



DIVISION FOR PALESTINIAN RIGHTS

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

On 5 February 1985, the Chairman of the Committee addressed a letter to the Secretary-General drawing his attention to a plan for the establishment of a national road grid for the entire area of the occupied West Bank which has been recently promulgated by the Israeli authorities. The full text of the letter is as follows (A/40/119-S/16943):

"As Chairman of the Committee on the Exercise of the Inalienable Rights of the Palestinian People, I wish to bring to your attention yet another instance of intensification of the planned policy of annexation of the occupied territories of the West Bank by the Government of Israel.

"According to reports in the Jerusalem Post and Ha'aretz of 20 December 1984, a plan for the establishment of a national road grid for the entire area of the occupied West Bank was promulgated recently by the occupying authorities.

"A recent study prepared by Law in the Service of Man, a West Bank affiliate of the International Commission of Jurists, a non-governmental organization in consultative status with the Economic and Social Council, provides a thorough analysis of the project and is enclosed for your information (see annex).

"According to the study, the scheme, designated "Road Plan 50", provides for 555 km of new roads in the West Bank that will create an east-west grid (in contrast to the existing north-south grid) and will thus greatly increase integration of the West Bank road system into that of Israel.

"It is estimated that the construction of these new roads will entail the seizure of 78,000 dunums of private Palestinian land by the military authorities and that large areas of cultivated land, as well as refugee camps, will be bulldozed. The plan will also entail the destruction of various buildings and facilities (irrigation and other projects, private houses, schools and factories).

"The study recalls that, beginning in 1970, the Israeli Government had already expropriated thousands of dunums of land in the occupied territories for the construction of east-west roads with Israel.

"The study mentions that the plan was the subject of judicial review before the Israeli High Court of Justice which, under the present system imposed on the West Bank, is the court of last resort for appeals against the activities of the military authorities. The Court rejected the appeal, expressing the opinion that the plan is in the interest of the local population.

"However, the study points out that the proposed system will serve none of the 20 major Palestinian towns and cities in the West Bank, but will skirt around them, cutting them off from municipal land earmarked for development or from land now in agricultural use on which the towns are dependent. In no case have any of the inhabitants of the land through which the proposed roads will pass been consulted about this scheme.

"The study concludes that the plan must therefore be seen as the most significant step of recent times towards Israel's eventual annexation of the West Bank as well as a direct physical threat to the lands, communities and livelihood of the Palestinian population, thus serving the purpose of encouraging their emigration. The conclusion of the study calls for a request to be addressed to the International Court of Justice to give an advisory opinion that the new plan is in violation of international law.

"On behalf of the Committee on the Exercise of the Inalienable Rights of the Palestinian People, I wish, in the light of the above, to express utmost concern at this new step taken by the Government of Israel towards annexation of the West Bank, which in the Committee's view is yet another grave violation of Palestinian rights, with ominous implications for the future of the occupied territories and for international efforts to facilitate a peaceful solution of the question.

"May I recall once again, Sir, that both the General Assembly and the Security Council have repeatedly condemned measures taken by Israel to change the physical character, demographic composition, institutional structure or status of the occupied territories. The Security Council in particular, by resolution 465 (1980), has declared that such measures have no legal validity and are in flagrant violation of the Fourth Geneva Convention, as well as constituting a serious obstacle to achieving a comprehensive, just and lasting peace in the Middle East, and has called on Israel to rescind them.

"In conclusion, I would like to request that this letter, together with the enclosed study, be circulated as a document of the General Assembly, under the item entitled "Question of Palestine", and of the Security Council."

The annex to this letter has been published in document A/40/119-S/16943 of 7 February 1985.

In a letter dated 12 February 1985, addressed to the Secretary-General the Chairman of the Committee drew his urgent attention to the grave situation and growing tension in and around the Palestinian refugee camps, both in South Lebanon and the occupied West Bank. The full text of the letter is as follows (A/40/128-S/16954):

"In my capacity as Chairman of the Committee on the Exercise of the Inalienable Rights of the Palestinian People, I wish once again to bring to your most urgent attention the grave situation and growing tension in and around the Palestinian refugee camps, both in South Lebanon and the occupied West Bank.

"The latest reports which have reached the Committee indicate that a number of extremely serious incidents have taken place in recent days. In South Lebanon, on 5 February 1985, Israeli occupation troops opened fire on Palestinians near the Burj Al-Shamali refugee camp in the Tyre area, wounding several refugees including women and children. The camp was subsequently surrounded, sealed off and stormed by the troops, which carried out mass arrests of Palestinian refugees.

"The following day, Israeli troops opened fire on civilians, also in the Tyre area, hitting a passenger car and seriously wounding the six Palestinians inside.

"A very grave situation has also been reported from refugee camps in the West Bank. In Dheisheh near Bethlehem, all roads into the camp have been blocked by stacks of cement-filled barrels topped by sharp iron bars and coils of barbed wire. Only one narrow pedestrian entrance remains open, affecting the provision of services to the camp and aggravating the atmosphere of living under siege caused by the almost daily incidents of provocation and harassment against the camp residents by the Israeli settlers. On 1 February, the police, reinforced by military troops, arrested scores of residents in the camp and villages in the vicinity.

"In the past few days, Israeli planes have also repeatedly attacked Palestinians in South Lebanon, causing casualties among the civilian population.

"In the light of the above, I wish to express the utmost concern of the Committee on the Exercise on the Inalienable Rights of the Palestinian People with regard to the mounting tension in the refugee camps in South Lebanon and the West Bank, which arises from the continued illegal occupation by Israel and the absence of a just and comprehensive solution to the question of Palestine.

"The Committee has on several occasions in the past expressed its belief that tension and violence will continue to prevail in the area, increasingly endangering international peace and security, as long as the inalienable rights of the Palestinian people remain unattained. These latest incidents provide clear but tragic confirmation of this belief.

"I wish therefore to reiterate the Committee's conviction that, at this critical juncture, a concentrated international effort to find a just solution to the question of Palestine and to end the unacceptable plight of the Palestinian people must be given a new momentum. To this end, the Committee attaches the utmost importance to the early convening of the proposed international peace conference on the Middle East.

"In conclusion, I wish to request that the present letter be circulated as a document of the General Assembly, under the item entitled 'Question of Palestine', and of the Security Council. "

2. Resolutions adopted at the twentieth ordinary session of the Assembly of Heads of State and Government of the Organization of African Unity, held at Addis Ababa from 12 to 15 November 1984 on the situation in the Middle East and the question of Palestine

The following resolutions were adopted on the situation in the Middle East and the question of Palestine (A/40/87):

RESOLUTION ON THE SITUATION IN THE MIDDLE EAST

The Assembly of Heads of State and Government of the Organization of African Unity, meeting in its Twentieth Ordinary Session held in Addis Ababa, Ethiopia, from 12 to 15 November 1984,

Having considered the report of the Secretary General a.i. of the Organization of African Unity on the Middle East (document AHG/124 (XX)),

Guided by the principles and objectives of the Charters of the Organization of African Unity and of the United Nations and by the common determination of the African and Arab peoples to strive to safeguard their freedom,

Recalling the successive resolutions adopted by previous sessions of the Assembly of Heads State and Government of the OAU on the situation in the Middle East,

Recalling further the previous recommendations and decisions of the United Nations General Assembly, the Security Council and the conferences of Non-Aligned Countries on the situation in the Middle East,

Gravely concerned about the plight of the people of Southern Lebanon following the illegal occupation of this part of the Lebanese territory by the Zionist régime of Israel and about the arrogance shown by the Zionist régime with respect to the decisions and resolutions of the United Nations General Assembly and of the Security Council as well as the said régime's failure to adhere to the fundamental principles of international law and the Universal Declaration of Human Rights,

Noting with deep concern that in spite of the many resolutions adopted by the United Nations General Assembly, the Security Council and the Organization of African Unity urging Israel to withdraw from Arab territories occupied since 1967, including Jerusalem, not only has Israel persistently refused to comply with these resolutions but continues to pursue its policy of expansionism and occupation,

Deploring the systematic obstruction by Israel of all efforts made towards reaching a peaceful solution to the problem,

Fully conscious of the fact that the massive military, economic and other assistance as well as the political and moral support given to Israel by some powers, the United States of America in particular, enables it to pursue its aggression and encourages it to perpetrate acts of terrorism and illegal occupation of part of the territories in the region,

Noting with concern that the alliance between the racist régimes of Israel and of South Africa is aimed at promoting the policy of terrorism and liquidation of the Palestinians and Arabs in the occupied territories on the one hand, and of the majority black population of South Africa and Namibia on the other:

1. REAFFIRMS all previous resolutions adopted by the Assembly of Heads of State and Government of the OAU and its total and effective support for the Palestinian people under the dynamic leadership of its sole and authentic representative, the Palestinian Liberation Organization;
2. FURTHER REAFFIRMS its total support for the Arab countries, victims of Israeli aggression, and its support for the Palestinian people in their just struggle to recover their usurped rights and their occupied territories;
3. CONDEMNS VIGOROUSLY the establishment of settlements by Israel in Palestine and in the other occupied territories and the turning of Jerusalem into a Jewish city and its proclamation as its capital;
4. SUPPORTS the recommendation adopted by the Al Quods Committee at its meeting in Fez, Morocco, from 19 to 21 April 1984, calling on Islamic countries which maintain diplomatic ties with Costa Rica and El Salvador to "break them off immediately" as a countermeasure against these countries which have moved their embassies from Tel Aviv to Jerusalem; and CONGRATULATES the countries which have heeded this call;
5. VEHEMENTLY CONDEMNS the aggressions perpetrated against Lebanon and the continued occupation of its territories;
6. STRONGLY CONDEMNS all the Israeli acts, which run counter to the provisions of the mandate of the United Nations peace-keeping force in Lebanon as well as Israel's aggression aimed at preventing the said force from safeguarding peace in Lebanon and fully accomplishing its peace-keeping task, including the control of the territories up to the internationally recognized frontiers;
7. RECOMMENDS that Member States renew their firm determination not to establish or re-establish diplomatic ties with Israel, a natural and unconditional accomplice of racist South Africa;
8. FURTHER STRONGLY CONDEMNS all partial agreements and separate treaties which constitute a flagrant violation of the rights of the Palestinian people, the principles of the Charters of the OAU and of the United Nations as well as the resolutions adopted during the various international meetings on the Palestinian question, and which makes it impossible for the Palestinian people to realize their aspirations, namely, to return to their fatherland, to have self-determination and to exercise total sovereignty over their territory;
9. STRONGLY CONDEMNS Israel, the occupation force, for not complying with the provisions of the Fourth Geneva Convention of 12 August 1949 relating to the protection of civilians in times of war;

10. URGES Israel to put an immediate end to the illegal occupation of Southern Lebanon and CONSIDERS as null and void any step taken by Israel in the occupied Arab territories aimed at exploiting their resources and REQUESTS all States, international organizations and investment agencies not to recognize Israel's authority in their territories and to co-operate with it, under any form whatever, to exploit these resources and their sources of energy;
11. LAUNCHES AN URGENT APPEAL to the international community to exert on Israel a really effective pressure in all fields in order to compel it to comply with the decisions of the international community and REITERATES its request to the Security Council to take the necessary measures to compel Israel to put an end to its occupation of the Arab and Palestinian territories and to enable the Palestinian people to exercise their national rights in conformity with the recommendations adopted by the United Nations Special Committee on the exercise of the inalienable Rights of the Palestinian people;
12. REQUESTS the OAU Secretary-General to follow the Palestine and Middle East question and to report on it to the next Ordinary Session of the Council of Ministers of the Organization of African Unity.

