



DIVISION FOR PALESTINIAN RIGHTS

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I. ACTION TAKEN BY THE COMMITTEE ON THE EXERCISE OF THE
INALIENABLE RIGHTS OF THE PALESTINIAN PEOPLE

On 17 September 1985, the Committee on the Exercise of the Inalienable Rights of the Palestinian People adopted by consensus its annual report to the General Assembly. 1/ In its report, the Committee made the following recommendations to the General Assembly:

"The Committee contends that action is now required by the Security Council to take positively into account the recommendations of the Committee, and those adopted by consensus at the International Conference on the Question of Palestine, held in Geneva in September 1983 and endorsed by General Assembly resolution 38/58 C. It once again recalls that those recommendations are solidly founded on fundamental and internationally recognized principles relating to the problem of Palestine, the core of the Arab-Israeli conflict.

"The Committee stresses that its original recommendations were specifically designed to enable the Palestinian people to attain its inalienable rights, as affirmed in General Assembly resolution 3236 (XXIX).

"The Committee also stresses that the International Conference on the Question of Palestine held in Geneva in 1983 contained specific guidelines for the achievement of a comprehensive, just and lasting solution to the Arab Israeli conflict, of which an essential element would be the establishment of an independent Palestinian State in Palestine. Those guidelines were endorsed by the General Assembly in its resolution 38/58 C, and reaffirmed in resolution 39/49 D, which inter alia urged all Governments to make additional constructive efforts and to strengthen their political will in order to convene the Conference without delay and for the achievement of its peaceful objectives.

"The Committee strongly points out that the question of Palestine has reached a critical phase and urges a renewed, concentrated and collective effort to find a just solution under United Nations auspices and on the basis of relevant United Nations resolutions and to end the unacceptable plight of the Palestinian people.

"To this end, the Committee is convinced that the International Peace Conference on the Middle East, as endorsed in General Assembly resolution 38/58 C, and generating quasi-unanimous support, provides a comprehensive opportunity for all the parties concerned to participate in negotiations which should lead to a just and lasting solution of the question.

1/ A/40/35.

"The Committee expresses appreciation and is encouraged by the responses it has received so far in the course of its official visits to the capitals of a number of States members of the Security Council. The Committee intends to complete the process of sending delegations to the capitals of the other members of the Council in the year ahead.

"The Committee recommends that the General Assembly should renew the mandate of the Secretary-General, with a sense of urgency, asking him to continue his contacts on the preparations in consultation with the Security Council for the convening of the proposed Conference, and appeals to all countries to exert their best efforts for its successful and peaceful outcome.

"The Committee also believes it should continue to consolidate its efforts to increase awareness and understanding of the question of Palestine, and of the Committee's recommendations, and those of the International Conference on the Question of Palestine, specifically designed to enable the Palestinian people to attain its inalienable rights, as well as to achieve peace in the Middle East, with due regard for the legitimate concerns of all the parties to the conflict in the region.

"The Committee is pleased and greatly encouraged by the widespread understanding it has already secured, and the favourable reaction of non-governmental organizations and other organizations through which public opinion is manifested. The Committee intends to review its programme for the future in the light of experience gained and progress achieved."

On 11 September 1985, in a letter addressed to the Secretary-General, the Chairman of the Committee provided information on recent measures taken by the Israeli military authorities against the Palestinian population in the occupied Palestinian territories. Full text of the letter is as follows: 2/

"In my capacity as Chairman of the Committee on the Exercise of the Inalienable Rights of the Palestinian People, I wish to provide you with information on recent serious measures taken by the Israeli military authorities against the Palestinian population in the occupied Palestinian territories. In a previous letter (A/40/540-S/17392) dated 8 August 1985, the Acting Chairman of the Committee had already expressed the grave concern of the Committee at Israel's decision to

2/ A/40/628-S/17455.

reinstate its policies of administrative detention for up to six months without trial, deportation of persons who are considered "security risks", increased censorship and other measures against the Palestinian people.

