996/40 of 26 July 1996,

" Reaffirming the principle of the permanent sovereignty of people under foreign occupation over their national resources,

" Guided by the principles of the Charter of the United Nations, affirming the inadmissibility of the acquisition of territory by force, and recalling Security Council resolutions 242 (1967) of 22 November 1967 and 497 (1981) of 17 December 1981,

" Recalling Security Council resolution 465 (1980) of 1 March 1980 and other resolutions in which the Security Council affirmed the applicability of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, to the occupied Palestinian territory, including Jerusalem, and other Arab territories occupied by Israel since 1967,

" Also recalling Security Council resolution 904 (1994) of 18 March 1994, in which, among other things, the Council called upon Israel, the occupying Power, to continue to take and implement measures, including, inter alia, confiscation of arms, with the aim of preventing illegal acts of violence by Israeli settlers, and called for measures to be taken to guarantee the safety and protection of the Palestinian civilians in the occupied territory,

" Welcoming the ongoing Middle East peace process started at Madrid on 30 October 1991 on the basis of Security Council resolutions 242 (1967), 338 (1973) of 22 October 1973 and 425 (1978) of 19 March 1978 and the principle of land for peace, in particular the two implementation agreements embodied in the Agreement on the Gaza Strip and the Jericho Area of 4 May 1994 and the Interim Agreement on the West Bank and the Gaza Strip of 28 September 1995,

" Aware of the negative and grave economic and social repercussions of the Israeli settlements on the Palestinian people in the Palestinian territory, occupied since 1967, including Jerusalem, and on the Arab population of the occupied Syrian Golan,

"1. Takes note of the report of the Secretary-General; 1/

"2. Reaffirms that Israeli settlements in the Palestinian territory, including Jerusalem, and other Arab territories occupied since 1967 are illegal and an obstacle to economic and social development;

"3. Recognizes the economic and social repercussions of the Israeli settlements on the Palestinian people in the Palestinian territory occupied by Israel since 1967, including Jerusalem, and on the Arab population of the occupied Syrian Golan;

"4. Reaffirms the inalienable right of the Palestinian people and the population of the occupied Syrian Golan to their natural and all other economic resources, and regards any infringement thereupon as illegal;

"5. Requests the Secretary-General to submit to the General Assembly at its fifty-second session, through the Economic and Social Council, a report on the progress made in the implementation of the present resolution.

1/ A/51/135-E/1996/51."

10. At the same meeting, the representative of Malaysia, on behalf of Bangladesh, Egypt, Malaysia, Mauritania, the Sudan, Tunisia, the United Arab Emirates and Yemen, introduced a draft resolution entitled "Natural resources of the occupied Palestinian territory, including Jerusalem, and other occupied Arab territories" (A/C.2/51/L.30), which read:

" The General Assembly ,

" Reaffirming the principle of the permanent sovereignty of peoples under foreign occupation over their natural resources,

" Guided by the principles of the Charter of the United Nations and affirming the inadmissibility of the acquisition of territory by war,

" Reaffirming the applicability of the Fourth Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, to the occupied Palestinian territory, including Jerusalem, and other Arab territories occupied by Israel since 1967,

" Expressing concern at the exploitation by Israel, the occupying Power, of the natural resources of the occupied Palestinian territory, including Jerusalem, and other Arab territories occupied by Israel since 1967,

" Aware of the additional, dangerous impact of the Israeli colonial settlements on Palestinian and other Arab natural resources, especially the confiscation of land and the theft of water resources,

" Welcoming the Middle East peace process and the agreements reached, and calling for the scrupulous implementation of those agreements,

"1. Reaffirms the inalienable rights of the Palestinian people and the population of the occupied Syrian Golan to sovereignty over their natural resources, including their land, water, archaeological ruins and artifacts, and geological resources;

"2. Reaffirms also the obligations of Israel, the occupying Power, under international law, not to exploit, cause loss and depletion of or endanger the natural resources in the occupied Palestinian territory, including Jerusalem, and other Arab territories occupied by Israel since 1967, and requests that Israel abide by these obligations;

"3. Recognizes the right of the Palestinian people to restitution and full compensation as a result of any exploitation, loss or depletion of, or damage to, their natural resources;

"4. Requests the Secretary-General to report on the implementation of the present resolution, and decides to include on the agenda of its fifty-second session the item 'Permanent sovereignty of peoples under foreign occupation over their natural resources'."

11. At the 37th meeting, on 2 December, the Vice-Chairman of the Committee, Mr. Kheirredine Ramoul (Algeria), informed the Committee of the results of the informal consultations held on draft resolutions A/C.2/51/L.29 and L.30, and drew the Committee's attention to a revised draft resolution entitled "Permanent sovereignty of the Palestinian people in the occupied Palestinian territory, including Jerusalem, and of the Arab population in the occupied Syrian Golan over their natural resources" (A/C.2/51/L.30/Rev.2), submitted by the sponsors of draft resolution A/C.2/51/L.30 and Algeria.

12. At the same meeting, the representative of Malaysia informed the Committee that Cuba, Jordan and Saudi Arabia had joined in sponsoring the revised draft resolution.

13. Before the adoption of the revised draft resolution, statements were made by the representatives of Israel and Lebanon (see A/C.2/51/SR.37).