RESOLUTION ON THE QUESTION OF PALESTINE

The Assembly of Heads of State and Government of the Organization of African Unity, meeting in its Twentieth Ordinary Session in Addis Ababa, Ethiopia, from 12 to 15 November 1984,

Having considered the report of the Secretary-General a.i. of the Organization of African Unity on the Middle East and the question of Palestine, (document AHG/123 (XX)),

Recalling the resolutions adopted by the previous sessions of the Council of Ministers and the Assembly of Heads of State and Government on the problem of the Middle East and on the question of Palestine,

Guided by the principles and purposes of the Charters of the Organization of African Unity and of the United Nations and by the common destiny against Zionism and racism for the cause of freedom, independence and peace,

Recalling that the question of Palestine constitutes the very core of the Middle East conflict, and that the PLO is the only legitimate representative of the Palestinian people,

Reiterating the relevant decisions of the OAU making the question of Palestine an Arab and African issue,

Conscious of the seriousness of the present situation resulting from the continued occupation of Palestinian and Arab Territories by Israel, its refusal to respect the resolutions of the General Assembly and the Security Council of the United Nations, its firm determination to establish settlements, in the occupied Arab territories, especially in Jerusalem, thus altering the geographical, demographic, cultural and social characteristics of Palestine,

Reaffirming the legitimacy of the struggle of the people of Palestine led by the Palestine Liberation Organization (PLO) to recover their land and exercise their national rights,

Further reaffirming that a just and lasting peace can only be achieved when the people of Palestine exercise their inalienable rights, particularly their right to return to their homeland, the recovery of national sovereignty, their right to self-determination without any foreign interference whatsoever and their right to establish an independent state on their territory,

Considering that partial agreement and separate treaties are greatly prejudicial to the Palestinian people and constitute a violation of the principle of the right of peoples to self-determination and independence,

Taking into account the resolutions adopted at the special session of the General Assembly of the United Nations on the question of Palestine,

Taking into account the recommendations of the United Nations Committee on the Exercise of the Inalienable Rights of the Palestinian People,

Noting with grave concern that the alliance between the Zionist régime of Israel and the racist régime of South Africa aims at intensifying acts of terrorism and genocide against the peoples of Palestine and South Africa:

1. REAFFIRMS all previous resolutions on the question of Palestine and reiterates its unwavering support for the people of Palestine led by the Palestine Liberation Organization (PLO), their sole legitimate representative, and REAFFIRMS the right of the people of Palestine to continue their struggle under all political and military forms as well as the use of all means to liberate their occupied territory and to recover their inalienable national rights; particularly the right to return to their homeland, the exercise of their right to self-determination and to establish an independent state in their territory;
2. STRONGLY CONDEMNS all manoeuvres and formulae aimed at preventing the people of Palestine from exercising their rights to self-determination, to achieve their national aspirations to return to their homeland and exercise their freedom and complete sovereignty;
3. STRONGLY CONDEMNS any initiatives, measures or agreements which do not take into account the aspirations of the people of Palestine and of their sole legitimate representative, the Palestine Liberation Organization (PLO); CONSIDERS null and void any agreement on the question of Palestine without the participation of the Palestine Liberation Organization;
4. STRONGLY CONDEMNS the expansionist policies pursued by Israel and aimed at imposing a fait accompli in the occupied territories, also CONDEMNS the policy of expansion, establishment of settlement, expropriation of lands and the massive or individual extermination of people with a view to forcing them to emigrate, to modify the demographic characteristics of the territory, and expel the leaders of the people of Palestine, thinkers and citizens as well as other Arab peoples, especially the Lebanese people;
5. STRONGLY CONDEMNS Israel's expansionist, colonialist, racist and terrorist actions against the Palestinian people, in particular the massacres in Sabra and Shatilla, as well as against the Lebanese people;

6. FURTHER CONDEMNS the collusion between the Zionist régime of Israel and the racist régime of South Africa and CALLS UPON all member States to intensify their efforts to face the danger and to strengthen the armed struggle against zionism, racism and imperialism. To this end, CALLS UPON the African States, and members of the League of Arab States to include in the Agenda of all sessions the following item "Collusion between South Africa and Israel";
7. CALLS UPON the international community to exert more pressure on Israel in all fields so as to compel it to conform to the Charter of the United Nations and with the resolution adopted on the question of Palestine, EMPHASIZES the efforts deployed by the United Nations Committee on the Exercise of the Inalienable Rights of the Palestinian People and CALLS UPON the Security Council to implement the recommendation of this Committee adopted by the General Assembly;
8. CALLS UPON the Security Council to take effective measures to guarantee the exercise by the people of Palestine of their national and inalienable rights recognized by the United Nations General Assembly and CONSIDERS that Security Council resolution 242 of 22 November 1967 does not guarantee the future of the Palestinian people and their inalienable rights nor does it provide a basis for a just solution to the question of Palestine;
9. FIRMLY SUPPORTS the Arab Peace Plan adopted at the Twelfth Arab Summit held at Fez on 9 September 1982, as an important contribution to the search for a just, comprehensive and lasting settlement of the Middle East conflict; and CALLS for the implementation of General Assembly resolution 38/58 C on the holding of an international peace conference on the Middle East;
10. COMMENDS the United Nations Committee on the Exercise of the Inalienable Rights of the Palestinian People for its efforts aimed at restoring the inalienable rights of the people of Palestine;
11. URGES the international community to exert more pressure on Israel in all fields so as to compel it to release the Palestinian and Lebanese prisoners, mainly those who are in the Ansar concentration camp;
12. REQUESTS the OAU Secretary-General to follow the development of the question of Palestine and to report to the next Ordinary Session of the Council of Ministers of the Organization of African Unity.

3. Resolutions adopted by the General Assembly at its 39th session on the question of Palestine and the situation in the Middle East

The following resolutions were adopted at the 39th session of the General Assembly:

- 39/95. Report of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Population of the Occupied Territories

A

The General Assembly,

Recalling its resolution 38/79 A of 15 December 1983,

Taking note of the report of the International Committee of the Red Cross of 13 December 1983,

Taking note of the report of the Secretary-General of 14 November 1984,

1. Deplores the fact that the Israeli authorities, at the last minute, took one prisoner, Ziyad Abu Eain, who had been registered before embarkation by delegates of the International Committee of the Red Cross at Tel Aviv airport;

2. Condemns Israel for its failure to comply with General Assembly resolution 38/79 A;

3. Demands again the immediate release of all prisoners, including Ziyad Abu Eain, who were duly registered to be freed from Insar Camp and other military command posts in southern Lebanon and Israel but have not, in fact, been

released, and the securing of their transfer to Algiers in conformity with the agreement reached through the good offices of the International Committee of the Red Cross;

4. Requests the Secretary-General to report to the General Assembly as soon as possible and not later than the beginning of its fortieth session on the implementation of the present resolution.

100th plenary meeting
14 December 1984

General Assembly resolution 39/95 A was adopted by 120 votes in favour, 2 against with 15 abstentions.

B

The General Assembly,

Recalling its resolutions 3092 A (XXVIII) of 7 December 1973, 3240 B (XXIX) of 29 November 1974, 3525 B (XXX) of 15 December 1975, 31/106 B of 16 December 1976, 32/91 A of 13 December 1977, 33/113 A of 18 December 1978, 34/90 B of 12 December 1979, 35/122 A of 11 December 1980, 36/147 A of 16 December 1981, 37/88 A of 10 December 1982 and 38/79 B of 15 December 1983,

Recalling also Security Council resolution 465 (1980) of 1 March 1980 in which, inter alia, the Council affirmed that the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, is applicable to the Arab territories occupied by Israel since 1967, including Jerusalem,

Considering that the promotion of respect for the obligations arising from the Charter of the United Nations and other instruments and rules of international law is among the basic purposes and principles of the United Nations,

Bearing in mind the provisions of the Geneva Convention,

Noting that Israel and those Arab States whose territories have been occupied by Israel since June 1967 are parties to that Convention,

Taking into account that States parties to the Convention undertake, in accordance with article 1 thereof, not only to respect but also to ensure respect for the Convention in all circumstances,

1. Reaffirms that the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, is applicable to the Palestinian and other Arab territories occupied by Israel since 1967, including Jerusalem;

2. Condemns once again the failure of Israel, the occupying Power, to acknowledge the applicability of that Convention to the territories it has occupied since 1967, including Jerusalem;

3. Strongly demands that Israel acknowledge and comply with the provisions of that Convention in the Palestinian and other Arab territories it has occupied since 1967, including Jerusalem;

4. Urgently calls upon all States parties to that Convention to exert all efforts in order to ensure respect for and compliance with its provisions in the Palestinian and other Arab territories occupied by Israel since 1967, including Jerusalem.

100th plenary meeting
14 December 1984

General Assembly resolution 39/95 B was adopted by 140 votes in favour, 1 against with 3 abstentions.

C

The General Assembly,

Recalling its resolutions 32/5 of 28 October 1977, 33/113 B of 18 December 1978, 34/90 C of 12 December 1979, 35/122 B of 11 December 1980, 36/147 B of 16 December 1981, 37/88 B of 10 December 1982 and 38/79 C of 15 December 1983,

Recalling also Security Council resolution 465 (1980) of 1 March 1980,

Expressing grave anxiety and concern at the present serious situation in the occupied Palestinian and other Arab territories, including Jerusalem, as a result of the continued Israeli occupation and the measures and actions taken by Israel, the occupying Power, designed to change the legal status, geographical nature and demographic composition of those territories,

Confirming that the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, 3/ is applicable to all Arab territories occupied since June 1967, including Jerusalem,

1. Determines that all such measures and actions taken by Israel in the Palestinian and other Arab territories occupied since 1967, including Jerusalem, are in violation of the relevant provisions of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, and constitute a serious obstruction to the efforts to achieve a just and lasting peace in the Middle East and therefore have no legal validity;

2. Strongly deplores the persistence of Israel in carrying out such measures, in particular the establishment of settlements in the Palestinian and other occupied Arab territories, including Jerusalem;

3. Demands that Israel comply strictly with its international obligations in accordance with the principles of international law and the provisions of the Geneva Convention;

4. Demands once more that Israel, the occupying Power, desist forthwith from taking any action which would result in changing the legal status, geographical nature or demographic composition of the Palestinian and other Arab territories occupied since 1967, including Jerusalem;

5. Urgently calls upon all States parties to the Geneva Convention to respect and to exert all efforts in order to ensure respect for and compliance with its provisions in all Arab territories occupied by Israel since 1967, including Jerusalem.

100th plenary meeting
14 December 1984

General Assembly resolution 39/95 C was adopted by 143 votes in favour, 1 against with 1 abstention.