"According to The New York Times of 30 August and 4 September 1985, the Christian Science Monitor of 23 and 27 August 1985 and other recent press reports, the Israeli military authorities have engaged in a massive campaign of detention of Palestinians in pursuance of the above-mentioned policy, and are now holding over 50 persons in the West Bank, 20 of whom were detained on Monday, 2 September 1985. According to The New York Times of 6 September 1985, several persons were also detained in Gaza on Thursday, 5 September 1985. Curfews have been imposed in a number of towns, including Jenin, Tulkarm, Nablus, Hebron and Gaza, and in several Palestinian refugee camps. At least three Palestinians are threatened with deportation from the West Bank.

"The New York Times of 10 September 1985 reported that four Arab youths, including a 12-year-old boy, were shot and wounded by Israeli soldiers in Hebron.

"These actions by the authorities are taking place in an atmosphere of growing provocation by the Jewish settlers in the occupied Palestinian territories, which is clearly aimed at putting pressure on the local population to emigrate, thus favouring the eventual annexation of these territories by Israel.

"In bringing this information to your attention, I wish once again to reiterate the Committee's deep concern at these developments and at Israel's continuing denial of the inalienable rights of the Palestinian people, which cannot but further exacerbate tensions in the area and pose a serious obstacle to international efforts to achieve a comprehensive, just and lasting solution of the question of Palestine, the core of the Middle East conflict.

"I should be obliged if you would have the text of this letter distributed as a document of the General Assembly, under item 33 of the provisional agenda, and of the Security Council."

II. THE SECURITY COUNCIL CONSIDERS ISRAELI PRACTICES
AGAINST THE CIVILIAN POPULATION IN THE PALESTINIAN
OCCUPIED TERRITORIES

In a letter addressed to the President of the Security Council on 11 September 1985, Qatar, in its capacity as Chairman of the Arab Group during the month of September 1985, requested an immediate meeting of the Security Council to consider Israeli practices against the civilian population in the Palestinian occupied territories. 3/ The Security Council considered the situation in the occupied Arab territories on 12 and 13 September 1985. The Chairman of the Committee on the Exercise of the Inalienable Rights of the Palestinian People took part in the consideration of the item in the Security Council and made the following statement:

"'United Nations for a better world' - what a fine theme. In a few days' time, at the opening of the fortieth session of the General Assembly, we shall begin our work with that as our theme - a theme, but also a fine ideal, and, as with every ideal, what is important is that we should do everything in our power to achieve it. That means putting aside passion and confrontation and trying to solve every conflict, whatever its scope, in a spirit of co-operation and understanding.

"In his report to the fortieth session of the General Assembly on the work of the Organization, the Secretary-General has already, and I am sure that the ideas he has developed will be very much borne in mind, not only by the General Assembly, but, above all, by the Security Council, which is holding its last meeting before that great event to which we all look forward.

"I wish first, Sir, to congratulate you most sincerely on your assumption of the presidency of the Council for the month of September. We are personally familiar with your qualities as a diplomat well versed in international relations, coming as you do from a country that has shown the way as regards democracy and respect for human rights. We are also personally familiar with your devotion to the ideals of our Organization. I am therefore convinced that under your leadership our work will be successful.

"I wish also to take the opportunity, Sir, to pay tribute to your predecessor, Mr. Oleg Troyanovsky, Permanent Representative of the Union of Soviet Socialist Republics, for the exemplary manner in which he conducted the Council's proceedings in August.

"I also thank all the members of the Council for having permitted me, as Chairman of the Committee on the Exercise of the Inalienable Rights of the Palestinian People, to take part in the debate on Israeli practices against the population of the occupied Palestinian territories.

"For all the members of our Committee the question before us, which goes to the very heart of our mandate, is all the more a cause of concern because it directly affects not only the future of the Palestinian population in the occupied territories but also international peace and security. The very fact that the Security Council is meeting to consider those practices confirms the profound concern of the international community about what is happening in the occupied territories and its consequences, which are very serious, to say the least.

"In my letter to the Secretary-General of 13 September (S/17455) I gave details of the serious measures recently taken by the Israeli military authorities against the Palestinian population in the occupied territories. In an earlier letter, dated 8 August 1985, the Acting Chairman of the Committee had already expressed the Committee's deep concern about the decision taken by Israel to reinstate its policy of administrative detention, detention that can last for as long as six months without trial, deportation of those considered to be a threat to security, the tightening of censorship and other repressive measures against the Palestinian population.

