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*Prepared for, and under the guidance of,  
the Committee on the Exercise of the Inalienable Rights  
of the Palestinian People*

**The Origins and Evolution  
of the Palestine Problem:  
1917-1988**

**PART IV  
1984-1988**

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**INTRODUCTION**

The International Conference on the Question of Palestine, held between 29 August and 7 September 1983 at Geneva, became a landmark event which focused the attention of the international community on the struggle of the Palestinian people for its inalienable rights. The Conference elaborated and adopted two far-reaching political documents designed to map out principal guidelines and directions of activities relating to the question of Palestine in years to come.

The Geneva Declaration on Palestine, adopted by the International Conference on the Question of Palestine, laid down guidelines for concerted international efforts aimed at a comprehensive, just and lasting political settlement of the question of Palestine through the convening of an international peace conference on the Middle East. The Programme of Action for the Achievement of Palestinian Rights clearly outlined the obligations and responsibilities of United Nations Member States, the United Nations system as a whole and its bodies and agencies in particular. Further, this document highlighted the role of intergovernmental and non-governmental organizations (NGOs) in raising awareness of the core of the Middle East problem, namely, the question of Palestine.

The need for and urgency of convening an international peace conference were recognized in subsequent years in a series of General Assembly resolutions, proposals by major intergovernmental organizations and individual States Members of the United Nations, as well as by hundreds of NGOs. The years 1984 to 1988 were marked by a continuous effort by all these forces to convene an international peace conference on the Middle East and to find a solution to the question of Palestine and the Arab-Israeli conflict as a whole.

Over the years, the United Nations General Assembly, the Security Council, the Committee on the Exercise of the Inalienable Rights of the Palestinian People, other organs and bodies of the United Nations system as well as the International Committee of the Red Cross (ICRC) have been continuously seized of the ever-deteriorating situation in the Palestinian territory occupied by Israel since 1967. The Committee on the Exercise of the Inalienable Rights of the Palestinian People has been prompt in responding to the developments in the region through the consideration of this matter at its meetings. It has also brought such developments to the attention of the Secretary-General and the President of the Security Council and has called for appropriate measures in accordance with relevant United Nations resolutions, including application by Israel of the provisions of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, <sup>1/</sup> and appropriate action by the Secretary-General to provide protection and assistance to the Palestinians in the occupied Palestinian territory.

**I. THIRTY-EIGHTH SESSION OF THE GENERAL ASSEMBLY AND THE QUESTION OF PALESTINE**

The year 1983 was marked by the adoption by the thirty-eighth session of the General Assembly of resolution 38/58 C of 13 December 1983. <sup>2/</sup> This resolution welcomed and endorsed the call made by the International Conference on the Question of Palestine to convene the International Peace Conference on the Middle East in conformity with the following guidelines:

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

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

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

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

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

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

The resolution "invited all parties to the Arab-Israeli conflict, including the Palestine Liberation Organization (PLO), as well as the United States of America, the Union of Soviet Socialist Republics and other concerned States, to participate in the International Peace Conference on the Middle East on an equal footing and with equal rights". It also called upon the Security Council to facilitate the organization of such a Conference and requested the Secretary-General, in consultation with the Security Council, urgently to undertake preparatory measures to convene the Conference and to report on his efforts in this direction early in 1984.

## II. ISRAELI POLICIES AND PRACTICES IN THE OCCUPIED PALESTINIAN TERRITORY

### A. Violation of human rights in the occupied territory\*

During the five years under review, the human rights situation in the occupied Palestinian territory has seriously deteriorated. Israel, the occupying Power, has been violating the relevant conventions and rules of international law and the generally accepted norms and principles of international behaviour. In particular, its policies and practices in the occupied territory remain in clear violation of a number of carefully elaborated and universally accepted instruments of international law. <sup>3/</sup> The general policy of the Government of Israel continued to be based on the concept that the territory occupied by Israel since 1967 should be considered as part of the State of Israel. This has allowed Israeli authorities to advance the so-called "homeland doctrine" according to which, international law notwithstanding, the occupied Palestinian territory constitutes part of the "Jewish homeland", ceasing therefore to be "occupied territory".

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\* *A further description of violations by Israel of the human rights in the occupied Palestinian territory is contained in chapter IV, section B, of the present study.*

In its successive reports, the United Nations Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Population of the Occupied Territories brought to the attention of the General Assembly factual data illustrating the worsening of the human rights situation in the occupied territory. The information contained in these reports indicated that the Israeli authorities, in repressing the Palestinians, violating their inalienable rights and denying them their basic freedoms, disregarded the provisions of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949. The policies of deportation, torture of detainees, mass arrests, demolition of houses, arbitrary beatings and killing of innocent people - among them children, women and the elderly - as well as the humiliation of Palestinians in their daily life have been systematically pursued by the Israeli authorities in the occupied territory. This situation was aggravated by the increasing armed settler violence against the unarmed Palestinian population. According to the West Bank Data Base Project (WBDP), approximately 67,700 Jewish settlers lived in the Israeli settlements in the West Bank and Gaza Strip in April 1987. <sup>4/</sup> Meron Benvenisti, Director of the Project, writes in the organization's 1987 report that:

"... all settlers belong to the security forces, being an integral part of the Israeli army (Territorial Defense Units). It is estimated that the settler population possesses no less than 10,000 firearms of all types, as well as other military equipment such as wireless sets and vehicles. The extreme ideological outlook shared by the settlers and their relative independence in defining their military role must lead to excesses. Moreover, military and police authorities are reluctant to prosecute vigilantes even when illegal operations, aimed against official government decisions, are perpetrated." <sup>5/</sup>

The Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Population of the Occupied Territories in its 1988 report noted with concern the noticeable increase of aggressiveness in Jewish settlers' behaviour towards the civilian Palestinian population of the occupied territory. Acts of violence and aggression perpetrated by the settlers against the Palestinians had reached, according to the Special Committee, "an unprecedented level". <sup>6/</sup> Particular reference in the report was made to the killing and kidnapping of Palestinian civilians, including children, by groups of Jewish settlers and members of Jewish underground organizations.

The overall picture drawn from the information made available to the Special Committee reflected a new phase in the evolution of the situation in the West Bank and Gaza Strip, "characterized by a level of violence and repression never reached before in the course of the 21 years of occupation". <sup>7/</sup> The Special Committee stated unequivocally that the Israeli occupation of the West Bank and Gaza Strip in itself constituted a violation of human rights. It was further pointed out in the report that:

"This fact, however, has been consistently denied by the Government of Israel, whose general policy towards the occupied territories is based on the principle that the territories occupied by Israel in 1967 constitute part of the State of Israel and that therefore measures such as the establishment of colonies in the occupied territories and the transfer of Israeli citizens thereto did not constitute a process of annexation. Such an attitude represents a flagrant violation of the international obligations of Israel as a State party to the Fourth Geneva Convention Relative to the Protection of Civilian Persons in Time of War." <sup>8/</sup>

Considering the gravity of the situation in the occupied territory, the Special Committee emphasized that the responsibility of the international community was more manifest than ever before and that urgent measures had to be taken to prevent further deterioration of the situation and ensure effective protection of the basic rights of the Palestinians in the occupied territory. The Special Committee concluded that such protection could be ensured only through the negotiation of a comprehensive, just and lasting settlement of the Arab-Israeli conflict acceptable to all concerned. The Special Committee was of the view that, until such a settlement was achieved, the following measures could contribute to the restoration of the basic human rights of the civilians in the occupied territory:

"...

"(a) The full application, by Israel, of the relevant provisions of the Fourth Geneva Convention, which remains the main international instrument in

humanitarian law that applies to the occupied territories, and whose applicability to those territories has repeatedly been reaffirmed by the Security Council, the General Assembly and other relevant organs of the United Nations;

"(b) The full co-operation of the Israeli authorities with ICRC in order to facilitate efforts to protect detained persons, in particular by ensuring full access of ICRC representatives to such persons;

"(c) The full support, by Member States, of the activities of ICRC in the occupied territories, and positive response by Member States to eventual appeals for additional assistance, including funds to finance the extra activities required by the unprecedented increase in the number of detained persons;

"(d) The full support, by Member States, of UNRWA activities in the occupied territories in order to enable UNRWA to improve the general assistance provided to the refugee population." 9/

ICRC, in the period under review, continued to carry out its protection and assistance activities in the occupied territory principally based on the Fourth Geneva Convention Relative to the Protection of Civilian Persons in Time of War, of 12 August 1949. Article 47 of the Convention specifically lays down the inviolability of the rights of protected persons in occupied territory. However, according to ICRC, Israeli authorities continued to violate the provisions of the Convention. These violations by the Israeli authorities included curfews and restriction on the freedom of movement of the Palestinians, destruction and walling up of their houses, expelling Palestinians from the occupied territory, seizing their land and declaring it "State land". Israeli authorities also continued their practice of inciting Palestinians to collaborate. 10/

### B. Acquisition of land and Israeli settlements in the West Bank and Gaza Strip

The Israeli policies of expropriation of Palestinian land in the occupied territory, construction of new settlements and improvement and "thickening" of the existing ones went on unabated from 1984 to 1988. To acquire Palestinian land the Israeli authorities and the settlement movement continued to resort to various techniques. These include the long-established practice of confiscating land and declaring it "closed" for military training purposes, declaring Palestinian land as "State land", expropriating land for "public (Jewish) use" or confiscating it for "nature preserves". 11/ The impact this policy had on the Palestinians was illustrated by the findings, contained in a 1988 report of the United States Department of State, which summarized the land situation in the occupied territory as follows:

"The use of land by Israeli authorities for military purposes, roads, settlements, and other Israeli purposes which restrict access by Palestinians, discriminates against Palestinians and adversely affects their lives and economic activities. Approximately 2.5 per cent of the total area of the West Bank and East Jerusalem has been turned over to Israeli nationals for residential, agricultural, and industrial use by settlers. Palestinians do not participate in the Higher Planning Council, which plans land use in the territories and exercises certain powers transferred from local, municipal, and village councils in 1971." 12/

These processes were accompanied by a noticeable growth in the settlements during the years 1984 to 1988. According to WBDP, 11 settlements were populated over this period in the West Bank. 13/ In the Gaza Strip, 6 settlements were added to the 12 already existing settlements. It should also be noted that one third of the Gaza Strip lands was declared "State land" or confiscated for Jewish settlement by the occupation authorities. In the Gaza Strip, with its small territory and very high population density of approximately 3,754 people per square mile with 85 per cent of the population being urban, the establishment of an Israeli settlement network presents a particularly serious problem for the Palestinians. 14/ In some cases, the settlements physically impinge on the Palestinian communities and refugee camps, blocking their expansion and development. The town of Khan Yunis, for example, was virtually enveloped by a cluster of Israeli settlements. 15/ Reports from the occupied territory clearly indicate that the Israeli authorities are making intensive efforts, within the framework of a new plan designed to increase the number of Jewish settlers in the occupied West Bank, to raise their number to the equivalent of 40 per cent of the total Arab population. This information was revealed by one of the Israeli Prime Minister's advisers on 3 December 1987 and was later confirmed by the Chairman of the World Zionist Organization's Settlement Department, when he said at a press conference on 5 December 1987 at the Gush Emunim settlement of Elon Moreh, near Nablus, that "Israel's objective in the West Bank [was] to raise the proportion of Jews to 40 to 60 per cent of the total population of the occupied West Bank by the end of the present century". During the same press conference, he also stated that preparations were under way in Israel for the settlement of a further million and a half Jewish settlers in the occupied West Bank during the next 12 months and that the settlement plans and projects were ready to be implemented in different areas of the occupied West Bank. 16/ Similar pronouncements on the subject of increased settlement were made by Mattityahu Drobles, Chairman of the Jewish Agency's Settlement Department, who had drawn up a new settlement project covering the period up to the year 2000. This plan, called "Climb the mountain and open up the desert", was first introduced at the International Zionist Conference held in December 1987 in Jerusalem. The plan provides for the establishment of dozens of new Jewish settlements on the mountain ranges of various parts of the occupied West Bank at the expense of the indigenous Palestinian lands. 17/

During the period 1984-1988 the existing settlements were also upgraded and consolidated in the West Bank and the Gaza Strip, with both a physical increase in the size of the settlements and an increase in the concentration of Jewish settlers in these settlements. According to official Israeli data, the main settlement construction activity in the post-1983 period took place in the existing settlements. In addition, as part of the official campaign to consolidate the settlement process, Michael Dekel, Israeli Deputy Defence Minister, announced his intention to study another project for converting all the military camps in the occupied West Bank into "civilian residential settlements". 18/ The pro-settlement forces have been dominating the Israeli political scene in 1984-1988. A number of plans, projects and proposals were advanced with a view to expropriating Palestinian lands, establishing new settlements and accommodating Jewish settlers in them. With respect to the Jewish settlement budget, the Israeli Minister of Economics and Planning, Gad Ya'acobi, said in a statement published on 27 January 1988 19/ that the funds spent on the construction of Jewish settlements in the occupied territory during the past 20 years of occupation amounted to a total of \$US 20 billion.

With the increase in the number of Jewish settlements and the number of Jewish settlers in the occupied West Bank and the Gaza Strip, it is significant to note that the Israeli defence installations in the territory, the transport network as well as the electricity and water supply systems were integrated into the Israeli infrastructure, as such action was considered necessary for the economic and security requirements of the State of Israel.

### C. Israeli policies on the water resources of the occupied territory

Water has always been a vital natural resource for the Palestinians in the occupied territory. Israeli water policies have been implemented in the occupied territory by utilizing available legislation, whether customary, Ottoman, Mandate, Jordanian, Egyptian, Israeli or military. By means of military orders and regulations, the Israeli Government, since June 1967, has been exercising complete legislative, administrative and judicial authority over the occupied territory and its inhabitants. Often, legal enactments applied to the occupied territory and their enforcement have been at variance with the legal framework that existed prior to 1967. The existing institutions have also been modified or replaced in order to facilitate the application of the water policies.

In the early 1980s, the level of annual Palestinian per capita water consumption in the occupied territory was 35 cubic metres in towns and 15 m<sup>3</sup> in villages. At the same time, provisions for Jewish settlement consumption were set at 90 m<sup>3</sup> per capita. The projections for 1990 indicate that 60 million m<sup>3</sup> of water will be made available to some 30 Israeli agricultural settlements in the West Bank, only one third less than the amount available for consumption by 400 Palestinian

villages. This imbalance in the present and projected water consumption illustrates the discrimination against the Palestinian population through water distribution. 20/

Since 1967, the West Bank water resources have been under full Israeli control. The direct responsibility for the supply of water for the needs of Israel is exercised exclusively by the Israeli Water Commission either through Mekorot, Israeli Water Co. or Tahal, Water Planning for Israel Co. During the period under review, Israel continued to increase its use of the water resources of the occupied West Bank.

A report on the activities of the West Bank and Gaza Strip Civil Administration, prepared in June 1987 by Israel's State Comptroller, contained a number of findings concerning the potentially dangerous, for the Palestinian population, overexploitation of the area's water resources by Israel. It also stated that other serious problems included Palestinians' exorbitant water bills significantly exceeding those of the Israeli settlers', whose bills are subsidized by the World Zionist Organization; 1986 seizure of Palestinian lands by Mekorot and the laying down of water pipes for a Jewish settlement. Sewage, drinking water, pollution and sanitation problems remained of particular gravity for the Palestinian population. The report pointed out that the sewage problem represented a pollution time-bomb for the West Bank and the Gaza Strip. 21/ Insufficient drinking water supplies, the level of salinity, and related problems in public hygiene all lead, according to the World Health Organization (WHO), to various infectious diseases among the Palestinian population. 22/

As regards the West Bank, most of its area is part of the Israeli hydrological system. The 1986 estimates showed that about a quarter of Israel's annual water potential originated from beyond the Green Line (some 475 million m<sup>3</sup> per year out of 1,900 million m<sup>3</sup>). This was the basis for the Israeli claim that control over West Bank water potential must remain in Israeli hands. Otherwise, Israel argued, the entire Israeli system, already overpumping water, would collapse. According to WBDP's 1986 report, the Israeli water authority was working on the integration of the West Bank system into large regional plants linked up with the Israeli network. 23/

In the Gaza Strip, where agriculture accounts for the largest single economic activity and 90 per cent of all exports, Jewish settlers have been exercising a great degree of control over the very limited water resources. While Jewish settlers in the Gaza Strip established 35 to 40 new wells in the mid-1980s, strict water quotas on Palestinian farmers have been enforced for over a decade and overuse has resulted in severe fines being imposed on them. 24/

During the years reviewed in this study, the increase in demand for water in Israel itself has led to expanding use of the Palestinian water resources. This is how The Wall Street Journal, in an article of 22 January 1985, described the situation in the West Bank:

"A series of major pipelines - paid for by Israel to serve Israeli settlements and Arab villages - have now connected the West Bank water network to the Israeli water grid. Availability has led to demand. And as a result of the growth in demand, the West Bank Arabs have become net "importers" of water piped from Israel."

