



DIVISION FOR PALESTINIAN RIGHTS

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84-01236

1. Action taken by the Committee on the Exercise of the Inalienable Rights of the Palestinian People

In a letter dated 4 November 1983 from the Chairman of the Committee addressed to the Secretary-General, he expressed the Committee's profound concern at the decision of the Israeli authorities to close down Bethlehem University in the occupied Palestinian Arab territory of the West Bank. Full text of the letter is as follows (A/38/569):

Letter dated 4 November 1983 from the Chairman of the Committee on the Exercise of the Inalienable Rights of the Palestinian People addressed to the Secretary-General

As Chairman of the Committee on the Exercise of the Inalienable Rights of the Palestinian People, I wish to express the profound concern caused to the Committee by the decision of the Israeli authorities to close down Bethlehem University in the occupied Palestinian Arab territory of the West Bank. On 3 November 1983, The New York Times reported that Bethlehem University had been shut down for two months with the approval of the Israeli Minister of Defence, Moshe Arens. The closing was based partly on an exhibition entitled "Palestinian Heritage", held recently in the University, which contained material considered inflammatory by the authorities. Student council members responsible for the exhibition were arrested and a demonstration was held last Tuesday to protest this arrest.

It was further reported that in announcing the closing the co-ordinator of Israeli activities in the West Bank had added that Israel intended "to respond with extreme severity in the future to any manifestation of breaches of order" in the occupied territories.

The repressive policy pursued by Israel can only aggravate the already extremely tense situation in the occupied Palestinian Arab territories and thereby increase the threat to international peace and security in the region.

It is therefore urgent that the strictest respect for the relevant resolutions of the United Nations should be ensured, in particular those aimed at enabling the Palestinian people to exercise their inalienable rights.

I should be grateful if you would arrange for this letter to be circulated as a document of the General Assembly, under agenda item 33, and of the Security Council.

On 8 November 1983, at the request of the Permanent Observer of the PLO, the Committee on the Exercise of the Inalienable Rights of the Palestinian People met and heard an appeal by the representative of the PLO on behalf of PLO Chairman, Yassir Arafat, calling for a cease-fire in the hostilities under way in northern Lebanon and for non-intervention and non-interference in the affairs of the PLO.

At the suggestion of the Chairman, the Committee decided to request its officers to draft and issue a statement on this matter following the conclusion of the meeting of the Committee.

The following statement was issued by the Chairman on behalf of the Committee. (8 November 1983):

"The Committee, in its constant concern and review of the situation affecting the fate and the inalienable rights of the Palestinian people, and after having heard and in response to the appeal made by Chairman Arafat of the PLO, has considered the most recent events in the refugee camps of Nahr el Bared and Beddawi near the Lebanese city of Tripoli, which unfortunately distract attention from the escalated Israeli repression in the occupied Palestinian territory.

The Committee expresses its deepest regret and concern over the loss of innocent civilian lives of Palestinians who have suffered as a result of injustices since they were uprooted from their homes in 1947.

The Committee, conscious of its human obligations and of its mandate, appeals to all concerned to bring to an immediate end the senseless acts of horror, killings and destruction. In particular, the Committee appeals to armed Palestinian elements not to resort to violence in settling any disputes that might arise in Palestinian ranks, but to adhere to dialogue and peaceful and democratic methods, so as to preserve and to consolidate the unity of the PLO.

The Committee is convinced that the will of the Palestinian people should be fully respected and that the Palestine Liberation Organization, the sole representative of the Palestinian people, should be permitted to settle its disputes without interference or intervention, in order to enable it to continue to exercise its independent role.

In issuing this urgent appeal, the Committee stresses the need for more positive action by all states towards the attainment of the inalienable rights of the Palestinian people and towards the realization of the Geneva Declaration adopted in September 1983 at the International Conference on the Question of Palestine.

The Committee wishes to reassure the Palestine Liberation Organization and the entire Palestinian people of its commitment to its mandate in accordance with the relevant United Nations resolutions to which the Palestine Liberation Organization has also reaffirmed its adherence. The Committee urges all concerned to join ranks in behalf of the just cause of the Palestinian people and for the effective attainment of its inalienable rights."

