



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 6 December 1988, in a letter addressed to the Secretary-General (A/43/946-S/2031E), the Chairman of the Committee on the Exercise of the Inalienable Rights of the Palestinian People drew urgent attention to the continued tragic situation in the occupied Palestinian territories. The full text of the letter is as follows:

"In my capacity as Chairman of the Committee on the Exercise of the Inalienable Rights of the Palestinian People I wish to draw your most urgent attention to the continued tragic situation in the occupied Palestinian territories. Since my last letter to you of 13 October 1988 (A/43/710-S/20228), and particularly since the declaration of the establishment of the State of Palestine by the Palestine National Council on 15 November 1988, the occupying Power has further intensified its repressive actions in the West Bank and Gaza. There have also been growing reports of attacks by armed Israeli settlers against Palestinians.

"The total number of Palestinian casualties since the beginning of the intifadah a year ago has reached 287 persons killed by gunfire and another 138 persons killed by tear-gas, beatings and other actions of the Israeli occupying forces.

"Our Committee wishes to express its indignation at the growing number of young children killed and wounded in various incidents. Since my last communication, for example, a five-year-old boy was hit by a bullet in the chest in Nablus and subsequently died in the hospital, according to reports by UPI and Reuters on 18 October. The next day, Reuters reported that a 10-year-old boy was shot in the chest in the village of Bal'a. On 25 October, UPI reported that a seven-year-old boy in the Gaza Strip had died after being hit by a plastic bullet. On 27 October, according to Reuters, a three-year-old girl died at Khan Yunis from the effects of tear-gas. On 3 November, UPI reported that over 30 Palestinian schoolchildren in Jabalyia refugee camp were wounded or injured by tear-gas when Israeli troops stormed their school. On 9 November, according to Reuters, a three-year-old boy was killed and two other children, aged 12 and 13, were wounded when Israeli troops fired at protestors in the Gaza Strip. On 5 December, Agence France Presse and Reuters reported that a young girl was killed by Israeli troops during student demonstrations in Gaza.

"These mounting attacks against young children are part of a continued policy of indiscriminate use of force on the part of the Israeli occupying authorities. Israeli radio reported on 11 November that large-scale raids and arrests had been carried out by Israeli troops throughout the occupied territories in an effort to prevent demonstrations in connection with the session of the Palestine National Council. At the same time, the West Bank and Gaza were sealed off from the outside world and Gaza, in particular, was subjected to the longest continuous curfew since 1967, according to a Reuters dispatch of 17 November. Raids and mass arrests again took place throughout the West Bank and Gaza last week, according to a dispatch by Agence France Presse on 30 November, and curfews are still being imposed on a number of towns and villages.

"The Committee is also most seriously concerned at the escalating destruction of Palestinian homes, not only as collective punishment of families of suspected activists, but also as a measure aimed against entire Palestinian communities. According to available information, more than 150 homes have been demolished since the beginning of October either as collective punishment or because they were allegedly built without a permit, depriving hundreds of Palestinians, including children, the sick and the elderly, of shelter.

"The Committee wishes to reiterate that the policies and practices of Israel, the occupying Power, in the occupied Palestinian territories are in violation of the provisions of the Geneva Convention relative to the Protection of Civilian Persons in Time of War of 12 August 1949, and to express its deep concern at the fact that Israel has thus far not heeded the unanimous appeal of the international community to implement the provisions of the Convention.

"The Committee is strongly of the view that further repression in the occupied Palestinian territories will not only cause a great deal of human suffering but will also pose significant obstacles to international efforts to advance towards a negotiated settlement. The Committee believes that the decisions of the Palestine National Council have opened the way for the attainment of a just, lasting and comprehensive solution to the Palestine question, the core of the Arab-Israeli conflict in the Middle East. It therefore appeals to all concerned to do everything in their power to muster the necessary political will and build on the momentum that has thereby been created, in particular through the convening of the International Peace Conference on the Middle East. The Committee further appeals to you to intensify your efforts in that direction."

II. GENERAL ASSEMBLY ADOPTS RESOLUTIONS ON SITUATION IN THE MIDDLE EAST
AND ON ISRAELI PRACTICES IN THE OCCUPIED TERRITORIES

At its 71st plenary meeting, ^{on} 6 December 1988, the General Assembly adopted the following resolutions:

43/54. The situation in the Middle East

A

The General Assembly,

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

Reaffirming its resolutions 36/226 A and B of 17 December 1981, ES-9/1 of 5 February 1982, 37/123 F of 20 December 1982, 38/58 A to E of 13 December 1983, 38/180 A to D of 19 December 1983, 39/146 A to C of 14 December 1984, 40/168 A to C of 16 December 1985, 41/162 A to C of 4 December 1986 and 42/209 A to D of 11 December 1987,

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

Taking note of the reports of the Secretary-General of 31 March 1988, 1/ 30 September 1988, 2/ 11 October 1988, 3/ and 28 November 1988, 4/

Reaffirming the need for continued collective support for the decisions adopted by the Twelfth Arab Summit Conference, held at Fez, Morocco, on 25 November 1981 and from 6 to 9 September 1982, 5/ which were confirmed by subsequent Arab summit conferences, including the Arab Summit Conference held at

1/ A/43/272-S/19719.

2/ A/43/691-S/20219.

3/ A/43/683 and Add.1.

4/ A/43/867-S/20294.

5/ See A/37/696-S/15510, annex. For the printed text, see Official Records of the Security Council, Thirty-seventh Year, Supplement for October, November and December 1982, document S/15510, annex.

Algiers from 7 to 9 June 1988, 6/ reiterating its previous resolutions on the question of Palestine and its support for the Palestine Liberation Organization as the sole legitimate representative of the Palestinian people, and considering that the convening of the International Peace Conference on the Middle East, under the auspices of the United Nations, in accordance with General Assembly resolution 38/58 C and other relevant resolutions related to the question of Palestine, would contribute to the promotion of peace in the region,

Welcoming all efforts contributing towards the realization of the inalienable rights of the Palestinian people through the achievement of a comprehensive, just and lasting peace in the Middle East, in accordance with the United Nations resolutions relating to the question of Palestine and to the situation in the Middle East,

Welcoming the world-wide support extended to the just cause of the Palestinian people and the other Arab countries in their struggle against Israeli aggression and occupation in order to achieve a comprehensive, just and lasting peace in the Middle East and the full exercise by the Palestinian people of its inalienable national rights, as affirmed by previous resolutions of the General Assembly on the question of Palestine and on the situation in the Middle East,

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

Reaffirming the applicability of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, 7/ to the Palestinian territory occupied since 1967, including Jerusalem, and the other occupied Arab territories,

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

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

6/ A/43/407-S/19938, annex.

7/ United Nations, Treaty Series, vol. 75, No. 973.

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

Stressing once again the great importance of the time factor in the endeavours to achieve an early comprehensive, just and lasting peace in the Middle East,

1. Reaffirms its conviction that the question of Palestine is the core of the conflict in the Middle East and that no comprehensive, just and lasting peace in the region will be achieved without the full exercise by the Palestinian people of its inalienable national rights and the immediate, unconditional and total withdrawal of Israel from the Palestinian territory occupied since 1967, including Jerusalem, and the other occupied Arab territories;
2. Reaffirms further that a just and comprehensive settlement of the situation in the Middle East cannot be achieved without the participation on an equal footing of all the parties to the conflict, including the Palestine Liberation Organization, the representative of the Palestinian people;
3. Declares once more that peace in the Middle East is indivisible and must be based on a comprehensive, just and lasting solution of the Middle East problem, under the auspices of the United Nations and on the basis of its relevant resolutions, which ensures the complete and unconditional withdrawal of Israel from the Palestinian territory occupied since 1967, including Jerusalem, and the other occupied Arab territories, and which enables the Palestinian people, under the leadership of the Palestine Liberation Organization, to exercise its inalienable rights, including the right to return and the right to self-determination, national independence and the establishment of its independent sovereign State in Palestine, in accordance with the resolutions of the United Nations relating to the question of Palestine, in particular General Assembly resolutions ES-7/2 of 29 July 1980, 36/120 A to F of 10 December 1981, 37/86 A to D of 10 December 1982, 37/86 E of 20 December 1982, 38/58 A to E of 13 December 1983, 39/49 A to D of 11 December 1984, 40/96 A to D of 12 December 1985, 41/43 A to D of 2 December 1986 and 42/66 A to D of 2 December 1987;
4. Considers the Arab Peace Plan adopted unanimously at the Twelfth Arab Summit Conference, held at Fes, Morocco, on 25 November 1981 and from 6 to 9 September 1982, 5/ and reiterated by the Extraordinary Summit Conference of the Arab States, held at Casablanca, Morocco, from 7 to 9 August 1985, 8/ as well as relevant efforts and action to implement the Fes plan, as an important contribution towards the realization of the inalienable rights of the Palestinian people through the achievement of a comprehensive, just and lasting peace in the Middle East;

8/ A/40/564 and Corr.1, annex.

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

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

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

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

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

10. Considers that the agreements on strategic co-operation between the United States of America and Israel, signed on 30 November 1981, and the continued supply of modern arms and matériel to Israel, augmented by substantial economic aid, including the Agreement on the Establishment of a Free Trade Area between the two Governments, have encouraged Israel to pursue its aggressive and expansionist policies and practices in the Palestinian territory occupied since 1967, including Jerusalem, and the other occupied Arab territories, and have had adverse effects on efforts for the establishment of a comprehensive, just and lasting peace in the Middle East and pose a threat to the security of the region;

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

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

13. Reaffirms its call for convening the International Peace Conference on the Middle East, under the auspices of the United Nations, with the participation of the five permanent members of the Security Council and all parties to the conflict, including the Palestine Liberation Organization, the sole legitimate representative of the Palestinian people, on an equal footing, and that the Conference should be effective with full authority, in order to achieve a comprehensive and just solution based on the withdrawal of Israel from the occupied Palestinian territory, including Jerusalem, and the other occupied Arab territories, and the attainment of the inalienable rights of the Palestinian people in accordance with United Nations resolutions relevant to the question of Palestine and the situation in the Middle East;

14. Endorses the call for setting up a preparatory committee, within the framework of the Security Council, with the participation of the permanent members of the Council, to take the necessary action to convene the Conference;

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

71st plenary meeting
6 December 1988

B .