#### D. Israel's exploitation of Palestinian labour resources

Israeli occupation has continued to have an adverse effect on the labour and employment situation in the occupied territory. Besides changes in the sectoral structure of employment, there has been a noticeable shift away from jobs inside the West Bank and Gaza to Israel. In 1984-1988 employment in the occupied territory has been steadily declining, while the percentage of Palestinians employed in Israel increased.\* According to the estimates contained in the 1987 WBDP report, in 1985, for example, 30.7 per cent (or 51,300 workers) of the West Bank Palestinian labour force were employed in Israel. The percentage of the Gaza Strip Palestinians forced to seek employment in Israel was even higher, reaching 46.1 per cent (or 43,400 workers). The highest increase in Palestinian labour employment in Israel occurred in the construction sector of the Israeli economy. While in 1985, Palestinian labour in this sector was 62.3 per cent, in 1986 it increased to 65 per cent. Palestinian employment in Israeli agriculture also rose from 29.5 per cent in 1985 to over 30 per cent in 1986. 25/

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\* *Israeli and Palestinian estimates of the actual percentage of Palestinians from the West Bank and Gaza Strip employed in the Israeli economy differ. In the WBDP 1986 report, Benvenisti explains this by stating that less than half of the Palestinians seeking employment in Israel in 1985 were legally registered with the Israeli Government Employment Service (op. cit., p. 11).*

As far as Palestinian employment in the Israeli economy is concerned, the period under review was characterized by a continuing lack of equal pay for equal work. This situation helped to protect Israeli workers from Palestinian competition. Despite the claim of the 1984 annual report of the Israeli Civil Administration, the "equal pay for equal job" concept was not carried through and the Palestinians in the period under review continued to be generally underprivileged and underpaid compared with the Israeli labour force. Benvenisti illustrates this in the following terms:

"... Palestinians employed legally through the Employment Service fare worse than their Israeli counterparts, so that in effect they are not getting equal pay. They have less rights than Israelis with regard to premiums, pensions, sick leave, recuperation, clothing and vacation. A sum equal to 20 per cent of wages is deducted as for Israeli employees, but in the latter case it is transferred to the National Insurance Institute (NII) whereas in the former it is transferred directly to the Treasury, and in effect, constitutes an "occupation tax". 26/

In examining the conditions of employment of West Bank and Gaza Strip Palestinian workers in Israel, Benvenisti observes that:

"... many are forced to spend the night within Israel illegally, mostly in the Tel Aviv area and in subhuman conditions, sleeping on tables in restaurants where they work, crowded into insanitary cellars and attics. Many report feeling dehumanized by the long hours, low pay (approximately half that of Israeli workers), poor attitudes and treatment by employers and others in the work place and in the street. They are reported as being searched, arrested or harassed in other ways on an average of twice a week." 27/

According to the 1988 report of the United States Department of State, approximately 100,000 Palestinian workers from the West Bank and the Gaza Strip, who travel daily to work in Israel, do not enjoy equal treatment with respect to working conditions and social security. To illustrate this situation, the report stated that:

"Non-residents are ineligible for NII old-age, survivors' and disability pensions (smaller, flat-rate pensions) received by most Israeli retirees in addition to their Histadrut pensions (like United States social security pensions), unemployment, compensation or insurance for long-term care or injury in nonoccupational accidents. They are also ineligible for NII children's allowances, funded only by employer contributions, and for NII-administered welfare programs funded by Israeli taxpayers through the budget (income support benefits for widows, orphans, mothers of dependent children, victims of disaster, those incapable of working, etc.)." 28/

A distinctive feature of Palestinian employment in Israel is a high percentage of Palestinians seeking daily employment illegally and having to stay overnight illegally in Israel. Often, as the above-mentioned report says, in "unsatisfactory quarters". Besides, Labour Ministry inspectors have taken action against some workers staying overnight without permission. 29/

#### E. Economic value of the occupied West Bank and Gaza Strip markets for Israel

Virtually no trade existed between the West Bank and Gaza Strip and Israel prior to 1967. The West Bank has supplied neighbouring Arab countries with certain commodities and products such as olive oil, building stone and soap. Similarly, the Gaza Strip developed markets for its citrus crops.

According to the study prepared by the United Nations Conference on Trade and Development (UNCTAD), in collaboration with the secretariat of the United Nations Economic and Social Commission for Western Asia (ESCWA) in 1987, there are three ways in which the Israeli occupation of the West Bank and Gaza Strip influences the territories' market and their trade. First, and most significantly, is the effect of the occupation itself in altering the established patterns and practices of trade and over which the Palestinian economy has little or no power. These include physical barriers imposed by the Israeli occupation between the territories and their hinterland, sectoral developments which had occurred as a direct result of the domination of the territories' economy by the much more advanced Israeli economy and the boycott policies adopted by Arab countries to prevent the import of Palestinian exports containing any measure of Israeli-produced or imported raw materials. Secondly, over the years, Israel has developed a policy with regard to trade with the territories which resulted in a number of measures having a negative impact on their trading position. Finally, there exist various trading procedures and practices which also adversely affect the ability of the Palestinians to enter markets competitively. 30/

Israel's major consideration, influencing its policy towards trade with the occupied territory, is that Israeli exports should be able to flow freely into the West Bank and Gaza Strip while exports to Israel should be tightly controlled to safeguard the interests of Israeli producers. This is a deliberate and calculated economic policy, established early in the occupation period and scrupulously applied since. In announcing new policy guidelines for export procedures to Israel, an Israeli Government official affirmed that Palestinian products "threaten Israeli firms with unfair competition". 31/ Meanwhile, Israeli policy allows the free flow of Israeli-manufactured agricultural and industrial goods to the territories, disregarding the damaging effects on Palestinian producers in the West Bank and Gaza Strip.

A number of specific restrictive measures aimed at protecting Israeli markets and exploiting the benefits of the Palestinian economy were being implemented by Israel in 1984-1988. Some of the territories' most lucrative cash crops (e.g. cucumbers, tomatoes, eggplant, melons, etc.), capable of competing with Israeli produce, were generally banned from Israeli markets or, if allowed to enter, were imported only in small and carefully controlled quantities, thus protecting the Israeli producers of these commodities. Additionally, exports of Palestinian agricultural output, notably the Gaza Strip's citrus fruit, to Western Europe and other markets secured exclusively for Israeli produce remained forbidden and strict punishments were imposed for contraventions of this regulation. To prevent "the threat of competition" from Palestinian manufacturers, a new military order enforced complex labelling guidelines for all Palestinian products adding further costs to an already burdened manufacturing process. 31/

On the whole, while the West Bank and Gaza Strip did not supply a significant part of Israel's imports (around 3 per cent of Israeli non-military imports), their own trade relations were increasingly influenced by Israel. An average of 16 per cent of Israeli exports were destined for the territories, making the Palestinian market the second largest Israeli (non-military) export market after the United States. Excluding Israeli exports of diamonds to the United States, the West Bank and Gaza, this highly monopolized market, have remained since the mid-1970s the largest single market for Israeli exports. 32/

### III. SEARCH FOR A PEACEFUL SOLUTION OF THE QUESTION OF PALESTINE

1984

The Secretary-General, on 13 March 1984, submitted his report pursuant to General Assembly resolution 38/58 C. 33/ He stated in this document that after his consultations with the Security Council on 9 March of that year, he had addressed letters to 19 Governments 34/ and the PLO to ascertain their views on all issues relevant to the organization and convening of the proposed International Peace Conference on the Middle East, including the question of identification of participants.

The replies of the Governments consulted centred around the provisions of General Assembly resolution 38/58 C as it related to the need for the convening of the International Peace Conference on the Middle East.

The Permanent Representative of the United States reiterated the opposition of her Government to resolution 38/58 C, stating that the United States believed that the only path to peace in the Middle East lay in a process of negotiations among the parties based on Security Council resolutions 242 (1967) and 338 (1973). The United States was of the view that holding an international conference, as recommended by the General Assembly, would only hinder the process. 35/

In his reply, the Permanent Representative of the USSR strongly supported the idea of international, collective efforts to resolve the problem of the Middle East. He pointed out that the Soviet Union was continuing consistently to advocate the convening of an international peace conference on the Middle East, "which would open up a real path towards an all-embracing solution for all the problems generated by the Middle East conflict". He also said that the United Nations and its Secretary-General could contribute effectively to the achievement of general agreement on the need to achieve a comprehensive solution of the Middle East problem through collective efforts. 36/

The Israeli Government's position was that the Conference proposed by resolution 38/58 C would serve "as a forum for the dissemination of anti-Israel propaganda". The Permanent Representative of Israel to the United Nations concluded his letter by completely rejecting the idea of a United Nations-sponsored peace conference on the Middle East as provided for by the resolution. 37/

The Permanent Observer of the PLO to the United Nations, on the instruction of Mr. Yasser Arafat, Chairman of the Executive Committee of the PLO, addressed a letter to the Secretary-General, 38/ in which he criticized the "spirit of the letter" of the United States.

The Permanent Observer of the PLO to the United Nations made reference to the statement of Chairman Yasser Arafat during the International Conference on the Question of Palestine. Addressing the Conference, he had put forward a series of specific ideas aimed at finding a solution to the question of Palestine. Chairman Arafat stated, inter alia, that the Fez Summit resolutions constituted a unique opportunity for the achievement of the minimum degree of justice required. He said that the exercise by the people of Palestine of its right to return, self-determination and national independence constituted the only basis for any peace based on justice in the Middle East. Chairman Arafat also called for an international conference, under the auspices of the United Nations, in which the super-Powers would participate with the rest of the parties concerned, on the basis of the United Nations resolutions relating to the question of Palestine.

The Permanent Representative of the Syrian Arab Republic to the United Nations stressed his full support for the Conference in accordance with resolution 38/58 C <sup>39/</sup> The Syrian representative also charged that the policy of force and fait accompli pursued by Israel was the main obstacle to the conclusion of a just and comprehensive peace in the region. The Syrian Arab Republic further reaffirmed its support for General Assembly resolution 38/58 C and paid tribute to the efforts made by the Secretary-General in that area. It also expressed its support for the Soviet proposals of 29 July 1984. <sup>39/</sup>

The Permanent Representative of Jordan stated that the convening of an International Peace Conference on the Middle East, as envisaged in resolution 38/58;C, was an idea worth pursuing. He added that terms of reference for the Conference should stem from the principles and rules of international law applicable to the issues before the Conference and should include the principle of the inadmissibility of the acquisition of territory by force, which was a fundamental principle in relations among States, besides being a just and cogent rule of international law. The Jordanian Government believed that Security Council resolutions 242 (1967) and 338 (1973) should provide terms of reference for the Conference. <sup>40/</sup>

The Permanent Representative of Lebanon, in his letter to the Secretary-General, <sup>41/</sup> said that his Government was prepared to participate in such a Conference within the limits of certain concepts. First, Lebanon was host to a large number of Palestinian refugees, who awaited a just solution to their problem in accordance with United Nations resolutions. Consequently, it was concerned with any effort made to attain this goal. Secondly, Lebanon's agreement to participate in the Conference stemmed from the fact that it was a country concerned with the resolution of the conflict in the region, because it had many times been exposed to problems, acts of aggression and occupation without having been responsible for any act that might give rise to phenomena such as those to which it had been exposed. Thirdly, Lebanon considered that the General Armistice Agreement concluded in 1949 was the legal text governing Lebanese-Israeli relations, as had been stressed in a series of Security Council resolutions over the years.

The Government of Egypt reiterated its belief in the justice of the Palestinian cause and the legitimacy of the inalienable rights of the Palestinian people, in particular its right to self-determination and to establish its independent State in Palestine. The Government of Egypt called upon the Secretary-General to hold the appropriate consultations and to exert every effort to ensure the participation of the parties to the conflict and to afford suitable arrangements and conditions for the conduct of constructive negotiations within the framework of the United Nations, with the aim of achieving a just and lasting peace in the Middle East. <sup>42/</sup>

The Geneva Declaration on Palestine and the Programme of Action for the Achievement of Palestinian Rights laid viable groundwork for the future efforts of the United Nations aimed at the convening of the International Peace Conference on the Middle East. Following the provisions of these documents, pursuant to General Assembly resolution 38/58 C and in line with subsequent developments around the issue, the Chargé d'affaires a.i. of the Permanent Mission of the Union of Soviet Socialist Republics to the United Nations addressed, on 31 July 1984, to the Secretary-General a letter transmitting the text of a document dated 29 July 1984 entitled "Proposals by the Soviet Union on a Middle East settlement". <sup>43/</sup>

The proposals defined ways of and offered recommendations for the convening of the International Peace Conference on the Middle East on the basis of the principle of the inadmissibility of the capture of foreign lands through aggression, the demands for the return to the Arabs of all the territories occupied by Israel since 1967 and the dismantling of the settlements established by Israel in the Arab territories after 1967. They focused on the question of action to be taken to guarantee in practice the inalienable rights of the Palestinian people to self-determination and to establish its own independent State on the Palestinian lands that would be freed from Israeli occupation on the West Bank of the River Jordan and in the Gaza Strip.

The Soviet proposals asserted the need to put an end to the state of war in the region and the need for the establishment of peace between the Arab States and Israel. Special emphasis was laid in the document on the international guarantees for the settlement. According to the proposals, the permanent members of the United Nations Security Council or the Security Council as a whole could assume the role of the guarantor. On its part, the Soviet Union expressed readiness to participate in such guarantees.

The Secretary-General stated, later in September 1984, that from the replies he had received and the discussions he had held with the Governments and authorities concerned, it was evident that the convening of the proposed Conference would require, in the first place, the agreement in principle of the parties directly concerned, as well as the United States and the USSR, to participate in the Conference. He said that it was clear from the replies of the Governments of Israel <sup>37/</sup> and the United States <sup>35/</sup> that they were not prepared to participate in the proposed Conference.

In its annual report to the General Assembly, <sup>44/</sup> the Committee on the Exercise of the Inalienable Rights of the Palestinian People expressed regret over the negative attitude of Israel and the United States to the idea of the Conference and decided to maintain its efforts for the early convening of the Conference, while urging the understanding and co-operation of all concerned for the resolution of a problem fundamental to the maintenance of international peace and security, and involving a clear case of the exercise of the inalienable rights of the Palestinian people to self-determination.

The Secretary-General, in his report of 26 October 1984 on the situation in the Middle East <sup>45/</sup> stressed, *inter alia*, that the Middle East conflict, involving complex interrelated issues, could be fully resolved only by a comprehensive settlement covering all its aspects. The Secretary-General continued to believe that a comprehensive settlement in the Middle East would have to meet the following conditions: the withdrawal of Israeli forces from the occupied territory; respect and acknowledgement of the sovereignty, territorial integrity and political independence of every State in the area and their right to live in peace within secure and recognized boundaries, free from threats or acts of force; and, lastly, a just settlement of the Palestinian problem based on the recognition of the legitimate rights of the Palestinian people, including self-determination. In this context, the question of Jerusalem also remained of primary importance.