"According to several recent press reports, the military authorities have launched a massive campaign of detaining Palestinians under the policy that I have just described, and they are currently holding more than 50 people on the West Bank, 20 of whom were arrested on Monday, 2 September. Several people have also been arrested in Gaza. A curfew has been imposed in a number of towns - Jenin, Tulkram, Nablus, Hebron, Gaza and others - and in a number of Palestinian refugee camps. Three days ago, again according to press reports, Israeli army soldiers fired on four young Arabs, including a boy of 12, in Hebron; all were wounded.

"Those measures have been taken in an atmosphere of growing provocation by Jewish settlers living in the occupied Palestinian territories, provocation clearly aimed at forcing the local population to emigrate. In all objectivity, we are compelled to point out that those acts of provocation have even been denounced by some of the occupying authorities.

"After that brief survey of the situation - which, at any rate has already been made by preceding speakers - I wish simply to say that in the current year, in accordance with its mandate, the Committee has continued to follow closely events directly affecting the question of Palestine and the rights of the Palestinians. In that regard it has spared no effort to promote the implementation of its recommendations. We have noted with growing concern that the situation in the occupied territories has continued to deteriorate.

"As Chairman of the Committee, I have repeatedly and urgently drawn the attention of the Secretary-General and the President of the Security Council to violations of the fundamental rights of the Palestinians by the Israeli authorities, in defiance of international law and United Nations resolutions.

"It is high time that the facts were faced. In the absence of any just and lasting solution to the Palestinian question - indeed, to the question of the Middle East - tension and violence will only increase in the Palestinian territories and the other occupied Arab territories. The Committee has constantly stressed that the situation will only continue to deteriorate until the inalienable rights of the Palestinian people have been fully recognized. The United Nations without any doubt has the responsibility to ensure the fulfilment of these rights, as well as the physical protection of the Palestinians in the occupied territories and of other peoples of the region.

"We believe that it is now up to the Security Council to give effect to the recommendations of the Committee and the recommendations adopted by consensus at the International Conference on the Question of Palestine, held in Geneva in September 1983. We would recall once again that these recommendations are solidly based on the internationally recognized fundamental principles regarding the Palestine question, which is the very heart of the Arab-Israeli conflict. That is why, in its programme of work for this year, our Committee decided to continue, as a matter of priority, to do everything in its power to bring about the rapid convening of the International Peace Conference on the Middle East, in accordance with the recommendations of the Geneva Conference and General Assembly resolutions 38/58 C and 39/49 D.

"With that aim in view, the Committee, as the Council is aware, sent delegations to the capitals of several States members of the Council to consider the best ways of furthering the implementation of these recommendations. During those exchanges of views with Governments, the Committee stressed the overriding necessity to convene the Conference as soon as possible, and laid stress on the important role to be played by the Security Council in this field. The Committee was very much encouraged by the positive reaction of the Governments concerned, by their understanding of the need to take concrete measures urgently, and by their determination to contribute actively to the efforts to bring about a comprehensive and just settlement of the Palestine question, under the auspices of the United Nations.

"In this regard, I should mention that, during seminars and symposiums on the question of Palestine held by non-governmental organizations, under the aegis of the Committee, participants vigorously stressed the high priority to be attached to this Conference, since it should open the way to a comprehensive, just and lasting settlement of the question. On behalf of the Committee, I stress that the Palestine question has now reached a critical phase. We urge members of the Security Council to redouble their efforts to produce a just and lasting solution to this question. For that purpose, what is needed is a debate free from all passion connected with immediate self-interests. First and foremost, this debate should be about the ways and means of convening the International Conference on the Middle East.

"In this regard, the Committee is convinced that the International Peace Conference on the Middle East, which enjoys almost unanimous support, offers all the interested parties tremendous possibilities of participation in negotiations, which in their turn should lead to a just and lasting solution to the question. In the face of the constant deterioration of the situation in the occupied territories, we appeal once again to the Security Council to take appropriate measures to revive, on the basis of the principles and purposes of our Charter and the relevant resolutions of our Organization, the policy of dialogue among all the parties, in order to put an end to this tragic situation that has lasted all too long and to establish the just and lasting peace so long awaited by all the States and peoples of the Middle East."