The Chairman of the Committee in a letter dated 18 November addressed to the Secretary-General drew his attention to the fact that on 17 October 1983 the Israeli authorities arrested Mr. Mohammad Milari and Mr. Maysara Sayyid, on the grounds that they were in breach of security law because they had attended the International Conference on the Question of Palestine at Geneva and had met with the representatives of the PLO in working sessions of the Conference. Full text of the letter is as follows:

Letter dated 18 November 1983 from the Chairman of the Committee on
the Exercise of the Inalienable Rights of the Palestinian People
addressed to the Secretary-General
(A/38/595-S/16171)

I wish to draw your attention to the fact that on 17 October 1983 the Israeli authorities arrested Mr. Mohammad Mi'ari and Mr. Maysara Sayyid, both of Haifa, on the grounds that they were in breach of security law because they had attended the International Conference on the Question of Palestine in Geneva last month and had, during that Conference, met with representatives of the Palestine Liberation Organization in working sessions of the Conference.

Mr. Mi'ari and Mr. Sayyid were attending the Conference at the invitation of the United Nations and were representing their organizations, namely, the Friends of the Prisoners Association and the Abna Al-Balad Movement (Movement of the Sons of the Country), respectively, both non-governmental organizations based in Israel.

I understand that they have since been released from custody, but that their movements have been restricted to the town of Haifa for the next six months. It is possible also that similar action will be taken against other participants from Israel in the Conference.

On behalf of the Committee on the Exercise of the Inalienable Rights of the Palestinian People, I wish to protest against this discriminatory action, which amounts to an act of intimidation since the two persons arrested were merely pursuing their legitimate activities on behalf of their organizations at a conference organized under United Nations auspices.

I should be grateful if you would convey to the Israeli authorities the Committee's concern and urge them to lift the restrictions placed on Mr. Mi'ari and Mr. Sayyid.

I should be grateful if this letter could be issued as a document of the General Assembly, under agenda item 33, and of the Security Council.

2. Security Council considers developments in North Lebanon

Following consultations of the Security Council on 11 November 1983, the President of the Council read out the text of the following statement: (S/16142)

"I have been authorized by the members of the Security Council to make the following statement on their behalf:

'The members of the Security Council wish to express their profound concern at the recent and current developments in North Lebanon which have caused and are still causing widespread suffering and loss of human life. The members appeal to all parties concerned to exercise the utmost restraint and freely seek to attain, and to respect, an immediate cessation of hostilities, to settle their differences exclusively by peaceful means and to refrain from the threat or use of force. The members of the Council highly appreciate the work of the United Nations Relief and Works Agency for Palestine Refugees in the Near East and of the International Committee of the Red Cross in providing emergency humanitarian assistance to Palestinian and Lebanese civilians in and around the city of Tripoli. The members of the Security Council will continue to follow the situation in Lebanon with the greatest attention.'"

On 23 November 1983, the Security Council, without debate, unanimously adopted the following resolution on the events taking place in northern Lebanon: (S/RES/542 (1983))

RESOLUTION 542 (1983)

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

The Security Council,

Having considered the situation prevailing in northern Lebanon,

Recalling the statement made on this question by the President of the Council on 11 November 1983 (S/16142),

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

1. Deplores the loss of human life caused by the events taking place in northern Lebanon;

2. Reiterates its call for the strict respect for the sovereignty, political independence and territorial integrity of Lebanon within its internationally recognized boundaries;
3. Requests the parties concerned immediately to accept a cease-fire and scrupulously to observe the cessation of hostilities;
4. Invites the parties concerned to settle their differences exclusively by peaceful means and to refrain from the threat or use of force;
5. Pays tribute to the work done by the United Nations Relief and Works Agency for Palestine Refugees in the Near East and by the International Committee of the Red Cross in providing emergency humanitarian assistance to the Palestinian and Lebanese civilians in Tripoli and its surroundings;
6. Calls upon the parties concerned to comply with the provisions of this resolution;
7. Requests the Secretary-General to follow the situation in northern Lebanon, to consult with the Government of Lebanon, and to report to the Council, which remains seized of the question.

Following the Security Council consultations on 3 December 1983, the President of the Council issued the following statement on the situation in North Lebanon (S/16195):

Statement by the President of the Security Council
on 3 December 1983

With reference to the statement made public by the Secretary-General today, and after consultations with the members of the Council, I confirm, as President of the Security Council, that his statement has the support of the members of the Council.

Following is the text of the statement made by the Secretary-General during Security Council consultations (S/16194):

Statement by the Secretary-General at Security Council
consultations held on 3 December 1983

I would like to make it clear that the only issue which I have raised is the request for the flying of the United Nations flag, alongside the national flag of the ship concerned, on the ships which would evacuate the armed elements of the Palestine Liberation Organization from Tripoli. The reason for doing this would be on purely humanitarian grounds to facilitate the resolution of a situation which has already cost many innocent lives and created great destruction. The permission to use the United Nations flag would be given to the countries under whose flags the ships involved are operating.