The Secretary-General added that a comprehensive settlement would have to be reached at least in its final stage, if not earlier, through a process of negotiation in which all the parties concerned would participate. He stated that it was generally recognized that the support of the major Powers, especially the USSR and the United States, would be essential for any lasting settlement in the Middle East. From a purely rational point of view, all these requirements could best and most readily be met if negotiations were undertaken under some form of United Nations auspices.

Various aspects of the question of Palestine were considered throughout 1984 by prominent intergovernmental organizations such as the European Economic Community (EEC), the Movement of Non-Aligned Countries and its Committee of Nine on Palestine,\* the Organization of African Unity (OAU), the Organization of the Islamic Conference (OIC) and its Al-Quds (Jerusalem) Committee.\*\* A number of significant documents were adopted over the year by the above-mentioned organizations.

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\* Established at the Seventh Conference of Heads of State or Government of Non-Aligned Countries, held at New Delhi, India, from 7 to 12 March 1983. It later became the Committee of Nine on Palestine. At the time of writing, the members of the Committee are: Algeria, Bangladesh, Cuba, India, Palestine, Senegal, Yugoslavia, Zambia and Zimbabwe

\*\* Established upon the recommendation of the Sixth Islamic Conference of Foreign Ministers of States Members of OIC, held at Jeddah, Saudi Arabia, in June 1975. The Tenth Islamic Conference of Foreign Ministers, held at Fez, Morocco, placed the Al-Quds Committee under the chairmanship of King Hassan II of Morocco.

The Security Council held 20 meetings during the year in which it deliberated on various aspects of the situation in the Middle East and in the occupied territory and on other related issues. On 12 and 13 September 1985, at the request of the Group of Arab States, the Council met to consider Israeli practices against the civilian population in the occupied Palestinian territories. The Security Council had before it a draft resolution which deplored the repressive measures taken by Israel since 4 August 1985 against the civilian Palestinian population in the occupied territory; called upon Israel to immediately stop such measures, release the detainees and refrain from further deportations; and called on Israel to abide scrupulously by the provisions of the Fourth Geneva Convention of 12 August 1949. The draft was not adopted because of the negative vote of a permanent member, the United States.

The United Nations Commission on Human Rights, at its forty-first session held at Geneva from 4 February to 15 March 1985, considered an agenda item entitled "Question of the violation of human rights in the occupied Arab territory, including Palestine" and adopted two resolutions.

In resolution 1985/1 A, the Commission, *inter alia*, denounced the continued refusal of Israel to allow the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Population of the Occupied Territories access to the occupied territory; reiterated the deep alarm expressed by the Special Committee at Israel's policies towards those territories; confirmed its declaration that Israel's breaches of the Fourth Geneva Convention of 12 August 1949 and Additional Protocols were war crimes and an affront to humanity; called upon Israel to refrain from such policies and to implement all pertinent United Nations resolutions; reiterated its call to all States not to recognize any changes carried out by Israel in the occupied territory, and to avoid taking any action or extending any aid which might be used by Israel in pursuit of such policies; and requested the General Assembly to recommend to the Security Council the adoption against Israel of measures under Chapter VII of the Charter of the United Nations.

In resolution 1985/1 B, the Commission reaffirmed that the Fourth Geneva Convention of 12 August 1949 was applicable to all the Arab territories occupied by Israel since 1967, including Jerusalem; condemned Israel's failure to acknowledge such applicability; and urged once more all States parties to the Convention to make every effort to ensure respect for and compliance with the provisions thereof in the occupied territory.

In the Declaration adopted by the Commemorative Meeting in Observance of the Thirtieth Anniversary of the Asian-African Conference, held at Bandung, Indonesia, from 24 to 25 April 1985, participating States expressed their full solidarity with and support for the struggle of the Palestinian people, under the leadership of the PLO, its sole and legitimate representative. They condemned Israeli practices against the population of the Palestinian and Arab territories and reaffirmed their conviction that there could be no just and lasting solution to the Middle East conflict until Israel totally and unconditionally withdrew from all territories occupied since 1967, including Jerusalem.

The Fifty-Seventh Meeting of the Ministers for Foreign Affairs of the Ten States Members of EEC, held at Luxembourg, on 29 April 1985, adopted a Declaration in which the Ten reaffirmed their conviction that the achievement of a just and lasting peace called for the participation and active support of all the parties concerned, and reconfirmed their willingness to contribute to such a process on the basis of the principles stated by them on previous occasions.

Later that year, from 18 to 21 July 1985, the twenty-first ordinary session of the Assembly of Heads of State and Government of OAU, held at Addis Ababa, Ethiopia, adopted two resolutions regarding the question of Palestine and the Middle East conflict. It reiterated its unwavering support for the people of Palestine led by the PLO, its sole legitimate representative. It strongly condemned any initiatives or measures of agreements which did not take into account the aspirations of the people of Palestine and of the PLO, and considered null and void any agreement on the Palestine question which excluded the PLO.

The Extraordinary Summit Conference of Arab States, convened at Casablanca, Morocco, from 7 to 9 August 1985, stated the need for continued Arab support for the resolutions regarding the Palestinian question and its support for the PLO as the sole and legitimate representative of the Palestinian people. The Conference also considered that the convening of an international conference, under the auspices of the United Nations, with the participation of the USSR, the United States and the other permanent members of the Security Council, as well as the PLO, along with the other concerned parties, would contribute to the promotion of peace in the region.

The Conference of Foreign Ministers of Non-Aligned Countries, held at Luanda, Angola, from 2 to 7 September 1985, reaffirmed that the question of Palestine was the core of the Arab-Israeli conflict and emphasized that a comprehensive, just and durable solution could not be achieved without the total and unconditional withdrawal of Israel from all Palestinian and other Arab territories occupied since 1967, including Jerusalem, and the exercise by the Palestinian people of its inalienable rights. The Conference stressed the necessity for the early convening of the International Peace Conference on the Middle East, in accordance with General Assembly resolution 38/58 C.

Within the United Nations, the Committee on the Exercise of the Inalienable Rights of the Palestinian People continued its efforts aimed at solving the question of Palestine. In its 1985 report, *46/* it strongly pointed out that the question of Palestine had reached a critical phase and urged renewed, concerted and collective action to find a just solution under United Nations auspices and on the basis of relevant United Nations resolutions to end the plight of the Palestinian people. The Committee also expressed its conviction that the International Peace Conference on the Middle East, as endorsed in General Assembly resolution 38/58 C, and generating quasi-unanimous support, could provide a comprehensive opportunity for all parties concerned to participate in negotiations that would lead to a just and lasting solution of the problem.

In its annual report, *47/* the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Population of the Occupied Territories again stressed the hardships of the day-to-day life of the Palestinians under Israeli occupation. It also dealt with further deterioration of the human rights situation of the civilian population, violation by the Israeli occupation authorities of the Fourth Geneva Convention, the Israeli policy of annexation of the Palestinian lands and the unabating Jewish settler violence towards the unarmed Palestinian population. It stated that:

"The extent and force of the activities undertaken by these settlers in regard to the Palestinians in the occupied territories showed that, in fact, it was the settlers who constituted the real authority in the country ...

"The civilian population remained without any protection whatsoever. Corroborative of this attitude of the Israeli authorities is the leniency with which members of the Jewish underground found guilty of murder and physical abuse of the civilian population were treated by the authorities. ... There remains no doubt that the true political force in the occupied territories, which determines the fate of the civilian population, is made up of the settlers implanted illegally in these territories."

In the report of the Secretary-General on the situation in the Middle East, *48/* of 22 October 1985, it was underlined that the Security Council had a major and universally recognized responsibility for this complex and potentially explosive issue and could play a vital role in the evolution of a just and lasting settlement in the region. The Secretary-General stated that he was aware of the many difficulties facing this endeavour, the success of which would depend on the agreement and co-operation of the major Powers. It would also require the necessary accommodations and adjustments by the parties directly concerned.

During 1985 the situation in the occupied Palestinian territory continued to worsen, according to reports issued by a variety of sources such as Governments, United Nations system, intergovernmental and non-governmental organizations, individual experts and the media. The continuing deterioration of the living conditions and situation of the Palestinian refugees in south Lebanon, as a result of Israeli expansionist policies and practices, were other distinctive features of this period.

The information reviewed by the Committee on the Exercise of the Inalienable Rights of the Palestinian People left no doubt that Israel had persisted in its policy of confiscating Arab-owned land in the occupied Palestinian territory and of increasing the size and number of its settlements, despite the fact that such policy was in violation of the Geneva Convention Relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, and contrary to United Nations resolutions. At the same time, Israel had persisted in its policy of Judaization of the occupied Palestinian territory through its economic and administrative subjugation and gradual incorporation into the infrastructure of Israel.

The Palestinians became the victims of the reinstatement, in August 1985, of the emergency regulations of 1945, introduced during the British Mandate, which provide *inter alia* for deportation of persons, administrative detention without charges or trial for renewable six-month periods, and the closing down of newspapers. This measure was reported to have become the corner-stone of a new repressive policy of the Israeli authorities aimed at curbing activities in opposition to the occupation. <sup>49/</sup>

At its fortieth session the General Assembly, reiterating once again, in its resolution 40/96 D, the conviction that the convening of an International Peace Conference would constitute a major contribution by the United Nations towards the achievement of a comprehensive, just and lasting solution to the Arab-Israeli conflict, reaffirmed its endorsement of the call for convening the Conference and called upon the Governments of Israel and the United States to reconsider their position towards the attainment of peace in the Middle East through the convening of the Conference.

#### 1986

By 1986 the idea of the convening of the International Peace Conference on the Middle East, under the aegis of the United Nations, as the only effective and efficient means of resolving the question of Palestine, gained almost universal recognition and proposals to that end were advanced by the United Nations bodies and intergovernmental organizations.

The question of the situation in the occupied Arab territories occupied by Israel was on the agenda of the Security Council throughout 1986. Particular attention was given by the Council to the profanation by Israel of the sanctuary of Haram al-Sharif in the Holy City of Al-Quds (Jerusalem). An urgent meeting of the Security Council was convened at the request of Morocco, in its capacity as the Chairman of OIC.

At its meeting, on 30 January 1986, the Security Council had before it a draft resolution by which the Council would have expressed its deep concern at "the provocative acts by Israelis, including members of the Knesset, which have violated the sanctity of the sanctuary of the Haram al-Sharif in Jerusalem" and would have strongly deplored them, affirming that "such acts constitute a serious obstruction to achieving a comprehensive, just and lasting peace in the Middle East, the failure of which could also endanger international peace and security". The draft also criticized Israel's violation of the Fourth Geneva Convention. It would further have requested the Secretary-General to report to the Security Council on the implementation of the resolution. However, the draft was not adopted because of the negative vote of a permanent member, the United States.

At its forty-second session, held from 3 February to 14 March 1986, the United Nations Commission on Human Rights considered an agenda item entitled "Question of the violation of human rights in the occupied Arab territories, including Palestine". Two resolutions were adopted on this item.

In resolution 1986/1 A, the Commission reaffirmed the fact that the occupation itself constituted a fundamental violation of the human rights of the civilian population of the occupied Arab territories; it also reiterated its deep concern at Israel's policy in the occupied territories, based on the "homeland doctrine" envisaging a monoreligious (Jewish) State that would include territories occupied by Israel since June 1967; the Commission firmly reiterated its condemnation of and rejected Israel's decision to annex Jerusalem and to change the physical character, demographic composition, institutional structure or status of the occupied territory, including Jerusalem, and considered all those measures and their consequences null and void.

In its second resolution 1986/1 B, the Commission condemned Israel's failure to acknowledge the applicability of the Fourth Geneva Convention to the territories it had occupied since 1967, including Jerusalem; it further strongly condemned Israel for its policies of ill-treatment and torture of Palestinian detainees and prisoners in Israeli prisons and the practice of deportation of the liberated Palestinian prisoners; the Commission also urged Israel to co-operate with ICRC.

OIC and its Al-Quds Committee held a number of meetings in 1986 at which issues related to the question of Palestine were considered. At its tenth session, convened at Marrakesh, Morocco, from 21 to 22 January 1986, the Al-Quds Committee recommended the continuation of the effective support to the struggle of the Palestinian people at all levels, political, military, economic, as well as at the level of information, in order to enable it to resist on its land and in its homeland with greater firmness and to oppose more effectively the Zionist occupation. Special attention was also given to the question of the joint efforts of the PLO and the Jordanian Government to safeguard the Holy Places of Islam in occupied Palestine, particularly in Al-Quds al-Sharif.

In its final communiqué, the Co-ordinating Meeting of the Ministers for Foreign Affairs of OIC, held at New York, on 2 October 1986, emphasized the importance of holding the International Peace Conference on the Middle East and reiterated its determination to adhere to the resolution of the General Assembly on this subject.

The seventy-fifth Inter-Parliamentary Conference of the Inter-Parliamentary Union, held at Mexico City, from 7 to 12 April 1986, adopted a resolution on the situation in the Middle East and the question of Palestine. In this document the Conference demanded the full, immediate and unconditional withdrawal of Israel from all occupied Arab territory, affirmed the inalienable rights of the Palestinian Arab people to return to its homeland, to self-determination and to the establishment of its independent State under the leadership of its sole and legitimate representative, the PLO. The Conference called upon parliaments and Governments to support all efforts toward the early convening of the International Peace Conference on the Middle East, in accordance with United Nations General Assembly resolution 38/58 C, with the participation of all concerned parties, including the PLO, the United States, the Soviet Union and the other permanent members of the United Nations Security Council.

The Council of Ministers of OAU, meeting at its forty-fourth ordinary session at Addis Ababa, Ethiopia, from 21 to 26 July 1986, reiterated its position as regards the question of Palestine in two of its resolutions. Reaffirming the legitimacy of and support for the just struggle of the Palestinian people under the leadership of the PLO, OAU called upon the Security Council to take effective measures to guarantee the exercise by the people of Palestine of its national and inalienable rights recognized by the United Nations General Assembly. It firmly supported the Arab Peace Plan adopted at the Twelfth Arab Summit, held at Fez, from 6 to 9 September 1982 as an important contribution to the search for a just, comprehensive and lasting settlement of the Middle East conflict. OAU also supported the holding of the International Peace Conference on the Middle East.



The Movement of Non-Aligned Countries considered issues related to the question of Palestine during several meetings at various levels. The eighth Summit Conference of Heads of State or Government of Non-Aligned Countries convened at Harare, Zimbabwe, from 1 to 6 September 1986, adopted its Political Declaration in which the Movement reaffirmed its active solidarity with the Arab countries victims of Israeli aggression and with the just struggle of the Palestinian people, under the leadership of the PLO. The Declaration condemned any accord or treaty that violated or infringed the rights of the Arab nation and the Palestinian people. It also stressed the urgent need to organize the International Peace Conference on the Middle East, in conformity with the 1983 Geneva Declaration and General Assembly resolution 38/58 C in order to achieve a just and comprehensive solution to the Middle East problem, based essentially on the right of the Palestinian people to self-determination and the right to establish an independent and sovereign Palestinian State in its national homeland. The Declaration also called upon the United Nations Security Council to consider setting up a preparatory committee, with the participation of the Security Council's permanent members, to examine effective ways and means of holding the International Peace Conference on the Middle East.

However, despite strong endorsement in the world of the idea of the International Peace Conference on the Middle East under United Nations auspices, the observations of the Secretary-General's report 50/ of 14 March 1986, submitted in pursuance of resolution 40/96 D, reflected a measure of concern about the obstacles to be negotiated in this complex issue. The Secretary-General stated the following in this regard:

"In light of the debate of the General Assembly on the above resolution and other available information, I believe that the obstacles which have so far prevented the convening of the International Peace Conference on the Middle East as called for by the General Assembly still exist. However, I also believe that the observations contained in my report of 22 October 1985, which are recalled above, remain valid."

In its 1986 report, 49/ the Committee on the Exercise of the Inalienable Rights of the Palestinian People observed that Israel had continued to occupy Palestinian and other Arab territories, including Jerusalem, in violation of Security Council and General Assembly resolutions, and to take measures to strengthen its control, including growing repression of the local population and the expansion of settlers' activities. The Committee also stated that, as a consequence of the policies and practices of Israel and of the resulting lack of progress towards a peaceful, just, durable and comprehensive solution, tension and violence had continued to grow in the area, further endangering international peace and security. The priority of the Committee on the Exercise of the Inalienable Rights of the Palestinian People throughout 1986 was the early convening of the International Peace Conference on the Middle East in accordance with resolution 38/58 C.