A draft resolution by which the Security Council would have deplored the repressive measures taken by Israel against the civilian Palestinian population in the Israeli occupied territories since 4 August 1985 was rejected on 13 September, owing to the negative vote of a permanent member of the Council. The draft received 10 votes in favour to 1 against (the United States of America) with 4 abstentions (Australia, Denmark, France and the United Kingdom of Great Britain and Northern Ireland). The full text of the draft resolution was as follows (S/17459):

"The Security Council,

"Recalling its resolutions 468 (1980), 469 (1980) and 484 (1980),

"Taking note of General Assembly resolution 35/122 of 11 December 1980,

"Having heard the statement of the Permanent Representative of Qatar and other statements made before the Council,

"Stressing the urgent need to achieve a comprehensive, just and lasting peace in the Middle East,

"Affirming once again 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,

"1. Deplores the repressive measures taken by Israel since 4 August 1985 against civilian Palestinian population in the Israeli occupied territories specially in the West Bank and Gaza and expresses serious concern that the persistence of Israeli authorities in applying such measures would lead to further deterioration of the situation in the occupied territories;

"2. Calls upon Israel, the occupying Power, to immediately stop all repressive measures including curfews, administrative detentions and forceful deportation and to release forthwith all detainees and refrain from further deportations;

"3. Further calls upon Israel to abide scrupulously by the provisions of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949."

III. DECLARATION OF THE NON-GOVERNMENTAL ORGANIZATION
AT THE SECOND UNITED NATIONS INTERNATIONAL NGO
MEETING ON THE QUESTION OF PALESTINE (GENEVA,
9-12 SEPTEMBER 1985)

1. We, the non-governmental organizations participating in the Second United Nations International NGO Meeting on the Question of Palestine, wish to thank the United Nations Committee on the Exercise of the Inalienable Rights of the Palestinian People for convening this Meeting. We are indeed honoured by the presence of the members and observers of the distinguished United Nations body.

2. We also wish to thank the Chief of the Division for Palestinian Rights, the NGO liaison officers, the staff of the Division, the Department of Conference Services, including the services of the interpreters, for their valuable assistance in the preparation and execution of this Meeting. We believe this Meeting strengthens the constructive interaction between the United Nations and the international NGO community concerned with the absence of a just and durable solution to the question of Palestine, and we look forward to increasing levels of understanding, appreciation and co-operation.

3. We also wish to voice our appreciation to the distinguished experts and resource persons who spoke here and offered valuable historical, political, as well as practical insights into the question of Palestine as well as a perspective on the important role to be played by NGOs. The practical suggestions emanating from the workshops assisted us in formulating future plans for effective collaboration in linking our efforts to a broader, global network. The workshop reports are available separately.

4. In particular, we want to draw attention to the important presentations made here. We consider the panel "Ways and means to implement United Nations General Assembly resolution 38/58C. The International Peace Conference on the Middle East is the means for a just, durable and comprehensive solution to the question of Palestine and the Middle East conflict", to be of great significance and urge the United Nations to reproduce those statements and widely circulate them. We also urge the United Nations to convene this same panel in other locations (United States of America/ Europe) so that its perspective can be communicated to wider audiences.

5. We resolutely reaffirm the international consensus that the Palestine Liberation Organization (PLO) is the sole and legitimate representative of the Palestinian people. We affirm the inalienable rights of the Palestinian people to self-determination without external interference, to return, and to the establishment of an independent Palestinian State on its own national territory under the leadership of the PLO, in conformity with all relevant United Nations resolutions.

6. We further strongly support the convening of the International Conference on Peace in the Middle East under the auspices of the United Nations as specified in General Assembly resolution 38/58C. We note that

the PLO and other Arab parties and the Government of the USSR have supported the resolution and that the Government of Israel and the United States of America have opposed the convening of such a conference. We consider that the stand taken by these two Governments on the issue militates against the search for peace in the Middle East. We therefore urge that all Governments and all groups that can, should exert all possible pressure on these two Governments to reconsider their position and join the rest of the world, Governments and peoples in the movement for peace.

7. In this manner, we uniformly support the declaration on this issue adopted by the International NGO Meeting on the Question of Palestine held in August 1984 in Geneva.