I understand that the probable number of ships involved would be approximately five to evacuate some 3,000 armed elements with the possible addition of another 1,000 militia, carrying personal weapons only. The probable destination of the ships would be Tunis and the Yemen Arab Republic. There would be no financial implications and the only purpose would be to provide symbolic protection. The nationalities of the ships concerned and dates of departure would apparently be decided after my reply concerning the use of the flag is received.

The actual arrangements for this evacuation are obviously primarily a matter for the Lebanese Government and the parties to the agreement that has been negotiated with the help of Saudi Arabia and Syria. I spoke, yesterday afternoon, on the telephone to President Gemayel and, among other issues, mentioned this problem to him. As I understand it, the Lebanese Government has no objection to the use of the United Nations flag on the evacuation ships, provided, as is the normal practice, the Lebanese flag is also flown in Lebanese territorial waters. I shall naturally remain in consultation with the Government of Lebanon in this matter, which obviously requires its concurrence.

I need hardly add that any action I take will be in line with the overall objective of respecting the sovereignty and authority of the Government of Lebanon.

I wish to repeat that the humanitarian factor is the one which concerns me. I have consulted the Council because I felt that this was the right thing to do on a matter of such importance.

In taking my decision therefore, I would like to have the understanding of the Council on this matter.

3. International Day of Solidarity with the Palestinian People

On 29 November 1983, the International Day of Solidarity with the Palestinian People was observed in New York, Geneva, Vienna and in several other capitals. In commemoration of the Day, the Committee on the Exercise of the Inalienable Rights of the Palestinian People held two special meetings. Among those who addressed the meetings were the Chairman of the Committee, the President of the General Assembly, the Secretary-General, the President of the Security Council, the observer of the Palestine Liberation Organization, the Chairman of the Special Committee of 24, who also spoke in his capacity as Chairman of the African Group, the Acting Chairman of the United Nations Council for Namibia, the Acting Chairman of the Special Committee Against Apartheid, the Chairman of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Population in the Occupied Territories, the representative of the Chairman of the Non-Aligned Movement, the Chairman of the Group of Arab States, the Chairman of the Group of Asian States, the Chairman of the Eastern European Group of States, the observer of the League of Arab States, the observer of the Organization of African Unity and the President of the Organization of the Islamic Conference. A number of messages from Heads of State or Government and Ministers for Foreign Affairs were read on the occasion by their representatives.

The program for the International Day included a photo exhibit and the screening, in the Dag Hammarskjöld Library Auditorium, of the films "Palestinians Do Have Rights", "The Palestinians of 1983", and "The Key", and "Under the Israeli Thumb".

The Secretary-General of the Solidarity Committee of the German Democratic Republic made a statement and presented the Palestine Calendar 1984 to the members of the Committee and observers.

4. Consideration of the question of Palestine in the 38th session of the General Assembly

The consideration of the question of Palestine during the 38th session of the General Assembly began on 28 November 1983, with statements by the Chairman and Rapporteur of the Committee on the Exercise of the Inalienable Rights of the Palestinian People.

The following is the full text of the statement made by the Chairman of the Committee (A/38/PV.73):

Mr. SARRE (Senegal), Chairman of the Committee on the Exercise of the Inalienable Rights of the Palestinian People (interpretation from French): The events of the last few weeks provide once again eloquent testimony to the tragedy which the martyred people of Palestine continue to face without having chosen to do so. The particularly explosive situation which prevails today in the Middle Eastern region reminds us once again of the urgent need for redoubling our efforts in the search for a solution to this distressing conflict.

Today, at a particularly crucial juncture in the struggle which our brother people of Palestine is waging, I have the honour to submit to the Assembly the report of the Committee on the Exercise of the Inalienable Rights of the Palestinian People. As always, the Committee has engaged throughout the whole of the past year in a series of activities aimed, on the one hand, at promoting the application of the recommendations of the General Assembly on the implementation of the inalienable rights of the Palestinian people and, on the other hand, to draw the attention of the world to the situation in which the Palestinian people finds itself. However, more than during preceding years, the activities of the Committee in 1983 were centred around a specific question, namely, the preparation and organization of the International Conference on the Question of Palestine. It was, indeed, at its thirty-sixth session that the General Assembly decided, pursuant to its resolution 36/120 C of 20 December 1981 to convene, under the auspices of the United Nations, at the latest in 1984, an International Conference on the Question of Palestine, and this was to be done on the basis of resolution ES-7/2, adopted by the General Assembly at its seventh special emergency session. On the same occasion, the General Assembly authorized the Committee on the Exercise of the Inalienable Rights of the Palestinian People to act as the Preparatory Committee for the Conference and to take all measures necessary for its organization.