New factors aggravating the plight of the civilian Palestinian population of the occupied territory were presented in the 1986 report of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Population of the Occupied Territories. 51/ The report stated that the Committee had observed the escalation of violence caused by the implementation by the Government of Israel of a revived "iron-fist" policy, as announced by the Israeli authorities themselves. The policy had been illustrated by a number of harsh measures affecting the human rights of the Palestinian population of the occupied territory, such as an increasing number of arrests and trials leading to the detention of many civilians (including minors) imprisoned for political or security offences, as well as the imposition of measures of administrative detention. Another preoccupying aspect of the "iron-fist" policy had been the resumption, on a large scale, of the expulsion and deportation policy.

The report stated further in paragraph 90 that, on the basis of the evidence and information before it, the Special Committee had reached the conclusion that:

"... the policy pursued by the Government of Israel in the occupied territories continues, as in the past, to be based on the principle that the territories occupied by Israel in 1967 constitute a part of the State of Israel. This is at the source of the policy of annexation and establishment of settlements in occupied territories, which constitutes a flagrant violation of the international obligations of Israel as a State Party to the Fourth Geneva Convention relative to the Protection of Civilian Persons in Time of War."

In his report of 29 October 1986 52/ the Secretary-General laid special emphasis on the alarming absence of a generally accepted and active negotiating process in that area. In that connection he mentioned the difference in the positions of the major Powers regarding the modalities of a negotiating process. The Secretary-General further maintained that, given the complexity of the Arab-Israeli conflict, a just and lasting peace could be best achieved through a comprehensive settlement covering all aspects of the conflict and involving all the parties concerned, including the PLO. On the prospects for the early convening of the International Peace Conference on the Middle East he said that:

"... the idea of an International Peace Conference appears to be gaining wider support and a number of procedural proposals have been made in bilateral contacts involving the parties in the region and others who are interested in a settlement of this long-standing conflict. Important disagreements nevertheless remain on the scope of the Conference, on its timing and especially on the question of participation. The latter question, more specifically how the interests and rights of the Palestinian people should be represented, has so far proved impossible to resolve in a manner acceptable to all the potential participants in the proposed Conference. Agreement on that issue would do more than anything else to unblock the present deadlock in the negotiating process."

The disagreements on the issue of the convening of the Conference, however, could also be observed during the debate at the forty-first session of the General Assembly which, by a vast majority, adopted resolution 41/43 D, which reaffirmed its endorsement of the call for convening the Conference. Moreover, the resolution called for setting up a preparatory committee, within the framework of the Security Council, with the participation of the permanent members of the Council to take the necessary action to convening the Conference. By the same resolution the Secretary-General, in consultation with the Security Council, was requested to continue his effort with a view of convening the Conference and to report on this matter to the General Assembly not later than 15 May 1987.

## 1987

The year 1987 was marked by several anniversaries of significant events in the history of the Palestinian people. It was the year marking the seventieth anniversary of the Balfour Declaration of 1917, the fortieth anniversary of the United Nations partition resolution of 1947 (resolution 181 (II)), the twentieth anniversary of the 1967 war and the fifth anniversary of the brutal massacre of hundreds of Palestinian civilians - men, women and children - at the refugee camps of Sabra and Shatila in West Beirut on 17 and 18 September 1982. In commemoration of these anniversaries, the Committee on the Exercise of the Inalienable Rights of the Palestinian People decided that it would keep in mind, in its programme of work for the year, a proposal by the NGO community to designate the year 1987 as "The Year of the Palestinian People".

The idea of holding a United Nations-sponsored international peace conference on the Middle East received vigorous endorsement in the relevant resolution of the Fifth Islamic Summit Conference held at Kuwait, from 26 to 29 January 1987. The Islamic States, in resolution No. 1/5-P(IS), expressed their commitment to the convening of such a conference with the participation of all the parties concerned in the Arab-Israeli conflict, including the PLO, on an equal footing with them, as well as the permanent members of the Security Council. The Islamic Conference endorsed the establishment of a preparatory committee comprised of the five permanent members of the Security Council.

An important position statement came early that year from the States members of EEC which contained their endorsement for the convening of the Conference in a document entitled "Declaration of the Foreign Ministers of the Twelve States Members of the European Community on the Middle East". The Declaration was adopted during their meeting in Brussels, Belgium, on 23 February 1987. The expression of support of the Twelve for the forum was contained in a letter addressed to the Secretary-General 53/ in which they pointed out that they were in favour of an international peace conference, held under United Nations

auspices, with the participation of the parties concerned and of any party able to make a direct and positive contribution to the restoration and maintenance of peace, as well as to the region's economic and social development.

In the United Nations the Commission on Human Rights, at its forty-third session, held from 2 February to 13 March 1987, adopted two resolutions entitled "Question of the violation of human rights in the occupied Arab territories, including Palestine". Resolution 1987/2 A, while reiterating the majority of the provisions contained in the similar resolutions in previous years, strongly condemned the implementation by Israel of the "iron-fist" policy against the population of the occupied territory as well as all terrorist acts undertaken against the Palestinian inhabitants of the occupied territory by Zionist gangs under the supervision of the occupation authorities; the Commission also strongly condemned the Israeli practice of hindering religious freedom and practices. In its resolution 1987/2;B, the Commission focused its attention on the applicability of the 1949 Geneva Convention to all Palestinian and other Arab territories occupied by Israel since 1967, including Jerusalem.

The Foreign Ministers of the Scandinavian States meeting at Reykjavik, Iceland, from 25 to 26 March 1987, had the Middle East problem high on their agenda. Upon the termination of the meeting, the Nordic Foreign Ministers issued a statement supporting the idea of the International Peace Conference on the Middle East under the auspices of the United Nations with the participation of the parties concerned.

States members of the Movement of Non-Aligned Countries once again voiced their support for the convening of the Conference during the meeting of their Committee of Nine on Palestine held at Harare, Zimbabwe, from 14 to 15 April 1987. The Committee urged intensified efforts to begin the preparatory process for the early convening of the Conference.

At its eighteenth session, held at Algiers, Algeria from 20 to 26 April 1987, the Palestine National Council (PNC) strongly endorsed the convening of the International Peace Conference on the Middle East, within the framework of the United Nations and under its auspices, with the participation of the permanent members of the Security Council and the concerned parties, including the PLO, on an equal footing with the other parties. The report also rendered support for the proposal regarding the establishment of the preparatory committee for the Conference.

Later in the year the Secretary-General, in accordance with General Assembly resolution 41/43 D of 2 December 1986 (para. 6), submitted his report on the question of Palestine and the situation in the Middle East. <sup>54/</sup> The report was prepared on the basis of the Secretary-General's round of consultations with all the members of the Security Council and representatives of the Member States directly concerned - Egypt, Israel, Jordan, Lebanon, the Syrian Arab Republic - and the PLO. Its focal point was the attitude of the Security Council members towards the Secretary-General's effort to explore ways for a comprehensive settlement of the Middle East conflict in general and for an international peace conference on the issue in particular. Describing new elements in this process, the Secretary-General stated in paragraph 3 that:

"All members of the Security Council were concerned about the Middle East problem, and all expressed support for a continuation of the Secretary-General's efforts to bring about a just and lasting peace in the Middle East. Moreover, in contrast with experience of recent years, none of the Council members opposed in principle the idea of an International Conference under United Nations auspices. It was clear, however, that wide differences still existed regarding the form that a conference should take. It was also generally agreed that the position of the parties themselves remained far apart on a number of issues of procedure and of substance but that in recent months there had been indications of greater flexibility in attitudes towards the negotiating process and that this should be encouraged."

The Secretary-General concluded by pointing out that, while it was apparent that sufficient agreement did not exist to permit the convening of the International Conference, as called for in resolution 41/43 D, he was determined to continue his efforts to establish a process that would lead to a just and lasting peace in the Middle East.

On 28 and 29 May 1987, a session of the Political Consultative Committee of the States parties to the Warsaw Treaty on Friendship, Co-operation and Mutual Assistance was held at Berlin. Addressing the issue of the ways of finding a just political solution to the Middle East problem, the leaders of the States parties to the Treaty stated that a United Nations-sponsored conference attended by all the interested parties, including the PLO, as the sole legitimate representative of the Palestinian people, would be of great importance for a comprehensive settlement in the Middle East and the attainment of lasting peace in the region. They were of the view that a preparatory committee involving the five permanent members of the Security Council, as well as all interested parties, could be a great practical step towards convening such a conference. <sup>55/</sup>

On 13 November 1987, the Secretary-General submitted his report on the situation in the Middle East <sup>56/</sup> to the forty-second session of the General Assembly. In his overview of the developments related to negotiating a comprehensive settlement of the Arab-Israeli conflict and on the prospects for the convening of the International Peace Conference on the Middle East, the Secretary-General said that two factors - international backing as well as the support of the parties concerned - had provided an important basis for the several rounds of consultations.

On the issue of the existing differences between the parties, the Secretary-General pointed out that those are "differences about the procedural aspects of a conference". He also expressed his hope that with the principle accepted, the gaps on procedure could be bridged through patient diplomacy. The Secretary-General, however, clearly outlined the still existing obstacle to the convening of such a conference and made the following observation in paragraph 33:

"The major obstacle at present, however, is one of a different kind, namely, the inability of the Government of Israel as a whole to agree on the principle of an international conference under United Nations auspices. Until the Israeli Government accepts that such a conference is the best way to negotiate a peace settlement, the way forward will remain difficult."

The Secretary-General's findings, however, pointed to certain positive developments in this area. The Secretary-General concluded that he was nevertheless encouraged by the fact that:

"... the idea of an international conference under United Nations auspices has been given high priority among the Arab parties to the conflict, and has been the subject of lively debate within Israel. These positive trends, combined with the growing international consensus in favour of the early convening of a conference, demand of us that we consolidate and build on the foundation that has so far been established."

The Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Population of the Occupied Territories, in its 1987 report, <sup>57/</sup> stated that the general climate of confrontation and repression in the occupied territories had a negative impact in various fields. The day-to-day reality faced by civilians in the occupied territory was marked by the persistence and even intensification of the various forms of harassment and humiliation of the Arab population. Another arbitrary practice used against the Palestinians was that of expulsion and deportation. The report also contained information on measures affecting the enjoyment by the Palestinians of certain basic freedoms. The Special Committee concluded that:

"... the situation in the occupied territories denotes a continuing deterioration of human rights and fundamental freedoms by the civilian population. The relevant provisions of the Fourth Geneva Convention continue to be disregarded. The persistent policy of annexation of the occupied territories, which meets with fierce resistance on the part of the civilian population, and the cycle of tension and repression that the implementation of such a policy involves, have led to an explosive situation that seems bound to provoke yet more dramatic events in the future."

The report of the Committee on the Exercise of the Inalienable Rights of the Palestinian People 58/, submitted in 1987, emphasized that international understanding of the question of Palestine and support for the attainment and exercise of the inalienable rights of the Palestinian people had reached new heights in late 1986 and into 1987. At the same time, the grave deterioration of the situation of Palestinians in the area had aroused the most widespread and serious concern that tension and violence could continue to increase, with possible disastrous consequences for the region, unless progress was finally made towards a negotiated settlement of the problem. It was stressed in the report that urgent positive action by the Security Council was required on the recommendations formulated by the Committee in its first report, as well as on those adopted by the 1983 International Conference on the Question of Palestine, which had been repeatedly endorsed by the General Assembly.

The Committee in 1987 intensified its efforts aimed at convening the International Peace Conference on the Middle East, in accordance with the provisions of General Assembly resolutions 38/58 C and 41/43 D. In the view of the Committee, such a Conference was the most comprehensive and widely accepted proposal aimed at resolving the Palestinian problem.

The Arab Summit, held at Amman, Jordan, from 8 to 11 November 1987 affirmed, *inter alia*, that the Palestinian issue was the core issue of the Middle East conflict. It supported the convening of the United Nations-sponsored International Conference on the Middle East with the participation of all parties concerned, including the PLO, the sole legitimate representative of the Palestinian people, on an equal footing, in addition to the permanent members of the United Nations Security Council.

The issue of the convening of the International Peace Conference on the Middle East was one of the major issues discussed at the forty-second session of the General Assembly. The general debate at the session clearly indicated that there was a growing understanding and awareness among Member States of the urgency and complexity of the question of Palestine, as the core of the Arab-Israeli conflict. The debate also reflected increased interest within the international community in a just, peaceful and comprehensive settlement of the conflict. Almost all the delegations spoke in favour of the convening of the International Peace Conference on the Middle East under the aegis of the United Nations.

By an overwhelming majority of votes, the General Assembly adopted resolution 42/66 D relating to the convening of such a Conference. The resolution endorsed anew the call for the convening of the International Peace Conference on the Middle East stressing "the urgent need for additional concrete and constructive efforts by all Governments in order to convene the Conference without further delay".

#### IV. INTIFADAH: PALESTINIAN POPULAR UPRISING IN THE OCCUPIED PALESTINIAN TERRITORY

##### A. Beginning of the intifadah

At the end of 1987, the question of Palestine and that of the Arab-Israeli conflict as a whole remained in the forefront of the international community's attention as one of the most protracted and difficult of all conflicts after the Second World War. Along with the growing international understanding of the question of Palestine and support for the attainment and exercise by the Palestinian Arab people of its inalienable rights, tension and violence mounted in the region with tragic consequences for the Palestinians.

During the period between September and December 1987, various incidents reflecting the climate of growing unrest among the Palestinian population of the West Bank and Gaza Strip took place. This brief period was marked by numerous violent demonstrations, armed clashes and shootings, leading in some instances to serious injuries and killings, the throwing of petrol bombs and grenades and business and school strikes in various towns, localities, refugee camps and universities in the occupied territory.

In early December 1987 the Palestinian problem entered a new phase. The massive uprising (intifadah) of the Palestinian population erupted early that month in the occupied Gaza Strip and then spread to the rest of the occupied territory. On 8 December, four Palestinians died and nine others were injured after an Israeli Defence Forces (IDF) truck struck their vans at an army road block in the Gaza Strip. The Palestinians believed that the deaths were deliberately caused and popular protests followed. The Israeli forces began to use live ammunition against the Palestinian protesters which resulted in high casualties on the Palestinian side.

Following these intense Gaza protests the Palestinian popular uprising flared up in the West Bank and Jerusalem. To subdue and disperse the all-out Palestinian protest demonstrations, IDF, special forces, police and Jewish settlers used live ammunition, indiscriminate beatings of Palestinians, as well as other means of repression.

Immediately following the start of the uprising, the Security Council was convened on 11 December to consider the situation in the occupied Arab territories at the request of Democratic Yemen, Chairman of the Group of Arab States for that month. 59/ The Security Council considered the issue at its nine meetings during the month of December.\* On 22 December 1987 the Council adopted resolution 605 (1987) by 14 votes in favour to none against with 1 abstention (United States of America). In that resolution 60/ the Security Council "strongly deplored the policies and practices of Israel, the occupying Power, which violate the human rights of the Palestinian people in the occupied territories, and in particular the opening of fire by the Israeli army, resulting in the killing and wounding of defenceless Palestinian civilians". It also reaffirmed that "the Geneva Convention relative to the Protection of Civilian Persons in Time of War of 12 August 1949 [was] applicable to the Palestinian and other Arab territories occupied by Israel since 1967, including Jerusalem". The Security Council requested the Secretary-General to examine the situation in the occupied territory by all means available to him and to submit a report containing his recommendations on ways and means for ensuring the safety and protection of the Palestinian civilians under Israeli occupation.

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\* Security Council, 2770th, 2772-2777th and 2780-2781st meetings.

Despite direct appeals to the Israeli Government to abide by article 49 of the foresaid Geneva Convention and not to resort to the deportation of Palestinians from the occupied territory, Israel went ahead and obtained an arbitrary court decision for the deportation of nine Palestinians.

