



DIVISION FOR PALESTINIAN RIGHTS

TWENTIETH UNITED NATIONS SEMINAR ON THE QUESTION OF PALESTINE
(FIFTH NORTH AMERICAN REGIONAL SEMINAR)

Theme: "The inalienable rights of the Palestinian people"

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CONTENTS

	<u>Paragraphs</u>	<u>Page</u>
INTRODUCTION	1-3	2
I. OPENING STATEMENTS	4-21	2
II. PANEL DISCUSSION	22-60	6
III. CONCLUSIONS AND RECOMMENDATIONS	61-76	15

Annexes

I. Message from the participants in the Seminar to the Chairman of the Executive Committee of the Palestine Liberation Organization	19
II. List of participants and observers	20

INTRODUCTION

1. The Twentieth United Nations Seminar on the Question of Palestine (Fifth North American Regional Seminar) entitled "The inalienable rights of the Palestinian people", was held at United Nations Headquarters, New York, on 27 and 28 June 1988, in accordance with the terms of General Assembly resolution 42/66 B of 2 December 1987.
2. Mr. Alexander Borg Olivier (Malta), Rapporteur of the Committee on the Exercise of the Inalienable Rights of the Palestinian People, was Chairman, Mr. Alberto Velazco-San José (Cuba) Vice-Chairman, and Mr. Tom Obaleh Kargbo (Sierra Leone) Rapporteur of the Seminar.
3. Four meetings were held and six panelists presented papers on selected aspects of the question of Palestine. In addition, representatives of 40 Governments, the Palestine Liberation Organization (PLO), two United Nations organs, six United Nations specialized agencies and bodies, three intergovernmental organization, three national liberation movements as well as observers of nine non-governmental organizations (NGOs) attended the Seminar.

I. OPENING STATEMENTS

Statement of the representative of the Secretary-General of the United Nations

4. The opening session was addressed by the representative of the Secretary-General of the United Nations, Mr. Naseem Mirza, Chief, Division for Palestinian Rights. In welcoming the participants, Mr. Mirza stressed that during the past six months, extremely tragic events had taken place in the West Bank and Gaza Strip. The Security Council, in its resolutions adopted since last December, had deplored those policies and practices of Israel that violate the human rights of the Palestinian people in the occupied territories, and had reaffirmed that the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, was applicable to the Palestinian and other territories occupied by Israel since 1967, including Jerusalem, and had called upon Israel to abide immediately and scrupulously by the Convention.
5. The Secretary-General himself had repeatedly expressed concern about the situation in the occupied territories. He continued to hold the views expressed in his report of 21 January to the Security Council in which he had made a number of recommendations regarding the safety and protection of the Palestinian inhabitants of the territories and drawn special attention to Israel's obligations under the Fourth Geneva Convention. The events in the territories had demonstrated more clearly than ever the need for a comprehensive, just and lasting settlement based on Security Council resolutions 242 (1967) and 338 (1973) and taking fully into account the legitimate rights of the Palestinian people, including self-determination.
6. Another development of profound importance to the United Nations was the adoption by the United States of the legislation contained in the Foreign

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

7. Pending the resolution of the basic political problems, the United Nations had to continue to do all it could to alleviate the plight of the Palestinian people. The United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA) had been providing assistance to Palestinian refugees for almost 40 years. Apart from that core programme, the Agency had been obliged to mount special emergency assistance programmes in Lebanon in 1982 and in the occupied territories in 1988.

8. The recent events in the occupied territories had again underscored the urgent need to find a solution to the Arab-Israeli conflict and its core - the question of Palestine. It was heartening to note that the persistent efforts of the United Nations had produced a near-consensus on the fundamental elements required for a comprehensive settlement of the Arab-Israeli conflict. There was a wide measure of agreement among the international community that peace in the Middle East could be best achieved through negotiation under United Nations auspices, involving all parties concerned, including the PLO, and leading to a comprehensive settlement. Such a settlement should be based on three conditions, namely, the withdrawal of Israel from Arab territories occupied since 1967; respect for and acknowledgement of the sovereignty, territorial integrity and political independence of every State in the area and the right to live in peace within secure and recognized boundaries, free from threats or acts of force; and finally, a just settlement of the question of Palestine based on the recognition of the legitimate rights of the Palestinian people, including the right to self-determination. In that connection, the question of Jerusalem remained of primary importance. It was the intention of the Secretary-General to continue the search for a comprehensive settlement of the Middle East conflict through a negotiated process under United Nations auspices.

Statement of the Chairman of the Seminar

9. Mr. Alexander Borg Olivier, Chairman of the Seminar, emphasized that for over 40 years, the United Nations had continued its tireless efforts to bring about a just and lasting peace to the Middle East. As a part of that effort, the United Nations had established, in 1976, the Committee on the Exercise of the Inalienable Rights of the Palestinian People and had entrusted it with the task of taking steps towards the exercise by the Palestinian people in Palestine of its inalienable rights, including the right to self-determination, the right to national independence and sovereignty, and the right to return.

10. In the discharge of its functions, the Committee, in 1976, had formulated a set of recommendations which included a two-stage plan for the return of the Palestinians to their homes and property, a time-table for the withdrawal of Israeli forces from the occupied territories, and endorsement of the inherent right of the Palestinians to self-determination, national independence and sovereignty. By its resolution 31/20 of 24 November 1976, the General Assembly had endorsed the recommendations of the Committee "as a basis for the solution of the question of Palestine". Those recommendations had been endorsed every year since 1976 by the General Assembly with an ever-increasing vote. However, they could not be implemented since the Security Council was not able to act on them.

11. Although the overwhelming majority of the international community wished to see an end to the continuing tragedy of the Palestinian people and the pointless bloodshed in the Middle East, the efforts made to resolve that particularly complex problem had thus far remained unsuccessful, with potentially dangerous consequences for international peace and security. That situation had again been brought into sharp focus since 9 December 1987 when the Palestinian uprising began in the occupied Palestinian territories in reaction to the Israeli occupation. It confirmed in no uncertain terms that the Palestinians were determined to resist and reject Israeli domination and occupation. They were engaged in a desperate effort to preserve their identity and their land. In doing so, the Palestinian people was striving to attain its inalienable rights, including the right to self-determination and the creation of an independent State of its own.