D

The General Assembly,

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

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

Recalling all its resolutions on the subject, in particular resolutions 32/91 B and C of 13 December 1977, 33/113 C of 18 December 1978, 34/90 A of 12 December 1979, 35/122 C of 11 December 1980, 36/147 C of 16 December 1981, 37/88 C of 10 December 1982 and 38/79 D of 15 December 1983, and also those adopted by the Security Council, the Commission on Human Rights, in particular its resolutions 1983/1 of 15 February 1983 and 1984/1 of 20 February 1984, and other United Nations organs concerned and by the specialized agencies,

Having considered the report of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Population of the Occupied Territories, which contains, inter alia, self-incriminating public statements made by officials of Israel, the occupying Power,

Taking note of the report of the Secretary-General of 6 November 1984,

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

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

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

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

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

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

7. Strongly condemns the following Israeli policies and practices:

(a) Annexation of parts of the occupied territories, including Jerusalem;

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

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

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

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

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

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

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

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

17. Requests the Secretary-General:

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

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

(c) To ensure the widest circulation of the reports of the Special Committee and of information regarding its activities and findings, by all means available through the Department of Public Information of the Secretariat and, where necessary, to reprint those reports of the Special Committee which are no longer available;

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

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

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

100th plenary meeting
14 December 1984

General Assembly resolution 39/95 D was adopted by 115 votes in favour, 2 against with 28 abstentions.

E

The General Assembly,

Recalling Security Council resolutions 468 (1980) of 8 May 1980, 469 (1980) of 20 May 1980 and 484 (1980) of 19 December 1980 and General Assembly resolutions 36/147 D of 16 December 1981, 37/88 D of 10 December 1982 and 38/79 E of 15 December 1983,

Taking note of the Secretary-General's report of 27 September 1984,

Deeply concerned at the expulsion by the Israeli military occupation authorities of the Mayors of Hebron and Halhul and of the Sharia Judge of Hebron,

Recalling the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, in particular article 1 and the first paragraph of article 49, which read as follows:

"Article 1

"The High Contracting Parties undertake to respect and to ensure respect for the present Convention in all circumstances."

"Article 49

"Individual or mass forcible transfers, as well as deportations of protected persons from occupied territory to the territory of the occupying Power or to that of any other country, occupied or not, are prohibited, regardless of their motive ...",

Reaffirming the applicability of the Geneva Convention to the Palestinian and other Arab territories occupied by Israel since 1967, including Jerusalem,

1. Demands once more that the Government of Israel, the occupying Power, rescind the illegal measures taken by the Israeli military occupation authorities in expelling and imprisoning the Mayors of Hebron and Halhul and in expelling the Sharia Judge of Hebron and that it facilitate the immediate return of the expelled Palestinian leaders so that they can resume the functions for which they were elected and appointed;

2. Requests the Secretary-General to report to the General Assembly as soon as possible and not later than the beginning of its fortieth session on the implementation of the present resolution.

100th plenary meeting
14 December 1984

General Assembly resolution 39/95 E was adopted by 143 votes in favour, 1 against with 1 abstention.

F

The General Assembly,

Deeply concerned that the Arab territories occupied since 1967 have been under continued Israeli military occupation,

Recalling Security Council resolution 497 (1981) of 17 December 1981 and General Assembly resolutions 36/226 B of 17 December 1981, ES-9/1 of 5 February 1982, 37/88 E of 10 December 1982 and 38/79 F of 15 December 1983,

Having considered the report of the Secretary-General of 1 October 1984, 10/

Recalling its previous resolutions, in particular resolutions 3414 (XXX) of 5 December 1975, 31/61 of 9 December 1976, 32/20 of 25 November 1977, 33/28 and 33/29 of 7 December 1978, 34/70 of 6 December 1979 and 35/122 E of 11 December 1980, in which it, inter alia, called upon Israel to put an end to its occupation of the Arab territories and to withdraw from all those territories,

Reaffirming once more the illegality of Israel's decision of 14 December 1981 to impose its laws, jurisdiction and administration in the Syrian Golan Heights, which has resulted in the effective annexation of that territory,

Reaffirming that the acquisition of territory by force is inadmissible under the Charter of the United Nations and that all territories thus occupied by Israel must be returned,

Recalling the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949,

1. Strongly condemns Israel, the occupying Power, for its refusal to comply with the relevant resolutions of the General Assembly and the Security Council, particularly Council resolution 497 (1981), in which the Council, inter alia, decided that the Israeli decision to impose its laws, jurisdiction and administration in the occupied Syrian Golan Heights was null and void and without international legal effect and demanded that Israel, the occupying Power, should rescind forthwith its decision;

2. Condemns the persistence of Israel in changing the physical character, demographic composition, institutional structure and legal status of the occupied Syrian Arab Golan Heights;

3. Determines that all legislative and administrative measures and actions taken or to be taken by Israel, the occupying Power, that purport to alter the character and legal status of the Syrian Golan Heights are null and void and constitute a flagrant violation of international law and of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, and have no legal effect;

4. Strongly condemns Israel for its attempts and measures to impose forcibly Israeli citizenship and Israeli identity cards on the Syrian citizens in the occupied Syrian Arab Golan Heights and calls upon it to desist from its repressive measures against the population of the Syrian Arab Golan Heights;

5. Calls once again upon Member States not to recognize any of the legislative or administrative measures and actions referred to above;

6. Requests the Secretary-General to submit to the General Assembly at its fortieth session a report on the implementation of the present resolution.

100th plenary meeting
14 December 1984

General Assembly resolution 39/95 F was adopted by 141 votes in favour, 1 against with 3 abstentions.

G

The General Assembly,

Bearing in mind the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949,

Deeply concerned at the continued harassment by Israel, the occupying Power, against educational institutions in the occupied Palestinian territories,

Recalling its resolution 38/79 G of 15 December 1983,

Taking note of the report of the Secretary-General of 18 September 1984,

1. Reaffirms the applicability of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, to the Palestinian and other Arab territories occupied by Israel since 1967, including Jerusalem;
2. Condemns Israeli policies and practices against Palestinian students and faculties in schools, universities and other educational institutions in the occupied Palestinian territories, especially the policy of opening fire on defenceless students, causing many casualties;
3. Condemns the systematic Israeli campaign of repression against and closing of universities and other educational and vocational institutions in the occupied Palestinian territories, restricting and impeding the academic activities of Palestinian universities by subjecting the selection of courses, textbooks and educational programmes, the admission of students and the appointment of faculty members to the control and supervision of the military occupation authorities, in clear contravention of the Geneva Convention;
4. Demands that Israel, the occupying Power, comply with the provisions of that Convention, rescind all actions and measures against all educational institutions, ensure the freedom of those institutions and refrain forthwith from hindering the effective operation of the universities and other educational institutions;
5. Requests the Secretary-General to report to the General Assembly as soon as possible and not later than the beginning of its fortieth session on the implementation of the present resolution.

100th plenary meeting
14 December 1984

General Assembly resolution 39/95 G was adopted by 117 votes in favour, 2 against with 26 abstentions.

H

The General Assembly,

Recalling Security Council resolution 471 (1980) of 5 June 1980, in which the Council condemned the assassination attempts against the Mayors of Nablus, Ramallah and Al Bireh and called for the immediate apprehension and prosecution of the perpetrators of those crimes,

Recalling also General Assembly resolutions 36/147 G of 16 December 1981, 37/88 G of 10 December 1982 and 38/79 H of 15 December 1983,

Taking note of the report of the Secretary-General of 9 July 1984,

Recalling once again the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, in particular article 27, which states, inter alia:

"Protected persons are entitled, in all circumstances, to respect for their persons ... They shall at all times be humanely treated, and shall be protected especially against all acts of violence or threats thereof ...",

Reaffirming the applicability of that Convention to the Arab territories occupied by Israel since 1967, including Jerusalem,

1. Demands that Israel, the occupying Power, inform the Secretary-General of the results of the investigations and prosecution relative to the assassination attempts;

2. Requests the Secretary-General to submit to the General Assembly at its fortieth session a report on the implementation of the present resolution.

100th plenary meeting
14 December 1984

General Assembly resolution 39/95 H was adopted by 143 votes in favour, 2 against with no abstentions.

39/99. United Nations Relief and Works Agency for Palestine
Refugees in the Near East

A

Assistance to Palestine refugees

The General Assembly,

Recalling its resolution 38/83 A of 15 December 1983 and all previous resolutions on the question, including resolution 194 (III) of 11 December 1948,

Taking note of the report of the Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East, covering the period from 1 July 1983 to 30 June 1984,

1. Notes with deep regret that repatriation or compensation of the refugees as provided for in paragraph 11 of General Assembly resolution 194 (III) has not been effected, that no substantial progress has been made in the programme endorsed by the Assembly in paragraph 2 of its resolution 513 (VI) of 26 January 1952 for the reintegration of refugees either by repatriation or resettlement and that, therefore, the situation of the refugees continues to be a matter of serious concern;

2. Expresses its thanks to the Commissioner-General and to all the staff of the United Nations Relief and Works Agency for Palestine Refugees in the Near East, recognizing that the Agency is doing all it can within the limits of available resources, and also expresses its thanks to the specialized agencies and private organizations for their valuable work in assisting the refugees;

3. Reiterates its request that the headquarters of the United Nations Relief and Works Agency for Palestine Refugees in the Near East should be relocated to its former site within its area of operations as soon as practicable;

4. Notes with regret that the United Nations Conciliation Commission for Palestine has been unable to find a means of achieving progress in the implementation of paragraph 11 of General Assembly resolution 194 (III), and requests the Commission to exert continued efforts towards the implementation of that paragraph and to report to the Assembly as appropriate, but no later than 1 September 1985;

5. Directs attention to the continuing seriousness of the financial position of the United Nations Relief and Works Agency for Palestine Refugees in the Near East, as outlined in the report of the Commissioner-General;

6. Notes with profound concern that, despite the commendable and successful efforts of the Commissioner-General to collect additional contributions, this increased level of income to the United Nations Relief and Works Agency for Palestine Refugees in the Near East is still insufficient to cover essential budget requirements in the present year and that, at currently foreseen levels of giving, deficits will recur each year;

7. Calls upon all Governments as a matter of urgency to make the most generous efforts possible to meet the anticipated needs of the United Nations Relief and Works Agency for Palestine Refugees in the Near East, particularly in the light of the budgetary deficit projected in the report of the Commissioner-General, and therefore urges non-contributing Governments to contribute regularly and contributing Governments to consider increasing their regular contributions.

General Assembly resolution 39/99 A was adopted by 145 votes in favour, none against with 1 abstention.

B

Working Group on the Financing of the United Nations Relief and
Works Agency for Palestine Refugees in the Near East

The General Assembly,

Recalling its resolutions 2656 (XXV) of 7 December 1970, 2728 (XXV) of 15 December 1970, 2791 (XXVI) of 6 December 1971, 2964 (XXVII) of 13 December 1972, 3090 (XXVIII) of 7 December 1973, 3330 (XXIX) of 17 December 1974, 3419 D (XXX) of 8 December 1975, 31/15 C of 23 November 1976, 32/90 D of 13 December 1977, 33/112 D of 18 December 1978, 34/52 D of 23 November 1979, 35/13 D of 3 November 1980, 36/146 E of 16 December 1981, 37/120 A of 16 December 1982 and 38/83 B of 15 December 1983,

Recalling also its decision 36/462 of 16 March 1982, whereby it took note of the special report of the Working Group on the Financing of the United Nations Relief and Works Agency for Palestine Refugees in the Near East and adopted the recommendations contained therein,

Having considered the report of the Working Group on the Financing of the United Nations Relief and Works Agency for Palestine Refugees in the Near East,

Taking into account the report of the Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East, covering the period from 1 July 1983 to 30 June 1984,

Gravely concerned at the critical financial situation of the United Nations Relief and Works Agency for Palestine Refugees in the Near East, which has already reduced the essential minimum services being provided to the Palestine refugees and which threatens even greater reductions in the future,

Emphasizing the urgent need for extraordinary efforts in order to maintain, at least at their present minimum level, the activities of the United Nations Relief and Works Agency for Palestine Refugees in the Near East,

1. Commends the Working Group on the Financing of the United Nations Relief and Works Agency for Palestine Refugees in the Near East for its efforts to assist in ensuring the Agency's financial security;
2. Takes note with approval of the report of the Working Group;
3. Requests the Working Group to continue its efforts, in co-operation with the Secretary-General and the Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East, for the financing of the Agency for a further period of one year;
4. Requests the Secretary-General to provide the necessary services and assistance to the Working Group for the conduct of its work.