The General Assembly,

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

Taking note of the report of the Secretary-General of 28 November 1988, 4/

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

Reaffirming its resolutions 36/226 B of 17 December 1981, ES-9/1 of 5 February 1982, 37/123 A of 16 December 1982, 38/180 A of 19 December 1983, 39/146 B of 14 December 1984, 40/168 B of 16 December 1985, 41/162 B of 4 December 1986 and 42/209 C of 11 December 1987,

Recalling its resolution 3314 (XXIX) of 14 December 1974, in which it defined an act of aggression, inter alia, as "the invasion or attack by the armed forces of a State of the territory of another State, or any military occupation, however temporary, resulting from such invasion or attack, or any annexation by the use of

/...

force of the territory of another State or part thereof" and provided that "no consideration of whatever nature, whether political, economic, military or otherwise, may serve as a justification for aggression",

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

Reaffirming once more the applicability of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, 1/ to the Palestinian territory occupied since 1967, including Jerusalem, and the other occupied Arab territories,

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

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

1. Strongly condemns Israel for its failure to comply with Security Council resolution 497 (1981) and General Assembly resolutions 36/226 B, ES-9/1, 37/123 A, 38/180 A, 39/146 B, 40/168 B, 41/162 B and 42/209 C;

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

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

4. Declares all Israeli policies and practices of, or aimed at, annexation of the Palestinian territory occupied since 1967, including Jerusalem, and of the other occupied Arab territories, to be illegal and in violation of international law and of the relevant United Nations resolutions;

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

6. Reaffirms its determination that all relevant provisions of the Regulations annexed to the Hague Convention IV of 1907, 2/ and the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, continue to apply to the Syrian territory occupied by Israel since

2/ Carnegie Endowment for International Peace, The Hague Conventions and Declarations of 1899 and 1907 (New York, Oxford University Press, 1915), p. 100.

1967, and calls upon the parties thereto to respect and ensure respect for their obligations under these instruments in all circumstances;

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

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

9. Further deplores any political, economic, financial, military and technological support to Israel that encourages it to commit acts of aggression and to consolidate and perpetuate its occupation and annexation of the Palestinian territory occupied since 1967, including Jerusalem, and the other occupied Arab territories;

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

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

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

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

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

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

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

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

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

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

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

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

71st plenary meeting
6 December 1988

C

The General Assembly,

Recalling its resolutions 36/170 E of 10 December 1981, 37/123 C of 16 December 1982, 38/180 C of 19 December 1983, 39/146 C of 14 December 1984, 40/168 C of 16 December 1985, 41/162 C of 4 December 1986 and 42/209 D of 11 December 1987, in which it determined that all legislative and administrative measures and actions taken by Israel, the occupying Power, which had altered or purported to alter the character and status of the Holy City of Jerusalem, in particular the so-called "Basic Law" on Jerusalem and the proclamation of Jerusalem as the capital of Israel, were null and void and must be rescinded forthwith,

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

Having considered the report of the Secretary-General of 28 November 1988, 4/

1. Determines that Israel's decision to impose its laws, jurisdiction and administration on the Holy City of Jerusalem is illegal and therefore null and void and has no validity whatsoever;

2. Deplores the transfer by some States of their diplomatic missions to Jerusalem in violation of Security Council resolution 478 (1980), and their refusal to comply with the provisions of that resolution;

3. Calls once more upon those States to abide by the provisions of the relevant United Nations resolutions, in conformity with the Charter of the United Nations;

4. Requests the Secretary-General to report to the General Assembly at its forty-fourth session on the implementation of the present resolution.

71st plenary meeting
6 December 1988

/...

Also at its 71st plenary meeting, the General Assembly adopted the following resolutions:

43/58. Report of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Population of the Occupied Territories

A

The General Assembly.

Guided by the purposes and principles of the Charter of the United Nations and by the principles and provisions of the Universal Declaration of Human Rights, 1/

Aware of the uprising (intifadah) of the Palestinian people since 9 December 1987 against Israeli occupation, which has received significant attention and sympathy from world public opinion,

Deeply concerned at the alarming situation in the Palestinian territory occupied since 1967, including Jerusalem, as well as in the other occupied Arab territories, as a result of the continued occupation by Israel, the occupying Power, and of its persistent policies and practices against the Palestinian people,

Bearing in mind the provisions of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, 2/ as well as of other relevant conventions and regulations,

Taking into account the need to consider measures for the impartial protection of the Palestinian people under the Israeli occupation,

Recalling all its resolutions on the subject, in particular resolutions 32/91 B and C of 13 December 1977, 33/113 C of 18 December 1978, 34/90 A of 12 December 1979, 35/122 C of 11 December 1980, 36/147 C of 16 December 1981, ES-9/1 of 5 February 1982, 37/88 C of 10 December 1982, 38/79 D of 15 December 1983, 39/95 D of 14 December 1984, 40/161 D of 16 December 1985, 41/63 D of 3 December 1986, 42/160 D of 8 December 1987 and 43/21 of 3 November 1988,

Recalling also the relevant Security Council resolutions, in particular resolutions 605 (1987) of 22 December 1987, 607 (1988) of 5 January 1988 and 608 (1988) of 14 January 1988,

1/ Resolution 217 A (III).

2/ United Nations, Treaty Series, vol. 75, No. 973.

Recalling further the relevant resolutions adopted by the Commission on Human Rights, in particular its resolutions 1983/1 of 15 February 1983, 3/ 1984/1 of 20 February 1984, 4/ 1985/1 A and B and 1985/2 of 19 February 1985, 5/ 1986/1 A and B and 1986/2 of 20 February 1986, 6/ 1987/1, 1987/2 A and B and 1987/4 of 19 February 1987, 7/ 1988/1 A and B and 1988/2 of 15 February 1988 and 1988/3 of 22 February 1988, 8/ and by other United Nations organs concerned and the specialised agencies,

Having considered the report 9/ of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Population of the Occupied Territories, which contains, inter alia, self-incriminating public statements made by officials of Israel, the occupying Power,

Having also considered the relevant reports of the Secretary-General, 10/

1. Commends the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Population of the Occupied Territories for its efforts in performing the tasks assigned to it by the General Assembly and for its thoroughness and impartiality;
2. Deplores the continued refusal by Israel to allow the Special Committee access to the occupied territories;
3. Demands that Israel allow the Special Committee access to the occupied territories;
4. Reaffirms the fact that occupation itself constitutes a grave violation of the human rights of the civilian population of the occupied Arab territories;

3/ See Official Records of the Economic and Social Council, 1983, Supplement No. 3 (E/1983/13 and Corr.1), chap. XXVII, sect. A.

4/ Ibid., 1984, Supplement No. 4 (E/1984/14 and Corr.1), chap. II, sect. A.

5/ Ibid., 1985, Supplement No. 2 (E/1985/22), chap. II, sect. A.

6/ Ibid., 1986, Supplement No. 2 (E/1986/22), chap. II, sect. A.

7/ Ibid., 1987, Supplement No. 5 (E/1987/18 and Corr.1 and 2), chap. II, sect. A.

8/ Ibid., 1988, Supplement No. 2 (E/1988/12), chap. II, sect. A.

9/ A/43/694.

10/ A/43/636, A/43/806 and S/19443.

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

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

7. Reaffirms, in accordance with the Convention, that the Israeli military occupation of the Palestinian and other Arab territories is of a temporary nature, thus giving no right whatsoever to the occupying Power over the territorial integrity of the occupied territories;

8. Strongly condemns the following Israeli policies and practices:

- (a) Annexation of parts of the occupied territories, including Jerusalem;
- (b) Imposition of Israeli laws, jurisdiction and administration on the Syrian Arab Golan, which has resulted in the effective annexation of that territory;
- (c) Illegal imposition and levy of heavy and disproportionate taxes and dues;
- (d) Establishment of new Israeli settlements and expansion of the existing settlements on private and public Arab lands, and transfer of an alien population thereto;
- (e) Eviction, deportation, expulsion, displacement and transfer of Arab inhabitants of the occupied territories and denial of their right to return;
- (f) Confiscation and expropriation of private and public Arab property in the occupied territories and all other transactions for the acquisition of land involving the Israeli authorities, institutions or nationals on the one hand and the inhabitants or institutions of the occupied territories on the other;
- (g) Excavation and transformation of the landscape and the historical, cultural and religious sites, especially at Jerusalem;
- (h) Pillaging of archaeological and cultural property;
- (i) Destruction and demolition of Arab houses;
- (j) Collective punishment, mass arrests, administrative detention and ill-treatment of the Arab population;
- (k) Ill-treatment and torture of persons under detention;
- (l) Interference with religious freedoms and practices as well as family rights and customs;
- (m) Interference with the system of education and with the social and economic and health development of the population in the Palestinian and other occupied Arab territories;

(n) Interference with the freedom of movement of individuals within the Palestinian and other occupied Arab territories;

(o) Illegal exploitation of the natural wealth, resources and population of the occupied territories;

9. Strongly condemns, in particular, the following Israeli policies and practices:

(a) Implementation of an "iron-fist" policy against the Palestinian people in the occupied Palestinian territory since 4 August 1985;

(b) Escalation of Israeli brutality since the beginning of the uprising (intifadah) on 9 December 1987;

(c) Ill-treatment and torture of children and minors under detention and/or imprisonment;

(d) Closure of headquarters and offices of trade unions and social organisations and harassment of their leaders, as well as attacks on hospitals and their personnel;

(e) Interference with the freedom of the press, including censorship, detention or expulsion of journalists, closure and suspension of newspapers and magazines, as well as denial of access to international media;

(f) Killing and wounding of defenceless demonstrators;

(g) Breaking of bones and limbs of thousands of civilians;

(h) House and/or town arrests;

(i) Usage of toxic gas, which resulted, inter alia, in the killing of many Palestinians;

10. Condemns also the Israeli repression against and closing of the educational institutions in the occupied Syrian Arab Golan, particularly the prohibition of Syrian textbooks and the Syrian educational system, the deprivation of Syrian students from pursuing their higher education in Syrian universities, the denial of the right to return to Syrian students receiving their higher education in the Syrian Arab Republic, the forcing of Hebrew on Syrian students, the imposition of courses that promote hatred, prejudice and religious intolerance, and the dismissal of teachers, all in clear violation of the Geneva Convention;

11. Strongly condemns the arming of Israeli settlers in the occupied territories to commit acts of violence against Palestinian and Arab civilians and the perpetration of acts of violence by these armed settlers against individuals, causing death and injury and wide-scale damage to Arab property;

/...