12. In an atmosphere of acute crisis, the Israeli military authorities had responded with terror and bloodshed. The international community had witnessed violence and brutality in Gaza and the West Bank, desecration of holy places, intolerable practices by the occupying forces in violation of the Fourth Geneva Convention and Security Council resolutions, collective punishment, humiliation, arbitrary arrests and other inhuman and degrading acts. Unarmed Palestinian residents were confronted with heavily equipped Israeli troops determined to overpower and crush any protests. Soldiers as well as armed settlers did not hesitate to shoot at protesters. More than 200 Palestinians had been killed, an unaccounted number imprisoned and detained. A number of Palestinians had been expelled and deported despite the fact that the Security Council in its resolutions called upon Israel to refrain from deporting any Palestinian civilians from the occupied territories.

13. It was now more urgently necessary than ever that the United Nations discharged its moral and political responsibility towards the Palestinian

people and that it increased its efforts to end their suffering and bring about a comprehensive, just and lasting peace in the region. The Committee believed that, if no tangible progress was made towards such a solution in the near future, the situation would deteriorate even further with unforeseeable consequences for the peoples and countries concerned.

14. It was encouraging to note that almost the entire international community supported the convening of the International Peace Conference on the Middle East. That opinion was expressed not only in the United Nations, but also in the decisions and statements that had been issued by a large number of intergovernmental organizations, most recently by the League of Arab States, the Organization of the Islamic Conference, the Non-Aligned Movement and the European Economic Community as well as in statements of a large number of individual countries. The convening of the Conference was also supported by NGOs active on the question of Palestine.

15. The Secretary-General of the United Nations had expressed his determination to continue his efforts towards the convening of the Conference. The Committee on the Exercise of the Inalienable Rights of the Palestinian People would not cease in its endeavours towards convening that Conference, particularly through mobilization of public opinion and Government support in all regions of the world. The Committee was firmly convinced that only the United Nations, in particular the Security Council, which had been asked to facilitate the organization of the Conference, could provide a legal and political framework acceptable to the parties of the conflict and the great majority of the international community that would make it possible for negotiations to proceed with full respect for internationally recognized principles and on the basis of equality for all parties concerned.

Message from the Chairman of the Executive Committee of the Palestine Liberation Organization

16. A message from Mr. Yasser Arafat, Chairman of the Executive Committee of the PLO, was read by Mr. Zehdi L. Terzi, Permanent Observer of the PLO to the United Nations. In the message, it was emphasized that by the intifadah, the Palestinian uprising, the Palestinians were manifesting their rejection of Israeli occupation and their determination to terminate such occupation, so that the Palestinian people could regain and exercise its inalienable national rights. In the intifadah, the Palestinian people was confronting Israel's "iron-fist" policy which was carried out in conformity with a planned policy aimed at terrorizing Palestinians while attempting to demoralize their national will with a view to liquidating their national cause and negating their national rights.

17. At a time when the international community as well as peace and freedom loving forces stood by the just struggle of the Palestinian people to terminate Israeli occupation, the United States Government stood by the acts of State terrorism and repression implemented by Israel. The United States Government supported the policies of negating the inalienable national rights of the Palestinian people and advanced with plans and projects to consolidate the occupation and to bypass the Palestinian people and its sole

representative, the PLO. The United States Government, furthermore, undertook legislative action to enact laws to prohibit activities by the PLO, and to deny and prevent support of the American people. Attempts to close the Observer Mission of the PLO to the United Nations were a blatant violation of the Headquarters Agreement.

18. The Palestinian people persevered in its just struggle to terminate Israeli occupation and to retrieve its inalienable national rights, including the right of return, to self-determination and to establish its independent Palestinian State. The best process to achieve just peace in the region was the convening of the International Peace Conference in conformity with United Nations resolutions 38/58 C and 41/43 D, under the auspices of the United Nations and within it and with the participation of the five permanent members of the Security Council and all the parties to the Middle East conflict, including the PLO on an equal footing with the other parties. Any other process would only further complicate the situation and expand crisis spots in the region.

Other statements

19. Mr. Ahmad Farouk Arnouss, Rapporteur of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples, Mr. Jai Pratap Rana, Acting Chairman of the Special Committee against Apartheid, Mr. Samir Mansouri, Deputy Permanent Observer of the League of Arab States to the United Nations, Mr. A. Engin Ansay, Permanent Observer of the Organization of the Islamic Conference to the United Nations, and Mrs. Monica Noshandi, Deputy Permanent Observer of SWAPO to the United Nations, also made statements at the opening session.

20. At the third meeting, the Observer of the African National Congress of South Africa, Mr. Ernest Fred Dube, made a statement.

Message sent by the Seminar

21. The Seminar adopted a message to Mr. Yasser Arafat, Chairman of the Executive Committee of the PLO (annex I).

II. PANEL DISCUSSION

22. Two panels were established. The panels and their panelists were as follows:

(a) Panel I: "The uprising in the occupied Palestinian territories: the urgency of convening the International Peace Conference on the Middle East in accordance with United Nations General Assembly resolution 38/58 C":

Mr. Ibrahim Abu-Lughod (Palestinian), Mr. William H. Barton (Canada), Mr. Paul N. McCloskey (United States), Mr. Mattityahu Peled (Israel), Mr. V. P. Vorobyov (Union of Soviet Socialist Republics).

(b) Panel II: "The role of the Palestine Liberation Organization":

Mr. Yusif Sayegh (Palestinian).

For reasons beyond his control, Mr. Yusif Sayegh could not attend the Seminar and his paper was read by the Permanent Observer of the PLO to the United Nations.

23. The expert members of the panels agreed on summaries of the presentations and the discussions on the two topics. The Seminar decided to include those summaries in the report.

Panel I: "The uprising in the occupied Palestinian territories: the urgency of convening the International Peace Conference on the Middle East in accordance with United Nations General Assembly resolution 38/58 C"

24. The International Conference on the Question of Palestine, held at Geneva in 1983, had adopted a declaration and a programme of action. Both the Geneva Declaration and General Assembly resolution 38/58 C stated eloquently the objectives of the Conference which was aimed at achieving a comprehensive, just and durable solution to the Arab-Israeli conflict. And both had defined the political elements required as guidelines for that solution.