14. Also at its 37th meeting, the Committee adopted revised draft resolution A/C.2/51/L.30/Rev.2 by a recorded vote of 123 to 2, with 17 abstentions (see para. 24, draft resolution II). The voting was as follows:<sup>a</sup>

In favour: Afghanistan, Algeria, Andorra, Angola, Antigua and Barbuda, Armenia, Australia, Austria, Azerbaijan, Bahrain, Bangladesh, Belgium, Belize, Bhutan, Bolivia, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Burundi, Cambodia, Canada, Chad, Chile, China, Comoros, Cuba, Cyprus, Czech Republic, Democratic People's Republic of Korea, Denmark, Ecuador, Egypt, Estonia, Ethiopia, Finland, France, Germany, Ghana, Greece, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, Hungary, Iceland, India, Indonesia, Iran (Islamic Republic of), Ireland, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Lebanon, Libyan Arab Jamahiriya, Liechtenstein, Luxembourg, Malaysia, Maldives, Mali, Malta, Mauritania, Mexico, Monaco, Mongolia, Morocco, Myanmar, Namibia, Nepal, Netherlands, New Zealand, Niger, Norway, Oman, Pakistan, Panama, Papua New Guinea, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Saint Lucia, Samoa, Saudi Arabia, Senegal, Singapore, Slovakia, Slovenia, Solomon Islands, South Africa, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Syrian Arab Republic, Thailand, The former Yugoslav Republic of Macedonia, Togo, Trinidad and Tobago, Tunisia, Turkey, Uganda, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, Venezuela, Viet Nam, Yemen, Zambia, Zimbabwe.

Against: Israel, the United States of America.

Abstaining: Argentina, Bahamas, Barbados, Belarus, Côte d'Ivoire, El Salvador, Fiji, Georgia, Kenya, Liberia, Marshall Islands, Micronesia (Federated States of), Nicaragua, Nigeria, Paraguay, Ukraine, Uruguay.

<sup>a</sup> The representative of Eritrea subsequently indicated that he had intended to vote in favour, and the representative of Colombia stated that had he been present he would have voted in favour.

15. After the adoption of the draft resolution, statements were made by the representatives of Japan, Ireland (on behalf of the European Union), the United States of America, Argentina, Australia, Canada and the Islamic Republic of Iran (see A/C.2/51/SR.37).

16. In the light of the adoption of draft resolution A/C.2/51/L.30/Rev.2, draft resolution A/C.2/51/L.29 was withdrawn by its sponsors.

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## DRAFT RESOLUTION II

### Permanent sovereignty of the Palestinian people in the

occupied Palestinian territory, including Jerusalem,  
and of the Arab population in the occupied Syrian Golan  
over their natural resources

The General Assembly,

Recalling Economic and Social Council resolution 1996/40 of 26 July 1996,

Reaffirming the principle of the permanent sovereignty of people under foreign occupation over their natural resources,

Guided by the principles of the Charter of the United Nations, affirming the inadmissibility of the acquisition of territory by force, and recalling Security Council resolutions, including resolutions 242 (1967) of 22 November 1967, 465 (1980) of 1 March 1980 and 497 (1981) of 17 December 1981,

Reaffirming the applicability of the Fourth Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, 1/ to the occupied Palestinian territory, including Jerusalem, and other Arab territories occupied by Israel since 1967,

Expressing concern at the exploitation by Israel, the occupying Power, of the natural resources of the occupied Palestinian territory, including Jerusalem, and other Arab territories occupied by Israel since 1967,

Aware of the additional, detrimental economic and social impact of the Israeli settlements on Palestinian and other Arab natural resources, especially the confiscation of land and the forced diversion of water resources,

Welcoming the ongoing Middle East peace process which was started at Madrid on 30 October 1991 and which is based on Security Council resolutions 242 (1967), 338 (1973) of 22 October 1973 and 425 (1978) of 19 March 1978 and the principle of land for peace, in particular the two implementation agreements embodied in the Agreement on the Gaza Strip and the Jericho Area of 4 May 1994 2/ and the Interim Agreement on the West Bank and the Gaza Strip of 28 September 1995,

1. Takes note of the report of the Secretary-General; 3/
2. Reaffirms the inalienable right of the Palestinian people and the population of the occupied Syrian Golan over their natural resources, including land and water;
3. Calls upon Israel, the occupying Power, not to exploit, to cause loss and depletion of or to endanger the natural resources in the occupied Palestinian territory, including Jerusalem, and in the occupied Syrian Golan;
4. Recognizes the right of the Palestinian people to claim restitution as a result of any exploitation, loss or depletion of, or danger to, their natural resources, and expresses the hope that this issue will be dealt with in the framework of the final status negotiation between the Palestinian and Israeli sides;
5. Requests the Secretary-General to report to it at its fifty-second session on the implementation of the present resolution, and decides to include in the agenda of its fifty-second session the item entitled "Permanent sovereignty of the Palestinian people in the occupied Palestinian territory, including Jerusalem, and of the Arab population in the occupied Syrian Golan over their natural resources.

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

2/ A/49/180-S/1994/727, annex.

3/ A/51/135-E/1996/51."

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ANNEX

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1997

Item 1. Report of the Economic and Social Council

The list of questions and documentation under this item corresponds to requests for reports from the General Assembly. The list will be finalized after the Economic and Social Council completes its work in 1997.

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Permanent sovereignty over national resources in the occupied Palestinian and other Arab territories

Documentation

Report of the Secretary-General on economic and social repercussions of the Israeli settlements on the Palestinian people in the Palestinian territory, including Jerusalem, occupied since 1967, and on the Arab population of the occupied Syrian Golan (Economic and Social Council resolution 1996/40) <sup>a</sup>

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Item 8.

Permanent sovereignty of the Palestinian people in the occupied Palestinian territory, including Jerusalem, and of the Arab population in the occupied Syrian Golan over their natural resources

Documentation

Report of the Secretary-General on the implementation of draft resolution A/C.2/51/L.30/Rev.2

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<sup>a</sup> Report submitted to the General Assembly through the Economic and Social Council.

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