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

13. Urges the Security Council to consider the current situation in the Palestinian territory occupied by Israel since 1967, taking into account the recommendations contained in the reports of the Secretary-General, 11/ and with a view to securing international protection for the defenceless Palestinian people until the withdrawal of Israel, the occupying Power, from the occupied Palestinian territory;

14. Reaffirms that all measures taken by Israel to change the physical character, demographic composition, institutional structure or legal status of the occupied territories, or any part thereof, including Jerusalem, are null and void, and that Israel's policy of settling parts of its population and new immigrants in the occupied territories constitutes a flagrant violation of the Geneva Convention and of the relevant resolutions of the United Nations;

15. Demands that Israel desist forthwith from the policies and practices referred to in paragraphs 8, 9, 10 and 11 above;

16. Calls upon Israel, the occupying Power, to take immediate steps for the return of all displaced Arab and Palestinian inhabitants to their homes or former places of residence in the territories occupied by Israel since 1967, in implementation of Security Council resolution 237 (1967) of 14 June 1967;

17. Urges international organizations, including the specialized agencies, in particular the International Labour Organisation, the United Nations Educational, Scientific and Cultural Organisation and the World Health Organization to continue to examine the educational and health conditions of Palestinian and Arab workers in the occupied Palestinian and other Arab territories, including Jerusalem;

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

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

11/ S/19443 and A/43/806.

20. Requests the Special Committee to submit regularly periodic reports to the Secretary-General on the present situation in the occupied Palestinian territory;

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

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

23. Requests the Secretary-General:

(a) To provide all necessary facilities to the Special Committee, including those required for its visits to the occupied territories, so that it may investigate the Israeli policies and practices referred to in the present resolution;

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

(c) To circulate regularly and periodically the reports mentioned in paragraph 20 above to the States Members of the United Nations;

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

(e) To report to the General Assembly at its forty-fourth session on the tasks entrusted to him in the present resolution;

24. Calls upon Israel, the occupying Power, to allow the reopening of the Roman Catholic Medical Facility Hospice at Jerusalem in order to continue to provide needed health and medical services to the Arab population in the city;

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

71st plenary meeting
6 December 1988

B

The General Assembly.

Recalling Security Council resolution 465 (1980) of 1 March 1980, in which, inter alia, the Council affirmed that the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, 2/ is applicable to the Arab territories occupied by Israel since 1967, including Jerusalem,

Recalling also its resolutions 3092 A (XXVIII) of 7 December 1973, 3240 B (XXIX) of 29 November 1974, 3525 B (XXX) of 15 December 1975, 31/106 B of 16 December 1976, 32/91 A of 13 December 1977, 33/113 A of 18 December 1978, 34/90 B of 12 December 1979, 35/122 A of 11 December 1980, 36/147 A of 16 December 1981, 37/88 A of 10 December 1982, 38/79 B of 15 December 1983, 39/95 B of 14 December 1984, 40/161 B of 16 December 1985, 41/63 B of 3 December 1986 and 42/160 B of 8 December 1987,

Taking note of the relevant reports of the Secretary-General, 12/

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

Bearing in mind the provisions of the Geneva Convention,

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

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

1. Reaffirms that the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, is applicable to the Palestinian and other Arab territories occupied by Israel since 1967, including Jerusalem;
2. Condemns once again the failure of Israel, the occupying Power, to acknowledge the applicability of the Convention to the territories it has occupied since 1967, including Jerusalem;
3. Strongly demands that Israel acknowledge and comply with the provisions of the Convention in the Palestinian and other Arab territories it has occupied since 1967, including Jerusalem;
4. Urgently calls upon all States parties to the Convention to exert all efforts in order to ensure respect for and compliance with its provisions in the Palestinian and other Arab territories occupied by Israel since 1967, including Jerusalem;

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

71st plenary meeting
6 December 1988

C

The General Assembly,

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

Recalling also its resolutions 32/5 of 28 October 1977, 33/113 B of 18 December 1978, 34/90 C of 12 December 1979, 35/122 B of 11 December 1980, 36/147 B of 16 December 1981, 37/88 B of 10 December 1982, 38/79 C of 15 December 1983, 39/95 C of 14 December 1984, 40/161 C of 16 December 1985, 41/63 C of 3 December 1986 and 42/160 C of 8 December 1987,

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

Taking note of the relevant reports of the Secretary-General, 13/

Confirming that the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, 2/ is applicable to all Palestinian and other Arab territories occupied by Israel since June 1967, including Jerusalem,

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

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

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

13/ A/43/609, A/43/806 and S/19443.

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

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

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

71st plenary meeting
6 December 1988

III. CONSIDERATION OF THE QUESTION OF PALESTINE AT THE FORTY-THIRD
SESSION OF THE GENERAL ASSEMBLY IN GENEVA

On 13 December 1988 in Geneva the General Assembly took up consideration of the question of Palestine.

The agenda item was introduced by the Chairman of the Committee on the Exercise of the Inalienable Rights of the Palestinian People. The Rapporteur of the Committee then introduced its annual report. The full texts of both statements are presented below (see A/43/PV.77, pp. 6-23).

Statement by the Chairman of the Committee on the Exercise of
the Inalienable Rights of the Palestinian People, Mrs. Diallo
(interpretation from French)

"It is a great honour for me and my country, Senegal, which chairs the Committee on the Exercise of the Inalienable Rights of the Palestinian People, to open the debate at the forty-third session of the General Assembly on agenda item 37, concerning the question of Palestine.

"On behalf of the Committee, I wish to express our sincere thanks to the Government of Switzerland and to the authorities of this beautiful city of Geneva for having been good enough to make all the necessary provisions, in record time, to host this historic meeting of the General Assembly.

"This year our work has taken on a special character because of two striking facts: the intifada, the courageous uprising, which began in the occupied Palestinian territories approximately a year ago, and the recent declaration in Algiers by the Palestine National Council of an independent Palestinian State.

"Those events led to a great movement of sympathy and support throughout the world. Many countries have recognized the Palestinian State, while others have published declarations of support for the action taken by the representatives of the Palestinian people, seeing in it real and positive progress towards the establishment of peace.

"Only a few days ago, on 29 November, on the celebration of the International Day of Solidarity with the Palestinian people, an overwhelming majority of Member States of the United Nations yet again committed themselves to intensifying joint efforts to reach a peaceful negotiated settlement capable of putting an end to the suffering of the Palestinian people and to establish peace in the Middle East.

"That generous movement complements and encourages the activities of the Committee on the Exercise of the Inalienable Rights of the Palestinian People which it has made continuously since it was set up in 1975 to ensure that the Palestinian people may secure and exercise without external interference their inalienable rights to self-determination, independence and national sovereignty, the creation of an independent, sovereign State and the return of the Palestinians to their homes.

/...

"The General Assembly has many times affirmed that Israel's withdrawal from all the Palestinian territories and other Arab territories occupied since 1967, including Jerusalem, and the exercise by the Palestinian people of their inalienable rights are indispensable conditions for the establishment of peace in the region. Moreover, the General Assembly has declared the right of the Palestine Liberation Organization (PLO), the representative of the Palestinian people, to take part in all efforts, deliberations and conferences on the question of Palestine and the Middle East, on equal footing with other parties.

"That is the framework of the activity carried out by our Committee to establish, pursuant to its mandate, a programme whose implementation would promote the full emancipation of the Palestinian people. Since 1983 the Committee has also been entrusted with following up the implementation of recommendations adopted by the International Conference on the Question of Palestine, held in Geneva that year, notably with respect to the right of all States of the region to exist within secure and internationally recognized boundaries; the correct exercise of that right requires the convening of an international peace conference on the Middle East. All those recommendations were adopted by the General Assembly by a very large majority, which continues to grow year by year. They have the advantage of being adequate and constructive, compared with solutions proposed outside the framework of the United Nations.

"The recommendations have made it possible to build up a broad international consensus about the question of Palestine. In addition, there have been recent developments that are very favourable to peace and which have led the Committee in its report to call upon the Security Council to take positive measures urgently to follow up those recommendations and the recommendation concerning the convening of an international peace conference on the Middle East.

"That is an objective that our Committee has steadfastly pursued for five years, and we are firmly convinced that today, more than ever before, the time is propitious for the establishment of a just and lasting peace in the region. The convening of such a conference would safeguard for all the interested parties the possibility of participating fully in the negotiations and would, in practice, provide a just, comprehensive and lasting solution to the Middle East conflict. A draft resolution on the subject will be submitted, and we hope that it will receive unanimous support.

"The programme of work of the Committee on the Exercise of the Inalienable Rights of the Palestinian People for 1988 was drawn up with two major concerns in mind: on the one hand, the emergency situation created in the occupied Palestinian territories by the repressive policies and practices of Israel, the occupying Power, and, on the other hand, the imperative need to get out of the deadlock and make progress towards a peaceful negotiated settlement in accordance with United Nations resolutions.

"In his statement, the Rapporteur of the Committee will present in detail the results of our work. For my part, I wish to tell the Assembly that the Committee has closely followed the situation in the occupied Palestinian territories and has regularly kept the Secretary-General and the President of the Security Council informed. Twenty letters have been sent to them, expressing the Committee's grave concern about the growing number of victims, the beatings, the destruction of houses and property, the lengthy curfews, mass arrests, expulsions, and so on. The Committee has requested that urgent measures be taken to ensure respect by Israel, the occupying Power, for the provisions of the Fourth Geneva Convention relative to the Protection of Civilian Persons in Time of War. It also called upon all the interested parties and others concerned to take necessary measures to guarantee the protection of Palestinians living in the occupied territories. That objective has been mentioned in a number of communications from the Chairman of the Committee to the Security Council during consideration of the situation in the occupied territories.