25. By accepting the provisions of General Assembly resolution 38/58 C, the PLO had offered compromise and had shown general flexibility in order to allow the desired peace in the Middle East.

26. General Assembly resolution 38/58 C had been adopted on 13 December 1983. Yet, no international peace conference had been convened. Thus far, Israel, with United States support, had been able to prevent the convening of the Conference for over four and a half years. Finally, however, the acts of courage and despair by thousands of young Palestinians in the occupied territories had drawn world attention to the injustice of a 21-year long military occupation in defiance of United Nations resolutions and international law.

27. The brutality, arrogance and injustice of Israel was no longer in doubt. The rights of Palestinians to justice were no longer in doubt. What remained in doubt was diplomatic action to match the courage and suffering and sacrifice of the Palestinian people in moving towards a successful international peace conference.

28. The immediate reason for the uprising was the humiliation and sheer brutality under the "iron-fist" policy instituted by the Israeli Government. In three years of the "iron-fist" policy, the number of deported people, demolished houses and administrative arrests had tripled, as compared with the record of the Israeli Governments in the preceding seven years. Not to mention the numerous unexplained deaths of Palestinians, the wanton shooting of Palestinian civilians and the general trend of humiliating Palestinians in the occupied territories.

29. The uprising was now in its seventh month despite Israel's brutal attempts at its suppression. The uprising had been thus far most successful in challenging Israel's oppressive plans and in demonstrating anew the Palestinian people's determination to implement its inalienable national rights. Between 9 December 1987, the onset of the uprising, and the end of May 1988, close to 300 Palestinians, males and females of all ages, had been killed by Israeli troops. More than 3,000 had been injured and/or permanently maimed, no less than 12,000 Palestinians had been tortured and imprisoned. Countless homes had been bulldozed by Israeli troops.

30. The popular uprising in the occupied Palestinian territories had achieved remarkable results which none but the Israeli Government could deny. It had proved that there could be no solution except that based on recognizing the right of the Palestinian people to self-determination in the West Bank, including East Jerusalem and the Gaza Strip. That solution was proposed practically daily by the Palestinian demonstrators in the occupied territories. But that was not only a slogan, it was the present reality since the West Bank and Gaza, as well as East Jerusalem, had become Palestinian in the sense that they were no longer open for the Israeli occupation to manifest itself as it had used to do for almost 21 years. The only mark of the occupation was the presence and violent action of the Israeli army trying desperately, but in vain, to crush the uprising.

31. The varied and harsh socio-political, economic and legal conditions which characterized the Palestinian existence on their own soil were intended to create an objective condition of permanent subordination and subjugation to a State that views itself as the sovereign of the Jewish people. For Israel to succeed in that endeavour, it had to undertake the policies and measures that aimed at the disintegration of the basic fabric of Palestinian society and thus would undermine the bases of that society's cultural cohesion.

32. The uprising, by empowering the Palestinians under occupation and in exile, had already significantly undermined the basic structures of the military occupation and its political underpinning; it had significantly contributed to the creation of alternative social, economic and political structures that had enormous authority and thus were rendering the occupation obsolete. Those new realities once more had helped in restoring the question of Palestine to its central position in the Middle East conflict and thus increased the concern of the various parties to that conflict.

33. It was clear that Israel was able to pursue its policies of occupation and repression of the Palestinians in large measure because it received direct material, moral and political support from the United States and some of its allies. It was also evident that Israel was able to maintain its military occupation of the West Bank and Gaza in large measure because the United States underwrote the material costs of that occupation.

34. The Israeli policies were based on the assumption that since Israel possessed the stronger military force, it could demand that the Palestinians should surrender unconditionally to discuss a solution to the conflict. The Government and many Israelis still failed to realize that in that conflict no side was stronger than the other. But evidently a lot more suffering was

ahead before Israel would understand the very basic fact which emerged so clearly from Israel's 40 years of existence.

35. Once the inability to resolve the problem by confrontation was grasped by Israel, the road would then be open for a negotiated settlement. And the place to negotiate would be the United Nations-sponsored International Peace Conference as defined by General Assembly resolution 38/58 C.

36. The basic issue dividing Israel and its Arab neighbours seemed to defy resolution. On the one hand, there was the problem of obtaining Arab acknowledgement of the legitimacy of the Israeli State and assurance of secure and recognized boundaries. On the other, it was first and foremost that the Israelis had to recognize that the Palestinians, just as much as themselves, had legitimate rights which had not been satisfied. To do so would involve not only the abandonment by Israel of the occupation of the Gaza Strip and the West Bank, but also the resolution of such issues as Jewish settlements in the occupied territories, and the annexation of East Jerusalem and the Golan Heights. Moreover, Israel would have to acknowledge the right of the Palestinian people to choose its own negotiating agent.

37. The Israeli public was deeply divided about what should be done in the present circumstances, and that was reflected by the conflicting views within the Government about the wisdom of participating in a peace conference. Weighing against the seemingly unscalable barriers to peace was the welling tide of refusal by the Palestinian residents of the occupied territories to accept any longer the intolerable conditions of existence under occupation. That, coupled with increasing awareness of the ultimate futility of attempting to maintain suzerainty over lands where they were outnumbered demographically, had for the first time raised serious doubts in the minds of many Israeli citizens about the wisdom of the policies of their Government. Those doubts were also reflected in important Jewish communities in Western countries, whose political and financial support was essential to Israel.

38. Developments in the region and particularly those affecting the fate of the Palestinians had given special urgency to the convening of the International Peace Conference on the Middle East under the auspices of the United Nations. Vital interests of the peoples of the Middle East, as well as the interests of international peace and security, urgently dictated the need for the speediest settlement of the Arab-Israeli conflict. While the conflict embraced various dimensions, it was the suffering of, and injustice perpetrated against, the Palestinian people that were the core of that conflict. Lasting peace in the area was impossible without a just solution to the question of Palestine.

39. The Palestinian assertion remained an affirmative one. It postulated the possibility of the equal coexistence of the two people, Palestinian Arabs and Israeli Jews, in the land of Palestine. It called for the unconditional termination of Israel's military occupation of the West Bank and Gaza, for the establishment of a Palestinian State in Palestine and for a solution to the national problem of the Palestinian people consistent with international legitimacy. The Palestinian people was clearly committed to that political programme and was determined to pursue its realization by all legitimate means available to a colonized people.