The Assembly will find in document A/38/46 the report of the Preparatory Committee of the International Conference on the Question of Palestine on all of the Committee's activities in the context of the preparation of that Conference. The International Conference on the Question of Palestine, which was held in Geneva from 29 August to 7 September last was, therefore, the most recent initiative taken at the international level to find a solution to the conflict in the Middle East. It was also the first time that so broad a forum met to consider the Palestinian problem. Indeed, no less than 117 States participated fully in this Conference, whereas 20 others took part as observers, in addition to which there were approximately 100 non-governmental organizations, and several eminent personalities, especially invited for the occasion, as well as nine specialized agencies of the United Nations.

It should be noted, by the way, that among these non-governmental organizations and eminent personalities, several came from Israel, thus demonstrating by their presence that there exists in Israel a group of peace and justice-loving persons who share our views and hopes for a just and lasting peace in this disturbed region of the Middle East. The presence of some 15 ministers leading the delegations of their countries is evidence of the general high level of representation of the participating States.

This Conference, which is the first of its kind, made possible a wide exchange of views outside the traditional rostrum of the General Assembly of the United Nations, with a view to arriving at a consensus on the most appropriate ways and means leading to a solution to the Palestinian problem, taking into account all of the pertinent factors which characterize the situation in the present circumstances. Such a consensus existed, as a matter of fact, concerning the broad principles which were to govern any search for a solution to the problem. On the one hand, it was a question of broadening the consensus and coming to agreement, and on the other of finding an approach which would lead to a resumption of dialogue between the parties concerned. Finally, the Conference had to define specific temporary measures which would ease the economic and social burden which the Israeli occupation is imposing on the Palestinian people.

At the end of ten days of frank in-depth discussion, the Conference finally adopted by consensus, both a Declaration and a Programme of Action. It is appropriate here to pay special tribute to the Secretary-General of the United Nations, Mr. Javier Perez de Cuellar, and to Mrs. Lucille Mair, Secretary-General of the Conference, who spared no effort to make it a success through the long and difficult months which preceded the Conference, as well as during the actual work of that Conference.

The Geneva Declaration on Palestine, first of all, lists the major guidelines which should govern any concerted international action for the purpose of resolving the Palestinian question. Essentially, these principles include the exercise of the inalienable rights of the Palestinian people, including its right to return to its homeland, its right to self-determination, and its right to establish its own independent State in Palestine; secondly, the inadmissibility of the acquisition of territories by force, and consequently the need to secure the Israeli withdrawal from all territories occupied since 1967, including Jerusalem; thirdly, the need to resist and to reject Israeli policies and practices in the occupied territories, which are contrary to international law, particularly the policy of settlements in the occupied territories; fourthly, the right of the Palestine Liberation Organization (PLO), 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, and finally, the right of all States in the region to existence within internationally recognized boundaries with justice and security for all.

I would mention that the adoption by consensus of that last principle, after long and delicate negotiations, is evidence of the openness and the desire for dialogue shown by all delegations, for they were convinced that it is necessary from now on to move beyond certain clichés and to work resolutely for a future of peace and harmony for all the peoples of the region.

To give effect to these guiding principles, the Conference considered that it is essential that an international peace conference on the Middle East be convened on the basis of the principles of the Charter and the relevant resolutions of the United Nations, an international peace conference for the Middle East, with the aim of finding a comprehensive, just and lasting solution of the Arab-Israeli conflict, in which an essential element would be the creation of an independent Palestinian State in Palestine. This peace conference should be convened under the auspices of the United Nations with the participation on an equal footing of all the parties to the conflict, including the Palestine Liberation Organization (PLO), as well as the United States of America, the Union of Soviet Socialist Republics and the other States concerned. In this context, the Security Council has the primary responsibility for making the appropriate institutional arrangements on the basis of relevant United Nations resolutions in order to guarantee and implement the agreements reached at the international peace conference.

That is the most important of the Geneva Conference's recommendations, and it is certain that if this international peace conference were to be held it would constitute a decisive step towards a comprehensive settlement of the Palestinian question.

The Geneva Programme of Action for the Achievement of Palestinian Rights addresses itself first of all to the States Members of the United Nations. It calls on them to intensify efforts for the establishment of an independent Palestinian State within the framework of a comprehensive, just and lasting settlement of the Middle East conflict. It also calls on them to oppose and reject the expansionist policies pursued by Israel in the Arab territories occupied since 1967 and in that context to refrain from providing Israel with any military, economic or political assistance of such a nature as to encourage it in those policies. Similarly, the Programme of Action calls on States not to encourage migration to the occupied Arab territories until Israel has put an end to its illegal policy of establishing settlements in those territories. States are likewise invited to make or increase special contributions to United Nations funds for assistance to the Palestinian people.