"As the Committee has noted, many Governments and intergovernmental and non-governmental organizations have expressed their disquiet with regard to the question and have also called for compliance with the Fourth Geneva Convention.

"It is alarming to note that the occupying Power has not yet responded to the appeals that have been made. The situation in the occupied territories continues to deteriorate, as the Secretary-General indicates in the report he has submitted in implementation of resolution 43/21, recently adopted by the General Assembly. In the view of our Committee, it is now imperative that the international community - the High Contracting Parties, in particular - and the Security Council take appropriate concrete steps to guarantee the security and the protection of the Palestinians. A recommendation to that effort is contained in the Committee's report, which also calls on the international community, the United Nations system and interested intergovernmental and non-governmental organizations to continue and increase their assistance to the Palestinian people, in close co-operation with its representative, the Palestine Liberation Organization. In this connection, the Committee is grateful to the Secretary-General for the excellent report he submitted in implementation of Security Council resolution 605 (1987).

"While in the short term all the efforts of the international community have a crucial importance, it must be agreed that in the final analysis the security and protection of the Palestinian people can be assured only within the framework of a comprehensive settlement guaranteeing justice and respect for the rights of all the peoples of the region, in accordance with the relevant resolutions of the United Nations. Thanks to its information programme and its programme to mobilize international public opinion - through the organization of seminars, regional symposiums for non-governmental organizations and international meetings, the publication of studies and reports by the

Division for Palestinian Rights, and the organization, under the auspices of the Department of Public Information, of programmes for journalists - the Committee is taking part in the peace effort to the extent that it can, within the limits of its means.

"As is indicated in its report, the Committee has conducted all the activities scheduled in its programme for the year, and it is grateful to the Governments of Cuba and the German Democratic Republic for having hosted, respectively, the Latin American Regional Seminar, held in Havana from 15-17 December 1987, and the European Regional Seminar, held in Berlin in April 1988. The Egyptian Government, for its part, has generously agreed to host the African Regional Seminar and the African Regional Non-Governmental Organizations Symposium, to be held in Cairo from 18-22 December this year. The Committee also organized a Seminar and Symposium for non-governmental organizations in North America, in New York in June. A European non-governmental organizations symposium and an international meeting of non-governmental organizations was organized in Geneva in August this year.

"All those meetings had two major themes: the new situation created by the intifada and by Israel's repressive practices in the occupied Palestinian territories, on the one hand, and on the other, the search for ways and means to mobilize public opinion and intensify the activities of non-governmental organizations in support of the objectives of the United Nations.

"The Committee has been greatly encouraged by the noticeable increase in the number of participants in the meetings it has organized and by the interest the meetings have aroused, as well as by the growth of the network of non-governmental organizations concerned with the question of Palestine. The Committee regards as particularly important the dispatch of missions of inquiry to the region by non-governmental organizations and those organizations' efforts to interest decision-makers, influential personalities and various target groups. The Committee has also found encouraging the growing role played by Israeli organizations and by Jewish organizations in North America and Western Europe.

"In discharging the various parts of its mandate, the Committee has always felt it necessary to promote a settlement of the Palestinian question taking into account the legitimate concerns and interests of all the parties concerned. In his statement to the General Assembly last year, my predecessor urged delegations to give their support to the peace of the brave, and he said that in order to be lasting that peace could not be exclusively Palestinian, Arab or Israeli; it had to be all of them at the same time. History, particularly the history of the region, teaches us that conflicts involving the right to self-determination cannot be resolved by military means. Our Committee is convinced that to achieve a peaceful settlement to the conflict by political means guaranteeing respect for justice and the security of all those concerned, on the basis of the exercise of the inalienable

rights of the Palestinian people, is a duty and responsibility of the United Nations. It is also an objective that today is genuinely within our reach. We once again call on all those concerned to rise above emotions, futile lack of understanding and prejudices, to re-evaluate the situation on the basis of current events and to find the political will to get out of the deadlock and begin negotiations, in conformity with the Charter and the relevant United Nations resolutions."

Statement by the Rapporteur of the Committee, Mr. Borg Oliver

"It is an honour for me to present to the General Assembly the 1988 report (A/43/35) of the Committee on the Exercise of the Inalienable Rights of the Palestinian People, in my capacity as Rapporteur.

"In 1988, as in previous years, the Committee diligently carried out its mandate on the basis of the resolutions adopted by the General Assembly. It continued to keep under review the situation relating to the question of Palestine and made every effort to promote the implementation of its recommendations for the exercise of the inalienable rights of the Palestinian people. It also continued to give priority to the early convening of the International Peace Conference on the Middle East, in accordance with General Assembly resolution 38/58 C.

"In chapter I of the report the Committee has stressed its concern at the grave deterioration of the situation in the occupied Palestinian territories as a result of efforts by Israel to suppress the uprising and the urgency of taking measures for the safety and protection of the Palestinian people.

"Chapter II and III are procedural and summarize the respective mandates of the Committee, the Division for Palestinian Rights and the Department of Public Information, and give information on the organization of the work of the Committee.

"The action taken by the Committee during 1988 is described in chapter IV of the report. In section A.1, reviewing the situation, the Committee expresses its alarm at the serious deterioration of the situation in the occupied Palestinian territories as a result of Israel's increasing resort to armed force in an effort to suppress the popular uprising, or intifada, which began in early December 1987, against the continued occupation and gradual annexation of the occupied Palestinian territories and against the Israeli policies and practices violating the rights of the Palestinian people. The Committee monitored the situation on an ongoing basis through the media, the reports of missions dispatched to the area by United Nations organs and agencies as well as by non-governmental organizations and the reports of individual experts, Governments and other sources. According to that information, the number of Palestinians shot to death by Israeli armed forces since the the beginning of the uprising until the submission of the report had reached a total of 287. Another 138 Palestinians have died from beatings, tear-gas inhalation and other causes related to action by Israeli armed forces and Israeli settlers. Thousands of Palestinians have been wounded by Israeli soldiers.

/...

"The Committee further noted that in addition to the use of force the Israeli authorities had resorted to a policy of mass arrests, the imposition of administrative detention without charges or trial, deportations and the banning of popular organizations, in its efforts to eradicate the leadership of the uprising. Over 5,500 Palestinians remained in detention and over 2,500 of them have been placed under administrative detention without charges or trial.

"Section A.2 (a) contains a summary of the letters addressed by the Chairman of the Committee to the Secretary-General and the President of the Security Council drawing their attention to specific incidents affecting the inalienable rights of the Palestinian people and urging appropriate action on the basis of United Nations resolutions and calling for the urgent adoption of measures aimed at ensuring the safety and protection of the Palestinians and at bringing about the convening of the International Peace Conference on the Middle East.

"In addition the Committee closely followed the activities of the Security Council on matters related to the Committee's mandate and participated in Council debates as necessary, as reflected in section A.2 (b). The Security Council met at the request of the Chairman of the Arab Group for the month of December 1987 to consider the situation in the occupied Palestinian and other Arab territories. On 22 December 1987 the Security Council adopted resolution 605 (1987), by which it, inter alia, reaffirmed that the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, is applicable to the Palestinian and other Arab territories occupied by Israel since 1967, including Jerusalem, and requested the Secretary-General to examine the present situation in the occupied territories by all means available to him and to submit a report containing his recommendations on ways and means for ensuring the safety and protection of the Palestinian civilians under Israeli occupation.

"On 5 January 1988 the Security Council unanimously adopted resolution 607 (1988), by which, inter alia, it reaffirmed 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 Palestinian and other Arab territories occupied by Israel since 1967, including Jerusalem, and called upon Israel to refrain from deporting any Palestinian civilians from the occupied territories.

"On 14 January 1988 the Security Council adopted resolution 608 (1988). By that resolution the Council expressed deep regret that Israel had deported Palestinian civilians in defiance of resolution 607 (1988) and called upon Israel to rescind the order to deport Palestinian civilians and to ensure the safe and immediate return of those already deported.

"In a statement made by the President of the Security Council on behalf of the members of the Council, on 26 August 1988 the Council expressed its profound concern at Israel's continuing policy of

deporting Palestinian civilians and reaffirmed that the Geneva Convention of 1949 was applicable to the Palestinian and other Arab territories occupied by Israel since 1967.

"Section A.2 (c) covers the consideration by the General Assembly of the efforts by the Government of the host country to close the Palestine Liberation Organization (PLO) Observer Mission to the United Nations. The Committee was pleased to note the judgement of the United States District Court judge in Manhattan, of 29 June 1988, which dismissed the United States Government's lawsuit seeking to close the PLO Observer Mission, and the decision of the United States Government not to appeal the judgement of the Court was welcomed by the Committee.

"As I have already mentioned, the Committee has continued to give the highest priority to the early convening of the International Peace Conference on the Middle East. Its efforts in this regard are detailed in section A.3 of this chapter. It stresses the urgent need for the Security Council and the parties directly concerned to take positive action for the convening of the Conference, and calls on those who thus far have not shown a willingness to co-operate to reconsider their position. The Committee continued to follow closely and with appreciation the efforts of the Secretary-General in this regard.

"In the rest of this section a list of international conferences and meetings at which the Committee was represented, because of their particular relevance to its work, and a list of documents relating to action on the question of Palestine taken by United Nations bodies, the Movement of Non-Aligned Countries and intergovernmental organizations are given. Taken together, they give an indication of the intensity of international concern regarding the current situation and of support for the Committee's recommendations to achieve a comprehensive, just and lasting solution to the question of Palestine.

"Section B.1 describes the activities organized by the Committee in its continuing efforts to expand its contacts with non-governmental organizations and to co-operate with them in their contribution towards heightening international awareness of the facts relating to the question of Palestine. Two regional symposiums for non-governmental organizations were held in North America and Europe and an international meeting of non-governmental organizations was also held in Geneva. The meetings were attended by a large number of non-governmental organizations, more than in previous years, including several from the occupied territories and Israel itself.

"The Committee noted that in the various declarations adopted at those meetings the non-governmental organizations supported the uprising and called for the convening of the International Peace Conference on the Middle East without delay. The meetings condemned all deportations and all other action by the occupation forces aimed at the destruction of Palestinian society.