40. A just and enduring solution had to be premised on the Palestinian right to self-determination and of necessity would require the termination of Israel's occupation of Palestinian and other Arab territories. Both the solution and the modality of its implementation could be imposed neither by military means nor by partisan third parties that might be politically powerful. The International Peace Conference, as the mechanism that represented the international community, was the proper venue that conceivably could bring the adversaries together and could guarantee the comprehensive and just peace that had eluded the region so far.

41. The question of Palestine had been inseparably linked with the activities of the United Nations. On 29 November 1947, resolution 181 (II) was adopted by the General Assembly, by which the British Mandate was to end and two States, one Arab and one Jewish, were to be established. Jerusalem was to be a corpus separatum under a special international régime. Economic unity and safeguard of fundamental rights were to be ensured. But over 40 years after its adoption, the resolution still awaited its implementation in full. That resolution had been implemented only as far as the creation of the State of Israel was concerned.

42. The view was expressed that the legitimacy of the right to Palestinian self-determination and the right to a Palestinian State stemmed from General Assembly resolution 181 (II) of 29 November 1947. One could not argue for a Palestinian State without accepting the legitimacy of an Israeli State at least within the boundaries set by the United Nations in 1947. Resolution 38/58 C, on which the International Peace Conference should be based, was explicit on the Palestinian rights, e.g. the right of return, the right to self-determination, and the right to establish an independent State in Palestine. The single right of Israel was also explicitly defined in resolution 38/58: the right of all States in the region to existence within secure and internationally recognized boundaries. The starting point in any conference on the Middle East, therefore, should be the acceptance of those United Nations resolutions, i.e. that both the Israelis and the Palestinians were entitled to independent States within the borders of the former Palestinian Mandate west of the Jordan River.

43. Several references were made to the statement of 7 June 1988 by Mr. Bassam Abu Sherif, Advisor to Chairman Yassir Arafat, on the prospects of a Palestinian-Israeli settlement. In that statement it was suggested, inter alia, that if there be any doubt as to the authority of the PLO to speak for the Palestinian people, the question should be put to them in an internationally supervised plebiscite. It also suggested that "as for the fears that a Palestinian State would be a threat to its neighbour, ... the Palestinians would be open to the idea of a brief, mutually-acceptable transitional period during which an international mandate would guide the occupied Palestinian territories to democratic Palestinian statehood. Beyond that, the Palestinians would accept - indeed insist on - international guarantees for the security of all States in the region, including Palestine and Israel. ... The Palestinians ... would welcome any reasonable measure that would promote the security of their State and its neighbours, including the deployment of a United Nations buffer force on the Palestinian side of the Israeli-Palestinian border." The Prime Minister of Israel's reaction was that

there was nothing new in the proposal. The United States had reacted in a more restrained manner, asking for proof that the proposal and the other ideas put forward in the document were indeed those of the PLO leadership.

44. The Seminar was provided with an outline of the Canadian viewpoint. In the Canadian view, the purpose of any international conference of the kind under consideration was to promote the solution of the problems that inspired its convening. It followed that the time for convening an international peace conference was when the situation between the parties had developed to the point where it would enhance the prospect of some form of resolution. But Canadians had doubts about the value of proposing the convening of a conference when clearly the intended terms of reference were perceived as inimical to the vital interests of one or more of the key participants. However, both sides in most disputes had some legitimate claims and Canadians were not convinced that resolutions of the General Assembly which called for the convening of the Peace Conference with terms of reference that were seen by one side or the other as partisan really helped the peace process.

45. When the Conference was convened, it was vitally important that it developed a personality and credibility to sustain it in the face of the obstacles it would be certain to encounter. The participants had to ensure that equitability and even handedness were evident to all. At present there were signs of greater willingness than in the past to contemplate the necessary degree of co-operative action; the international community had to encourage and build on that development in the months to come. It would require great patience and a willingness to compromise on all sides.

46. The search for the Middle East settlement occupied a place of priority among the burning regional problems. The new approaches in world policy, based on the elements of new political thinking, constituted an important prerequisite for the settlement of that conflict. Under those circumstances, mankind had made a first significant step along the path of the liquidation of nuclear weapons, and the new approaches had led to the process of political settlement regarding Afghanistan. Those were good examples to be followed in order to settle other regional conflicts.

47. The majority of States, as well as major intergovernmental organizations, including the PLO, Arab States, the Movement of Non-Aligned Countries, the Organization of African Unity, the Organization of the Islamic Conference, the European Community, the Nordic countries, the USSR, China and other socialist countries, had expressed their strong support for, and endorsement of, the holding of the International Peace Conference on the Middle East, under the auspices of the United Nations and with the participation of the five permanent members of the Security Council and all the parties to the conflict, including the PLO, on an equal footing. Support for the convening of the Conference had also been forthcoming by NGOs dedicated to peace and justice in the Middle East.

48. The Seminar was also provided with an outline of the position of the USSR. In its approach to settling the Arab-Israeli conflict, the Soviet Government proceeded from the concept of a comprehensive settlement that covered all its basic aspects and took into account the interests of all

parties involved in the conflict, including the Palestinian people. Such a settlement had to include the withdrawal of the Israeli troops from the territories occupied in 1967, a solution to the question of Palestine, and above all the exercise by the Palestinian people of its right to self-determination and the recognition of the right of Israel to existence and security.

49. A serious obstacle on the way to the search for a comprehensive settlement of the Arab-Israeli conflict was the position of the State of Israel or rather of its present Government. Fully in the spirit of old thinking, that Government continued to rely on the occupation of the Arab lands and the "solution" of the Palestinian problem by military means - by force. But that policy of the Israeli Government had increasingly come into conflict not only with the spirit of time, but also with the interests of the Israeli people themselves.