The Programme of Action also requests States to encourage the formation of national committees in support of the Palestinian people and, if they have not yet done so, to recognize the Palestine Liberation Organization as the representative of the Palestinian people and to establish appropriate relations with it.

The Programme then addresses itself to the Security Council, inviting it to take urgent action to bring about the cessation of Israel's policies in the occupied territories. The Council is likewise invited to facilitate the organization of the international peace conference on the Middle East and to make the appropriate institutional arrangements in order to guarantee and carry out the agreements reached at that conference. The measures agreed on should include ensuring Israel's withdrawal from the territories occupied since 1967, with a specific timetable; subjecting those territories to a short transitional period under the supervision of the United Nations until elections to a constituent assembly take place, elections in which all the Palestinians shall participate; and providing, if necessary, temporary peace-keeping forces.

As to the question of assistance to the Palestinian people, the Programme requests the Secretary-General to convene a meeting of the specialized agencies and other organizations associated with the United Nations to look into the most effective inter-agency machinery to co-ordinate and intensify United Nations assistance to that people.

Finally, the Programme addresses itself to intergovernmental organizations, which it urges to increase awareness by the international community of the plight of the Palestinian people.

For 10 days, representatives and plenipotentiaries from all the regions of the world met at Geneva and, with a commendable concern for effectiveness, realism and human generosity, devoted their thinking and their efforts to the consideration of the important question of Palestine. They agreed that it was important and urgent to embark on the course not only of law and justice but also of truth and reason, in order to restore to the Palestinian people its dignity and the recognition of its rights, without thereby encroaching on the dignity or rights of other peoples or States of the region.

It is now for this thirty-eighth session of the General Assembly, together with the Security Council - responsible for guaranteeing peace in the world and for protecting the security of peoples - to commit itself, despite the obstacles in its path, to the implementation of the relevant conclusions of the Geneva Conference.

The Committee on the Exercise of the Inalienable Rights of the Palestinian People, which remains open to all Members of the United Nations, is at the Assembly's disposal for the purpose of making progress on that path.

The following is the text of the statement of the Rapporteur of the Committee (A/38/PV.73):

Mr. GAUCI (Malta), Rapporteur of the Committee on the Exercise of the Inalienable Rights of the Palestinian People: The first report, contained in document A/38/35, is the traditional account of the activities carried out by the Committee during the year under review. The events on the spot made it a year of dismay and bitter regret for the Committee. Equally, however, it was a year of hope, mainly because of the wide dissemination among public opinion on all continents attained by the Committee's work, as well as because of the surge in support for the Committee's recommendations. We believe that those recommendations remain a practical basis for giving satisfaction to the Palestinian people in its quest for independent statehood within a wider, peaceful settlement of the Arab-Israeli conflict.

The second report, contained in document A/38/46, gives a concise account of the organizational activities of the Committee in its role as the Preparatory Committee for the International Conference on the Question of Palestine - the Conference held at Geneva in August and September of this year - and also for regional meetings in advance of the Conference, held in the United Republic of Tanzania, Nicaragua, the United Arab Emirates, Malaysia and Switzerland.

The third report is a full account of the Conference itself, which was held in difficult circumstances but nevertheless was successfully concluded. An outstanding feature of this Conference was the fact that the combined number of eminent persons and non-governmental organizations participating constituted a record which will also be translated into a coherent programme of action. An impressive number of analytical studies was prepared in time for the Conference.

The time has now come for this Assembly to consolidate the fruits of all this effort which reached its climax this year. Therefore, I should like, in the first place, once more to record the Committee's appreciation of the dynamic leadership of its Chairman, Ambassador Sarré of Senegal. The Committee also highly valued the dedicated services of Mrs. Lucille Mair, appointed Secretary-General of the Conference on Palestine, as well as of the Division for Palestinian Rights, headed by Mr. Yogasundram. The services of the Secretariat were invariably faithful and responsive to the needs of that Committee.

I believe that the reports speak for themselves. The Chairman of the Committee has already highlighted the most significant features. The reports were distributed in good time for the debate we are about to embark on.