"The international non-governmental organizations meeting held in Geneva urged the United Nations, the five permanent members of the

Security Council and the entire international community to help to ensure the protection and safety of the Palestinian people in the occupied territories in accordance with the suggestions contained in the Secretary-General's report of 21 January 1988, submitted pursuant to Security Council resolution 605 (1987).

"As detailed in section B.2, seminars were held in the Latin American, European and North American regions. The Committee noted that in the conclusions and recommendations of the seminars it was repeatedly stated that the Palestinian uprising in the occupied territories had confirmed the determination of the Palestinian people to reject and resist Israeli domination and occupation. They reaffirmed that the PLO was the sole and legitimate representative of the Palestinian people. They further expressed satisfaction at the growing support world-wide for the convening of the International Peace Conference on the Middle East and urged Israel and the United States to reconsider their attitudes towards that Conference. The text of the declarations adopted by the participants at seminars, non-governmental organizations symposiums and meetings, is contained in the annexes to the report.

"Section B.3 contains information on the activities of the Division for Palestinian Rights in the field of studies, research and collection of information, and on the commemoration of the International Day of Solidarity with the Palestinian People.

"Chapter V of the report details the activities of the Department of Public Information, which continued its information programme on the question of Palestine, with a view to furthering the world-wide dissemination of accurate and comprehensive information on the question. The information programme included dissemination of press releases, publications and audio-visual material and the organization of news missions to the Middle East, regional encounters for journalists in Africa and Europe and national journalists' encounters for Africa and Europe.

"In its recommendations, contained in chapter VI, the Committee emphasizes the new situation created by the uprising and the impetus thereby given to efforts to reach a peaceful settlement in accordance with United Nations resolutions. The Committee has once again called for urgent, positive action by the Security Council on the recommendations of the Committee and those adopted by the International Conference on the Question of Palestine, held here in Geneva in 1983, and has reaffirmed its position that their implementation would make a positive contribution to the solution of the question of Palestine. The Committee, while referring to the developments in the area, calls upon the United Nations and the international community as a whole urgently to intensify their efforts to bring about the establishment by the Palestinian people of an independent Arab State in Palestine in accordance with General Assembly resolution 181 (II) of 29 November 1947.

"The Committee has once again stressed the imperative need for the convening of the International Conference on the Middle East. It has also expressed its intention further to intensify its efforts towards that objective, and has decided to make the convening of the Conference the focal point of its work programme in the coming year. Pending the attainment by the Palestinian people of its inalienable rights, the Committee has affirmed in the strongest terms the urgent need for effective measures to ensure the safety and protection of the Palestinian people in the occupied Palestinian territories.

"On 21 November 1988 the Permanent Observer of the Palestine Liberation Organization reported to the Committee on the nineteenth extraordinary session of the Palestine National Council, held in Algiers from 12 to 15 November 1988. The Committee welcomed the Political Communiqué and the Declaration of Independence adopted at Algiers and expressed in the strongest terms its belief that they were of the greatest importance to the peace process in the Middle East. It also believed that all concerned should now seize the opportunity to make a determined effort to take effective measures to ensure the security and the protection of the Palestinian population in the occupied territories and intensify their efforts towards a comprehensive, just and lasting settlement of the question of Palestine in accordance with the relevant United Nations resolutions."

IV. ADOPTION BY THE GENERAL ASSEMBLY OF RESOLUTIONS ON
THE QUESTION OF PALESTINE

The following resolutions on the question of Palestine were adopted by the General Assembly at its 82nd plenary meeting, on 15 December 1988:

43/175. Question of Palestine

A

The General Assembly.

Recalling its resolutions 181 (II) of 29 November 1947, 194 (III) of 11 December 1948, 3236 (XXIX) of 22 November 1974, 3375 (XXX) and 3376 (XXX) of 10 November 1975, 31/20 of 24 November 1976, 32/40 of 2 December 1977, 33/28 of 7 December 1978, 34/65 A and B of 29 November 1979 and 34/65 C and D of 12 December 1979, ES-7/2 of 29 July 1980, 35/169 of 15 December 1980, 36/120 of 10 December 1981, ES-7/4 of 28 April 1982, ES-7/5 of 26 June 1982, ES-7/9 of 24 September 1982, 37/86 A of 10 December 1982, 38/58 A of 13 December 1983, 39/49 A of 11 December 1984, 40/96 A of 12 December 1985, 41/43 A of 2 December 1986 and 42/66 A of 2 December 1987,

Having considered the report of the Committee on the Exercise of the Inalienable Rights of the Palestinian People, 1/

- 1. Expresses its appreciation to the Committee on the Exercise of the Inalienable Rights of the Palestinian People for its efforts in performing the tasks assigned to it by the General Assembly;**
- 2. Endorses the recommendations of the Committee contained in paragraphs 141 to 148 of its report and draws the attention of the Security Council to the fact that action on the Committee's recommendations, as repeatedly endorsed by the General Assembly at its thirty-first session and subsequently, is still awaited;**
- 3. Requests the Committee to continue to keep under review the situation relating to the question of Palestine as well as the implementation of the Programme of Action for the Achievement of Palestinian Rights 2/ and to report and make suggestions to the General Assembly or the Security Council, as appropriate;**

1/ Official Records of the General Assembly, Forty-third Session, Supplement No. 35 (A/43/35).

2/ Report of the International Conference on the Question of Palestine, Geneva, 29 August-7 September 1983 (United Nations publication, Sales No. E.83.I.21), chap. I, sect. B.

4. Authorizes the Committee to continue to exert all efforts to promote the implementation of its recommendations, including representation at conferences and meetings and the sending of delegations, to make such adjustments in its approved programme of seminars and symposia and meetings for non-governmental organizations as it may consider necessary, and to report thereon to the General Assembly at its forty-fourth session and thereafter;

5. Requests the Committee to continue to extend its co-operation to non-governmental organizations in their contribution towards heightening international awareness of the facts relating to the question of Palestine and creating a more favourable atmosphere for the full implementation of the Committee's recommendations, and to take the necessary steps to expand its contacts with those organizations;

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

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

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

82nd plenary meeting
15 December 1988

B

The General Assembly,

Having considered the report of the Committee on the Exercise of the Inalienable Rights of the Palestinian People, 1/

Taking note, in particular, of the relevant information contained in paragraphs 96 to 128 of that report,

Recalling its resolutions 32/40 B of 2 December 1977, 33/28 C of 7 December 1978, 34/65 D of 12 December 1979, 35/169 D of 15 December 1980, 36/120 B of 10 December 1981, 37/86 B of 10 December 1982, 38/58 B of 13 December 1983, 39/49 B of 11 December 1984, 40/96 B of 12 December 1985, 41/43 B of 2 December 1986 and 42/66 B of 2 December 1987,

Recalling that 1989 is the thirtieth anniversary of the Declaration of the Rights of the Child 2/ and the tenth anniversary of the International Year of the Child,

1/ Resolution 1386 (XIV).

1. Takes note with appreciation of the action taken by the Secretary-General in compliance with General Assembly resolution 42/66 B;
2. Requests the Secretary-General to provide the Division for Palestinian Rights of the Secretariat with the necessary resources and to ensure that it continues to discharge the tasks detailed in paragraph 1 of General Assembly resolution 32/40 B, paragraph 2 (h) of resolution 34/65 D, paragraph 3 of resolution 36/120 B, paragraph 3 of resolution 38/58 B, paragraph 3 of resolution 40/96 B and paragraph 2 of resolution 42/66 B, in consultation with the Committee on the Exercise of the Inalienable Rights of the Palestinian People and under its guidance;
3. Also requests the Secretary-General to direct the Division for Palestinian Rights to pay particular attention to the plight of Palestinian children in the occupied Palestinian territories in its programme of work for 1989;
4. Further requests the Secretary-General to ensure the continued co-operation of the Department of Public Information and other units of the Secretariat in enabling the Division for Palestinian Rights to perform its tasks and in covering adequately the various aspects of the question of Palestine;
5. Invites all Governments and organizations to lend their co-operation to the Committee on the Exercise of the Inalienable Rights of the Palestinian People and the Division for Palestinian Rights in the performance of their tasks;
6. Takes note with appreciation of the action taken by Member States to observe annually on 29 November the International Day of Solidarity with the Palestinian People, and of the issuance by them of special postage stamps for the occasion.

82nd plenary meeting
15 December 1988

C

The General Assembly,

Having considered the report of the Committee on the Exercise of the Inalienable Rights of the Palestinian People, 1/

Taking note, in particular, of the information contained in paragraphs 129 to 140 of that report,

Recalling its resolution 42/66 C of 2 December 1987,

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

/...

1. Takes note with appreciation of the action taken by the Department of Public Information of the Secretariat in compliance with General Assembly resolution 42/66 C;

2. Requests the Department of Public Information, in full co-operation and co-ordination with the Committee on the Exercise of the Inalienable Rights of the Palestinian People, to continue its special information programme on the question of Palestine in 1989, with particular emphasis on public opinion in Europe and North America and, in particular:

(a) To disseminate information on all the activities of the United Nations system relating to the question of Palestine, including reports of the work carried out by the relevant United Nations organs;

(b) To continue to issue and update publications on the various aspects of the question of Palestine, including Israeli violations of the human rights of the Arab inhabitants of the occupied territories as reported by the relevant United Nations organs;

(c) To expand its audio-visual material on the question of Palestine, including the production of special series of radio programmes and television broadcasts;

(d) To organize fact-finding news missions to the area for journalists;

(e) To organize regional and national encounters for journalists.

82nd plenary meeting
15 December 1988

43/176. Question of Palestine

The General Assembly,

Having considered the reports of the Secretary-General, 1/

Having noted with appreciation the statement made on 13 December 1988 by the Chairman of the Palestine Liberation Organization, 2/

Stressing that achieving peace in the Middle East would constitute a significant contribution to international peace and security,

Aware of the overwhelming support for the convening of the International Peace Conference on the Middle East,

1/ A/43/272-S/19719 and A/43/691-S/20219.

2/ See A/43/PV.78.