50. Although Israel was not yet convinced of the usefulness and the United States was not yet supportive of the convening of the International Peace Conference on the Middle East in accordance with General Assembly resolution 38/58 C, overall international conditions for accomplishing that task were very favourable. Moreover, it was encouraging that the relations between the United States and the USSR seemed to have improved and the nations of the European Community had acknowledged their responsibility to encourage the search for a solution. Additional concrete and constructive efforts by all Governments were urgently necessary in order to convene the Conference without further delay and before the end of 1988. The hope was expressed that the existing healthier international climate could produce tangible progress for a political solution to the Arab-Israeli conflict and its core, the question of Palestine.

Panel II: "The role of the Palestine Liberation Organization"

51. The role of the PLO derived from the inalienable right of the Palestinians to Palestine, their right to identify with it, to live on its soil as a community and a national entity, with its own social structure and its own economic life. It derived from the collective will of the Palestinians, both under occupation and in dispersal, that the PLO was and should continue to be their legitimate and sole representative. Those two factors were the source of the legitimacy of the PLO and the determinant of the complex role it had to play. The record of the PLO had confirmed and solidified that legitimacy and had won the recognition, first of all the Arab States, and in due course of more than 100 other States, that the PLO was the legitimate and sole representative of the Palestinians. Among the exceptions to that significant development were Israel, the United States and South Africa.

52. The structure of the PLO had been built in order to embody the maximum degree of democracy and representativeness. It found its most notable expression in the Palestine National Council (PNC) which satisfied the broadest possible measure of representation of the geographical, functional, ideological-political, intellectual and socio-economic reality of the Palestinian people. The strong and unshakable recognition by the Palestinians

under occupation of the PLO as their legitimate and sole representative acquired particular meaningfulness and credibility because it was manifested and expressed openly in the face and in defiance both of brutal Israeli repression and evasive prevarication.

53. It was only natural for the PLO to have and to endeavour to fulfil a multi-faceted role, not only within the Palestinian community, but also within the community of Arab States and the international community as well. The components of that role could be identified as follows:

(a) The preservation, deepening and consolidation of the sense of Palestinian identity;

(b) The re-weaving of the fabric of a Palestinian society;

(c) The response by the organization to the basic human needs of the Palestinians;

(d) The provision of education and training opportunities for young Palestinians, and of support and encouragement for an older, already-formed generation of Palestinians, to be productive members of the societies and economies within which they lived and worked or expected to work, and of the Palestinian State to be;

(e) The understanding of armed struggle for liberation. The PLO was fully aware that there was a right time and place for armed struggle, and another for political and diplomatic activity, and a third for some well-calibrated combination of all those forms of struggle. It was also fully aware that armed struggle was a course of last resort, one which frequently made the course of political and diplomatic action necessary, feasible and credible;

(f) The shouldering and undertaking of political action aimed at the return of Palestinians outside their homeland, the exercise of independence and the enjoyment of statehood;

(g) The discharge by the PLO of the complex and far-reaching responsibilities falling in the field of international relations with political/diplomatic, economic and cultural substance and implications;

(h) The role as an actor and catalyst in soliciting aid for the Palestinians - economic, political, diplomatic or educational;

(i) The challenge to certain obfuscating or counter-productive political propositions or formulas set as guidelines or frameworks for the settlement of the Palestine problem. In all instances under reference, the propositions or formulas constituted or would have unavoidably led to incursion into or violation of basic Palestinian rights, and in all instances those propositions or formulas had been advocated by the United States and Israel.

54. One of those propositions or formulas related to Security Council resolution 242 (1967) which essentially targeted Israel and the Arab States

involved in the war of June 1967. It had only partial, non-political relevance to the Palestinians inasmuch as it merely referred to them obliquely as refugees. It was silent on the political plight of the Palestinians who had been dispossessed, uprooted and displaced, as well as on the basic right of self-determination of the Palestinians.

55. Another illustration of the imposition of severe limitations on the natural and basic political right of the Palestinians to nationhood and statehood was encountered in the terms of the Camp David accord between Egypt and Israel under United States patronage. That accord stipulated autonomy for the Palestinians, which was understood by the Israelis and the Americans to exclude independence and sovereignty and to exclude the power to control and protect the land and its water resources.

56. The third illustration of obfuscation related to the concern by the United States for "the improvement of the quality of life of the Palestinians" under occupation. But what was basically needed was the ability by the population under occupation to control its own economic activity, to develop its own economy, to protect its resources. What neither the United States nor Israel had counted upon was the clarity of perception by the Palestinians and their ability to differentiate between the substance of the capability to develop their national economy and the pretense of the improvement of the quality of life.

57. The PLO could not discharge the various components of its role smoothly and easily; constraints and difficulties limited its ability to undertake its responsibilities effectively and satisfactorily. The more prominent of those included the inherent difficulty of achieving accommodation between the nature of a "revolution" and that of a "State" or Government; the shortage of financial resources at its disposal; the dispersion of the Palestinians and the necessity, yet the difficulty, of simultaneous movement in widely different political contexts and environments; the necessity to achieve balance in a large number of situations where there were forces pulling in opposite directions and most formidably, the alliance between Israel and the United States.

58. The PLO could not do much in the face of Israeli dispossession and repression in all its forms. But it could and had endeavoured to expose the various aspects of Israel's ideology, attitudes, policies, and measures that translated the objectives of the State and society into concrete hardship for the Palestinians. The endeavour took many forms in the international arena, within individual countries and inside the United Nations system. But the most effective way of exposure was the resistance by the Palestinians under occupation themselves through various forms of resistance and challenge. The current uprising in the occupied territories, which started on 9 December 1987, was the last but the most widespread, sustained and effective response to Israeli coercion and repression, and above all to occupation and the usurpation of the national and political rights of the Palestinians.

59. In spite of the reality and enormity of the constraints and difficulties which beset the discharge of the role of the PLO in its many ramifications, the PLO could call on and mobilize certain real and significant sources of strength. Among those sources were:

(a) The determination of the Palestinian people and its readiness to accept hardship and sacrifice in the pursuit of its objectives and the recapture of its political, social and economic rights;

(b) The large and growing number of supporters of the Palestine cause in and beyond the Arab region. Those supporters constituted a most valuable and highly appreciated reserve of moral and political support for the Palestinian people as a whole and for the PLO itself;

(c) The acknowledged credibility of the determination of the Palestinian people, expressed in its continued struggle for liberation and its ability to stand up to the large-scale invasion of Lebanon in 1982;

(d) The enjoyment by the Palestinians of the prerequisites and eligibility for nationhood, including awareness of a national identity, political consciousness, and the will to struggle in spite of hardship, dispersal and the passage of time;

(e) The readiness of the Palestinians to accept a settlement that satisfied only a part of their rights and demands, so long as it redressed a reasonable part of the injustice which the creation of Israel had inflicted upon them;

(f) The dynamism and ability to manoeuvre by the leadership of the PLO and its patience, realism and determination.