100th plenary meeting
14 December 1984

General Assembly resolution 39/99 B was adopted without a vote.

C

Assistance to persons displaced as a result of the
June 1967 and subsequent hostilities

The General Assembly,

Recalling its resolution 38/83 C of 15 December 1983 and all previous resolutions on the question,

Taking note of the report of the Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East, covering the period from 1 July 1983 to 30 June 1984,

Concerned about the continued human suffering resulting from the hostilities in the Middle East,

1. Reaffirms its resolution 38/83 C and all previous resolutions on the question;
2. Endorses, bearing in mind the objectives of those resolutions, the efforts of the Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East to continue to provide humanitarian assistance as far as practicable, on an emergency basis and as a temporary measure, to other persons in the area who are at present displaced and in a serious need of continued assistance as a result of the June 1967 and subsequent hostilities;

3. Strongly appeals to all Governments and to organizations and individuals to contribute generously for the above purposes to the United Nations Relief and Works Agency for Palestine Refugees in the Near East and to the other intergovernmental and non-governmental organizations concerned.

100th plenary meeting
14 December 1984

General Assembly resolution 39/99 C was adopted without a vote.

D

Offers by Member States of grants and scholarships
for higher education, including vocational training,
for Palestine refugees

The General Assembly,

Recalling its resolution 212 (III) of 19 November 1948 on assistance to Palestine refugees,

Recalling also its resolutions 35/13 B of 3 November 1980, 36/146 H of 16 December 1981, 37/120 D of 16 December 1982 and 38/83 D of 15 December 1983,

Cognizant of the fact that the Palestine refugees have, for the last three decades, lost their lands and means of livelihood,

Having examined the report of the Secretary-General . on offers of grants and scholarships for higher education for Palestine refugees and on the scope of the implementation of resolution 38/83 D,

Having also examined the report of the Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East, covering the period from 1 July 1983 to 30 June 1984, dealing with this subject,

1. Urges all States to respond to the appeal contained in General Assembly resolution 32/90 F of 13 December 1977 in a manner commensurate with the needs of Palestine refugees for higher education and vocational training;

2. Strongly appeals to all States, specialized agencies and non-governmental organizations to augment the special allocations for grants and scholarships to Palestine refugees in addition to their contributions to the regular budget of the United Nations Relief and Works Agency for Palestine Refugees in the Near East;

3. Expresses its appreciation to all Governments, specialized agencies and non-governmental organizations that responded favourably to General Assembly resolution 38/83 D;

4. Invites the relevant specialized agencies and other organizations of the United Nations system to continue, within their respective spheres of competence, to extend assistance for higher education to Palestine refugee students;

5. Appeals to all States, specialized agencies and the United Nations University to contribute generously to the Palestinian universities in the territories occupied by Israel since 1967, including, in due course, the proposed University of Jerusalem "Al-Quds" for Palestine refugees;

6. Also appeals to all States, specialized agencies and other international bodies to contribute towards the establishment of vocational training centres for Palestine refugees;

7. Requests the United Nations Relief and Works Agency for Palestine Refugees in the Near East to act as the recipient and trustee for such special allocations and scholarships and to award them to qualified Palestine refugee candidates;

8. Requests the Secretary-General to report to the General Assembly at its fortieth session on the implementation of the present resolution.

100th plenary meeting
14 December 1984

General Assembly resolution 39/99 D was adopted by 145 votes in favour, none against with 1 abstention.

E

Palestine refugees in the Gaza Strip

The General Assembly,

Recalling Security Council resolution 237 (1967) of 14 June 1967,

Recalling also General Assembly resolutions 2792 C (XXVI) of 6 December 1971, 2963 C (XXVII) of 13 December 1972, 3089 C (XXVIII) of 7 December 1973, 3331 D (XXIX) of 17 December 1974, 3419 C (XXX) of 8 December 1975, 31/15 E of 23 November 1976, 32/90 C of 13 December 1977, 33/112 E of 18 December 1978, 34/52 F of 23 November 1979, 35/13 F of 3 November 1980, 36/146 A of 16 December 1981, 37/120 E of 16 December 1982 and 38/83 E of 15 December 1983,

Having considered the report of the Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East, covering the period from 1 July 1983 to 30 June 1984, and the report of the Secretary-General of 4 September 1984,

Recalling the provisions of paragraph 11 of its resolution 194 (III) of 11 December 1948 and considering that measures to resettle Palestine refugees in the Gaza Strip away from the homes and property from which they were displaced constitute a violation of their inalienable right of return,

Alarmed by the reports received from the Commissioner-General that the Israeli occupying authorities, in contravention of Israel's obligation under international law, persist in their policy of demolishing shelters occupied by refugee families,

1. Reiterates its demand that Israel desist from the removal and resettlement of Palestine refugees in the Gaza Strip and from the destruction of their shelters;

2. Requests the Secretary-General, after consulting with the Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East, to report to the General Assembly, before the opening of its fortieth session, on Israel's compliance with paragraph 1 above.

100th plenary meeting
14 December 1984

General Assembly resolution 39/99 E was adopted by 145 votes in favour, 2 against with no abstentions.

F

Resumption of the ration distribution to Palestine refugees

The General Assembly,

Recalling its resolutions 36/146 F of 16 December 1981, 37/120 F of 16 December 1982, 38/83 F of 15 December 1983 and all previous resolutions on the question, including resolution 302 (IV) of 8 December 1949,

Having considered the report of the Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East, covering the period from 1 July 1983 to 30 June 1984,

Deeply concerned at the interruption by the United Nations Relief and Works Agency for Palestine Refugees in the Near East, owing to financial difficulties, of the general ration distribution to Palestine refugees in all fields,

1. Regrets that resolutions 37/120 F and 38/83 F have not been implemented;
2. Calls once again upon all Governments, as a matter of urgency, to make the most generous efforts possible and to offer the necessary resources to meet the needs of the United Nations Relief and Works Agency for Palestine Refugees in the Near East, particularly in the light of the interruption by the Agency of the general ration distribution to Palestine refugees in all fields, and therefore urges non-contributing Governments to contribute regularly and contributing Governments to consider increasing their regular contributions;
3. Requests the Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East to resume on a continuing basis the interrupted general ration distribution to Palestine refugees in all fields;
4. Requests the Secretary-General, in consultation with the Commissioner-General, to report to the General Assembly at its fortieth session on the implementation of the present resolution.

100th plenary meeting
14 December 1984

General Assembly resolution 39/99 F was adopted by 122 votes in favour, 19 against with 4 abstentions.

G

Population and refugees displaced since 1967

The General Assembly,

Recalling Security Council resolution 237 (1967) of 14 June 1967,

Recalling also General Assembly resolutions 2252 (ES-V) of 4 July 1967, 2452 A (XXIII) of 19 December 1968, 2535 B (XXIV) of 10 December 1969, 2672 D (XXV) of 8 December 1970, 2792 E (XXVI) of 6 December 1971, 2963 C and D (XXVII) of 13 December 1972, 3089 C (XXVIII) of 7 December 1973, 3331 D (XXIX) of 17 December 1974, 3419 C (XXX) of 8 December 1975, 31/15 D of 23 November 1976, 32/90 E of 13 December 1977, 33/112 F of 18 December 1978, 34/52 E of 23 November 1979, ES-7/2 of 29 July 1980, 35/13 E of 3 November 1980, 36/146 B of 16 December 1981, 37/120 G of 16 December 1982 and 38/83 G of 15 December 1983,

Having considered the report of the Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East, covering the period from 1 July 1983 to 30 June 1984, and the report of the Secretary-General of 21 August 1984,

1. Reaffirms the inalienable right of all displaced inhabitants to return to their homes or former places of residence in the territories occupied by Israel since 1967 and declares once more that any attempt to restrict, or to attach conditions to, the free exercise of the right of return by any displaced person is inconsistent with that inalienable right and inadmissible;

2. Considers any and all agreements embodying any restriction on or condition for the return of the displaced inhabitants as null and void;

3. Strongly deplores the continued refusal of the Israeli authorities to take steps for the return of the displaced inhabitants;

4. Calls once more upon Israel:

(a) To take immediate steps for the return of all displaced inhabitants;

(b) To desist from all measures that obstruct the return of the displaced inhabitants, including measures affecting the physical and demographic structure of the occupied territories;

5. Requests the Secretary-General, after consulting with the Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East, to report to the General Assembly before the opening of its fortieth session on Israel's compliance with paragraph 4 above.

100th plenary meeting
14 December 1984

General Assembly resolution 39/99 G was adopted by 127 votes in favour, 2 against with 17 abstentions.

H

Revenues derived from Palestine refugee properties

The General Assembly,

Recalling its resolutions 35/13 A to F of 3 November 1980, 36/146 C of 16 December 1981, 37/120 H of 16 December 1982, 38/83 H of 15 December 1983 and all its previous resolutions on the question, including resolution 194 (III) of 11 December 1948,

Taking note of the reports of the Secretary-General of 6 September and 12 October 1984,

Taking note also of the report of the United Nations Conciliation Commission for Palestine, covering the period from 1 October 1983 to 30 September 1984,

Recalling that the Universal Declaration of Human Rights and the principles of international law uphold the principle that no one shall be arbitrarily deprived of his or her private property,

Considering that the Palestine Arab refugees are entitled to their property and to the income derived from their property, in conformity with the principles of justice and equity,

Recalling, in particular, its resolution 394 (V) of 14 December 1950, in which it directed the United Nations Conciliation Commission for Palestine, in consultation with the parties concerned, to prescribe measures for the protection of the rights, property and interests of the Palestinian Arab refugees,

Taking note of the completion of the programme of identification and evaluation of Arab property, as announced by the United Nations Conciliation Commission for Palestine in its twenty-second progress report, of 11 May 1964, and of the fact that the Land Office had a schedule of Arab owners and file of documents defining the location, area and other particulars of Arab property,

1. Requests the Secretary-General to take all appropriate steps, in consultation with the United Nations Conciliation Commission for Palestine, for the protection and administration of Arab property, assets and property rights in Israel, and to establish a fund for the receipt of income derived therefrom, on behalf of the rightful owners;
2. Calls once again upon Israel to render all facilities and assistance to the Secretary-General in the implementation of the present resolution;
3. Calls upon all other Governments of Member States concerned to provide the Secretary-General with any pertinent information in their possession concerning Arab property, assets and property rights in Israel, which would assist the Secretary-General in the implementation of the present resolution;

4. Deplores Israel's refusal to co-operate with the Secretary-General in the implementation of the resolutions on the question;

5. Requests the Secretary-General to report to the General Assembly at its fortieth session on the implementation of the present resolution.