I think it will be evident to all that this was a particularly active year for the Committee - hectic is probably an even more accurate description. I do not intend to highlight the many important activities undertaken by the Committee since they are fully covered in the report. I believe we can all derive satisfaction from the fact that, as a result, throughout the four continents there is a deep awareness of the need for redress of the present unacceptable situation of the Palestinian people and, as a corollary, a determination to act to bring about positive change in national attitudes. What is even more important is that all our audiences agreed that the Committee's original recommendations, first brought to the attention of the Assembly in 1976, were seen to be fair, legally founded and peaceful and thus could be expected to last when implemented.

I also believe that there is now a heartfelt desire to put the unhappy past behind us. Dwelling on the past does not generate a solution. The past, of course, cannot be forgotten, but it is to the future that we must look.

The International Conference on the Question of Palestine, in Geneva, went deeply into all the various aspects of the question of Palestine. Its final outcome was a message of hope. Its decisions were the result of protracted negotiations, but they were adopted by acclamation. We are therefore proud to present them for the favourable consideration of this Assembly. We venture to hope that the Geneva Declaration will be unanimously endorsed as setting out all the elements necessary for an equitable, peaceful solution to the plight of the Palestinian people. The Programme of Action is designed to give practical effect to those principles and is also deserving of concerted action.

In the spirit of faith and hope in this Organization and in the dedication of all countries to a negotiated peace, I shall pass over in silence and draw a charitable veil over the most regrettable events that have taken place on the spot during the year under review. The sorry and sordid details are in any case all recorded in the report. I shall limit myself to extracts from an article entitled "The Love of Force" by Anthony Lewis in The New York Times of 7 November:

"The purpose of the operation was not just to clear P.L.O. forces from the border area as the Israeli Cabinet thought. There were large political goals: to crush Palestinian nationalism, thus removing the last obstacles to Israel's absorption of the West Bank, and to create a unified Lebanon friendly to Israel.

"The result was disaster. ...

"The lesson was not lost on Israel. The political mood of the country has moved toward a more realistic view of the limitations of military power. The Jerusalem Post, in an editorial a year after what it called 'The misbegotten war in Lebanon,' asked: 'Who today, besides Ariel Sharon and Rafael Eytan, retains the gall to strut upon the public stage defending a war that was to bring, in Prime Minister Begin's words, 40 years of peace?'"

I have deliberately not delved into the past, as an example which I trust other participants in the debate may be disposed to follow, because what is necessary now, in the words of the fourth recommendation of the Committee this year is:

"resolute action by all nations, particularly those in the region, through the Security Council, so that the present destructive momentum will be reversed, conflict will cease and a steady course of action in the search for durable and comprehensive peace will be set in motion." (A/38/35, para. 97)

As a practical step in that direction, the Committee is also recommending the convening of an international conference on the Middle East, the sooner the better, so as finally to embark on a comprehensive peace effort in a region that has been tormented - and still is being tormented - by conflict, fear and uncertainty and groaning under an intolerable burden of military expenditure.

I trust that this, the Committee's most important recommendation, will also earn the support of those countries whose active co-operation would be necessary in order to enhance the prospects of success.

I therefore repeat what I said last year. It is late, but not too late, to start building the blocks to peace not on the force of arms but rather on the soundness of reason. The protagonists - all the protagonists - will be the main beneficiaries, but the whole world will breathe more freely then and we shall have given the United Nations - our one and only Organization - a tremendous boost.

Let us recall it once more: peace is the leitmotiv of the United Nations and the Organization itself is the centre for harmonizing the actions of nations in the attainment of common ends. There could hardly be a more common cause than the practical attainment by the Palestinian people of their rightful place within the family of nations.

The Committee therefore appeals to all nations to respond positively to this timely call. We have seen how gravely prejudicial to peace has been the indifference of those who preferred to overlook or to doubt the sincerity of the "olive branch" offered to this Assembly in 1974. Let us try once more to encourage and initiate a sustained diplomatic effort to replace the love of force by the spirit of hope, reconciliation, negotiation and, finally, peace.

On 13 December 1983 the following resolutions were adopted on the question of Palestine (A/RES/38/58):

A

The General Assembly,

Recalling its resolutions 3376 (XXX) of 10 November 1975, 31/20 of 24 November 1976, 32/40 of 2 December 1977, 33/28 of 7 December 1978, 34/65 A and B of 29 November 1979 and 34/65 C and D of 12 December 1979, ES-7/2 of 29 July 1980, 35/169 of 15 December 1980, 36/120 of 10 December 1981, ES-7/4 of 28 April 1982, ES-7/5 of 26 June 1982, ES-7/9 of 24 September 1982 and 37/86 A of 10 December 1982,

Having considered the report of the Committee on the Exercise of the Inalienable Rights of the Palestinian People,