8. The convening of the International Peace Conference on the Middle East, as endorsed by General Assembly resolution 38/58C, offers a realistic and practical way towards a solution to the problem of Palestine and the establishment of a Palestinian State. We further reaffirm our belief that only a full and comprehensive solution involving, in particular, the United States of America and the USSR, as permanent members of the Security Council and co-chairman of the Geneva Peace Conference, can create the basis for a just and lasting peace.

9. We concur that influencing world public opinion is a key factor in the just and durable resolution of the question of Palestine. As NGOs we have access to local populations, the grass-roots in our societies, and are determined to work to increase their understanding of the question of Palestine and the just cause of the Arab people of Palestine, and to mobilize effectively their potential political, social and spiritual power. Beyond these principles, we firmly believe that NGOs are a unique asset in securing the inalienable rights of the Palestinian people, for we can present the issue also from a vital, human perspective.

10. We confirm our support for the global signature campaign to increase popular and organizational support for the International Peace Conference on the Middle East and will redouble and co-ordinate our efforts with the International Co-ordinating Committee for NGOs throughout the world, culminating in the International Day of Solidarity with the Palestinian People on 29 November 1987. Our emphasis will be to attract the support of popular organizations with large memberships, parliamentarians, peace forces in Israel, North America and Europe, and others.

11. We NGOs present here for this international meeting see ourselves as a nucleus of a broader, world-wide effort. We undertake to reach out, identify and involve many other NGOs in the just resolution of the question of Palestine.

12. We express our grave concern over the protracted Arab-Israeli conflict. We recognize that the basic cause of that conflict is the denial by Israel and its supporters of the inalienable rights of the Palestinian people.

We deplore the vigorous assaults upon Palestinian human rights by Israel and urge all NGOs to activate their networks to protest this repression in every effective way. In particular, we condemn the record of successive administrations of the United States of America which have encouraged and supported Israel's expansionist policies.

13. We urge all NGOs to inform their Governments of the deteriorating economic, social, cultural and health situation of the Palestinian people in the occupied territories and abroad. We reject the campaign for a so-called "improvement of the quality of life" under Israeli control as a ruse devised to pre-empt independent Palestinian development in the occupied territories.

14. Recognizing that more attention needs to be paid to the specific situation of Palestinian Arabs within Israel, we intend to continue to address this subject at future international NGO meetings and urge all NGOs to create heightened awareness of this subject. We call upon the Government of Israel to establish and guarantee full equal rights to the Palestinian Arabs inside Israel, who are an integral part of the Palestinian people.

15. We express our strongest opposition to the Israeli Government policy of "iron fist" rule in the occupied territories: the closure of Al-Najah University and other institutions of higher education and the closure of the Arab Hospital in the Austrian Hospice in Jerusalem which have deprived the people of their vital services; the arbitrary administrative detention and expulsion of leaders of student organizations, trade unions, voluntary organizations and youth movements. These actions and attitudes are flagrant violations of human rights and basic human decency. In particular, we demand the abolition of the expulsion orders against the following persons:

Amin Darwish Maqbul of Nablus
Walid Ahmad Nazzal of Qabatiyya
Bahjat Mustafa Jayyusi of Jayyus,

as well as the abolition of the orders of administrative detention against Zalu Jaradat and Ghazi Shashtari, who are both Law in the Service of Man field workers, all of which contravene international law. All NGOs must take immediate action to draw attention to these glaring abuses of power and violations of human rights. All of our networks should be mobilized to protest to the detaining authorities, and to the United States Government, and to the United Nations, and to demand an end to the Israeli occupation.

16. We are deeply concerned over the persistent policy of Israel to confiscate Arab land in the occupied Palestinian territory and to establish Jewish colonial settlements thereon. This constitutes a flagrant violation of the provisions of the Fourth Geneva Convention. We call upon the Security Council to apply means and measures to ensure respect for and implementation of its relevant resolutions, particularly 465 (1978).

17. We consider that the proposed law by the Israeli Knesset prohibiting contacts between Israelis and members of the PLO constitutes a further obstacle in the search for peace. In the light of this proposed law, it is of the utmost importance that NGOs take the initiative to convene meetings between Israeli citizens and Palestinians representing the PLO with the aim to implement the relevant United Nations resolutions, in particular, United Nations General Assembly resolution 38/58 C.