100th plenary meeting
14 December 1984

General Assembly resolution 39/99 H was adopted by 123 votes in favour, 2 against with 21 abstentions.

I

Protection of Palestine refugees

The General Assembly,

Recalling Security Council resolutions 508 (1982) of 5 June 1982, 509 (1982) of 6 June 1982, 511 (1982) of 18 June 1982, 512 (1982) of 19 June 1982, 513 (1982) of 4 July 1982, 515 (1982) of 29 July 1982, 517 (1982) of 4 August 1982, 518 (1982) of 12 August 1982, 519 (1982) of 17 August 1982, 520 (1982) of 17 September 1982 and 523 (1982) of 18 October 1982,

Recalling General Assembly resolutions ES-7/5 of 26 June 1982, ES-7/6 and ES-7/8 of 19 August 1982, ES-7/9 of 24 September 1982, 37/120 J of 16 December 1982 and 38/83 I of 15 December 1983,

Having considered the report of the Secretary-General of 2 October 1984,

Having also considered the report of the Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East, covering the period from 1 July 1983 to 30 June 1984,

Referring to the humanitarian principles of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949 and to the obligations arising from the Regulations annexed to the Hague Convention IV of 1907,

Deeply concerned at the lack of security for the Palestine refugees in occupied southern Lebanon resulting in scores of violent deaths, woundings, kidnappings, disappearances, evictions in the face of threats, explosions and arsons,

Deeply distressed at the sufferings of the Palestinians resulting from the Israeli invasion of Lebanon,

Reaffirming its support for Lebanese sovereignty, unity and territorial integrity, within its internationally recognized boundaries,

1. Urges the Secretary-General, in consultation with the United Nations Relief and Works Agency for Palestine Refugees in the Near East, to undertake effective measures to guarantee the safety and security and the legal and human rights of the Palestine refugees in all the territories under Israeli occupation in 1967 and thereafter;
2. Holds Israel responsible for the security of the Palestine refugees in occupied southern Lebanon, and calls upon it to fulfil its obligations as the occupying Power in this regard, in accordance with the pertinent provisions of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949;
3. Calls once again upon Israel, the occupying Power, to release forthwith all detained Palestine refugees, including the employees of the United Nations Relief and Works Agency for Palestine Refugees in the Near East;
4. Also calls upon Israel to desist forthwith from preventing those Palestinians registered as refugees in Lebanon from returning to their camps in Lebanon;
5. Further calls upon Israel to allow the resumption of health, medical, educational and social services rendered by the United Nations Relief and Works Agency for Palestine Refugees in the Near East to the Palestinians in the refugee camps in southern Lebanon;
6. Requests the Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East to co-ordinate his activities in rendering these services with the Government of Lebanon, the host country;
7. Urges the Commissioner-General to provide housing, in consultation with the Government of Lebanon, to the Palestine refugees whose houses were demolished or razed by the Israeli forces;
8. Calls once again upon Israel to compensate the United Nations Relief and Works Agency for Palestine Refugees in the Near East for the damage to its property and facilities resulting from the Israeli invasion of Lebanon, without prejudice to Israel's responsibility for all damages resulting from that invasion;
9. Requests the Secretary-General, in consultation with the Commissioner-General, to report to the General Assembly, before the opening of its fortieth session, on the implementation of the present resolution.

100th plenary meeting
14 December 1984

General Assembly resolution 39/99 I was adopted by 127 votes in favour,
2 against with 18 abstentions.

J

Palestine refugees in the West Bank

The General Assembly,

Recalling Security Council resolution 237 (1967) of 14 June 1967,

Recalling also General Assembly resolution 38/83 J of 15 December 1983,

Having considered the report of the Secretary-General of 8 August 1984,

Having also considered the report of the Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East, covering the period from 1 July 1983 to 30 June 1984,

Alarmed by Israel's plans to remove and resettle the Palestine refugees of the West Bank and to destroy their camps,

Recalling the provisions of paragraph 11 of its resolution 194 (III) of 11 December 1948 and considering that measures to resettle Palestine refugees in the West Bank away from the homes and property from which they were displaced constitute a violation of their inalienable right of return,

1. Calls upon Israel to abandon its plans and to refrain from the removal, and from any action that may lead to the removal and resettlement, of Palestine refugees in the West Bank and from the destruction of their camps;

2. Requests the Secretary-General, in co-operation with the Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East, to keep the matter under close supervision and to report to the General Assembly, before the opening of its fortieth session, on any developments regarding this matter.

100th plenary meeting
14 December 1984

General Assembly resolution 39/99 J was adopted by 145 votes in favour,
2 against with no abstentions.

K

University of Jerusalem "Al-Quds" for Palestine Refugees

The General Assembly,

Recalling its resolutions 36/146 G of 16 December 1981, 37/120 C of 16 December 1982 and 38/83 K of 15 December 1983,

Having examined the report of the Secretary-General on the question of the establishment of a university at Jerusalem,

Having also examined the report of the Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East, covering the period from 1 July 1983 to 30 June 1984,

1. Commends the constructive efforts made by the Secretary-General, the Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East, the Council of the United Nations University and the United Nations Educational, Scientific and Cultural Organization, which worked diligently towards the implementation of General Assembly resolution 38/83 D and other relevant resolutions;
2. Further commends the close co-operation of the competent educational authorities concerned;
3. Emphasizes the need for strengthening the educational system in the Arab territories occupied since 5 June 1967, including Jerusalem, and specifically the need for the establishment of the proposed university;
4. Requests the Secretary-General to continue to take all necessary measures for establishing the University of Jerusalem, "Al-Quds", in accordance with General Assembly resolution 35/13 B of 3 November 1980, giving due consideration to the recommendations consistent with the provisions of that resolution;
5. Calls upon Israel, the occupying Power, to co-operate in the implementation of the present resolution and to remove the hindrances which it has put in the way of establishing the University of Jerusalem;
6. Requests the Secretary-General to report to the General Assembly at its fortieth session on the progress made in the implementation of the present resolution.

100th plenary meeting
14 December 1984

General Assembly resolution 39/99 K was adopted by 144 votes in favour, 2 against with no abstentions.

39/169. Living conditions of the Palestinian people in the occupied Palestinian territories

The General Assembly,

Recalling the Vancouver Declaration on Human Settlements, 1976, and the relevant recommendations for national action adopted by Habitat: United Nations Conference on Human Settlements,

Recalling also its resolution 38/166 of 19 December 1983,

Gravely alarmed by the continuation of the Israeli settlement policies, which have been declared null and void and a major obstacle to peace,

Recognizing the need to investigate ways and means of arresting the deterioration in the economy of the occupied Palestinian territories,

1. Takes note with concern of the report of the Secretary-General on the living conditions of the Palestinian people in the occupied Palestinian territories;
2. Takes note also of the statement made on 29 October 1984 by the Observer of the Palestine Liberation Organization;
3. Rejects the Israeli plans and actions intended to change the demographic composition of the occupied Palestinian territories, particularly the increase and expansion of the Israeli settlements, and other plans and actions creating conditions leading to the displacement and exodus of Palestinians from the occupied Palestinian territories;
4. Expresses its alarm at the deterioration, as a result of the Israeli occupation, in the living conditions of the Palestinian people in the Palestinian territories occupied since 1967;
5. Affirms that the Israeli occupation is contradictory to the basic requirements for the social and economic development of the Palestinian people in the occupied Palestinian territories;
6. Requests the Secretary-General:
 - (a) To organize, in 1985, a seminar on remedies for the deterioration of the economic and social conditions of the Palestinian people in the occupied Palestinian territories;
 - (b) To make the necessary preparations for the seminar providing for the participation of the Palestine Liberation Organization;
 - (c) To invite experts to present papers to the seminar;
 - (d) To invite also relevant intergovernmental and non-governmental organizations;
 - (e) To report to the General Assembly at its fortieth session, through the Economic and Social Council, on the seminar.

103rd plenary meeting
17 December 1984

General Assembly resolution 39/169 was adopted by 143 votes in favour, 2 against with 2 abstentions.

39/223. Economic development projects in the occupied
Palestinian territories

The General Assembly,

Aware of the Israeli restrictions imposed on the foreign trade of the occupied Palestinian territories,

Aware also of the imposed domination of the Palestinian market by Israel,

Taking into account the need to give Palestinian firms and products direct access to external markets without Israeli interference,

1. Calls for the urgent lifting of the Israeli restrictions imposed on the economy of the occupied Palestinian territories,

2. Recognizes the Palestinian interest in establishing a seaport in the occupied Gaza Strip to give Palestinian firms and products direct access to external markets;

3. Calls upon all concerned to facilitate the establishment of a seaport in the occupied Gaza Strip;

4. Also calls upon all concerned to facilitate the establishment of a cement plant in the occupied West Bank and a citrus plant in the occupied Gaza Strip;

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

104th plenary meeting
18 December 1984

**General Assembly resolution 39/223 was adopted by 138 votes in favour,
2 against with 7 abstentions.**

39/224. Assistance to the Palestinian people

The General Assembly,

Recalling its resolution 38/145 of 19 December 1983,

Recalling also Economic and Social Council resolution 1984/56 of 25 July 1984,

Recalling further the Programme of Action for the Achievement of Palestinian Rights, adopted by the International Conference on the Question of Palestine,

Noting the need to provide economic and social assistance to the Palestinian people,

1. Takes note of the report of the Secretary-General on assistance to the Palestinian people;

2. Takes note also of the report of the Secretary-General concerning the meeting on assistance to the Palestinian people which was held at Geneva on 5 and 6 July 1984 in response to General Assembly resolution 38/145;

3. Expresses its thanks to the Secretary-General for convening the meeting on assistance to the Palestinian people;

4. Regards such a meeting as a valuable opportunity to assess progress in economic and social assistance to the Palestinian people and to explore ways and means of enhancing such assistance;

5. Draws the attention of the international community, the United Nations system and intergovernmental and non-governmental organizations to the need to disburse their aid to the occupied Palestinian territories only for the benefit of the Palestinian people and to ensure that it is not used in any manner to serve the interests of the Israeli occupation authorities;

6. Requests the Secretary-General:

(a) To expedite the finalizing, through existing inter-agency mechanisms, of the co-ordinated programme of economic and social assistance to the Palestinian people requested in General Assembly resolution 38/145;

(b) To convene in 1985 a meeting of the relevant programmes, organizations, agencies, funds and organs of the United Nations system to consider the co-ordinated programme of economic and social assistance to the Palestinian people;

(c) To provide for the participation in the meeting of the Palestine Liberation Organization, the Arab host countries and relevant intergovernmental and non-governmental organizations;

7. Requests the relevant programmes, organizations, agencies, funds and organs of the United Nations system to intensify their efforts, in co-operation with the Palestine Liberation Organization, to provide economic and social assistance to the Palestinian people;

8. Also requests that United Nations assistance to the Palestinians in the Arab host countries should be rendered in co-operation with the Palestine Liberation Organization and with the consent of the Arab host Government concerned;

9. Requests the Secretary-General to report to the General Assembly at its fortieth session, through the Economic and Social Council, on the progress made in the implementation of the present resolution.