1. Expresses its appreciation to the Committee on the Exercise of the Inalienable Rights of the Palestinian People for its efforts in performing the tasks assigned to it by the General Assembly;

2. Endorses the recommendations of the Committee contained in paragraphs 94 to 98 of its report and draws the attention of the Security Council to the fact that action on the Committee's recommendations, as repeatedly endorsed by the General Assembly at its thirty-first session and subsequently, is long overdue;

3. Requests the Committee to keep under review the situation relating to the question of Palestine as well as the implementation of the Programme of Action for the Achievement of Palestinian Rights adopted by the International Conference on the Question of Palestine, held at Geneva from 29 August to 7 September 1983, and to report and make suggestions to the General Assembly or the Security Council, as appropriate;

4. Requests the United Nations Conciliation Commission for Palestine, established under General Assembly resolution 194 (III) of 11 December 1948, as well as other United Nations bodies associated with the question of Palestine, to co-operate fully with the Committee and to make available to it, at its request, the relevant information and documentation which they have at their disposal;

5. Authorizes the Committee to continue to exert all efforts to promote the implementation of its recommendations, to send delegations or representatives to international conferences where such representation would be considered by it to be appropriate, and to report thereon to the General Assembly at its thirty-ninth session and thereafter;

6. Decides to circulate the report of the Committee to all the competent bodies of the United Nations and urges them to take the necessary action, as appropriate, in accordance with the Committee's programme of implementation;

7. Requests the Secretary-General to continue to provide the Committee with all the necessary facilities for the performance of its tasks.

95th plenary meeting
13 December 1983

Resolution 38/58 A was adopted by 126 votes to 2 against with 19 abstentions.

B

The General Assembly,

Having considered the report of the Committee on the Exercise of the Inalienable Rights of the Palestinian People,

Noting, in particular, the information contained in paragraphs 86 to 91 of that report,

Recalling its resolutions 32/40 B of 2 December 1977, 33/28 C of 7 December 1978, 34/65 D of 12 December 1979, 35/169 D of 15 December 1980, 36/120 B of 10 December 1981 and 37/86 B of 10 December 1982,

1. Notes with appreciation the action taken by the Secretary-General in compliance with General Assembly resolution 37/86 B;

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

3. Also requests the Secretary-General to provide the Division for Palestinian Rights with the necessary resources to accomplish its tasks and to expand its work programme, inter alia, through:

(a) Closer contacts with the media and wider dissemination of the Division's information material, particularly where information on the question of Palestine is inadequate;

(b) Increased contacts with non-governmental organizations and the convening of symposia and meetings for non-governmental organizations in different regions in order to heighten awareness of the facts relating to the question of Palestine;

4. Further requests the Secretary-General to ensure the continued co-operation of the Department of Public Information and other units of the Secretariat in enabling the Division for Palestinian Rights to perform its tasks and in covering adequately the various aspects of the question of Palestine;

5. Invites all Governments and organizations to lend their co-operation to the Committee on the Exercise of the Inalienable Rights of the Palestinian People and the Division for Palestinian Rights in the performance of their tasks;

6. Notes with appreciation the action taken by Member States to observe annually on 29 November the International Day of Solidarity with the Palestinian People and the issuance by them of special postage stamps for the occasion.

95th plenary meeting
13 December 1983

Resolution 38/58 B was adopted by 127 votes to 3 against with 17 abstentions.

C

The General Assembly,

Recalling its resolution 36/120 C of 10 December 1981, in which it decided to convene, under the auspices of the United Nations, an International Conference on the Question of Palestine on the basis of its resolution ES-7/2 of 29 July 1980,

Recalling also its resolution 37/86 C of 10 December 1982 in which it, inter alia, reiterated the responsibility of the United Nations to strive for a lasting peace in the Middle East through a just solution of the problem of Palestine,

Having considered the report of the International Conference on the Question of Palestine, held at Geneva from 29 August to 7 September 1983,

Convinced that the Conference, in having adopted by acclamation the Geneva Declaration on Palestine and the Programme of Action for the Achievement of Palestinian Rights, made an important and positive contribution to the attainment of a comprehensive, just and durable peace in the Middle East through a just solution to the problem of Palestine, the core of the Arab-Israeli conflict,

Conscious of the importance of the time factor in achieving a just solution to the problem of Palestine,

1. Takes note with satisfaction of the report of the International Conference on the Question of Palestine;

2. Endorses the Geneva Declaration on Palestine, adopted by acclamation on 7 September 1983;

3. Welcomes and endorses the call for convening an International Peace Conference on the Middle East in conformity with the following guidelines:

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

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

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

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

(e) The need to reaffirm as null and void all legislative and administrative measures and actions taken by Israel, the occupying Power, which have altered or purported to alter the character and status of the Holy City of Jerusalem, including the expropriation of land and property situated thereon, and in

particular the so-called "Basic Law" on Jerusalem and the proclamation of Jerusalem as the capital of Israel;

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

4. Invites all parties to the Arab-Israeli conflict, including the Palestine Liberation Organization, as well as the United States of America, the Union of Soviet Socialist Republics and other concerned States, to participate in the International Peace Conference on the Middle East on an equal footing and with equal rights;

5. Requests the Secretary-General, in consultation with the Security Council, urgently to undertake preparatory measures to convene the Conference;

6. Invites the Security Council to facilitate the organization of the Conference;

7. Also requests the Secretary-General to report on his efforts no later than 15 March 1984;

8. Decides to consider at its thirty-ninth session the report of the Secretary-General on the Conference.

95th plenary meeting
13 December 1983

Resolution 38/58 C was adopted by 124 votes to 4 against with 15 abstentions.

D

The General Assembly,

Having considered the report of the International Conference on the Question of Palestine, held at Geneva from 29 August to 7 September 1983,

Taking note of the Programme of Action for the Achievement of Palestinian Rights,

Bearing in mind its resolution 38/145 of 19 December 1983 on assistance to the Palestinian people,

Urges the meeting of specialized agencies and other organizations of the United Nations system to be convened in 1984, referred to in General Assembly resolution 38/145, to take into account the recommendations of the five regional preparatory meetings of the International Conference on the Question of

Palestine and the United Nations resolutions concerning economic and social assistance to the Palestinian people in developing a co-ordinated programme of economic and social assistance to the Palestinian people, and to ensure the implementation of that programme.

95th plenary meeting
13 December 1983

Resolution 38/58 D was adopted by 144 votes to 2 against with no abstentions.

E

The General Assembly,

Having considered the report of the International Conference on the Question of Palestine, held at Geneva from 29 August to 7 September 1983,

Convinced that the world-wide dissemination of accurate and comprehensive information and the role of non-governmental organizations and institutions remain of vital importance in heightening awareness of and support for the inalienable rights of the Palestinian people to self-determination and to the establishment of an independent sovereign Palestinian State,

Requests that the Department of Public Information of the Secretariat, in full co-operation and co-ordination with the Committee on the Exercise of the Inalienable Rights of the Palestinian People, should:

- (a) Disseminate all information on the activities of the United Nations system relating to Palestine;
- (b) Expand publications and audio-visual coverage of the facts and developments pertaining to the question of Palestine;
- (c) Publish newsletters and articles in its respective publications on Israeli violations of the human rights of the Arab inhabitants of the occupied territories, and organize fact-finding missions to the area for journalists;
- (d) Organize regional encounters for journalists;
- (e) Disseminate appropriate information on the results of the International Conference on the Question of Palestine.

95th plenary meeting
13 December 1983

Resolution 38/58 E was adopted by 125 votes to 3 against with 15 abstentions.

5. Paragraphs adopted in the Final Communiqué of the Commonwealth Heads of Government meeting, held at New Delhi from 23 to 29 November 1983, on the Middle East

The following paragraphs were adopted on the Middle East:

Heads of Government noted with deep concern and anxiety the heightening tensions, the dangerous concentration of forces and the generally worsening situation in the Middle East which posed a grave threat to world peace and security. They called for the exercise of utmost restraint by all concerned. They recognised the central importance of the Palestinian issue and stressed the need to intensify efforts for the achievement of a comprehensive, just and lasting settlement on the basis of relevant United Nations resolutions. Israel's withdrawal from territories occupied since 1967, and recognition of the rights of the Palestinian people including their inalienable right to a national homeland, as well as the right of all states in the region to live in peace within secure borders. Recalling their statement at Melbourne and their support for self-determination, most Heads of Government reaffirmed their view that the Palestine Liberation Organisation, as the sole legitimate representative of the Palestine people, must be involved on an equal footing in negotiations for a settlement.

They noted the Declaration and Programme of Action adopted by the International Conference on the Question of Palestine held in Geneva in September 1983. They expressed appreciation of the successful efforts of the non-aligned mission in securing a cease-fire in Northern Lebanon.

Heads of Government reaffirmed their support for the territorial integrity, independence and sovereignty of Lebanon, and expressed solidarity with the efforts of the Lebanese people and Government to restore stability and peace to their country. Many Heads of Government called for the withdrawal of all foreign armed forces from Lebanon other than those present at the express request of the Government of Lebanon.