On 5 January, the Security Council unanimously adopted resolution 607 (1988) in which, *inter alia*, it called upon Israel to refrain from deporting any Palestinian civilians from the occupied territory. The Council's appeal to Israel "to rescind the order to deport Palestinian civilians and to ensure the safe and immediate return to the occupied Palestinian territories of those already deported" was contained in its resolution 608 (1988), adopted on 14 January 1988 by 14 votes in favour to none against with 1 abstention.

Report of the Secretary-General of 21 January 1988 61/

In response to Security Council resolution 605 (1987), the Secretary-General dispatched his representative, Mr. Marrack Goulding, Under-Secretary-General for Special Political Affairs, to visit Israel and the occupied Palestinian territories with a twofold mission: to examine on the spot the situation in the occupied territory and to explore ways and means to ensure the safety and protection of the Palestinian population of the West Bank and Gaza which could be recommended by the Secretary-General to the Security Council.

The Secretary-General's representative, after meeting with Israeli Government officials and discussing the situation in the occupied territory with about 200 Palestinian men and women, forwarded his findings and observations to the Secretary-General. On 21 January 1988 the Secretary-General submitted his report on the situation in the occupied Palestinian territories to the Security Council.

Part I of the report, entitled "The situation in the occupied Palestinian territories", dealt with the human rights abuses committed by the occupying Power and the living conditions of the Palestinian population of the occupied territory. According to the report, the Palestinians consulted by the Under-Secretary-General rejected the Israeli occupation and bitterly complained about the practices of the Israeli security forces (this term includes IDF, the border police, the civilian police and the General Security Services (GSS), also known as Shin Beth). Equally common was the complaint (which was also made against officials of the Israeli Civil Administration in the territories) that Palestinians were treated with a contempt and arrogance that seemed to be deliberately intended to humiliate them and undermine their dignity as human beings. Complaints were also made regarding routine violence in detention centres, as well as about the whole system of administrative detention. It was said that the purpose of interrogation was normally to extract a confession, for use in subsequent proceedings in the military courts, and that heavy physical and psychological pressure was used for this purpose by GSS, which used techniques (e.g. hooding) that left no permanent physical disfigurement.

Part I also contained other complaints made by the Palestinians regarding the lack of outlets for their political activity, the taking of land in the occupied territory for the establishment of Israeli settlements and the Israeli practice of deportation of the Palestinians.

Part II of the report, entitled "Ways and means for ensuring the safety and protection of the Palestinian civilians under Israeli occupation", considered such problems as the need for a political settlement of the Arab-Israeli conflict, the question of the observance of the Fourth Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, various types of protection of the civilian Palestinian population and ways and means to ensure the civilian population's protection.

In discussing the need for a political settlement of the problem, the Secretary-General, in paragraph 20, stated the following:

"... It is certainly necessary that more should be done to ensure the safety and protection of the civilian population. But such measures can only be palliatives. They cannot cure the underlying problem, which is the continuing occupation by Israel of the territories captured in the 1967 war.

"... In the long run, the only certain way of ensuring the safety and protection of the Palestinian people in the occupied territories, and of the people of Israel, is the negotiation of a comprehensive, just and lasting settlement of the Arab-Israeli conflict acceptable to all concerned. An urgent effort is required by the international community, led by the Security Council, to promote an effective negotiating process and to help create the conditions necessary for it to succeed."

Regarding the question of the applicability of the Fourth Geneva Convention to the Israeli policies in the occupied territory, the report unequivocally stated in paragraph 26 that:

"Several Security Council and General Assembly resolutions (including resolution 242 (1967)) have declared the inadmissibility of the acquisition of territory by war and insisted on Israel's withdrawal from territories occupied since the 1967 war. The Security Council and the General Assembly have consistently maintained since 1967 that the territories that came under Israeli control during the 1967 war are 'occupied territories' within the meaning of the Fourth Geneva Convention. Both the Security Council and the General Assembly have also stated in numerous resolutions that the Fourth Geneva Convention applies to these occupied territories. Accordingly, even though Israel does not accept the de jure applicability of the Fourth Geneva Convention, the opinio juris of the world community is that it must be applied."

The Secretary-General suggested certain urgent measures to be taken with a view to alleviating the present situation. He also stated in paragraph 27 that:

"The most effective way, pending a political settlement, of ensuring the safety and protection of the civilian population of the occupied territories would thus be for Israel to apply in full the provisions of the Fourth Geneva Convention. To this end, I recommend that the Security Council should consider making a solemn appeal to all the High Contracting Parties to the Fourth Geneva Convention that have diplomatic relations with Israel, drawing their attention to their obligation under article 1 of the Convention, to '... ensure respect for the present Convention in all circumstances' and urging them to use all the means at their disposal to persuade the Government of Israel to change its position as regards the applicability of the Convention."

The Secretary-General also put forward, in paragraph 28, a set of possible protective measures that could be undertaken by the Security Council to help to ensure the civilian population's safety. The proposed forms of "protection" were as follows:

"...

"(a) 'Protection' can mean physical protection, i.e. the provision of armed forces to deter, and if necessary fight, any threats to the safety of the protected persons;

"(b) 'Protection' can mean legal protection, i.e. intervention with the security and judicial authorities, as well as the political instances, of the occupying Power, by an outside agency, in order to ensure just treatment of an individual or group of individuals;

"(c) 'Protection' can also take a less well-defined form, called in this report 'general assistance', in which an outside agency intervenes with the authorities of the occupying Power to help individuals or groups of individuals to resist violations of their rights (e.g. land confiscations) and to cope with the day-to-day difficulties of life under occupation, such as security restrictions, curfews, harassment, bureaucratic difficulties and so on;

"(d) Finally, there is the somewhat intangible 'protection' afforded by outside agencies, including especially the international media, whose mere presence and readiness to publish what they observe may have a beneficial effect for all concerned; in this report this type of protection is called 'protection by publicity'."

In his concluding remarks, the Secretary-General made a series of action-oriented recommendations and described certain steps to be undertaken to bring

about a just settlement of the Arab-Israeli conflict. The Secretary-General pointed out that the underlying problems could be resolved only through a political settlement. He outlined his long-standing position on the issue in these terms in paragraph 53:

"... I continue to believe that this should be achieved through a comprehensive, just and lasting settlement based on Security Council resolutions 242 (1967) and 338 (1973) and taking fully into account the legitimate rights of the Palestinian people, including self-determination. Such a settlement should be negotiated by means of an international conference under United Nations auspices, with the participation of all the parties concerned."

In the final sections of the report, the Secretary-General underscored the socio-economic conditions under which the population of the occupied territories lives. He referred, *inter alia*, to the situation in the refugee camps, pointing out to the "squalid living conditions in many of the camps, especially in the Gaza Strip, resulting from the lack of such basic amenities as paved roads, sewage, water, lighting and housing of a minimum standard". In these circumstances, the Secretary-General asked the Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA) urgently to prepare proposals for improving the infrastructure of the camps and to seek the necessary funds. The Secretary-General also stated that many of the Palestinians consulted expressed the hope that a concerted international effort could be undertaken to revive the territories' economy. To this end, the Secretary-General asked the Administrator of the United Nations Development Programme (UNDP) to study this possibility.

Finally, in paragraph 60, the Secretary-General expressed his belief that:

"... an urgent effort is required by the international community, led by the Security Council, to promote an effective negotiating process. This is what the Charter requires and it is the fundamental recommendation in this report. I remain personally committed to the search for a settlement and will contribute in any way that I can to that objective."

The deliberations on this issue in the Security Council were preceded by a series of communications addressed to the Secretary-General. He received letters from the Permanent Representative of Kuwait to the United Nations, the Chairman of the Committee on the Exercise of the Inalienable Rights of the Palestinian People and the Permanent Representative of the USSR to the United Nations.

The representative of Kuwait transmitted to the Secretary-General the text of the communiqué <sup>62/</sup> adopted at the urgent meeting of the members of OIC at the United Nations, held in New York on 19 January 1988, concerning the desecration by the Israeli troops of Masjid (Mosque) al-Aqsa during Friday prayers. The letter stated that on 15 January 1988, while worshippers were performing their Friday prayers at Masjid al-Aqsa and at the Dome of the Rock in Al-Quds al-Sharif (Jerusalem), Israeli troops rushed into the Mosque, opened fire and launched tear gas grenades at the peaceful worshippers, which resulted in multiple serious injuries and their subsequent hospitalization.

The OIC meeting condemned these Israeli policies and practices against the Palestinian Arab people in the occupied Palestinian territory that were in violation of the Fourth Geneva Convention. The members of OIC at the United Nations supported the Palestinian uprising in the occupied Palestinian territory and voiced their solidarity with the uprising.

The Secretary-General received a letter dated 20 January 1988 <sup>63/</sup> from the Chairman of the Committee on the Exercise of the Inalienable Rights of the Palestinian People in which the Chairman of the Committee stated:

"The Committee on the Exercise of the Inalienable Rights of the Palestinian People wishes to express once again its utmost concern at these policies and practices of Israel, the occupying Power, which are in clear violation of the basic rights of the Palestinian people, of United Nations resolutions and of the Fourth Geneva Convention of 12 August 1949. The Committee is particularly concerned by the imposition of collective punishment on the entire Palestinian population, which can only exacerbate tension and further hamper international efforts to achieve a peaceful settlement of the question of Palestine."

The Chairman of the Committee went on to stress the necessity of stepping up efforts to find a solution to the Palestinian problem on the basis of General Assembly resolution 38/58 C. He concluded by stating the following:

"The Committee appeals to you to take all possible measures to alleviate the suffering of the Palestinians under Israeli occupation, particularly to ensure the continuous supply of food and other necessities to the refugee camps. Further, the Committee reiterates its appeal for the intensification of efforts by all concerned to bring about a comprehensive, just and lasting solution to the question of Palestine, in accordance with United Nations resolutions, in particular through the convening of the International Peace Conference on the Middle East, pursuant to General Assembly resolution 38/58 C of 13 December 1983."

On the eve of the Security Council meeting on the situation in the occupied Arab territories, the Secretary-General also received a message from Mr. E. A. Shevardnadze, Minister for Foreign Affairs of the Soviet Union. <sup>64/</sup> In the letter, he pointed to the urgent need of transforming the political will of States reflected in the General Assembly's decisions into concrete practical steps to solve the hard-core problems of the Middle East and suggested that special role in this process be played by the United Nations, and in particular the Security Council. He put forward the following proposal:

"We suggest that the members of the Security Council proceed to consultations to consider the relevant questions. The initiative in this matter, we believe, could belong to the permanent members of the Security Council. Conclusions and recommendations arrived at during such consultations could be considered at a formal meeting of the Council. In view of the particular importance of this question for the maintenance of international security, we propose that such a meeting should be held at the Foreign Minister level. We hope that you, for your part, will use the means at your disposal and your personal authority to contribute effectively to a general agreement on immediate practical steps for the convening of an International Conference on the Middle East."

The report of the Secretary-General was discussed by the Security Council at five meetings held on 27 and 28 January and 1 February 1988.\* Thirty-two delegations addressed the issue. The overwhelming majority of the delegations pointedly criticized Israel for its repressive and harsh measures against the participants in the civilian Palestinian uprising in the occupied territories.

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\* Security Council, 2785-2787th and 2789-2790th meetings.

The debate on the report in the Security Council proved that there was a broad understanding among those delegations that addressed the issue on the need for a concerted collective effort to break the existing deadlock in the Arab-Israeli conflict and to find a political solution to the problem. The only constructive and effective mechanism to reach such a solution would be the early convening of the International Peace Conference on the Middle East, under the auspices of the United Nations, with the participation of all the parties concerned, including the PLO.

At the final stage of the Security Council's deliberations, six delegations, representing the non-aligned States, drafted a resolution <sup>65/</sup> which called upon Israel, as the occupying Power and as a High Contracting Party to the Geneva Convention of 12 August 1949, to accept *de jure* the applicability of the Convention to the Palestinian and other Arab territories occupied since 1967, including Jerusalem, and to comply fully with its obligations under that Convention, to desist forthwith

from its policies and practices which violated the human rights of the Palestinian people; requested Israel to facilitate the task of ICRC and UNRWA and requested all members to give them their full support; requested the Secretary-General to continue to monitor the situation in the occupied territories by all means available to him and to make regular and timely reports to the Council; and affirmed the urgent need to achieve, under the auspices of the United Nations, a comprehensive, just and lasting settlement of the Arab-Israeli conflict, an integral part of which was the Palestinian problem, and expressed its determination to work towards that end. On 1 February 1988 the draft was put to the vote but was not adopted owing to the negative vote of a permanent member of the Security Council. All the other 14 Council members voted in favour of the draft resolution.

Despite the failure of the Security Council to adopt the above-mentioned draft resolution, the significance of the document, its findings and conclusions and the Council's near-unanimous agreement on the modalities of the Middle East settlement cannot be overestimated. In this respect the Security Council's action on the report of the Secretary-General was an important event in the recent history of the United Nations efforts to find a solution to the question of Palestine.

#### Israeli policies in the occupied Palestinian territory

Following the January 1988 deliberations on the Secretary-General's report in the Security Council, a number of events directly affecting the Palestinian people took place in the area of the Middle East and elsewhere. Unquestionably, the most significant of them for the Palestinians was the continuation of and qualitative changes in the intifadah. Israeli occupation authorities, despite the world-wide condemnation of their practices in the occupied territory, persisted in the "iron-fist" policy against the Palestinians. Methods used by the Israeli forces in the occupied West Bank and the Gaza Strip in dealing with the popular uprising resulted in mass injuries and heavy loss of life among the civilian Palestinian population including children, women and the elderly. The reliance of the Israeli military on certain types of tear gas in high concentrations was from the start of the intifadah the cause of numerous deaths and miscarriages among pregnant Palestinian women and deaths among children. Palestinians were constantly subjected to the indiscriminate beatings and other forms of physical abuse by IDF and GSS personnel. They were also exposed to attacks, at times violent, by the Israeli settlers. Curfews, collective punishment, demolition of houses, detentions and deportations of the Palestinians became standard practice of the Israeli authorities. At the time of writing, over 450\* Palestinians were reported to have been killed by the Israeli troops, over 20,000 wounded or injured and 51 deported from the occupied territory by the Israeli authorities. During 1988, thousands of Palestinians from the West Bank and Gaza Strip were detained for different periods of time. At various times during the uprising, over 2,000 persons were under administrative detention for the period of three to six months. <sup>66/</sup> Up to 12,000 persons were held under detention at certain periods.\*\*

Israel's violations of the inalienable rights of the Palestinian people in the occupied Palestinian territory have been sharply criticized and condemned by the international community. The United States Department of State, in its 1988 report, indicated that, in the view of the United States Government, certain Israeli policies and practices contravened the provisions of the Fourth Geneva Convention.\*\*\* These violations include deportations of Palestinian civilians that became more frequent in 1988 than in 1987, transferring prisoners from the occupied territories and house demolitions as a punishment for families. This report cited serious violations of the Palestinians' rights by the Israeli authorities. According to the report, the response of IDF to the intifadah "led to a substantial increase in human rights violations". The Department of State in this report stated that the Israeli soldiers, in trying to control the uprising, "frequently used gunfire in situations that did not present mortal danger to troops, causing many avoidable deaths and injuries". Reported were "five cases in 1988 in which unarmed Palestinians in detention died under questionable circumstances or were clearly killed by the detaining officials". Reference was also made to the reports of beatings of suspects and detainees, and of "harsh and demeaning treatment of prisoners and detainees". Particularly severe abuse of Palestinian prisoners was reported at the new facility of Dahiriya. <sup>67/</sup>

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\* This includes deaths from gunfire, tear-gas, beatings and other causes. Palestinian, Israeli, United Nations and other sources differ on the exact number of casualties among the Palestinian population.

\*\* Palestinian, Israeli and other sources differ as to the exact number of casualties and detainees among the Palestinian population.

\*\*\* The United States considers Israel's occupation to be governed by The Hague Regulations of 1907 and the 1949 Geneva Convention relative to the Protection of Civilian Persons in Time of War.