Noting with appreciation the endeavours of the Secretary-General to achieve the convening of the Conference,

Welcoming the outcome of the nineteenth Extraordinary Session of the Palestine National Council as a positive contribution towards a peaceful settlement of the conflict in the region,

Aware of the ongoing uprising (intifadah) of the Palestinian people since 9 December 1987, aimed at ending Israeli occupation of Palestinian territory occupied since 1967,

1. Affirms the urgent need to achieve a just and comprehensive settlement of the Arab-Israeli conflict, the core of which is the question of Palestine;

2. Calls for the convening of the International Peace Conference on the Middle East, under the auspices of the United Nations, with the participation of all parties to the conflict, including the Palestine Liberation Organization, on an equal footing, and the five permanent members of the Security Council, based on Security Council resolutions 242 (1967) of 22 November 1967 and 338 (1973) of 22 October 1973 and the legitimate national rights of the Palestinian people, primarily the right to self-determination;

3. Affirms the following principles for the achievement of comprehensive peace:

(a) The withdrawal of Israel from the Palestinian territory occupied since 1967, including Jerusalem, and from the other occupied Arab territories;

(b) Guaranteeing arrangements for security of all States in the region, including those named in resolution 181 (II) of 29 November 1947, within secure and internationally recognized boundaries;

(c) Resolving the problem of the Palestine refugees in conformity with General Assembly resolution 194 (III) of 11 December 1948, and subsequent relevant resolutions;

(d) Dismantling the Israeli settlements in the territories occupied since 1967;

(e) Guaranteeing freedom of access to Holy Places, religious buildings and sites;

4. Notes the expressed desire and endeavours to place the Palestinian territory occupied since 1967, including Jerusalem, under the supervision of the United Nations for a limited period, as part of the peace process;

5. Requests the Security Council to consider measures needed to convene the International Peace Conference on the Middle East, including the establishment of a preparatory committee, and to consider guarantees for security measures agreed upon by the Conference for all States in the region;

6. Requests the Secretary-General to continue his efforts with the parties concerned, and in consultation with the Security Council, to facilitate the convening of the Conference, and to submit progress reports on developments in this matter.

82nd plenary meeting
15 December 1988

43/177. Question of Palestine

The General Assembly,

Having considered the item entitled "Question of Palestine",

Recalling its resolution 181 (II) of 29 November 1947, in which, inter alia, it called for the establishment of an Arab State and a Jewish State in Palestine,

Mindful of the special responsibility of the United Nations to achieve a just solution to the question of Palestine,

Aware of the proclamation of the State of Palestine by the Palestine National Council in line with General Assembly resolution 181 (II) and in exercise of the inalienable rights of the Palestinian people,

Affirming the urgent need to achieve a just and comprehensive settlement in the Middle East which, inter alia, provides for peaceful coexistence for all States in the region,

Recalling its resolution 3237 (XXIX) of 22 November 1974 on the observer status for the Palestine Liberation Organization and subsequent relevant resolutions,

1. Acknowledges the proclamation of the State of Palestine by the Palestine National Council on 15 November 1988;

2. Affirms the need to enable the Palestinian people to exercise their sovereignty over their territory occupied since 1967;

3. Decides that, effective as of 15 December 1988, the designation "Palestine" should be used in place of the designation "Palestine Liberation Organization" in the United Nations system, without prejudice to the observer status and functions of the Palestine Liberation Organization within the United Nations system, in conformity with relevant United Nations resolutions and practice;

4. Requests the Secretary-General to take the necessary action to implement the present resolution.

82nd plenary meeting
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V. STATEMENT ON THE SITUATION IN THE MIDDLE EAST MADE AT ATHENS ON
16 DECEMBER 1988 BY THE TWELVE STATES MEMBERS OF
THE EUROPEAN COMMUNITY

"In the spirit of their statement of 21 November 1988, the Twelve welcome the decision of the United States Government to initiate a substantive dialogue with the PLO, following the confirmation of the acceptance by the latter of United Nations Security Council resolutions 242 (1967) and 338 (1973) and of the right of Israel to exist, and its explicit renunciation of terrorism.

"The Twelve believe that this dialogue opens positive perspectives for the peace process in the Middle East and that it should lead to the beginning of negotiations between the parties directly concerned in the framework of an International Peace Conference, under the auspices of the United Nations, which they have referred to in previous declarations.

"They urge all the parties to respond to the new situation and take the necessary steps for such a Conference to be convened and direct negotiations initiated within its framework. In their endeavours towards the achievement of a comprehensive, just and lasting peace the Twelve will be guided by the principles of the Venice declaration and the subsequent declarations they have adopted with regard of the situation in the Middle East. The Twelve express their intention to work to that end, including through appropriate contacts with the parties concerned" (see A/43/987-S/20343)

VI. SECRETARY-GENERAL ISSUES STATEMENT ON EXPULSION OF
13 PALESTINIANS FROM THE OCCUPIED TERRITORIES

A statement made⁴ 4 January 1989 by the spokesman for the Secretary-General reads as follows:

"The Secretary-General is dismayed by the expulsion on 1 January of 13 Palestinians from the occupied territories to Lebanon. As he has stated on several occasions, he considers such measures a clear violation of the Fourth Geneva Convention. He appeals to Israel, as the occupying power, to abide by its obligations under this Convention and to rescind the deportation orders. He earnestly hopes that the Palestinians who have been deported will promptly be allowed to return to their homes and families."

VII. TWENTY-FIRST UNITED NATIONS SEMINAR ON THE QUESTION OF PALESTINE,
HELD AT CAIRO, EGYPT, FROM 18 TO 22 DECEMBER 1988

The Twenty-first United Nations Seminar on the Question of Palestine (Fifth African Regional Seminar), entitled "The inalienable rights of the Palestinian people", was held jointly with the Second United Nations African Regional NGO Symposium on the Question of Palestine at the Ramses Hilton Hotel in Cairo, Egypt, from 18 to 22 December 1988, in accordance with the terms of General Assembly resolution 42/66 B of 2 December 1987.

The Committee on the Exercise of the Inalienable Rights of the Palestinian People was represented by a delegation comprising: H.E. Mrs. Absa Claude Diallo (Senegal), Chairman of the Committee, head of the delegation; H.E. Mr. Alexander Borg Olivier (Malta), Rapporteur of the Committee; H.E. Mr. Samuel R. Insanally (Guyana); H.E. Mr. Tom Obaleh Kargbo (Sierra Leone); H.E. Mr. Agus Tarmidzi (Indonesia); and Mr. Zehdi Labib Terzi (Palestine). Mrs. Absa Claude Diallo was Chairman and Mr. Alexander Borg Olivier, Rapporteur of the Seminar.

Nine meetings were held and 21 panelists presented papers on selected aspects of the question of Palestine. In addition, representatives of 51 Governments, Palestine, 3 United Nations organs, 3 United Nations specialized agencies and bodies, 3 intergovernmental organizations, 2 national liberation movements as well as 50 non-governmental organizations (NGOs) attended the Seminar.

The joint opening ceremony of the Seminar and NGO Symposium heard a statement of H.E. Dr. Ahmed Esmat Abdel Meguid, Deputy Prime Minister and Minister for Foreign Affairs of the Arab Republic of Egypt, delivered by H.E. Aziz Seif El Nasr, Assistant Minister for Foreign Affairs.

A message from the Secretary-General of the United Nations, H.E. Mr. Javier Pérez Cuéllar, was read out by his representative, Mr. Naseem Mirza, Chief, Division for Palestinian Rights. Mrs. Absa Claude Diallo also addressed the meeting as did Mr. Jamal Sourani, member of the Executive Committee of the Palestine Liberation Organization, who read out a message from Mr. Yasser Arafat, Chairman of the Executive Committee of that organization.

Other statements were made by: Dr. Abdel Ahad Gamal El Din, President of the Supreme Council for Youth and Sports of the Arab Republic of Egypt and Chairman of the United Nations Association of Egypt; Dr. Morad Ghaleb, President of the Afro-Asian Peoples Solidarity Organization; Mr. Tesfaye Tadesse, Chairman of the Special Committee with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples; Mr. Agus Tarmidzi, speaking on behalf of the Special Committee against Apartheid; Mr. Al Mamoun Keita, speaking on behalf of the President of the Republic of Mali; Mr. Muhammed Al-Farra, Under-Secretary-General of the League of Arab States; and Mr. Sherif Refaat, representing the United Nations Council for Namibia. The Seminar also received a message of greetings from the Organization of the Islamic Conference.

On its own part the Seminar adopted a message to Mr. Yasser Arafat, Chairman of the Executive Committee of the Palestine Liberation Organization, and a motion of thanks to the Government and the people of the Arab Republic of Egypt.

Three panels were established. The panels and their panelists were as follows:

1. "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 resolutions";

Mr. Lotfy El-Kholy (Egypt), Mr. Rafael Estrella (Spain), Mr. Y.V. Glukhov (Union Soviet Socialist Republics), Mr. Corentin Hervo-Akendenque (Gabon), Mr. Al Mamoun Keita (Mali), Mr. Jonathan Kuttat (Palestinian), Mr. Salah Ladgham (Tunisia), Mr. Ibbo Mandaza (Zimbabwe), Mr. Ahmed Osman (Egypt), Mr. S. Amos Wako (Kenya).

2. "The role of the Palestine Liberation Organization";

Mr. Nabil Sha'ath (Palestinian).

3. "The mobilization of African public opinion for the realization of the inalienable rights of the Palestinian people";

Mr. Farouk Abu Eissa (the Sudan), Mr. Donald Beitz (United States of America), Mr. Gipu Felix-George (Sierra Leone), Mr. Mohamed El-Sayed (Senegal), Mr. Gabrallah Khamsin (the Sudan), Mr. Assih Kossi (Togo), Mr. Dikhiqang Masemola (South Africa), Mrs. Ruth Neto (Angola), Mr. Gesaya Nyama (Namibia), Mr. Abdel Moneim Said (Egypt).

The expert members of the panels agreed on summaries of the presentations and the discussions on the three topics. The full text of the proceedings will be published in due course as a special bulletin of the United Nations Division for Palestinian Rights.