60. The PLO, as the sole and legitimate representative of the Palestinian people, had fully earned its many-sided role and the right and the duty to discharge that role. It was therefore natural, right, logical and essential that the PLO had to be a full and active participant in any international conference empowered to discuss a settlement for the Palestine problem, on equal footing with the other regional participants.

CONCLUSIONS AND RECOMMENDATIONS

61. The Seminar expressed its deep concern over the present dangerous situation in the Middle East. The vital interests of all peoples and States of the region, as well as the interests of international peace and security, could only be secured through the attainment of a comprehensive, just and lasting settlement of the Arab-Israeli conflict and its core, the question of Palestine, on the basis of United Nations resolutions and under United Nations auspices.

62. The Palestinian uprising in the occupied territories, now in its seventh month, confirms that the Palestinians are determined to reject and resist Israeli domination and occupation. Despite Israel's extremely cruel attempts to suppress it, including the use of brute force against women and children, it is all too evident that the Palestinian uprising has been thus far the most successful in challenging Israel's oppressive plans and policies and in demonstrating anew the Palestinian people's strong determination to realize

its inalienable national rights. The Palestinian people is struggling to preserve and protect its identity and its land and to regain and freely exercise its inalienable national rights to return, to self-determination and to the establishment of an independent State of its own in Palestine.

63. Israel has confiscated Palestinian lands and has been instrumental in effecting population expulsion to the extent that today less than half of the five million Palestinians live in historic Palestine. The varied and harsh socio-political, economic and legal conditions which characterize the Palestinian existence on their own soil are intended to create an objective condition of permanent subordination and subjugation to a State that views itself as the sovereign State of the Jewish people. Those Israeli policies of occupation, subjugation, dispossession and expulsion account for the continuing Palestinian resistance.

64. The campaign of civil disobedience by the Palestinians in the occupied territories, sustained with great fortitude in the face of the use of overwhelming military force has brought home to Israeli citizens the destructive impact of continued occupation on their own social values. This, coupled with increasing awareness of the ultimate futility of attempting to maintain suzerainty over lands where they are outnumbered demographically, has for the first time raised serious doubts in the minds of many ordinary Israeli citizens about the wisdom of the policies of their Government. These doubts are also reflected in important Jewish communities in Western countries, whose political and financial support is essential to Israel. Once the inability to resolve the problem by confrontation is grasped by Israel, the road will then be open for a negotiated settlement.

65. The Seminar affirmed that the denial of the exercise of the inalienable rights of the Palestinian people remained the core of the conflict in the Middle East and that a comprehensive, just and lasting peace in the region could not be achieved without the full exercise of those rights by the Palestinian people, including the rights to return, to self-determination and to the establishment of a State of its own in Palestine, and without the withdrawal of Israel from Palestinian and Arab territories occupied in 1967, including Jerusalem. It further agreed that the role of the PLO derives from the inalienable right of the Palestinians to Palestine, their right to identify with it, to live on its soil as a community and national entity, with its social structure and its economic life. It derives from the collective will of the Palestinians, both on Palestinian territory and outside of it, that the PLO is their legitimate and sole representative.

66. The basic issues which must be addressed in order to resolve the Arab-Israeli conflict are: (a) Israeli recognition of and respect for the inalienable rights of the Palestinian people which have been hitherto denied; (b) Arab acceptance of the State of Israel within internationally recognized borders; (c) acceptance by Israel of the International Peace Conference on the Middle East, under the auspices of the United Nations and with the participation of the five permanent members of the Security Council and all the parties to the conflict, as the mechanism to achieve a solution to the conflict; and (d) recognition by Israel and others of the fact that the Palestinian people has the right to participate in the International Peace Conference through the PLO, its sole and legitimate representative.

67. The international community is becoming more deeply convinced of the urgent need to bring about an immediate political settlement of the Arab-Israeli conflict and its core, the question of Palestine. Tensions that persist could be further aggravated by the introduction of weapons of mass destruction into the region. There is growing support for the convening of the International Peace Conference on the Middle East in accordance with General Assembly resolution 38/58 C as the only realistic and reliable means of achieving such a settlement. Resolution 38/58 C reaffirms the rights of the Palestinian people, including the right to return, the right to self-determination and the right to establish an independent State in Palestine as well as the right of all States in the region to exist within secure and internationally recognized boundaries. That support is clearly reflected in the position adopted by the PLO, all Arab States, the Movement of Non-Aligned Countries, the Organization of African Unity, the Organization of the Islamic Conference, the European Community, the Nordic countries, as well as by the USSR, China and other socialist countries. It is encouraging that all of the permanent members of the Security Council recognize that the situation must not be allowed to drift any longer.

68. Although Israel is not yet convinced of the usefulness and the United States is not yet supportive of the convening of the International Peace Conference on the Middle East in accordance with General Assembly resolution 38/58 C, overall international conditions for accomplishing that task are very favourable. Moreover, it was encouraging that the relations between the United States and the USSR seem to have improved and the nations of the European Community have acknowledged their responsibility to encourage the search for a solution. Additional efforts toward the political, negotiated settlement of regional conflict are essential. The hope was expressed that the existing healthier international climate could produce tangible progress for a political solution to the Arab-Israeli conflict and its core, the question of Palestine.

69. The Seminar expressed its appreciation and support for the efforts undertaken by the Secretary-General and the Security Council of the United Nations to bring about a just, lasting and comprehensive settlement of the Arab-Israeli conflict and in particular, to facilitate the convening of the International Peace Conference on the Middle East. Attention was drawn to the report of the Secretary-General to the Security Council (S/19443 of 21 January 1988), as requested by resolution 605 (1987) of 22 December 1987, describing the existing situation in the occupied territories and indicating action, that may include United Nations presence therein, to be taken by the international community to alleviate the suffering of the Palestinian people under occupation and to rectify the causes of the present situation through a peaceful negotiated settlement. Attention was also drawn to the report of the Secretary-General to the General Assembly (A/43/272) on the current situation regarding the convening of the International Peace Conference on the Middle East. In that context, the Seminar urged the Governments of Israel and the United States to reconsider their attitudes towards the convening of the Conference in conformity with General Assembly resolution 38/58 C.