104th plenary meeting
18 December 1984

General Assembly resolution 39/224 was adopted by 146 votes in favour, 2 against with no abstentions.

- 39/17. Importance of the universal realization of the right of peoples to self-determination and of the speedy granting of independence to colonial countries and peoples for the effective guarantee and observance of human rights

The General Assembly,

Reaffirming its faith in the importance of the implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples contained in its resolution 1514 (XV) of 14 December 1960,

Reaffirming the importance of the universal realization of the right of peoples to self-determination, national sovereignty and territorial integrity and of the speedy granting of independence to colonial countries and peoples as imperatives for the full enjoyment of all human rights,

Reaffirming the obligation of all Member States to comply with the principles of the Charter of the United Nations and the resolutions of the United Nations regarding the exercise of the right to self-determination by peoples under colonial and foreign domination,

Recalling its resolutions 2649 (XXV) of 30 November 1970, 2955 (XXVII) of 12 December 1972, 3070 (XXVIII) of 30 November 1973, 3246 (XXIX) of 29 November 1974, 3382 (XXX) of 10 November 1975, 33/24 of 29 November 1978, 34/44 of 23 November 1979, 35/35 of 14 November 1980, 36/9 of 28 October 1981, 37/43 of 3 December 1982 and 38/17 of 22 November 1983, and Security Council resolutions 418 (1977) of 4 November 1977 and 421 (1977) of 9 December 1977,

Recalling also its resolutions 1514 (XV) of 14 December 1960, 2465 (XXIII) of 20 December 1968, 2708 (XXV) of 14 December 1970, 33/44 of 13 December 1978, 35/119 of 11 December 1980, 36/68 of 1 December 1981, 37/35 of 23 November 1982 and 38/54 of 7 December 1983, concerning the implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples,

Recalling further its resolutions 3103 (XXVIII) of 12 December 1973, 3314 (XXIX) of 14 December 1974 and 38/137 of 19 December 1983, as well as Security Council resolutions 405 (1977) of 14 April 1977, 419 (1977) of 24 November 1977, 496 (1981) of 15 December 1981 and 507 (1982) of 28 May 1982, in which the United Nations condemned the recruiting and the use of mercenaries, in particular against developing countries and national liberation movements,

Recalling further its resolutions on the question of Namibia, in particular resolution ES-8/2 of 14 September 1981, and Security Council resolutions 532 (1983) of 31 May 1983 and 539 (1983) of 28 October 1983,

Recalling the Paris Declaration on Namibia and the Programme of Action on Namibia, adopted by the International Conference in Support of the Struggle of the Namibian People for Independence,

Bearing in mind the outcome of the International Conference on the Alliance between South Africa and Israel, held at Vienna from 11 to 13 July 1983,

Welcoming the holding at Tunis from 7 to 9 August 1984 of the Conference of Arab Solidarity with the Struggle for Liberation in Southern Africa,

Recalling resolutions CM/Res.934 (XL) on Namibia, CM/Res.935 (XL) on South Africa and CM/Res.936 (XL) on the situation in southern Africa adopted by the Council of Ministers of Organization of African Unity at its fortieth ordinary session, held at Addis Ababa from 27 February to 5 March 1984,

Reaffirming that the system of apartheid imposed on the South African people constitutes a violation of the fundamental rights of that people, a crime against humanity and a constant threat to international peace and security,

Gravely concerned at the continuation of the illegal occupation of Namibia by South Africa and the continued violations of the human rights of the people in the Territory and of the other peoples still under colonial domination and alien subjugation,

Expressing its profound indignation and its preoccupation at the brutal repression which followed the imposition of the so-called "new constitution" by the apartheid régime of South Africa in defiance of world public opinion,

Reaffirming its resolution 39/2 of 28 September 1984 and recalling Security Council resolution 554 (1984) of 17 August 1984, which rejected the so-called "new constitution" as null and void,

Deeply concerned at the continued terrorist acts of aggression committed by the Pretoria régime against independent African States in the region,

Deeply indignant at the continued occupation of part of the territory of Angola by the troops of the racist régime of South Africa,

Recalling Security Council resolutions 527 (1982) of 15 December 1982 and 535 (1983) of 29 June 1983 on Lesotho,

Reaffirming the national unity and territorial integrity of the Comoros,

Recalling the Political Declaration adopted by the First Conference of Heads of State and Government of the Organization of African Unity and the League of Arab States, held at Cairo from 7 to 9 March 1977,

Recalling further its relevant resolutions on the question of Palestine, in particular resolutions 3236 (XXIX) and 3237 (XXIX) of 22 November 1974, 36/120 of 10 December 1981, ES-7/6 of 19 August 1982, 37/86 of 10 December 1982 and 38/58 of 13 December 1983,

Recalling the Geneva Declaration on Palestine and the Programme of Action for the Achievement of Palestinian Rights, adopted by the International Conference on the Question of Palestine,

Considering that the denial of the inalienable rights of the Palestinian people to self-determination, sovereignty, independence and return to Palestine and the repeated acts of aggression by Israel against the people of the region constitute a serious threat to international peace and security,

Deeply shocked and alarmed at the deplorable consequences of the Israeli invasion of Lebanon and recalling all the relevant resolutions of the Security Council, in particular resolutions 508 (1982) of 5 June 1982, 509 (1982) of 6 June 1982, 520 (1982) of 17 September 1982 and 521 (1982) of 19 September 1982,

1. Calls upon all States to implement fully and faithfully all the resolutions of the United Nations regarding the exercise of the right to self-determination and independence by peoples under colonial and foreign domination;

2. Reaffirms the legitimacy of the struggle of peoples for their independence, territorial integrity, national unity and liberation from colonial domination, apartheid and foreign occupation by all available means, including armed struggle;

3. Reaffirms the inalienable right of the Namibian people, the Palestinian people and all peoples under foreign and colonial domination to self-determination, national independence, territorial integrity, national unity and sovereignty without foreign interference;

4. Strongly condemns those Governments that do not recognize the right to self-determination and independence of all peoples still under colonial domination and alien subjugation, notably the peoples of Africa and the Palestinian people;

5. Calls for the full and immediate implementation of the declarations and programmes of action on Namibia and on Palestine adopted by the international conferences on those questions;

6. Reaffirms its vigorous condemnation of the continued illegal occupation of Namibia by South Africa;

7. Condemns the policy of "bantustanization" and reiterates its support for the oppressed people of South Africa in its just and legitimate struggle against the racist minority régime of Pretoria;

8. Reaffirms its rejection of the so-called "new constitution" as null and void and reiterates that peace in South Africa can only be guaranteed by the establishment of majority rule through the full and free exercise of adult suffrage by all the people in a united and undivided South Africa;

9. Strongly condemns the wanton killing of peaceful and defenceless demonstrators and workers on strike, as well as the arbitrary arrests of the leaders and activists of the United Democratic Front and other mass organizations;

10. Condemns South Africa for its increasing oppression of the Namibian people, for the massive militarization of Namibia and for its armed attacks launched against the States in the region in order to destabilize them politically and to sabotage and destroy their economies;

11. Strongly condemns the establishment and use of armed terrorist groups by South Africa with a view to pitting them against the national liberation movements and destabilizing the legitimate Governments of southern Africa;

12. Strongly condemns the continued occupation of parts of southern Angola and demands the immediate and unconditional withdrawal of the South African troops from Angolan territory;

13. Strongly reaffirms its solidarity with the independent African countries and national liberation movements that are victims of murderous acts of aggression

and destabilization by the racist régime of Pretoria, and calls upon the international community to render increased assistance and support to these countries in order to enable them to strengthen their defence capacity, defend their sovereignty and territorial integrity and peacefully rebuild and develop;

14. Reaffirms that the practice of using mercenaries against sovereign States and national liberation movements constitutes a criminal act and calls upon the Governments of all countries to enact legislation declaring the recruitment, financing and training of mercenaries in their territories and the transit of mercenaries through their territories to be punishable offences, and prohibiting their nationals from serving as mercenaries, and to report on such legislation to the Secretary-General;

15. Strongly condemns the continued violations of the human rights of the peoples still under colonial domination and alien subjugation, the continuation of the illegal occupation of Namibia, South Africa's attempts to dismember its Territory, the perpetuation of the racist minority régime in southern Africa and the denial to the Palestinian people of their inalienable national rights;

16. Further strongly condemns the racist régime of Pretoria for its acts of destabilization, armed aggression and economic blockade against Lesotho and strongly urges the international community to extend maximum assistance to Lesotho to enable it to fulfil its international humanitarian obligations towards refugees and to use its influence on the racist régime to desist from its terrorist acts against Lesotho;

17. Denounces the collusion between Israel and South Africa and expresses support for the Declaration of the International Conference on the Alliance between South Africa and Israel;

18. Strongly condemns the policy of those Western States, Israel and other States whose political, economic, military, nuclear, strategic, cultural and sports relations with the racist minority régime in South Africa encourage that régime to persist in its suppression of the aspirations of peoples to self-determination and independence;

19. Again demands the immediate application of the mandatory arms embargo against South Africa, imposed under Security Council resolution 418 (1977), by all countries and more particularly by those countries that maintain military and nuclear co-operation with the racist Pretoria régime and continue to supply it with related matériel;

20. Calls for the full implementation of the provisions of the Paris Declaration on Sanctions against South Africa and the Special Declaration on Namibia adopted by the International Conference on Sanctions against South Africa, held under the auspices of the United Nations and the Organization of African Unity;

21. Demands once again the immediate implementation of its resolution ES-8/2 on Namibia;

22. Urges all States, specialized agencies, competent organizations of the United Nations system and other international organizations to extend their support to the Namibian people through its sole and legitimate representative, the South West Africa People's Organization, in its struggle to gain its right to self-determination and independence in accordance with the Charter of the United Nations;

23. Reaffirms the resolutions on the question of Western Sahara adopted by the Assembly of Heads of State and Government of the Organization of African Unity at its eighteenth and nineteenth ordinary sessions, held at Nairobi from 24 to 27 June 1981 and at Addis Ababa from 6 to 12 June 1983, and calls for their immediate implementation;

24. Notes the contacts between the Government of the Comoros and the Government of France in the search for a just solution to the problem of the integration of the Comorian island of Mayotte in the Comoros, in accordance with the resolutions of the Organization of African Unity and the United Nations on this question;

25. Calls for a substantial increase in all forms of assistance given by all States, United Nations organs, specialized agencies and non-governmental organizations to the victims of racism, racial discrimination and apartheid through their national liberation movements recognized by the Organization of African Unity;

26. Demands the immediate release of women and children detained in Namibia and South Africa;

27. Strongly condemns the constant and deliberate violations of the fundamental rights of the Palestinian people, as well as the expansionist activities of Israel in the Middle East, which constitute an obstacle to the achievement of the self-determination and independence by the Palestinian people and a threat to peace and stability in the region;

28. Further strongly condemns the massacre of Palestinians and other civilians at Beirut and the Israeli aggression against Lebanon, which endangers stability, peace and security in the region;

29. Demands the immediate and unconditional release of all persons detained or imprisoned as a result of their struggle for self-determination and independence, full respect for their fundamental individual rights and compliance with article 5 of the Universal Declaration of Human Rights, under which no one shall be subjected to torture or to cruel, inhuman or degrading treatment;

30. Urges all States, specialized agencies, competent organizations of the United Nations system and other international organizations to extend their support to the Palestinian people through its sole and legitimate representative, the Palestine Liberation Organization, in its struggle to regain its right to self-determination and independence in accordance with the Charter;

31. Expresses its appreciation for the material and other forms of assistance that peoples under colonial rule continue to receive from Governments, organizations of the United Nations system and intergovernmental organizations and calls for a substantial increase in this assistance;

32. Urges all States, specialized agencies and other competent organizations of the United Nations system to do their utmost to ensure the full implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples and to intensify their efforts to support peoples under colonial, foreign and racist domination in their just struggle for self-determination and independence;

33. Requests the Secretary-General to give maximum publicity to the Declaration on the Granting of Independence to Colonial Countries and Peoples and to give the widest possible publicity to the struggle of oppressed peoples for the achievement of their self-determination and national independence and to report periodically to the General Assembly on his activities;

34. Decides to consider this item again at its fortieth session on the basis of the reports that Governments, organizations of the United Nations system and intergovernmental and non-governmental organizations have been requested to submit concerning the strengthening of assistance to colonial territories and peoples.