On 19 January 1988, Mr. Itzhak Rabin, Israeli Minister of Defence, stated that in an effort to put down the intifadah, Israel's first priority [was] "force, might, beatings". <sup>68/</sup> According to the State Department's same report:

"... in late January and February Palestinian and foreign physicians, human rights organizations, and the international and Israeli press reported widespread incidents in which IDF troops used clubs to break limbs and beat Palestinians who were not directly involved in disturbances or resisting arrest. Soldiers turned many people out of their homes at night, making them stand for hours, and rounded up men and boys and beat them in reprisal for stone-throwing." <sup>69/</sup>

The Attorney-General of Israel criticized this policy and declared it illegal.

The report said that Palestinian children were treated by the Israeli authorities as adults in security offences. To conceal the above-mentioned practices from the international community, and in part to stop the continuing intifadah, Israel resorted to a media and information blackout. It is stated in the report of the State Department that "to halt the uprising, the Israeli authorities imposed increasing restraints on freedom of expression and press in 1988, citing security reasons". <sup>70/</sup>

Other restrictions were imposed upon the Palestinians, according to the Department of State. These include administrative detention and greater resort to often prolonged curfews that cause severe hardship to the Palestinian residents.

#### Action taken by the Commission on Human Rights

Throughout 1988 the situation in the occupied Palestinian territory and turbulent developments in the Middle East in general were at the centre of attention of the international community which considerably stepped up its political, humanitarian and economic support for the Palestinian people. A number of significant decisions were adopted and actions taken in 1988 on the question of Palestine both within the United Nations and by other intergovernmental organizations and bodies such as EEC, the League of Arab States, OIC, OAU, the Movement of Non-Aligned Countries, the Nordic States, the Inter-Parliamentary Union, the Gulf Cooperation Council, the Caribbean Community and the Association of South-East Asian Nations.

The Commission on Human Rights, the major United Nations body working to promote and protect human rights, continued in 1988 to focus its attention on the violation of human rights in the occupied territory. The report submitted at its forty-fourth session, which was held from 1 February to 11 March, contained two resolutions entitled "Question of the violation of human rights in the occupied Arab territories, including Palestine". In resolution 1988/1 A, the Commission reiterated, inter alia, its strong condemnation of Israel's policy of physical violence in the occupied territory, breaking the bones of children, women and men and

causing women to miscarry as a result of severe beating. It condemned other systematic violent practices of the Israeli authorities, such as killing, wounding, arresting and torturing thousands of Palestinians and kidnapping Palestinian children. The Commission firmly rejected Israel's decision to annex Jerusalem. While urging Israel to refrain from policies and practices that violate human rights in the occupied territory, the Commission requested the Economic and Social Council to recommend to the Security Council the adoption against Israel of the measures referred to in Chapter VII of the Charter of the United Nations for its persistent violation of such rights.\* Resolution 1988/1 B urged Israel, which had been systematically refusing to apply the Fourth Geneva Convention in all its provisions to the Palestinian or Arab territories, occupied since 1967, to abide by this international legal instrument and respect it.

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\* Chapter VII of the Charter of the United Nations (Arts. 39-51), entitled "Action with respect to threats to the peace, breaches of the peace and acts of violence", describes possible provisional United Nations measures, diplomatic, economic or military, to be taken to restore international peace and security.

During the same session, the Commission on Human Rights adopted a third resolution relating to the question of Palestine. In that resolution, 1988/3, entitled "Situation in occupied Palestine", the Commission reaffirmed its support for the call to convene an international peace conference on the Middle East in accordance with General Assembly resolution 38/58 C.

#### United States action on the PLO representation at the United Nations

Among developments of special concern to the United Nations in 1988 was the adoption by the United States of the legislation contained in the Foreign Relations Authorization Act, Fiscal Years 1988 and 1989, as it affected the maintenance of the PLO Permanent Observer Mission to the United Nations in New York. The General Assembly reaffirmed that the Mission was covered by the provisions of the Headquarters Agreement,\* that the PLO had the right to establish and maintain premises and adequate functional facilities and that the personnel of the Mission should be enabled to enter and remain in the United States to carry out their official functions. The Assembly also pointed out that a dispute existed between the United Nations and the United States concerning the interpretation or application of the Headquarters Agreement, and that the dispute settlement procedure provided for under section 21 of the Agreement should be set into operation. The International Court of Justice on 26 April 1988 unanimously gave its advisory opinion that "the United States of America, as a party to the Agreement between the United Nations and the United States of America regarding the Headquarters of the United Nations of 26 June 1947, is under an obligation, in accordance with section 21 of that Agreement, to enter into arbitration for the settlement of the dispute between itself and the United Nations". The Assembly, in its resolution 42/232 of 13 May 1988, endorsed the advisory opinion of the Court and urged the host country to abide by its international legal obligations and accordingly to name its arbitrator to the arbitral tribunal provided for under section 21 of the Headquarters Agreement.

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\*"Agreement between the United States and the United States of America regarding the Headquarters of the United Nations". This document, also known as the "Headquarters Agreement" was signed at Lake Success on 26 June 1947 and came into force on 21 November 1947 by an exchange of notes, in accordance with section 28 thereof.

On 13 September 1988, the Secretary-General submitted a report pursuant to General Assembly resolution 42/232 of 13 May 1988 in which he reviewed the dispute that had arisen with the host country over its domestic legislation, the Anti-Terrorism Act of 1987, which would have led to the closure of the Permanent Observer Mission of the PLO. 71/ Enclosed with the report was the judgement of the United States District Judge in Manhattan of 29 June 1988 which dismissed the United States Government lawsuit seeking to close the PLO Mission under the said legislation.

According to the relevant rules of court, the United States had 60 days from the date of the decision in question within which to file an appeal. On 29 August 1988, the United States Department of Justice announced that the United States had decided not to appeal the decision. On the same day this statement was issued, attributable to the spokesman for the Secretary-General:

"The United Nations welcomes the decision by the United States not to appeal the judgement of the Federal District Court for the Southern District of New York. The dispute between the United Nations and its host country on the PLO Observer Mission has thus come to an end." 72/

#### Developments in the Middle East relative to the question of Palestine

In the course of the year, along with the unabating repression of the Palestinian population of the occupied territory, Israel continued its threats and attacks against the PLO. This culminated in the assassination by a commando force on 16 April 1988 of Khalil al-Wazir (Abu Jihad), Deputy Commander-in-Chief of the Palestinian Armed Forces and a member of the Central Committee of the PLO. An investigation carried out by the Tunisian Government has ascertained the direct responsibility of Israel in the attack.

This matter was brought to the attention of the Security Council which considered it at its four meetings held between 21 and 25 April 1988. On 25 April 1988, the Security Council, by a vote of 14 in favour to none against, with 1 abstention, adopted resolution 611 (1988). By that resolution the Council, *inter alia*, condemned vigorously the aggression perpetrated on 16 April 1988 against the sovereignty and territorial integrity of Tunisia in flagrant violation of the Charter of the United Nations, international law and norms of conduct.

By mid-1988 the situation in the occupied territory and the repressive policies and practices of Israel towards the civilian Palestinian population, as well as the repeated violations by it of the sovereignty and territorial integrity of countries in the area, had reached a critical point, making it imperative to advance to a comprehensive political solution to the question of Palestine. At the same time, numerous developments related to the Arab-Israeli conflict brought about an increased awareness and understanding of the issue, along with the support for the idea of convening an international United Nations-sponsored forum to resolve the question of Palestine, the heart of the conflict.

In June 1988, an important statement was made by the PLO spokesman, Mr. Bassam Abu Sharif, who said that the key to the Palestinian-Israeli settlement was through negotiations between the two parties to the conflict. He also expressed the PLO's readiness to talk with any party chosen by the Israeli side to represent it at such negotiations. Mr. Abu Sharif said that the PLO accepted Security Council resolutions 242 (1967) and 338 (1973) within the framework of a United Nations resolution that recognized the Palestinian people's rights. He added that the PLO was ready to accept the placing of the occupied territory under international

guardianship. The PLO spokesman further emphasized that the PLO would agree to and even insist on international guarantees for the security of all countries in the region, including Palestine and Israel. He said that the Organization's desire to have such guarantees was the motive for the PLO's demand for bilateral peace negotiations with Israel that would be carried out within the framework of an international conference under United Nations supervision. Mr. Abu Sharif was of the view that a plebiscite among the Palestinians of the West Bank and Gaza Strip under United Nations supervision would allow the Palestinian people to decide upon who would represent them in a future peace process. <sup>73/</sup>

A fundamentally new element was introduced in the Middle East situation when the Government of Jordan decided to sever its legal and administrative links with the Israeli-occupied West Bank. In a major address to the nation, on 31 July, King Hussein of Jordan made the following statement:

"Of late, it has become clear that there is a general Palestinian and Arab orientation which believes in the need to highlight the Palestinian identity in full in all efforts and activities that are related to the Palestine question and its developments. It has also become obvious that there is a general conviction that maintaining the legal and administrative relationship with the West Bank - and the consequential special Jordanian treatment of the brother Palestinians living under occupation through Jordanian institutions in the occupied territories - goes against this orientation. It would be an obstacle to the Palestinian struggle which seeks to win international support for the Palestine question, considering that it is a just national issue of a people struggling against foreign occupation." <sup>74/</sup>

King Hussein made it clear, however, that Jordan would continue to support the Palestinian people's steadfastness and its uprising until the Palestinians achieve their national objectives. Later, the King dissolved the lower house of the Jordanian Parliament, which included representatives of West Bank Palestinians. These moves were welcomed by the PLO, which expressed its readiness to assume full responsibility for the administration of the occupied Palestinian territory.

In August-October 1988, the PLO considerably intensified its diplomatic activity with the aim of improving international understanding of the Arab-Israeli conflict and, in particular, the question of Palestine. On 28 August Mr. Yasser Arafat, Chairman of the Executive Committee of the PLO, met at Geneva with the United Nations Secretary-General and discussed with him the situation in the occupied territory and prospects of political and material assistance the United Nations could further extend to the Palestinian people.

Two weeks later, on 13 September, Chairman Arafat addressed a meeting of the Socialist Group of the European Parliament at Strasbourg, France. In his statement he expressed his views of the status quo in the Arab-Israeli conflict, as well as of the conditions and plight of the Palestinian people under Israeli occupation. Chairman Arafat laid special emphasis on the Palestinian popular uprising in the occupied territory. Outlining the position taken by the PLO in the search for a peaceful settlement of the conflict, he stated that the PLO could only agree to the convening of the International Peace Conference on the Middle East under the auspices of the United Nations, with the participation of the permanent members of the Security Council and the parties to the conflict in the region, including the PLO and Israel, on the basis of two options, namely, all the resolutions dealing with the question of Palestine, including Security Council resolutions 242 (1967) and 338 (1973), or Security Council resolutions 242 (1967) and 338 (1973) along with the recognition of the legitimate rights of the Palestinian people, first and foremost of which is its right to self-determination. Addressing the issue of terrorism, Chairman Arafat reiterated the PLO's commitment to the 1985 Cairo declaration and General Assembly resolution 42/159 of 7 December 1987. He stated that the PLO was working to establish an independent Palestinian State in the territory liberated from Israeli occupation, with a democratic, republican, multi-party system respecting human rights, where there would be no distinctions among its citizens because of colour, race or religion. <sup>75/</sup>

#### Special session of the General Assembly

On 30 September, the Secretary-General, in a continuing effort to find an appropriate way to convene the International Peace Conference on the Middle East under the United Nations auspices, submitted another report <sup>76/</sup> containing the positions of the parties to the Arab-Israeli conflict. He made a number of crucial observations as to the situation in the Middle East and the question of Palestine.

The Secretary-General was encouraged by the fact that all the members of the Security Council believed that it was desirable to convene an international conference and it was possible to identify in the positions adopted by the parties that there should be an international framework for the negotiation of a just and lasting settlement of the conflict. While pointing to the remaining differences as regards the nature of that framework, its powers, the basis on which it would be convened and about who should take part in it, the Secretary-General emphasized the urgent need to establish a process acceptable to all for the negotiation of a just, lasting and comprehensive settlement.

In the meantime, the overall situation in the occupied territory was rapidly deteriorating. Cases of collective punishment of the civilian Palestinian population by the occupation authorities became more frequent and included extended curfews and military sieges of towns, villages and refugee camps. Israelis continued to demolish Palestinian houses, close down schools and universities, outlaw labour unions and local committees and practice other sanctions and restrictions against the Palestinians.

In view of these grave circumstances, the Group of Arab States at the United Nations requested on 25 October that a special meeting of the General Assembly be held on the intifadah under the agenda item entitled "Report of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Population of the Occupied Territories". On 3 November the General Assembly met in its plenary session to discuss the proposed item, and following a debate, adopted resolution 43/21 on the uprising.\* The resolution, inter alia, condemned such acts as "the opening of fire by the Israeli army and settlers that result in the killing and wounding of defenceless Palestinian civilians, the beating and breaking of bones, the deportation of Palestinian civilians, the imposition of restrictive economic measures, the demolition of houses, collective punishment and detentions, as well as denial of access to the media". The General Assembly also called upon all the High Contracting Parties to the Fourth Geneva Convention of 12 August 1949 "to take appropriate measures to ensure respect by Israel, the occupying Power, for the Convention in all circumstances in conformity with their obligation under article 1". The resolution requested the Secretary-General to examine the situation in the occupied territory "by all means available to him" and to submit periodic reports on this matter.

The first report emanating from General Assembly resolution 43/21, <sup>77/</sup> was submitted by the Secretary-General on 21 November. The Secretary-General, who was assisted in preparing this document by the United Nations Centre for Human Rights,\*\* stated that he considered it essential that the occupying Power apply scrupulously the provisions of the Fourth Geneva Convention. He emphasized again that measures to enhance the safety and protection of the Palestinian people in the occupied territory, urgent as they were, would not resolve the underlying problem. The Secretary-General was of the view that a resolution of the problem could be reached only through a comprehensive, just and lasting settlement based on Security Council resolutions 242 (1967) and 338 (1973), and taking into account the legitimate rights of the Palestinian people, including self-determination.

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\*The draft was sponsored by 54 Member States. One hundred and thirty votes were cast in favour of the resolution to 2 against, with 16 abstentions.

\*\* The Centre serves as the secretariat for the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Population of the Occupied Territories.



The Committee on the Exercise of the Inalienable Rights of the Palestinian People, in its 1988 report to the General Assembly, <sup>78/</sup> voiced its grave concern about the situation in the occupied territory as a result of "the increasing resort by Israel to armed force and other draconian measures in an effort to suppress the popular uprising, which began in early December 1987, against the continued occupation and gradual annexation of the occupied Palestinian territory and against the Israeli policies and practices violating the rights of the Palestinian people". The report contained information on the policies and practices, including some new ones, applied by the Israeli authorities in order to halt the intifadah. The Committee once again drew the attention of the General Assembly and the Security Council to those policies which constituted flagrant violation of the Fourth Geneva Convention, prevented the Palestinian people from attaining its inalienable rights and thwarted international efforts to bring about a peaceful settlement of the Palestine question.

#### Nineteenth session of the Palestine National Council and its decisions

Of historic significance to the Palestinian people are the decisions and final documents adopted by the nineteenth extraordinary session of PNC, the supreme legislative Palestinian body, held at Algiers, from 12 to 15 November 1988. Palestinians called this session the session of the intifadah and national independence, the session dedicated to Abu Jihad, slain earlier in the year. The session culminated in the adoption on 15 November of two landmark documents, namely "The Political Communiqué of the Palestine National Council" and "The Declaration of Independence". A decision was also taken to set up a provisional government.

In its "Political Communiqué", PNC, among other things, affirmed the determination of the PLO to reach a comprehensive political settlement of the Arab-Israeli conflict and of its essence, the question of Palestine, within the framework of the Charter of the United Nations, the principles and provisions of international legitimacy, the rules of international law, the resolutions of the United Nations - the most recent being Security Council resolutions 605 (1987), 607 (1988) and 608 (1988) - and the resolutions of the Arab summit conferences, in a manner that ensured the right of the Palestinian Arab people to return, to exercise self-determination and to establish its independent national State on its national soil, while also making arrangements for the security and peace of every State in the region.