70. The Seminar took note with appreciation of the efforts of the Committee on the Exercise of the Inalienable Rights of the Palestinian People to secure universal recognition of the inalienable rights of the Palestinian people, and

its recommendations for ensuring the exercise by the Palestinian people of those rights. The Seminar urged the international community to sustain and strengthen its support for the Committee's activities and endeavours, in particular its efforts for facilitating the convening of the International Peace Conference on the Middle East. At the same time, all countries must act and make their own contributions towards the convening of the International Peace Conference.

71. The Seminar unanimously stressed the urgency of convening the International Peace Conference on the Middle East in accordance with General Assembly resolution 38/58 C. The Seminar urged that the Conference be convened before the end of 1988.

72. The Seminar viewed the results of the recent Arab Summit held at Algiers as a significant contribution to achieving a settlement of the Arab-Israeli conflict and the question of Palestine. The Arab States once more committed themselves to meaningful political and economic support to the Palestinian uprising. The Seminar welcomed in particular the unequivocal support of the Summit for the convening of the International Peace Conference on the Middle East.

73. The Seminar took note with great interest of the statement of 7 June 1988 by Mr. Bassam Abu Sherif, Advisor to Chairman Yassir Arafat on the prospects of a Palestinian-Israeli settlement.

74. The Seminar expressed its serious concern over the attempts by the United States Government to close the Permanent Observer Mission of the PLO to the United Nations. The position of the General Assembly in its resolutions on that issue was unequivocally supported. The hope was expressed that that dispute between the United States and the United Nations could be resolved in accordance with the provision of the Headquarters Agreement and on the basis of the principles of international law. The Seminar expressed the hope that the United States would act in conformity with article 21 of the Headquarters Agreement as indicated by the International Court of Justice in its advisory opinion.

75. The Seminar agreed that efforts should be continued and intensified to mobilize official and public opinion in North America, especially through the use of the media and activities of national and international NGOs. The United Nations should undertake additional efforts to disseminate factual and up-to-date information on the question of Palestine, the plight of Palestinians under occupation, and the measures required to be taken for the achievement of a just solution to the question of Palestine on the basis of the attainment by the Palestinian people of its inalienable rights. The Committee on the Exercise of the Inalienable Rights of the Palestinian People and the Division for Palestinian Rights have an important role in the dissemination of such information.

76. It is important that the media should play a more responsive role in providing more balanced reporting on the Middle East and, in particular, on the plight of the Palestinians as well as on the efforts to convene the International Peace Conference on the Middle East. Public institutions, universities, colleges, research institutes, churches and other religious establishments, as well as national and international NGOs, have a crucial role to play in the formation of public opinion, particularly in the United States and Canada. Those institutions should be urged to give wider coverage and more balanced treatment to the question of Palestine.

Annex I

MESSAGE FROM THE PARTICIPANTS IN THE SEMINAR TO
THE CHAIRMAN OF THE EXECUTIVE COMMITTEE OF THE
PALESTINE LIBERATION ORGANIZATION

We, the participants in the Twentieth United Nations Regional Seminar on the Question of Palestine, being held at United Nations Headquarters on 27 and 28 June 1988, wish to express our sincere appreciation for the important message of support you have addressed to the Seminar. At this crucial moment in the struggle against Israeli domination and occupation, we would like to reaffirm our solid support for the exercise by the Palestinian people, under the leadership of the Palestine Liberation Organization, its sole and legitimate representative, of its inalienable national rights in Palestine to return, to self-determination and statehood. We sincerely hope that the results of this Seminar will contribute to the promotion of a just, lasting and comprehensive settlement of the Arab-Israeli conflict of which the question of Palestine is the core. The valiant Palestinian uprising in the occupied territories increasingly demonstrates the urgent need to convene the International Peace Conference on the Middle East in conformity with the pertinent United Nations resolutions.

Annex II

LIST OF PARTICIPANTS AND OBSERVERS

Panelists

Prof. Ibrahim ABU-LUGHOD (Palestinian)
Dr. William H. BARTON (Canada)
Mr. Paul N. McCLOSKEY (United States of America)
Mr. Mattityahu PELED (Israel)
Dr. V. P. VOROBYOV (Union of Soviet Socialist Republics)

Representative of the Secretary-General

Mr. Naseem Mirza, Chief
Division for Palestinian Rights

Member States

Afghanistan	- H. E. Mr. Shah Mohammad Dost Permanent Representative
	- Mr. Ishaq Roshan-Rawaan Minister Counsellor
	- Mr. H. M. Razmi Second Secretary
Algeria	- Mr. Abdallah Baali Counsellor
Bulgaria	- Mr. Svetlomir Baev First Secretary
China	- Mr. Wang Xuexian Counsellor
	- Ms. Miao Zaifang First Secretary
Cuba	- H. E. Mr. Alberto Velazco-San José Alternate Permanent Representative
Cyprus	- Mr. James Droushiotis First Secretary
Czechoslovakia	- Mr. Petr Hala Counsellor

Ecuador	- Dr. Martha de Whist First Secretary
Egypt	- Mr. Ahmed Aly Aboul Gheit Minister Plenipotentiary
	- Mr. Shamel Elsayed Nasser Second Secretary
German Democratic Republic	- Mr. Siegfried Schlicke First Secretary
Guinea	- Mr. Baasy Camara Counsellor
Guyana	- H. E. Mr. David D. Karran Deputy Permanent Representative
Hungary	- Mr. Miklos Endreffy Deputy Permanent Representative
India	- Mr. Pramathesh Rath Counsellor
Indonesia	- Mr. Kristio Wahyono Third Secretary
Iraq	- Mr. Falih Abdulkadir Hilmi First Secretary
Jordan	- Mr. Klaib El-Fawwaz First Secretary Permanent Mission
	- Mr. Ibrahim Awawdeh Second Secretary Permanent Mission
Lao People's Democratic Republic	- Mr. Bounkham Theuambounmy Second Secretary
Lebanon	- Mr. Nouhad Mahmoud First Secretary
Malaysia	- Mr. Adnan Othman Second Secretary
Malta	- H. E. Mr. Alexander Borg Olivier Permanent Representative
Mauritania	- Mr. Mohammed Mahmoud Second Counsellor