71st plenary meeting
23 November 1984

General Assembly resolution 39/17 was adopted by 121 votes in favour, 17 against with 7 abstentions.

39/101. Israel's decision to build a canal linking the Mediterranean Sea to the Dead Sea

The General Assembly,

Recalling its resolutions 36/150 of 16 December 1981, 37/122 of 16 December 1982 and 38/85 of 15 December 1983,

Recalling the rules and principles of international law relative to the fundamental rights and duties of States,

Bearing in mind the principles of international law relative to belligerent occupation of land, including the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, and reaffirming their applicability to all Arab territories occupied since 1967, including Jerusalem,

Having considered the report of the Secretary-General,

Recognizing that the proposed canal, to be constructed partly through the Gaza Strip, a Palestinian territory occupied in 1967, would violate the principles of international law and affect the interests of the Palestinian people,

Confident that the canal linking the Mediterranean Sea with the Dead Sea, if constructed by Israel, will cause direct, serious and irreparable damage to Jordan's rights and legitimate and vital interests in the economic, agricultural, demographic and ecological fields,

Deeply concerned at the digging activities in the Dead Sea area at the envisaged site of that end of the canal,

Noting with regret the non-compliance by Israel with General Assembly resolution 36/150,

1. Deplores Israel's non-compliance with General Assembly resolutions 37/122 and 38/85 and its refusal to receive the team of experts;

2. Emphasizes that the canal linking the Mediterranean Sea with the Dead Sea, if constructed, is a violation of the rules and principles of international law, especially those relating to the fundamental rights and duties of States and to belligerent occupation of land;

3. Demands once again that Israel not construct this canal and cease forthwith all actions taken and/or digging plans made towards the execution of this project;

4. Calls upon all States, specialized agencies and governmental and non-governmental organizations not to assist, directly or indirectly, in the preparation and execution of this project, and strongly urges national, international and multinational corporations to do likewise;

5. Requests the Secretary-General to monitor and assess, on a continuing basis and through a competent expert organ, all aspects - juridical, political, economic, ecological and demographic - of the adverse effects on Jordan and on the Arab territories occupied since 1967, including Jerusalem, arising from the implementation of the Israeli decision to construct this canal and to forward the findings of that organ on a regular basis to the General Assembly;

6. Requests the Secretary-General to report to the General Assembly at its fortieth session on the implementation of the present resolution;

7. Decides to include in the provisional agenda of its fortieth session the item entitled "Israel's decision to build a canal linking the Mediterranean Sea to the Dead Sea".

100th plenary meeting
14 December 1984

**General Assembly resolution 39/101 was adopted by 143 votes in favour,
2 against with 1 abstention.**

39/54. Establishment of a nuclear-weapon-free zone in the region
of the Middle East

The General Assembly,

Recalling its resolutions 3263 (XXIX) of 9 December 1974, 3474 (XXX) of 11 December 1975, 31/71 of 10 December 1976, 32/82 of 12 December 1977, 33/64 of 14 December 1978, 34/77 of 11 December 1979, 35/147 of 12 December 1980, 36/87 of 9 December 1981, 37/75 of 9 December 1982 and 38/64 of 15 December 1983 on the establishment of a nuclear-weapon-free zone in the region of the Middle East,

Recalling also the recommendations for the establishment of such a zone in the Middle East consistent with paragraphs 60 to 63, in particular paragraph 63 (d), of the Final Document of the Tenth Special Session of the General Assembly,

Emphasizing the basic provisions of the above-mentioned resolutions, which call upon all parties directly concerned to consider taking the practical and urgent steps required for the implementation of the proposal to establish a nuclear-weapon-free zone in the region of the Middle East and, pending and during the establishment of such a zone, to declare solemnly that they will refrain, on a reciprocal basis, from producing, acquiring or in any other way possessing nuclear weapons and nuclear explosive devices and from permitting the stationing of nuclear weapons on their territory by any third party, to agree to place all their nuclear facilities under International Atomic Energy Agency safeguards and to declare their support for the establishment of the zone and deposit such declarations with the Security Council for consideration, as appropriate,

Reaffirming the inalienable right of all States to acquire and develop nuclear energy for peaceful purposes,

Emphasizing further the need for appropriate measures on the question of the prohibition of military attacks on nuclear facilities,

Bearing in mind the consensus reached by the General Assembly at its thirty-fifth session that the establishment of a nuclear-weapon-free zone in the region of the Middle East would greatly enhance international peace and security,

Desirous to build on that consensus so that substantial progress can be made towards establishing a nuclear-weapon-free zone in the region of the Middle East,

Emphasizing the essential role of the United Nations in the establishment of a nuclear-weapon-free zone in the region of the Middle East,

Taking note of the report of the Secretary-General,

1. Urges all parties directly concerned to consider seriously taking the practical and urgent steps required for the implementation of the proposal to establish a nuclear-weapon-free zone in the region of the Middle East in accordance with the relevant resolutions of the General Assembly and, as a means of promoting this objective, invites the countries concerned to adhere to the Treaty on the Non-Proliferation of Nuclear Weapons;

2. Calls upon all countries of the region that have not done so, pending the establishment of the zone, to agree to place all their nuclear activities under International Atomic Energy Agency safeguards;

3. Invites those countries, pending the establishment of a nuclear-weapon-free zone in the region of the Middle East, to declare their support for establishing such a zone, consistent with the relevant paragraph of the Final Document of the Tenth Special Session of the General Assembly, and to deposit those declarations with the Security Council;

4. Further invites those countries, pending the establishment of the zone, not to develop, produce, test or otherwise acquire nuclear weapons or permit the stationing on their territories, or territories under their control, of nuclear weapons or nuclear explosive devices;

5. Invites the nuclear-weapon States and all other States to render their assistance in the establishment of the zone and at the same time to refrain from any action that runs counter to both the letter and spirit of the present resolution;

6. Requests the Secretary-General to seek the views of all concerned parties regarding the establishment of a nuclear-weapon-free zone in the region of the Middle East;

7. Requests the Secretary-General to submit a report to the General Assembly at its fortieth session on the implementation of the present resolution;

8. Decides to include in the provisional agenda of its fortieth session the item entitled "Establishment of a nuclear-weapon-free zone in the region of the Middle East".

97th plenary meeting
12 December 1984

General Assembly resolution 39/54 was adopted without a vote.

39/146. The situation in the Middle East

A

The General Assembly,

Having discussed the item entitled "The situation in the Middle East",

Reaffirming its resolutions 36/226 A and B of 17 December 1981, ES-9/1 of 5 February 1982, 37/123 F of 20 December 1982 and 38/180 A to D of 19 December 1983,

Recalling Security Council resolutions 425 (1978) of 19 March 1978, 497 (1981) of 17 December 1981, 508 (1982) of 5 June 1982, 509 (1982) of 6 June 1982, 511 (1982) of 18 June 1982, 512 (1982) of 19 June 1982, 513 (1982) of 4 July 1982, 515 (1982) of 29 July 1982, 516 (1982) of 1 August 1982, 517 (1982) of 4 August 1982, 518 (1982) of 12 August 1982, 519 (1982) of 17 August 1982, 520 (1982) of 17 September 1982, 521 (1982) of 19 September 1982 and 555 (1984) of 12 October 1984,

Taking note of the reports of the Secretary-General,

Welcoming the world-wide support extended to the just cause of the Palestinian people and the other Arab countries in their struggle against Israeli aggression

and occupation in order to achieve a comprehensive, just and lasting peace in the Middle East and the full exercise by the Palestinian people of its inalienable national rights, as affirmed by previous resolutions of the General Assembly relating to the question of Palestine and to the situation in the Middle East,

Gravely concerned that the Palestinian and other Arab territories occupied since 1967, including Jerusalem, still remain under Israeli occupation, that the relevant resolutions of the United Nations have not been implemented and that the Palestinian people is still denied the restoration of its land and the exercise of its inalienable national rights in conformity with international law, as reaffirmed by resolutions of the United Nations,

Reaffirming the applicability of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, to all the occupied Palestinian and other Arab territories, including Jerusalem,

Reiterating all relevant United Nations resolutions which emphasize that the acquisition of territory by force is inadmissible under the Charter of the United Nations and the principles of international law and that Israel must withdraw unconditionally from all the Palestinian and other Arab territories occupied by Israel since 1967, including Jerusalem,

Reaffirming further the imperative necessity of establishing a comprehensive, just and lasting peace in the region, based on full respect for the Charter and the principles of international law,

Gravely concerned also at the continuing Israeli actions involving the escalation and expansion of the conflict in the region, which further violate the principles of international law and endanger international peace and security,

Stressing the great importance of the time factor in the endeavours to achieve a comprehensive, just and lasting peace in the Middle East,

1. Reaffirms its conviction that the question of Palestine is the core of the conflict in the Middle East and that no comprehensive, just and lasting peace in the region will be achieved without the full exercise by the Palestinian people of its inalienable national rights and the immediate, unconditional and total withdrawal of Israel from all the Palestinian and other occupied Arab territories;

2. Reaffirms further that a just and comprehensive settlement of the situation in the Middle East cannot be achieved without the participation on an equal footing of all the parties to the conflict, including the Palestine Liberation Organization, the representative of the Palestinian people;

3. Declares once more that peace in the Middle East is indivisible and must be based on a comprehensive, just and lasting solution of the Middle East problem, under the auspices of the United Nations and on the basis of relevant resolutions of the United Nations, which ensures the complete and unconditional withdrawal of Israel from the Palestinian and other Arab territories occupied since 1967, including Jerusalem, and which enables the Palestinian people, under the leadership of the Palestine Liberation Organization, to exercise its inalienable rights, including the right to return and the right to self-determination, national independence and the establishment of its independent sovereign State in Palestine, in accordance with the resolutions of the United Nations relevant to the question of Palestine, in particular General Assembly resolutions ES-7/2 of 29 July 1980, 36/120 A to F of 10 December 1981, 37/86 A to D of 10 December 1982, 37/86 E of 20 December 1982 and 38/58 A to E of 13 December 1983;

4. Considers the Arab Peace Plan adopted unanimously at the Twelfth Arab Summit Conference, held at Fez, Morocco, on 25 November 1981 and from 6 to 9 September 1982, as an important contribution towards the achievement of a comprehensive, just and lasting peace in the Middle East;