CONCLUSIONS AND RECOMMENDATIONS

The participants in the Seminar expressed their conviction that recent developments regarding the Arab-Israeli conflict and its core, the question of Palestine, have created a new momentum for bringing about a solution to this complicated and dangerous conflict on the basis of resolutions of the United Nations and within its framework. These developments are mainly due to the courageous and determined struggle of the Palestinian people to attain and to exercise its inalienable rights, primarily the right to self-determination, as dramatically manifested in the continuing Palestinian intifadah in the occupied Palestinian territory. They have been facilitated by a conducive international climate characterized by increasing co-operation and the political will to solve regional conflicts in a peaceful way through negotiations.

Participants welcomed the results of the Nineteenth Special Session of the Palestine National Council at Algiers, and in particular the proclamation of an independent Palestinian State, as a positive contribution

to a peaceful settlement of the conflict in the region. The decision adopted by the Palestine National Council and the position outlined by Mr. Yasser Arafat, Chairman of the Executive Committee of the PLO, in his address to the United Nations General Assembly on 13 December 1988, as well as in other forums, are important landmarks in the endeavours of the international community towards achieving a comprehensive, just and lasting settlement of the question of Palestine which have resulted in increased support by all sectors of the international community for the convening of the International Peace Conference on the Middle East and have made possible the initiation of a dialogue between the United States and the PLO. The decision of the United States Government to establish contacts with the PLO and to participate in a substantive dialogue with the PLO was welcomed as a positive development, and the hope was expressed that such contacts would lead to concrete developments and to a comprehensive settlement of the conflict.

The participants agreed that it was now incumbent upon the Government of Israel to respond positively to the stand taken by the PLO which has been welcomed and praised by the international community. Israel can no longer ignore the national aspirations of the Palestinians in the occupied Palestinian territory. The ongoing intifadah of the Palestinian people, which entered its second year on 9 December 1988, confirms in no uncertain terms that the Palestinians are determined to resist, to reject and to end Israeli occupation of the Palestinian territory occupied since 1967. The proclamation of the independent State of Palestine by the Nineteenth Special Session of the Palestine National Council has received enthusiastic support from an overwhelming majority of States. The same States have hailed this proclamation as a concrete contribution to peace. Significantly, a large number of States have already formally recognized the State of Palestine proclaimed at Algiers on 15 November 1988.

The Seminar took note of and welcomed the resolutions on the item "Question of Palestine", adopted by the forty-third session of the General Assembly on 15 December 1988 in Geneva. In particular it noted with satisfaction the call for the convening of the International Peace Conference on the Middle East, under the auspices of the United Nations, with the participation of all parties to the conflict, including the PLO, on an equal footing, and the five permanent members of the Security Council, based on Security Council resolutions 242 (1967) and 338 (1973) and the legitimate national rights of the Palestinian people, primarily the right to self-determination. It expressed its full support for the principles contained in operative paragraph 3 of resolution 43/176 of 15 December 1988, as a basis for the achievement of a comprehensive peace. Cognizant of the role of the Security Council in maintaining international peace and security, participants in the Seminar endorsed the request to the Council to consider measures needed to convene the International Peace Conference on the Middle East, including the establishment of a preparatory committee, and to consider guarantees for security measures to be agreed upon by the Conference for all States in the region as well as interim measures to safeguard the physical security of the inhabitants of the occupied territories pending agreement on a final comprehensive settlement. The participants considered that it was now incumbent upon Israel to accept the terms for a lasting and comprehensive settlement, which have been agreed by the international community as a whole, and which should be based on Security Council resolutions 242 (1967) and 338 (1973) and the legitimate national rights of the Palestinian people, primarily the right to self-determination.

The participants also welcomed the decision by the General Assembly that the designation "Palestine" should be used in the United Nations system instead of "Palestine Liberation Organization". The participants regarded the decision as a recognition of the aspirations of the Palestinian people and a reaffirmation of the PLO as its sole legitimate representative, and also as an endorsement of the courageous steps taken during the intifadah to end the occupation and to set up the infrastructure for an independent and sovereign Palestinian State. The participants urged that every assistance should be provided by the international community to the Palestinian people in their endeavours to accomplish this important objective.

The international community is becoming more deeply convinced of the need to find a just, comprehensive and lasting political settlement of the Arab-Israeli conflict. This is evidenced by the growing support for the convening of the International Peace Conference on the Middle East. That support is clearly reflected in the position adopted by the Movement of Non-aligned Countries, the League of Arab States, the Organization of African Unity (OAU), the Organization of the Islamic Conference, the European Community, the Nordic countries, as well as by the USSR, China and other socialist countries. In that regard, the Seminar noted with appreciation the sustained and continuing support by African States and peoples for the exercise by the Palestinian people of its legitimate national rights and for the convening of the International Peace Conference.

The participants noted that while strenuous attempts have been made to bring about a solution to the Arab-Israeli conflict, the situation in the region remains tense. It is aggravated by Israel's brutal suppression of the Palestinian uprising through military might, beatings, detentions, deportations, its policies of illegally maintaining and expanding Jewish settlements as well as confiscating Arab-owned lands and diverting scarce water resources to its own use in the occupied Palestinian and Arab territories. The "iron-fist" policy of Israel has further stifled all forms of political, cultural, social and economic expressions of the Palestinian people. Israel continues to strengthen its control over most aspects of life, with the objective of obstructing a self-sustained development of the Palestinian people in the occupied territories. Such policies are in violation of United Nations resolutions, the Geneva Conventions of 1949, in particular the Geneva Convention on the Protection of Civilian Persons in Time of War (1949), and other forms of international law, and exacerbate tension in the area, thus hindering attempts to find a peaceful solution to the question of Palestine. The participants noted further that these massive violations of human rights had not succeeded in ending the intifadah and were unlikely to achieve for Israel its objectives. Persistence by Israel in acts of aggression against neighbouring States, in particular Lebanon, endangered security in the region.

The Seminar appealed to the United Nations to take urgent measures to protect the Palestinians under occupation, to guarantee the safety and security and the legal and human rights of the Palestinian refugees in all territories under Israeli occupation and to alleviate their suffering. Adequate assistance should also be provided on a regular basis to the Palestinian refugees in the neighbouring and other countries. The United Nations system as well as international, regional and national organizations should continue and strengthen their humanitarian assistance to the

Palestinians under occupation and to Palestinian refugees. In particular, sustained and increased support should be channelled through the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA), as well as NGOs working directly in the occupied territories.

The Seminar affirmed that the denial of the exercise of the legitimate national rights of the Palestinian people remains the core of the conflict in the Middle East and that a comprehensive, just and lasting peace in the region cannot be achieved without the full exercise of those rights, and without the withdrawal of Israel from the Palestinian territory occupied since 1967, including Jerusalem, and other occupied Arab territories. It further affirmed that the PLO is the sole legitimate representative of the Palestinian people, and as such is an essential party to any negotiations aimed at resolving the conflict by peaceful means.

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 national rights of the Palestinian people, and of its recommendations, made in its report in 1976 and repeatedly endorsed by the United Nations General Assembly since then, for ensuring the exercise by the Palestinian people of those rights. The Seminar also noted with satisfaction the increased support at the United Nations for the programme of action undertaken by the Committee. It 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.

The position of the African countries, as manifested in the declarations and resolutions of the OAU, was one of solidarity with and support for the struggle of the Palestinian people for the exercise of its inalienable rights, in particular the right to self-determination, and to have a State of its own. Many of the participants drew parallels between the cause of the Palestinian people and the struggle of the peoples of South Africa and Namibia. These participants noted that as the international community welcomed the signing of the Brazzaville agreements on the implementation of Security Council resolution 435 (1978) regarding Namibia, South Africa continued its abhorrent policies and practices of apartheid, which the participants condemned, and Israel persisted in its attempts to stifle, by brutal force and oppressive policies the Palestinian uprising in the occupied territories. Both the policies of Israel and the apartheid policies in South Africa endangered international peace and security and were of gravest concern to the international community. Participants also expressed concern at the collaboration between South Africa and Israel which they condemned.

The Seminar viewed with appreciation the support of the OAU and Governments and peoples of Africa have extended at the United Nations and in other forums to the Palestinian cause and for the achievement of a just and lasting peace in the Middle East. It agreed that efforts should be continued and intensified to mobilize official and public opinion in Africa through the use of the media and activities of NGOs. Participants expressed the view that the co-operation of African organizations, trade unions, solidarity groups etc. among themselves as well as between them and their counterparts in other regions should be expanded.

/...

The United Nations should undertake additional efforts to disseminate factual and up to date information on the question of Palestine and the measures required to be taken for the achievement of a just settlement to the question of Palestine. 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. Moreover, the United Nations Department of Public Information should make every effort to ensure that accurate information on the question of Palestine received the widest possible dissemination.

VIII. SECOND UNITED NATIONS AFRICAN REGIONAL NGO SYMPOSIUM ON THE
QUESTION OF PALESTINE, HELD AT CAIRO, EGYPT,
FROM 18 TO 21 DECEMBER 1988

The Second United Nations African Regional NGO Symposium on the Question of Palestine, on the theme "The inalienable rights of the Palestinian people", was held at the Ramses Hilton Hotel in Cairo, Egypt, from 18 to 21 December 1988, in accordance with General Assembly resolution 42/66 B of 2 December 1987. The Symposium was held concurrently with the Twenty-first United Nations Seminar on the Question of Palestine which was held from 18 to 22 December 1988.

The Committee on the Exercise of the Inalienable Rights of the Palestinian People was represented by a delegation comprising: H.E. Mrs. Absa Claude Diallo (Senegal), Chairman; H.E. Mr. Alexander Borg Olivier (Malta), Rapporteur; H.E. Mr. Tom Obaleh Kargbo (Sierra Leone); H.E. Mr. Agus Tarmidzi (Indonesia); and Mr. Zehdi Labib Terzi (Palestine).

The Symposium was attended by some 50 non-governmental organizations, 5 of them participating as observers; also present were several observers from Governments, Palestine, intergovernmental organizations and United Nations bodies.

The combined opening ceremony for the Symposium and the Seminar was addressed by those described under chapter VII above, regarding the concurrent seminar.