Mexico	<ul style="list-style-type: none">- H. E. Mrs. Olga Pellicer Permanent Representative- Mrs. Mercedes Ruiz-Zapata First Secretary- Mr. Erasmo Martinez Third Secretary
Morocco	<ul style="list-style-type: none">- Mr. El Hassane Zahid Counsellor
Niger	<ul style="list-style-type: none">- H. E. Mr. A. M. Djermakoye Minster of State Permanent Representative
Nigeria	<ul style="list-style-type: none">- Dr. O. Fasehun Counsellor
Pakistan	<ul style="list-style-type: none">- Mr. Arif Ayub Counsellor
Philippines	<ul style="list-style-type: none">- Ms. Cynthia B. Guevarra Minister Counsellor
Saudi Arabia	<ul style="list-style-type: none">- Mr. Mohammed H. Mirdass Al-Kahtany Charge d'Affairs a.i.- H. H. Prince Mansour bin Khalid Al-Farhan, Second Secretary- Mr. Said Al-Rachach Third Secretary
Senegal	<ul style="list-style-type: none">- Mr. Saidou Nourou Ba Charge d'Affaires a.i.
Sierra Leone	<ul style="list-style-type: none">- H. E. Dr. Tom Obaleh Kargbo Permanent Representative- Mr. A. Dennis Turay
Syrian Arab Republic	<ul style="list-style-type: none">- Mr. Khalil Abou-Hadid Second Secretary
Tunesia	<ul style="list-style-type: none">- Mr. Mohammed Salah Tekaya First Secretary
Turkey	<ul style="list-style-type: none">- Ms. Ebru Barutcu Second Secretary

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| Ukrainian Soviet Socialist Republic | - H. E. Mr. Guennadi I. Oudovenko
Permanent Representative |
| | - Mr. Vladimir Y. Eltschenko
Second Secretary |
| | - Mr. Andrej I. Veselovsky
Second Secretary
Foreign Ministry |
| Union of Soviet Socialist Republics | - H. E. Mr. Mikhail I. Isinaliev
Minister for Foreign Affairs
Kazakh Soviet Socialist Republic |
| | - Mr. Ovannes A. Aroutunian
Ministry of Foreign Affairs |
| United Arab Emirates | - Dr. Burham Wasfi Hammad
Senior Advisor |
| United Republic of Tanzania | - Mr. C. K. P. Majengo
Minister Counsellor
Permanent Mission |
| | - Mr. S. Mongella
First Counsellor
Permanent Mission |
| Yugoslavia | - Mr. Milisav Paic
Counsellor |

Non-member States represented by observers

- | | |
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| Holy See | - Brother David A. Carroll
Adviser |
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United Nations organs

Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples

Mr. Ahmad Farouk Arnouss (Syrian Arab Republic)

Special Committee against Apartheid

H. E. Mr. Jai Pratap Rana (Nepal)

United Nations specialized agencies

- | | |
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| International Labour Organisation | - Mr. Georges Minet
Deputy Director
New York Liaison Office |
| Food and Agricultural Organization
of the United Nations | - Mr. Frederick H. Weibgen
Liaison Officer |
| United Nations Educational,
Scientific and Cultural
Organization | - Mrs. Neh Dukuly-Tolbert
Senior Liaison Officer |
| World Health Organization | - Dr. Harold Fruchtbaum
Consultant |
| United Nations Industrial
Development Organization | - Mr. James Crooke
Director
New York Liaison Office |
| | - Mr. Hassan H. Bahlouli
Deputy Director
New York Liaison Office |

United Nations bodies

- | | |
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| Office of the United Nations High
Commissioner for Refugees | - Mr. Madjid Madani
Assistant Regional Representative |
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Intergovernmental organizations

- | | |
|-------------------------------|---|
| League of Arab States | - H. E. Dr. Clovis Maksoud
Permanent Observer |
| | - Mr. Samir Mansouri
Deputy Permanent Observer |
| | - Mrs. Rihab H. Kanawati
Counsellor |
| | - Mr. Hassan Abdeladaim
Attache |
| | - Mr. Mohamed Morsi
Attaché |
| Organization of African Unity | - Mr. N. Karugu
Adviser |

Organization of the Islamic
Conference

- H. E. Mr. Engin Ansay
Permanent Observer
- Dr. N. S. Tarzi
Assistant Director and Principal
Officer
- Mr. Mansour Sareh
Officer

National liberation movements

Palestine Liberation
Organization

- Mr. Zehdi L. Terzi
Permanent Observer
- Mr. Nasser Al-Kidwa
Alternate Permanent Observer
- Dr. Riyad Mansour
Deputy Permanent Observer

South West Africa
People's Organization

- Mrs. Monica Nashandi
Deputy Permanent Observer

African National Congress

- Dr. Ernest Fred Dube
Representative to the United Nations

Pan Africanist Congress
of Azania

- Mr. Lesaoana Makhanda
Chief Representative

Non-governmental organizations

America Israel Council for
Israeli-Palestinian Peace

- Ms. Mary Appelman

America Israel Council for
Palestinian Peace

- Mr. Alex Masis

Association of Arab-American
University Graduates

- Ms. Leila Haddad

Church of Humanism

- Rev. Joseph Ben-David
- Rev. Lyle Fieldstone
- Ms. Thea Halo

NAJDA: Women Concerned
About the Middle East

- Ms. Alice Kawash

United Church of Christ
Office for Church in Society

- Ms. Lee Ann Betz

Womens' International League
for Peace and Freedom

- Ms. Ruth Sillman
- Ms. Eleanor Otterness

World Association of Former
United Nations Interns
and Fellows

- Ms. Nadia Sulaiman
- Mr. Shariar Rahimi

World Muslim Congress

- Mr. Vigar Hamdani
- Mr. Issa Nakhleh