5. Condemns Israel's continued occupation of the Palestinian and other Arab territories, including Jerusalem, in violation of the Charter of the United Nations, the principles of international law and the relevant resolutions of the United Nations, and demands the immediate, unconditional and total withdrawal of Israel from all the territories occupied since June 1967;

6. Rejects all agreements and arrangements which violate the inalienable rights of the Palestinian people and contradict the principles of a just and comprehensive solution to the Middle East problem to ensure the establishment of a just peace in the area;

7. Deplores Israel's failure to comply with Security Council resolutions 476 (1980) of 30 June 1980 and 478 (1980) of 20 August 1980 and General Assembly resolutions 35/207 of 16 December 1980 and 36/226 A and B of 17 December 1981, determines that Israel's decision to annex Jerusalem and to declare it as its "capital" as well as the measures to alter its physical character, demographic composition, institutional structure and status are null and void and demands that they be rescinded immediately, and calls upon all Member States, the specialized agencies and all other international organizations to abide by the present resolution and all other relevant resolutions and decisions;

8. Condemns Israel's aggression, policies and practices against the Palestinian people in the occupied Palestinian territories and outside these territories, particularly Palestinians in Lebanon, including the expropriation and annexation of territory, the establishment of settlements, assassination attempts and other terrorist, aggressive and repressive measures, which are in violation of the Charter and the principles of international law and the relevant international conventions;

9. Strongly condemns the imposition by Israel of its laws, jurisdiction and administration on the occupied Syrian Golan Heights, its annexationist policies and practices, the establishment of settlements, the confiscation of lands, the diversion of water resources and the imposition of Israeli citizenship on Syrian nationals, and declares that all these measures are null and void and constitute a violation of the rules and principles of international law relative to belligerent occupation, in particular the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949;

10. Considers that the agreements on strategic co-operation between the United States of America and Israel signed on 30 November 1981, together with the recent accords concluded in this context, would encourage Israel to pursue its aggressive and expansionist policies and practices in the Palestinian and other Arab territories occupied since 1967, including Jerusalem, would have adverse effects on efforts for the establishment of a comprehensive, just and lasting peace in the Middle East and would threaten the security of the region;

11. Calls upon all States to put an end to the flow to Israel of any military, economic and financial aid, as well as of human resources, aimed at encouraging it to pursue its aggressive policies against the Arab countries and the Palestinian people;

12. Strongly condemns the continuing and increasing collaboration between Israel and the racist régime of South Africa, especially in the economic, military and nuclear fields, which constitutes a hostile act against the African and Arab States and enables Israel to enhance its nuclear capabilities, thus subjecting the States of the region to nuclear blackmail;

13. Reaffirms its call for the convening of an international peace conference on the Middle East - as specified in paragraph 5 of the Geneva Declaration on Palestine, 4/ adopted on 7 September 1983 by the International Conference on the Question of Palestine - under the auspices of the United Nations and on the basis of relevant resolutions of the United Nations;

14. Requests the Secretary-General to report to the Security Council periodically on the development of the situation and to submit to the General Assembly at its fortieth session a comprehensive report covering the developments in the Middle East in all their aspects.

101st plenary meeting
14 December 1984

General Assembly resolution 39/146 A was adopted by 100 votes in favour, 16 against with 28 abstentions.

B

The General Assembly,

Having discussed the item entitled "The situation in the Middle East",

Taking note of the report of the Secretary-General of 2 October 1984,

Recalling Security Council resolution 497 (1981) of 17 December 1981,

Reaffirming its resolutions 36/226 B of 17 December 1981, ES-9/1 of 5 February 1982, 37/123 A of 16 December 1982 and 38/180 A of 19 December 1983,

Recalling its resolution 3314 (XXIX) of 14 December 1974, in which it defined an act of aggression, inter alia, as "the invasion or attack by the armed forces of a State of the territory of another State, or any military occupation, however temporary, resulting from such invasion or attack, or any annexation by the use of force of the territory of another State or part thereof" and provided that "no consideration of whatever nature, whether political, economic, military or otherwise, may serve as a justification for aggression",

Reaffirming the fundamental principle of the inadmissibility of the acquisition of territory by force,

Reaffirming once more the applicability of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, to the occupied Palestinian and other Arab territories, including Jerusalem,

Noting that Israel's record, policies and actions establish conclusively that it is not a peace-loving Member State and that it has not carried out its obligations under the Charter of the United Nations,

Noting further that Israel has refused, in violation of Article 25 of the Charter, to accept and carry out the numerous relevant decisions of the Security Council, in particular resolution 497 (1981), thus failing to carry out its obligations under the Charter,

1. Strongly condemns Israel for its failure to comply with Security Council resolution 497 (1981) and General Assembly resolutions 36/226 B, ES-9/1, 37/123 A and 38/180 A;

2. Declares once more that Israel's continued occupation of the Golan Heights and its decision of 14 December 1981 to impose its laws, jurisdiction and administration on the occupied Syrian Golan Heights constitute an act of aggression under the provisions of Article 39 of the Charter of the United Nations and General Assembly resolution 3314 (XXIX);

3. Declares once more that Israel's decision to impose its laws, jurisdiction and administration on the occupied Syrian Golan Heights is illegal and therefore null and void and has no validity whatsoever;

4. Declares all Israeli policies and practices of, or aimed at, annexation of the occupied Palestinian and other Arab territories, including Jerusalem, to be illegal and in violation of international law and of the relevant United Nations resolutions;

5. Determines once more that all actions taken by Israel to give effect to its decision relating to the occupied Syrian Golan Heights are illegal and invalid and shall not be recognized;

6. Reaffirms its determination that all relevant provisions of the Regulations annexed to the Hague Convention IV of 1907, and the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, continue to apply to the Syrian territory occupied by Israel since 1967, and calls upon the parties thereto to respect and ensure respect of their obligations under these instruments in all circumstances;

7. Determines once more that the continued occupation of the Syrian Golan Heights since 1967 and their annexation by Israel on 14 December 1981, following Israel's decision to impose its laws, jurisdiction and administration on that territory, constitute a continuing threat to international peace and security;

8. Strongly deplores the negative vote by a permanent member of the Security Council which prevented the Council from adopting against Israel, under Chapter VII of the Charter, the "appropriate measures" referred to in resolution 497 (1981) unanimously adopted by the Council;

9. Further deplores any political, economic, financial, military and technological support to Israel that encourages Israel to commit acts of aggression and to consolidate and perpetuate its occupation and annexation of occupied Arab territories;

10. Firmly emphasizes once more its demand that Israel, the occupying Power, rescind forthwith its illegal decision of 14 December 1981 to impose its laws, jurisdiction and administration on the Syrian Golan Heights, which resulted in the effective annexation of that territory;

11. Reaffirms once more the overriding necessity of the total and unconditional withdrawal by Israel from all the Palestinian and other Arab territories occupied since 1967, including Jerusalem, which is an essential prerequisite for the establishment of a comprehensive and just peace in the Middle East;

12. Determines once more that Israel's record, policies and actions confirms that it is not a peace-loving Member State, that it has persistently violated the principles contained in the Charter and that it has carried out neither its obligations under the Charter nor its commitment under General Assembly resolution 273 (III) of 11 May 1949;

13. Calls once more upon all Member States to apply the following measures:

(a) To refrain from supplying Israel with any weapons and related equipment and to suspend any military assistance that Israel receives from them;

(b) To refrain from acquiring any weapons or military equipment from Israel;

(c) To suspend economic, financial and technological assistance to and co-operation with Israel;

(d) To sever diplomatic, trade and cultural relations with Israel;

14. Reiterates its call to all Member States to cease forthwith, individually and collectively, all dealings with Israel in order totally to isolate it in all fields;

15. Urges non-Member States to act in accordance with the provisions of the present resolution;

16. Calls upon the specialized agencies and other international organizations to conform their relations with Israel to the terms of the present resolution;

17. Requests the Secretary-General to report to the General Assembly at its fortieth session on the implementation of the present resolution.

101st plenary meeting
14 December 1984

General Assembly resolution 39/146 B was adopted by 88 votes in favour, 22 against with 32 abstentions.

C

The General Assembly,

Recalling its resolutions 36/120 E of 10 December 1981, 37/123 C of 16 December 1982 and 38/180 C of 19 December 1983, in which it determined that all legislative and administrative measures and actions taken by Israel, the occupying Power, which had altered or purported to alter the character and status of the Holy City of Jerusalem, in particular the so-called "Basic Law" on Jerusalem and the proclamation of Jerusalem as the capital of Israel, were null and void and must be rescinded forthwith,

Recalling Security Council resolution 478 (1980) of 20 August 1980, in which the Council, inter alia, decided not to recognize the "Basic Law" and called upon those States that had established diplomatic missions at Jerusalem to withdraw such missions from the Holy City,

Having considered the report of the Secretary-General of 2 October 1984,

1. Declares once more that Israel's decision to impose its laws, jurisdiction and administration on the Holy City of Jerusalem is illegal and therefore null and void and has no validity whatsoever;
2. Deplores the transfer by some States of their diplomatic missions to Jerusalem in violation of Security Council resolution 478 (1980) and their refusal to comply with the provisions of that resolution;
3. Calls once again upon those States to abide by the provisions of the relevant United Nations resolutions, in conformity with the Charter of the United Nations;
4. Requests the Secretary-General to report to the General Assembly at its fortieth session on the implementation of the present resolution.

101st plenary meeting
14 December 1984

General Assembly resolution 39/146 C was adopted by 138 votes in favour, 1 against with 7 abstentions.

4. Non-governmental organizations activity and information

I. Mobilization for Survival and the American Friends Service Committee held an Organizer Training Seminar on the Middle East entitled "Breaking the Silence" on February 15-18 at the YMCA Retreat Center near Hackettstown, New Jersey.

About 125 persons from 25 States attended, including members of peace, Arab-American, women's and Jewish organizations.

Presentations were followed by discussions and workshops designed to develop strategies for action geared toward building Middle East peace.

II. The Women's Work Committee in the West Bank and Gaza advises that as of January 1985 they have succeeded in opening forty-four centers, primarily in villages and refugee camps.

Activities are geared towards the improvement of women's economic, social and cultural conditions, in accordance with the needs expressed by the women of the Community. They state that they wish to make connections with other groups concerned about Palestinian rights.

III. The Middle East Fellowship of Southern California recently sponsored two events as part of their ongoing educational program.

On February 10, Dr. Kenneth E. Bailey, Chairman of the Biblical Department at the Near East School of Theology in West Beirut spoke on "Lebanon Today" from his perspective as a long time resident of that country. On February 24, Dr. Sabri El-Farra, from Gaza and currently working in the field of television, did an analysis of the recent meeting of the Palestine National Council, held in Amman, Jordan, November 1984.

IV. The Palestine Human Rights Campaign (Australia) held its Third National Conference in Sydney, Australia in January 1985. It heard a report on the recent Palestine National Council meeting from Mr. Ali Kazak, PLO representative in Australia and responded by sending a message of solidarity to the PLO.

V. The Women's International League for Peace and Freedom has established a Middle East Committee to further understanding about the situation in the region and to support positions taken by the United Nations.

The Committee provides educational material for its various branches, alerts the membership on special issues which require political action and responds to requests for speakers. It publishes articles on Middle East peace in the League's Bulletin which reaches about 8,000 members.