In order to realize this task, PNC insisted on the implementation of the following:

"(a) The need to convene the effective international conference on the subject of the Middle East problem and its essence, the question of Palestine, under the auspices of the United Nations and with the participation of the permanent members of the Security Council and all parties to the conflict in the region, including the Palestine Liberation Organization, the sole legitimate representative of the Palestinian people, on an equal footing, with the provision that the said international conference shall be convened on the basis of Security Council resolutions 242 (1967) and 338 (1973) and shall guarantee the legitimate national rights of the Palestinian people, first and foremost among which is the right to self-determination, in accordance with the principles and provisions of the Charter of the United Nations concerning the right to self-determination of peoples, the inadmissibility of seizure of land belonging to others by means of force or military invasion, and in accordance with United Nations resolutions concerning the question of Palestine;

"(b) Israel's withdrawal from all the Palestinian and Arab territories which it has occupied since 1967, including Arab Jerusalem;

"(c) Cancellation of all measures of attachment and annexation and removal of the settlements established by Israel in the Palestinian and Arab territories since the year 1967;

"(d) An endeavour to place the occupied Palestinian territories, including Arab Jerusalem, under United Nations supervision for a limited period, in order to protect our people and to provide an atmosphere conducive to a successful outcome for the international conference, the attainment of a comprehensive political settlement and the establishment of security and peace for all through mutual acceptance and satisfaction, and in order to enable the Palestinian State to exercise its effective authority over those territories;

"(e) Solution of the Palestine refugee problem in accordance with United Nations resolutions on that subject;

"(f) Assurance of freedom of worship and the practice of religious rites at the holy places in Palestine for adherents of all religions;

"(g) The Security Council's establishment and assurance of arrangements for security and peace among all the concerned States in the region, including the Palestinian State." <sup>79/</sup>

Another document adopted by the PNC session, "The Declaration of Independence", proclaimed the establishment of a Palestinian State. The document referred to several international legal instruments in which provisions for the establishment of a Palestinian State had been made. It pointed out, inter alia, that,

"Despite the historical injustice done to the Palestinian Arab people in its displacement and in being deprived of the right to self-determination following the adoption of General Assembly resolution 181 (II) of 1947, which partitioned Palestine into an Arab and a Jewish State, that resolution nevertheless continues to attach conditions to international legitimacy that guarantee the Palestinian Arab people the right to sovereignty and national independence." <sup>80/</sup>

As regards the establishment of a Palestinian State, the Declaration states:

"By virtue of the natural, historical and legal right of the Palestinian Arab people to its homeland, Palestine, and of the sacrifices of its succeeding generations in defence of the freedom and independence of that homeland, "Pursuant to the resolutions of the Arab Summit Conference and on the basis of the international legitimacy embodied in the resolutions of the United Nations since 1947, and

"Through the exercise by the Palestinian Arab people of its right to self-determination, political independence and sovereignty over its territory;

"The Palestine National Council hereby declares, in the name of God and on behalf of the Palestinian Arab people, the establishment of the State of Palestine in the land of Palestine with its capital at Jerusalem." <sup>81/</sup>

The Declaration outlined the principal characteristics of the newly established Palestinian State as follows:

"The State of Palestine shall be for Palestinians, wherever they may be, therein to develop their national and cultural identity and therein to enjoy full equality of rights. Their religious and political beliefs and human dignity shall therein be safeguarded under a democratic parliamentary system based on freedom of opinion and the freedom to form parties, on the heed of the majority for minority rights and the respect of minorities for majority decisions, on social justice and equality, and on non-discrimination in civil rights on ground of race, religion or colour or as between men and women, under a Constitution ensuring the rule of law and an independent judiciary and on the basis of true fidelity to the age-old spiritual and cultural heritage of Palestine with respect to mutual tolerance, coexistence and magnanimity among religions.

"The State of Palestine shall be an Arab State and shall be an integral part of the Arab nation, of its heritage and civilization and of its present endeavour for the achievement of the goals of liberation, development, democracy and unity.

...

"The State of Palestine declares its commitment to the purposes and principles of the United Nations, to the Universal Declaration of Human Rights and to the policy and principles of non-alignment.

"The State of Palestine, in declaring that it is a peace-loving State committed to the principles of peaceful coexistence, shall strive, together with all other States and peoples, for the achievement of a lasting peace based on justice and respect for rights, under which the human potential for constructive activity may flourish, mutual competition may centre on life-sustaining innovation and there is no fear for the future, since the future bears only assurance for those who have acted justly or made amends to justice." <sup>82/</sup>

The State of Palestine declared that it believed in the solution of international and regional problems by peaceful means in accordance with the Charter of the United Nations and the resolutions adopted by it, and that, without prejudice to its natural right to defend itself, it rejected the threat or use of force, violence and intimidation against its territorial integrity and political independence or those of any other State.

In his report on the situation in the Middle East, <sup>83/</sup> issued on 28 November, the Secretary-General referred in particular to the role of the *intifadah* in the occupied territory. In his view, the *intifadah* had been a dominating factor in the political agenda in the Middle East and an inspiration behind the PNC session at Algiers. He believed that the Algiers session had generated new momentum in the diplomatic process and offered fresh opportunities for progress towards peace, which should be seized.

The establishment of the State of Palestine was immediately welcomed by the international community. Within a month, independent Palestine was recognized by almost 80 States in Africa, Asia, Europe and Latin America. <sup>84/</sup>

#### Forty-third session of the General Assembly at Geneva

Prior to the PNC session, the PLO decided that Chairman Arafat would head the PLO delegation to the forty-third session of the General Assembly during the consideration of its agenda item entitled "Question of Palestine". It was also expected that Chairman Arafat would participate in the debate and make an opening statement. On 25 November, the documents necessary to obtain a United States entry visa for Chairman Arafat were presented to the United States Consulate in Tunisia. The Permanent Observer of the PLO to the United Nations expressed his hope that the visa request would be processed promptly facilitating Chairman Arafat's access to the United Nations.

However, on the grounds of a threat to its security, the United States refused to issue a visa to Chairman Arafat. The United Nations Legal Counsel, speaking on the decision of the United States, as the host country, to deny entry of Chairman Arafat into the United States for the purpose of addressing the General Assembly session, stated before the meeting of the Committee on Relations with the Host Country on 28 November that,

"... the statement of the Department of State does not make the point that the presence of Mr. Arafat, Chairman of the Executive Committee of the PLO, at the United Nations would per se in any way threaten the security of the United States. In other words, the host country did not allege that there was apprehension that Mr. Arafat, once in the United States, might engage in activities outside the scope of his official functions directed against the security of the host country. The reasoning given in the statement of the State Department of 27 November 1988 does not meet the standard laid down in the talks between Secretary-General Hammarskjöld and the United States authorities and reported back by Mr. Hammarskjöld in the report cited above."\*

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\* *The United Nations Legal Counsel refers here to a case that took place in 1953 when a problem arose concerning the denial of a visa to an invitee of the Economic and Social Council on the grounds of national security. The then Secretary-General, Dag Hammarskjöld, engaged in negotiations with the host country in an effort to find a way in which such difficulties could be handled and dealt with. On these negotiations, the Secretary-General published a progress report (document E/2492 of 27 July 1953) and a chapter in his annual report for 1953-1954 (document A/2663). He informed Member States that the United States representatives had assured him that, if in the future there should arise any serious problems with respect to the application in special cases of provisions concerning access to the Headquarters district or to sojourn in its vicinity, the latter would consult him and keep him as fully informed as possible in order to ensure that the decision made was in accordance with the rights of the parties concerned.*

"To sum up, I am of the opinion that the host country was and is under an obligation to grant the visa request of the Chairman of the Executive Committee of the PLO, an organization which has been granted observer status by the General Assembly." <sup>85/</sup>

A week later, this issue was considered by the General Assembly at its plenary meeting. On 2 December, a draft resolution entitled "Report of the Committee on Relations with the Host Country" was subsequently put to the vote. In this resolution, the General Assembly, *inter alia*, deplored the failure of the host country to respond favourably to the request of the General Assembly, contained in its resolution 43/48, and decided to consider the question of Palestine, item 37 of its agenda, at the United Nations Office at Geneva, from 13 to 15 December. General Assembly resolution 43/49 was adopted by a recorded vote of 154 in favour, 2 against and 1 abstention.

Pursuant to resolution 43/49, agenda item 37 "Question of Palestine" was considered by the forty-third session of the General Assembly at the United Nations Office at Geneva from 13 to 15 December 1988. Ninety-six delegations addressed the General Assembly on this agenda item, including 31 Ministers for Foreign Affairs.

The delegation of the PLO was headed by Chairman Arafat, who on 13 December made a statement before the General Assembly. In his address, Chairman Arafat gave a historical retrospective of the Arab-Israeli conflict and, in particular, the question of Palestine. He spoke about numerous peace plans and initiatives aimed at reaching a peaceful solution to the conflict, which had been proposed over the past decades. He underscored the crucial role the *intifadah* played in the struggle of the Palestinian people for its rights and independence. Prominent attention was given in the speech to the decisions of the nineteenth extraordinary session of PNC. Chairman Arafat specifically referred to the position taken by PNC on the issue of terrorism, stating that the session had reiterated its rejection of terrorism of all kinds, including State terrorism.

On the question of finding a solution to the Arab-Israeli conflict, he emphasized that the acceleration of the tempo of the peace process in the region required an exceptional effort on the part of all the parties concerned and of the international parties, particularly the United States and the Soviet Union, which bore a

special responsibility towards the cause of peace in the Middle East. He was of the opinion that the United Nations, "the permanent members of the Security Council and all international blocs and bodies [had] a vital role to play at this stage".

Mr. Arafat, in his capacity as Chairman of the Executive Committee of the PLO, that at the time carried out the functions of the provisional government of the State of Palestine, presented to the General Assembly the following Palestinian peace initiative:

"First, that a serious effort be made to convene, under the supervision of the Secretary-General of the United Nations, the preparatory committee of the International Peace Conference on the Middle East - in accordance with the initiative of President Gorbachev and President Mitterrand, which President Mitterrand presented to the Assembly towards the end of last September and which was supported by many States, in order to pave the way for the convening of the International Conference, which commands universal support, with the exception of the Government of Israel;

"Secondly, on the basis of our belief in international legitimacy and the vital role of the United Nations, that actions be undertaken to place our occupied Palestinian land under temporary United Nations supervision, and that international forces be deployed there to protect our people and at the same time to supervise the withdrawal of the Israeli forces from our country;

"Thirdly, that the PLO will work for the achievement of a comprehensive settlement among the parties in the Arab-Israeli conflict, including the State of Palestine, Israel and the other neighbouring States, within the framework of the International Peace Conference on the Middle East, on the basis of Security Council resolutions 242 (1967) and 338 (1973), so as to guarantee equality and the balance of interests, especially our people's rights to freedom and national independence, and for respect for the right of all the parties to the conflict to exist in peace and security." 86/

The peace plan was warmly welcomed by nearly all delegations, which spoke in support of the struggle of the Palestinian Arab people for its inalienable rights. Virtually every delegation reiterated that the PLO, the sole legitimate representative of the Palestinian people, should participate in any peace process aimed at finding a solution to the question of Palestine, the core issue of the Arab-Israeli conflict, on an equal footing with other concerned parties.

The debate on the question of Palestine clearly indicated the growing concern of the international community about the continuing attempts by the Israeli Government to crush the intifadah. Statements made at Geneva were marked by pointed criticism of Israel's position on the question of Palestine, its policies and practices towards the civilian Palestinians under occupation. Many delegations spoke in support of the newly established State of Palestine.

On the following day, 14 December, at a news conference at Geneva, Mr. Arafat further specified the key points he had made in his statement before the General Assembly. At the opening of the news conference, Mr. Arafat made the following statement:

"In my speech ... yesterday, it was clear that we mean our people's rights to free and national independence, according to resolution 181, and the right of all parties concerned in the Middle East conflict to exist in peace and security and, as I have mentioned, including the State of Palestine, Israel and other neighbours, according to resolutions 242 and 338.

"As for terrorism, I renounced it yesterday in no uncertain terms and yet I repeat for the record that we totally and absolutely renounce all forms of terrorism, including individual, group and state terrorism." 87/

Mr. Arafat's statements at the news conference were an important development welcomed by the majority of delegations attending the General Assembly session in Geneva.

On 15 December, the last day of plenary deliberations on the agenda item, four draft resolutions were submitted for voting. Following established practice, one of the resolutions on the question of Palestine dealt with the work and tasks of the Committee on the Exercise of the Inalienable Rights of the Palestinian People, the Division for Palestinian Rights and the Department of Public Information of the United Nations Secretariat. This three-part resolution was adopted by a large majority of votes. Of greater political impact, however, were the voting results on two other resolutions. One of them, resolution 43/176, called for "the convening of the International Peace Conference on the Middle East, under the auspices of the United Nations, with the participation of all parties to the conflict, including the Palestine Liberation Organization, on an equal footing, and the five permanent members of the Security Council, based on Security Council resolution 242 (1967) of 22 November 1967 and 338 (1973) of 22 October 1973 and the legitimate national rights of the Palestinian people, primarily the right to self-determination". This resolution spelled out five principles for the achievement of comprehensive peace in the area, which included the withdrawal of Israel from the Palestinian territory occupied since 1967, including Jerusalem, and from other occupied Arab territories; guaranteeing arrangements for security of all States in the region, including those named in resolution 181 (II) of 29 November 1947, within secure and internationally recognized boundaries; resolving the problem of the Palestine refugees in conformity with General Assembly resolution 194 (III) of 11 December 1948, and subsequent relevant resolutions; dismantling the Israeli settlements in the territories occupied since 1967; and guaranteeing freedom of access to Holy Places, religious buildings and sites.

The General Assembly, in this resolution, noted the expressed desire and endeavours to place the Palestinian territory occupied since 1967, including Jerusalem, under the supervision of the United Nations for a limited period, as part of the peace process. As regards the role of the Security Council in the peace process, the General Assembly requested the Council to consider measures needed to convene the International Peace Conference on the Middle East, including the establishment of a preparatory committee, and to consider guarantees for security measures agreed upon by the Conference for all States in the region. This resolution was adopted by an overwhelming majority of 138 votes in favour to 2 against, with 2 abstentions.

Another resolution (43/177) dealt with the question of the establishment of the State of Palestine at the PNC session. In this resolution, the General Assembly acknowledged the proclamation of the State of Palestine by PNC and affirmed the need to enable the Palestinian people to exercise sovereignty over its territory occupied since 1967. By the same resolution, the General Assembly decided that, effective as of 15 December 1988, the designation "Palestine" should be used in the United Nations system in place of the previously used designation "Palestine Liberation Organization" without prejudice to the observer status and functions of the PLO within the United Nations system, in conformity with relevant United Nations resolutions and practice. This resolution was adopted by 104 votes in favour to 2 against, with 36 delegations abstaining.

The United States, one of only two delegations that voted against the draft resolutions, stated in explaining the vote that, in its view, the PLO's explicit acceptance of Security Council resolutions 242 (1967) and 338 (1973), recognition of Israel's right to exist and renunciation of terrorism constituted "another step forward towards the direct negotiations between the parties concerned that are essential to achieving a comprehensive settlement". The United States representative said that his country was "encouraged by this positive movement". He maintained that on this basis the United States had announced on 14 December that it was "prepared to engage in a substantive dialogue with the PLO". Yet, the United States delegation remained opposed to the draft resolution on convening an international peace conference because, as the United States ambassador put it, "this draft fail[ed] to address the centrality of direct negotiations between the parties". Regarding his delegation's strong objection to the second draft resolution, the United States representative said that his Government's decision "to engage in a substantive dialogue with the PLO should not be taken to imply acceptance or recognition by the United States of an independent Palestinian State". 88/

The position adopted by the delegation of the PLO during the Geneva session of the General Assembly set off a series of far-reaching political developments. The foremost among them was the resumption, after a long period of time, of an official PLO-United States dialogue. On 14 December following Mr. Arafat's news conference, the President of the United States, Mr. Ronald Reagan, issued a statement on United States relations with the PLO in which, *inter alia*, he said:

"The Palestine Liberation Organization today issued a statement in which it accepted United Nations Security Council resolutions 242 and 338, recognized Israel's right to exist, and renounced terrorism. These have long been our conditions for a substantive dialogue. They have been met. Therefore, I have authorized the State Department to enter into a substantive dialogue with PLO representatives.