18. We voice grave concern over the fate of the Palestinian refugee camps in Lebanon, and recall the historic responsibility of the United Nations for the fate of the Palestinian people. We call upon the United Nations to shoulder this responsibility.

19. We note the fundamental importance of the forthcoming United States-Union of Soviet Socialist Republics summit meeting and call on them to have the question of Palestine and peace in the Middle East included in the agenda and to consider, during the summit, the convening of the International Conference on the Middle East.

20. We are aware that 1986 will be globally designated as the Year of Peace, and that there will be no peace without peace in the Middle East. We must take all action to make it a year of peace with justice for the Palestinian people by selflessly collaborating with one another in order to influence public opinion and governmental policy. We strongly condemn the military and political collusion and nuclear collaboration between the Government of Israel and the Government of South Africa.

21. We have reviewed and considered the initial activities of the Interim Co-ordinating Committee for NGOs (ICC) established at the International Meeting on the Question of Palestine convened in Geneva in August 1984. We hereby establish a successor organization, the NGO International Co-ordinating Committee on the Question of Palestine, in order to expand and strengthen the NGO global network. ICC will work diligently to develop even closer links with the United Nations Committee on the Exercise of the Inalienable Rights of the Palestinian People and the Division for Palestinian Rights. The names of the member organizations on the 1985-1986 ICC are attached.

22. We sincerely thank the United Nations Committee on the Exercise of the Inalienable Rights of the Palestinian People for inviting a representative of ICC to speak as a panelist at each of the regional NGO symposia convened since May 1985. We believe that these symposia increased NGO contact and created circumstances for the establishment of regional NGO co-ordinating committees in Asia, North America and Africa.

23. We urge the United Nations Committee on the Exercise of the Inalienable Rights of the Palestinian People and the Division for Palestinian Rights to continue such regional and other NGO symposia in the coming year in order

to involve underrepresented regions and to reinforce the networking already under way in other areas. Upcoming regional NGO symposia should include Latin America, East Asia and Pacific and Europe. Follow-up symposia in other regions are needed to maintain continuity and expansion of the global NGO network on Palestine. We further urge the United Nations Committee on the Exercise of the Inalienable Rights of the Palestinian People and the Division for Palestinian Rights to facilitate the convening of meetings of ICC in the coming year so that ICC can co-ordinate its efforts on behalf of the NGO community it represents.

24. Based on our experience over this past year the NGOs participating in this meeting propose that the new ICC consider the establishment of an administrative secretariat and also consider ways and means of funding the activities of ICC and proposed secretariat.

25. We are determined to cultivate an expanding global NGO constituency linked to a world wide NGO network that will emerge as a significant force in the campaign for the just resolution of the question of Palestine. The establishment of the NGO International Co-ordinating Committee symbolizes this commitment and the growth of the global movement. We firmly believe that we can most effectively express our solidarity with the Palestinian people and work for peace in this way. We call upon the United Nations, through the United Nations Committee on the Exercise of the Inalienable Rights of the Palestinian People, to offer every assistance, including financial support, to achieve these ends.

26. We call on the United Nations Committee on the Exercise of the Inalienable Rights of the Palestinian People to convey this report of the International NGO Meeting on the Question of Palestine held in Geneva from 9 to 12 September 1985, to the General Assembly at its fortieth session as part of the Committee's report.

International Co-ordinating Committee for
NGOs on the Question of Palestine, 1985-1986

All-India Indo-Arab Friendship Association
American Friends Service Committee
Arab Lawyers Union
Association des Juristes Démocrates du Sénégal
Council for the Advancement of Arab/British Understanding
Democratic Front for Peace and Equality
French NGOs Committee
International Jewish Peace Union
Israel Council for Israeli/Palestinian Peace
Near East Cultural and Educational Foundation of Canada
Palestinian Committee for NGOs
Palestine Human Rights Campaign of Australia
Palestinian Human Rights Campaign
Parliamentary Association for Euro-Arab Co-operation
Soviet Afro-Asian Solidarity Committee
Union Inter-Africaine des Avocats
Women's International Democratic Federation
World Council of Churches/Middle East Council of Churches
World Peace Council
World Young Women's Christian Association