The Seminar and Symposium shared three panels on different aspects of the question of Palestine. Those panels and their panelists were as described under chapter VII above.

Discussion of panel topics took place after the presentation of papers. A summary of discussion will be included in the report of the Twenty-first Seminar.

Two workshops specifically related to NGO activities were established to take up the following topics:

(a) "Mobilization and networking by African NGOs to end Israeli violations of human rights of Palestinians in the occupied territories and to promote international protection for Palestinians under Israeli occupation";

(b) "NGO activities to mobilize further African public opinion and the relationship between the Palestinian uprising and the struggle of the people of Namibia and South Africa".

The declaration of the Symposium, which was adopted unanimously, is reproduced below. The full text of the report together with action-oriented proposals of the two workshops will be issued in due course as a special bulletin of the United Nations Division for Palestinian Rights.

DECLARATION
adopted by the Second UN African Regional NGO Symposium
on the Question of Palestine

1. We, the non-governmental organizations - NGOs - participating in the Second United Nations African Regional NGO Symposium on the Question of Palestine, are gathered in Cairo at a historic moment when the Palestinian struggle for self-determination and independence has entered a decisive phase. We hail and support the determination of the Palestinian people in their quest for national liberation and the establishment of their own independent sovereign national State.
2. We fully support the peace project enunciated at the Nineteenth Special Session of the Palestine National Council convened from 13 to 15 November 1988 at Algiers, as now reflected in United Nations General Assembly resolutions 43/176 and 43/177 of 15 December 1988.
3. Specifically we welcome and express our support for the historic proclamation of the State of Palestine in line with General Assembly resolution 181 (II).
4. We call upon all Governments that have not recognized the new State of Palestine to do so and urge governmental and non-governmental organizations to extend every assistance for the strengthening of the educational, medical, economic and social institutions in the occupied territories, a necessary step for the establishment of the Palestinian State.
5. Further, we hail the struggle of the Palestinian people through the intifadah, now over one year old, as the popular expression of their irrepressible will to create circumstances for self-determination and independence. We call upon the international community to give unflinching support to the intifadah and unite in pressing for an end to illegal Israeli occupation, denial of the inalienable rights of the Palestinian people and gross human rights violations.
6. We call for the prompt convening of the Middle East International Peace Conference under United Nations auspices in accordance with the guidelines spelt out under relevant United Nations resolutions, particularly resolution 43/176 of 15 December 1988.
7. We are aware of the major obstacles that have thwarted the convening of the International Peace Conference until now and the impediment that remains. But we are united in our determination to overcome any barriers to the peace process and the convening of the Conference. We undertake to arouse international public opinion for the holding of the International Peace Conference until it is convened.

8. We reaffirm that peace in the Middle East is unachievable without a just solution of the Palestine problem and recognize that peace efforts in the Middle East and particularly the new thrust of Palestinian self-determination reflecting a realistic and genuine desire for principled peace facilitate and form part of a broader international peace initiative. We firmly believe that independence and peace for Palestine would contribute positively to global peace.
9. We condemn the repression in the West Bank and Gaza Strip and its escalations. International vigilance in monitoring human rights violations perpetrated against Palestinians is required now more than ever.
10. We therefore, especially in view of the international legitimacy gained by the Palestine National Council's declaration of a Palestinian State to be established on the Palestinian homeland, call for the immediate implementation of United Nations General Assembly resolution 43/176 concerning the placing of the Palestinian territory occupied by Israel since 1967 under the supervision of the United Nations for a limited period, as an essential part of the peace process. Such an important international presence will ensure the physical protection of the Palestinian people of the West Bank and Gaza Strip. The United Nations and international community are called upon to bear full responsibility for the protection and safety of the Palestinian people under occupation.
11. We reaffirm that Israeli settlements in the occupied territories are illegal and reassert the international call for the dismantling and evacuation of those settlements on the West Bank and Gaza Strip as proclaimed in United Nations General Assembly resolution 43/176. We call upon the United Nations, Governments and non-governmental organizations to take concrete actions to prevent the Israeli rulers from establishing new settlements. We also reaffirm our pledge to further our support for the right of the Palestinians to return to their homeland in accordance with United Nations resolution 194 (III) of 1948.
12. We further reaffirm the strong connection between the struggle for national liberation and peace with justice in the Middle East and that in Southern Africa. We express our total and unflinching support for the struggle for the realization of the rights of self-determination, independence and other human rights in Namibia and South Africa, which must be enjoyed on the basis of equality and non-discrimination. We call upon all States and the international community to stop aiding Israel and apartheid South Africa, and urge African States to continue the severance of all relations with and the isolation of both regimes until the people realize their inalienable rights.
13. We reaffirm the necessity of strengthening Afro-Arab co-operation as an indispensable medium of promoting the development of the two (African and Arab) people as well as the struggle against domination and racial discrimination in Southern Africa and in Israeli occupied Palestine.

14. As NGOs, we resolve to exert every effort to oppose the co-operation between Israel and apartheid South Africa. We condemn their military nuclear build-up which is a serious threat to regional and international peace and security.

15. We express our solidarity with democratic and peace-loving forces in Israel, which struggle against Israeli occupationist, expansionist and militarist policies and actions, and which support the intifadah, the proclaimed independent Palestinian State on Palestinian land and the inalienable rights of the Palestinian people. We strongly condemn the unjust Israeli law which prohibits contacts between the people of Israel and the PLO and demand its total and immediate abrogation.

16. We append the workshop reports and urge African NGOs to work in a co-ordinated way to implement the recommendations. We note the comments of the International Co-ordinating Committee for NGOs on the question of Palestine and its expression of assistance in the development of our work.

17. We have further decided to organize our work through an African Co-ordinating Committee. Its membership is also appended to this report. We ask that this report be disseminated as widely as possible throughout Africa and through the NGO international network as well as to the media. We request the United Nations to provide the financial means for one meeting of the Administrative Committee on Co-ordination per year, in conjunction with the International NGO Meeting on the Question of the Palestine.

18. We thank the United Nations Committee on the Exercise of the Inalienable Rights of the Palestinian People, the Division for Palestinian Rights, the Department of Conference Services and our gracious Egyptian hosts for their efforts to ensure the success of the African NGO Symposium.

IX. NON-GOVERNMENTAL ORGANIZATIONS: ACTIVITIES AND INFORMATION

The Data Base Project on Human Rights documented in its December "Update" a series of human rights violations in the occupied territories on the part of the Israeli authorities during the first year of the Intifada and focussed on November infractions. The Project issued a number of appeals regarding: 1) a journalist, Hatem Abdel Kader, held in administrative detention and placed in solitary confinement; 2) a physician, Dr. Mohammed Issa Hussein Jadallah from the Jerusalem area village of Beit Safafa who was detained and tortured; 3) the request by the General Federation of Trade Unions in the West Bank for support and solidarity from Canadian trade unionists; 4) the subject of education addressed to the Director General of UNESCO, issued by the Association of Women Committees for Social Work in the occupied territories; 5) administrative detainees at the Ansar 3 (Ketziot) detention centre addressed to the Secretary-General of the United Nations; 6) the subject of deportees issued by the Committee of Families of the Deportees, Jerusalem; 7) atrocities committed by Israel soldiers as described by the women of Beit Sahour in two appeals to His Holiness Pope John Paul II.

The full "Update" report and details concerning appeals may be obtained from: the Data Base Project on Palestinian Human Rights, 1 Quincy Court, Suite 1308, Chicago, IL 60604, U.S.A.

The International Co-ordinating Committee for NGOs on the Question of Palestine (ICCP), in its fourteenth newsletter published an appeal from Palestinian NGO's urging that letters be sent to: 1) The Israeli Prime Minister, protesting Israel's behaviour and calling for an immediate halt to it; 2) U.S. embassies, calling for the United States to stop arming and supporting Israel and requesting recognition of Palestinian right to self determination; 3) Governments that have not yet recognized the PLO as the sole legitimate representation of the Palestinian people, requesting that they do so. The same newsletter details recent NGO activity from various countries and may be obtained from case postale No. 127, 5 Rue des Morillons, CH-1211 Genève 20, Switzerland.

The North American Co-ordinating Committee for Non-Governmental Organizations on the Question of Palestine (NACC) in a November action alert launched appeals for: re-opening of universities, colleges, schools, training centers and kindergartens in the occupied territories, the liberation of prisoners of the Intifada; and the abolishment of deportation and expulsion policies.

The Palestine Committee for Peace and Afro-Asian Solidarity in its fourth newsletter published an appeal issued by the Austrian Arab Peoples Committee calling upon Austrians to support humanitarian projects in the occupied territories. The appeal is signed, among others, by the State Prosecutor Walter Geyer, by Holger Baur (Foreign Minister of State for Finance and Member of Parliament for the Liberal Party), Professor Hanes Klecately (Professor of Public Law and former Minister of Justice in the Austrian Government), Mr. Erwin Lanc (Member of the Executive of the Austrian Socialist Party, former Minister for Foreign Affairs), and also Professor Dr. Hans

Koecler (President of the International Progress Organization and Coordinator of the Committee). The Palestine Committee for Peace and Afro-Asian Solidarity may be contacted at B.P. 468, Tunis Cedix 1080, Tunis.

The Association of Palestinian Arab Canadians in the November issue of its publication "The Palestinian" includes a letter from the United General Leadership of the Uprising addressed to the United Nations General Assembly. The letter, among other matters, calls for: Israeli withdrawal from the occupied territories; the placing of those territories under U.N. supervision; the holding of an international conference under U.N. auspices and based on U.N. resolutions. The publication also reports that the Association will provide partial funding for an annual scholarship to be established at Carlton University to be awarded to a Palestinian graduate from any Palestinian University. The first student to benefit from the programme will begin studies in 1989-1990. The address of the organization is: Capital Region, P.O. Box 2605 Stat. D, Ottawa, Ont. K1P 5 W 7.

The Jordan Medical Association in a letter of 15 November 1988 urged participation in a world-wide campaign to support the Palestinian people and aid them in ending the Israeli occupation. The Association has poster and press material available which may be obtained from P.O. Box 915, Amman or P.O. Box 19183, Jerusalem.