"...

"The initiation of a dialogue between the United States and PLO representatives is an important step in the peace process, the more so because it represents the serious evolution of Palestinian thinking toward realistic and pragmatic positions on the key issues." <sup>89/</sup>

The first meeting between the two delegations took place on 16 December in the Tunisian town of Carthage.\* These talks, a direct result of the General Assembly session held at Geneva, constituted a significant undertaking for both sides. The very fact that talks took place paved the way for further diplomatic contacts and efforts which would extend into 1989. They also marked the start of a new diplomatic thrust aimed at bringing about a comprehensive political settlement to the Arab-Israeli conflict.

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\* *The PLO delegation was headed by Mr. Yasser Abed Rabbo and the United States by Mr. Robert H. Pelletreau, Ambassador to Tunisia.*

## V. CONCLUSION

The political and diplomatic developments affecting the Palestinian people, outlined in the previous chapters took place against the background of a highly volatile status quo in the region as well as serious deterioration during 1984 to 1988 of the living conditions of the Palestinians in the occupied territory. These circumstances required urgent identification of particular needs of the Palestinians as well as prompt planning, developing and implementing of economic and social assistance programmes and projects.

International, national and private relief organizations continued, over the period reviewed, to render economic and social assistance to the Palestinian people. Various organizations of the United Nations system have been providing assistance to the Palestinian people in the occupied territory. <sup>90/</sup> The United Nations economic and social assistance and development activities were designed to present practical and credible ways of alleviating the existing economic and social development problems of the Palestinian people. The worsening economic situation in the occupied territory and, in particular, the large number of Palestinian workers forced to seek employment in Israel were of utmost concern to the organizations providing assistance. The primary objective of development activities for the occupied territory was the restructuring of the productive base of the economy of these areas.

By the end of 1988, and particularly in the wake of the Geneva session of the General Assembly, Israel, as a party to the conflict, found itself increasingly isolated in the United Nations and in the region. This factor, coupled with recent moves and endeavours of Western European countries in their search for a peaceful solution of the Arab-Israeli conflict, as well as the growing understanding in the United States of the plight of the Palestinian people, could bring about a qualitatively new situation in the Middle East. If the peace process is to go forward, all the parties to the conflict would have to adopt realistic and responsible negotiating positions primarily on the question of Palestine, and on a diversity of other elements in the Arab-Israeli conflict.

The years 1984-1988 and into 1989 were years of considerable strengthening of the role of the United Nations in an effort to speed up a just political settlement of the four-decade long conflict. This is particularly true in the case of the Palestine problem, a complex and delicate interlacing of the destinies of two peoples of the Middle East - one Arab, the other Jewish. Over the years, the United Nations, as is recognized by the overwhelming plurality of its Member States, succeeded in working out a balanced, even-handed approach to this sensitive issue. The idea of an international peace conference on the Middle East, under the auspices of the United Nations, gained wide-ranging support in all parts of the world. Because of the multilateral nature of the Arab-Israeli conflict and involvement of several concerned parties, including Egypt, Israel, Jordan, Lebanon, the PLO and the Syrian Arab Republic, the format of such a United Nations forum appears to be the most appropriate and effective. Today, the international community is of the view that such a conference is the only way likely to bear fruit for the long-suffering Palestinian people as well as other peoples of the region, a region torn apart by decades of continuous strife.

Since February 1989, and until the time the present publication went to print, the United Nations Security Council, the General Assembly, the Committee on the Exercise of the Inalienable Rights of the Palestinian People, other organs and agencies of the United Nations system as well as major intergovernmental organizations throughout the world have placed special emphasis in their activities on the plight of the Palestinian people in the occupied Palestinian territory.

During that period, a series of diplomatic efforts directly related to the search for a solution to the question of Palestine were undertaken by Governments in the Middle East and elsewhere. However, despite the ever-growing endeavours by various parties, a just, comprehensive and lasting political solution to the problem has yet to be achieved.

## Notes

1/ United Nations Treaty Series, vol. 75, 1973.

2/ The resolutions adopted by the General Assembly at each session are compiled in a Supplement to the Official Records of the General Assembly for that session.

3/ These instruments include: the Charter of the United Nations; the Universal Declaration of Human Rights; the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949; the Geneva Convention Relative to the Treatment of Prisoners of War, of 12 August 1949; the Hague Convention for the Protection of Cultural Property in the Event of Armed Conflict, of 14 May 1954; the Hague Conventions of 1899 and 1907 reflecting the Laws and Customs of War on Land; the International Covenant on Civil and Political Rights; and the International Covenant on Economic, Social and Cultural Rights.

4/ Meron Benvenisti, 1987 Report. Demographic, economic, legal, social and political developments in the West Bank, West Bank Data Base Project,

as quoted in The Jerusalem Post, 1987, p. 52.

- 5/ Ibid., pp. 41-42.
- 6/ Report of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Population of the Occupied Territories (A/43/694), paras. 499 and 619.
- 7/ Ibid., para. 610.
- 8/ Ibid., para. 611.
- 9/ Ibid., para. 621.
- 10/ See ICRC Annual Reports: 1984, pp. 66-68; 1985, pp. 72-73; 1986, pp. 71-72; and 1987, pp. 83-85.
- 11/ Joseph Schechla, "The Past as Prologue to the Intifadah", in Without Prejudice, vol. I, No. 2, 1988, p. 73.
- 12/ See Country Reports on Human Rights Practices for 1988. Reports submitted to the Committee on Foreign Relations (U.S. Senate) and Committee on Foreign Affairs (U.S. House of Representatives) by the Department of State, February 1989, Washington, pp. 1385-1386.
- 13/ Benvenisti, op. cit., p. 55.
- 14/ Sara Roy, "The Gaza Strip: A Case of Economic De-Development", in Journal of Palestine Studies, vol. XVII, No. 1, Autumn 1987, p. 58.
- 15/ Report of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Population of the Occupied Territories, (A/41/680), para. 82.
- 16/ See letter dated 2 February 1988 from the Permanent Representative of Jordan to the United Nations addressed to the Secretary-General (A/43/118-S/19473), p. 3.
- 17/ Ibid., p. 4.
- 18/ See letter dated 22 December 1987 from the Permanent Representative of Jordan to the United Nations addressed to the Secretary-General (A/43/63-S/19376), p. 4.
- 19/ See letter dated 24 February 1988 from the Permanent Representative of Jordan to the United Nations addressed to the Secretary-General (A/43/166-S/19537), p. 6.
- 20/ Meron Benvenisti and Shlomo Khayat, The West Bank and Gaza Atlas, West Bank Data Base Project, The Jerusalem Post, 1988, p. 26.
- 21/ The Jerusalem Post, 2 July 1987.
- 22/ See World Health Organization, Health Conditions of the Arab population in the occupied Arab territories, including Palestine, report of the Special Committee of Experts appointed to study the health conditions of the inhabitants of the occupied territories (A/37/13), paras. 3.3.2 and 3.4.
- 23/ Benvenisti, 1986 Report, West Bank Data Base Project, The Jerusalem Post, 1986, pp. 20 and 22.
- 24/ Sara Roy, "The Gaza Strip: A Case of Economic De-Development", in Journal of Palestine Studies, vol. VII, No. 1, Autumn 1987, p. 69.
- 25/ Benvenisti, 1987 Report, op. cit., pp. 16 and 18.
- 26/ Benvenisti, 1986 Report, op. cit., pp. 11-12.
- 27/ Ibid., p. 13.
- 28/ See Country Reports on Human Rights Practices for 1988, op. cit., pp. 1374 and 1384.
- 29/ Ibid., p. 1375.
- 30/ "The Palestinian financial sector under Israeli occupation", study prepared by the secretariat of UNCTAD in collaboration with the secretariat of ESCWA (UNCTAD/ST/SEU/3), para. 52.
- 31/ The Jerusalem Post, 6 May 1986.
- 32/ UNCTAD/ST/SEU/3, para. 57; also see Fawzi A. Gharaibeh, The Economics of the West Bank and Gaza Strip, Westview Press, Boulder, Co., 1985, p. 110.
- 33/ Report of the Secretary-General on the question of Palestine (A/39/130-S/16409).
- 34/ The 15 members of the Security Council, namely, China, Egypt, France, India, Malta, the Netherlands, Nicaragua, Pakistan, Peru, the Ukrainian Soviet Socialist Republic, the Union of Soviet Socialist Republics, the United Kingdom, the United States, the Upper Volta (now known as Burkina Faso) and Zimbabwe, and the Governments which are directly involved in the Arab-Israeli conflict, not members of the Security Council, namely, Israel, Jordan, Lebanon and the Syrian Arab Republic.

- 35/ See A/39/130-S/16409, appendix, p. 8.
- 36/ Letter dated 28 April 1984 from the Permanent Representative of the Union of Soviet Socialist Republics to the United Nations addressed to the Secretary-General (A/39/222-S/16516), pp. 1-2.
- 37/ Letter dated 26 April 1984 from the Permanent Representative of Israel to the United Nations addressed to the Secretary-General (A/39/214-S/16507).
- 38/ See A/39/130/Add.1-S/16409/Add.1.
- 39/ See letter dated 20 August 1984 from the Permanent Representative of the Syrian Arab Republic to the United Nations addressed to the Secretary-General (A/39/416-S/16708), p. 2.
- 40/ Letter dated 9 May 1984 from the Permanent Representative of Jordan to the United Nations addressed to the Secretary-General (A/39/238-S/16543), pp. 1-2.
- 41/ See letter dated 24 May 1984 from the Permanent Representative of Lebanon to the United Nations addressed to the Secretary-General (A/39/275-S/16584), annex, p. 2.
- 42/ See letter dated 27 April 1984 from the Permanent Representative of Egypt to the United Nations addressed to the Secretary-General (A/39/219-S/16512), annex, p. 5.
- 43/ See letter dated 30 July 1984 from the Chargé d'affaires a.i. of the Permanent Mission of the Union of Soviet Socialist Republics to the United Nations addressed to the Secretary-General (A/39/368-S/16685).
- 44/ Official Records of the General Assembly, Thirty-ninth Session, Supplement No. 35 (A/39/35).
- 45/ Report of the Secretary-General on the situation in the Middle East (A/39/600-S/16792).
- 46/ Official Records of the General Assembly, Fortieth Session, Supplement No. 35 (A/40/35), paras. 167-168.
- 47/ Report of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Population of the Occupied Territories (A/40/702), para. 323.
- 48/ Report of the Secretary-General on the situation in the Middle East (A/40/779-S/17587), paras. 39-40.
- 49/ Official Records of the General Assembly, Forty-first Session, Supplement No. 35 (A/41/35).
- 50/ Report of the Secretary-General on the question of Palestine and the situation in the Middle East (A/41/215-S/17916), para. 2.
- 51/ Report of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Population of the Occupied Territories (A/41/680).
- 52/ Report of the Secretary-General on the situation in the Middle East (A/41/768-S/18427), para. 37.
- 53/ See letter dated 24 February 1987 from the Permanent Representative of Belgium to the United Nations addressed to the Secretary-General (A/42/151-S/18718), annex.
- 54/ Report of the Secretary-General on the question of Palestine and the situation in the Middle East (A/42/277-S/18849).
- 55/ See letter dated 29 May 1987 from the Permanent Representative of the German Democratic Republic to the United Nations addressed to the Secretary-General (A/42/313-S/18888), annex.
- 56/ Report of the Secretary-General on the situation in the Middle East (A/42/714-S/19249).
- 57/ Report of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Population of the Occupied Territories (A/42/650).
- 58/ Official Records of the General Assembly, Forty-second Session, Supplement No. 35 (A/42/35).
- 59/ Letter dated 11 December 1987 from the Permanent Representative of Democratic Yemen to the United Nations addressed to the President of the Security Council (S/19333).
- 60/ The resolutions adopted by the Security Council are compiled annually in the Official Records of the Security Council for that year.
- 61/ Report submitted to the Security Council by the Secretary-General in accordance with resolution 605 (1987) (S/19443).
- 62/ See letter dated 20 January 1988 from the Permanent Representative of Kuwait to the United Nations addressed to the Secretary-General (A/43/94-S/19439), annex.
- 63/ Letter dated 20 January 1988 from the Chairman of the Committee on the Exercise of the Inalienable Rights of the Palestinian People addressed to the Secretary-General (A/43/95-S/19441).
- 64/ See letter dated 20 January 1988 from the Permanent Representative of the Union of Soviet Socialist Republics to the United Nations addressed to the Secretary-General (A/43/96-S/19442), annex.

65/ S/19466.

66/ Letter dated 3 June 1988 from the Chairman of the Committee on the Exercise of the Inalienable Rights of the Palestinian People addressed to the Secretary-General (A/43/392-S/19926).

67/ See Country Reports on Human Rights Practices for 1988, op. cit., pp. 1377-1378, et seq.

68/ The New York Times, 23 January 1988.

69/ See Country Reports on Human Rights Practices for 1988, op. cit., p. 1397.

70/ Ibid., p. 1382.

71/ Report of the Committee on Relations with the Host Country, report of the Secretary-General (A/42/915/Add.5).

72/ See United Nations, Department of Public Information, Press Release SG/SM 4184 of 29 August 1988.

73/ Al-Safir (in Arabic), 18 June 1988.

74/ Foreign Broadcast Information Service, Daily Report: Near East and South Asia, No. FBIS-NES-88-147, 1 August 1988, p. 39.

75/ Ibid., No. FBIS-NEW-88-179, 15 September 1988, pp. 3-8.

76/ Report of the Secretary-General on the question of Palestine and the situation in the Middle East (A/43/691-S/20219), paras. 5 and 7.

77/ Report of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Population of the Occupied Territories, report by the Secretary-General (A/43/806).

78/ Official Records of the General Assembly, Forty-third session, Supplement No. 35 (A/43/35), para. 19.

79/ See letter dated 18 November 1988 from the Permanent Representative of Jordan to the United Nations addressed to the Secretary-General (A/43/827-S/20278), annex II.

80/ Ibid., annex III, pp. 13-14.

81/ Ibid., pp. 14-15.

82/ Ibid., p. 15.

83/ Report of the Secretary-General on the situation in the Middle East (A/43/867-S/20294), paras. 32-37.

84/ The Times, 14 December 1988.

85/ Report of the Committee on Relations with the Host Country (A/C.6/43/7), paras. 11-12.

86/ See Official Records of the General Assembly, Forty-third Session, document A/43/PV.78 of 3 January 1989, pp. 33-35.

87/ The Washington Post, 15 December 1988.

88/ Official Records of the General Assembly, Forty-third Session (A/43/PV.82), pp. 43-47.

89/ See Department of State Bulletin, vol. 89, No. 2143, February 1989, p. 51.

90/ The following United Nations system organizations provide economic and social assistance to the Palestinian people in the occupied territories: UNDP, UNRWA, Centre for Social Development and Humanitarian Affairs of the United Nations Secretariat, United Nations Children's Fund (UNICEF), UNCTAD, United Nations Environment Programme (UNEP), United Nations Fund for Population Activities/United Nations Population Fund (UNFPA), ESCWA, United Nations Centre for Human Settlements (Habitat), International Labour Organisation (ILO), Food and Agriculture Organization of the United Nations (FAO), United Nations Educational, Scientific and Cultural Organization (UNESCO), WHO, Universal Postal Union (UPU), International Telecommunication Union (ITU), World Meteorological Organization (WMO), International Maritime Organization (IMO), World Intellectual Property Organization (WIPO) and United Nations Industrial Development Organization (UNIDO).