



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 1989, in a letter addressed to the Secretary-General (A/44/851-S/21009), the Chairman of the Committee on the Exercise of the Inalienable Rights of the Palestinian People drew urgent attention to the further aggravation of repression by Israel, the occupying Power, against Palestinians in the occupied Palestinian territory. 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 urgent attention to the further aggravation of repression by Israel, the occupying Power, against Palestinians in the occupied Palestinian territory.

"Since my letter to you on 21 September 1989 (A/44/547-S/20860), more Palestinians, particularly children and minors, have been killed and injured, and collective punishment has continued to be widely imposed. According to a recent report of the DataBase Project on Palestinian Human Rights, the number of Palestinians killed from the beginning of the intifadah in December 1987 to 30 November 1989 has exceeded 800. Betselem, the Israeli information centre for human rights in the occupied territories, has reported, as quoted in the Jerusalem Post of 21 September 1989, that until the beginning of 1989, 15 to 20 per cent of the Palestinians killed during the intifadah were children; in January the rate rose to 28 per cent, and in August, 46 per cent of the Palestinians killed were children.

"According to the Jerusalem Post of 19 October, the Israeli army Judge Advocate-General, Amnon Strashnow, stated that soldiers were permitted to shoot at masked Palestinian youths "because they are the hard-core activists of the uprising". The Jerusalem Post further reported that there had been a sharp rise in Palestinian fatalities in the first half of October, including several masked youths killed by troops, and that some observers attributed the increase to the "more liberal open-fire orders". On 17 October, the Jerusalem Post reported that a total of 20 Palestinians were fatally shot by the army in the first two weeks of October, the largest number of fatalities in a fortnight since the intifadah began. According to Al-Fajr of 20 November, 45 Palestinians were killed between the beginning of October and 20 November. The New York Times reported on 4 December that five Palestinians were killed during the previous weekend, including a 10-year-old girl from Shati refugee camp near Gaza, and at least 63 others were wounded. On 5 December, the same paper reported that at least 110 deaths occurred in the last four months, primarily in the course of raids by the army.

"Israel has also continued the use of mass detention of Palestinians in its efforts to suppress the intifadah. As reported in the Jerusalem Post of 20 October, the army Judge Advocate-General told Israeli journalists on 19 October that 13,600 Palestinians were being held in detention camps. He also said that since the beginning of the intifadah 40,000 Palestinians were arrested at one time or another and 18,000 of them were sentenced by military courts. The Jerusalem Post reported on 7 November 1989 that the Israeli army

had opened a detention camp (Ansar IV) near Khan Yunis and that no lawyer or representative of the International Committee of the Red Cross had been allowed to visit the camp. The same issue of the Jerusalem Post reported that information had reached the International Committee of the Red Cross indicating that in the new camp detainees are subject to harsh treatment and held in tents equipped with only 25 mattresses for 60 people. Children under 14 years of age are also held in the camp, according to the report. The New York Times reported on 4 December that during 1 to 3 December, Nablus was the object of the army's largest sweep since June 1967 and that about 2,000 soldiers conducted the search and arrested dozens of Palestinians.

"In further escalation of the repressive measures against the Palestinian population, the Israeli Defence Minister approved on 1 November 1989 a decision taken by the Commander of the Army Central Command to call up a reserve company made up of settlers from the West Bank to serve in Hebron. According to the daily Haaretz of 2 November, several groups within Israel opposed the decision, expressing concern that it would lead to further bloodshed.

"Alarmed by these repressive measures and the growing loss of life, the Committee on the Exercise of the Inalienable Rights of the Palestinian People deplores once again the policies and practices of Israel, the occupying Power, which are in violation of its obligations under the Geneva Convention relative to the Protection of Civilian Persons in Time of War of 12 August 1949, and contrary to the provision of resolutions of the Security Council. The Committee considers it imperative that the Security Council should adopt urgent measures to provide international protection to the Palestinian civilians, as requested by the General Assembly in its resolutions 43/233 of 20 April 1989 and 44/2 of 6 October 1989. The Committee would also greatly appreciate appropriate action by you and by the organizations of the United Nations system, to alleviate the suffering of the unarmed Palestinian civilians under occupation, especially women and children.

"The Committee wishes to stress once again the urgent need to advance towards a comprehensive and just settlement of the question of Palestine in accordance with the principles contained in General Assembly resolution 43/176 of 15 December 1988, which has received the near-unanimous support of the Member States of the United Nations, and appeals to you and to all parties concerned to intensify all efforts to attain this essential objective."

II. CONSIDERATION OF THE QUESTION OF PALESTINE AT THE FORTY-FOURTH SESSION OF THE GENERAL ASSEMBLY

On 29 November 1989 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/44/PV.67, pp. 4-22)

Statement by the Chairman of the Committee on the Exercise of the Inalienable Rights of the Palestinian People

"It is an honour and a privilege for me to speak once again in the General Assembly in my capacity as Chairman of the Committee on the Exercise of the Inalienable Rights of the Palestinian People to introduce the very important item, 'Question of Palestine'.

"Fifteen years ago this item was included in the agenda of the General Assembly at the request of 56 countries, among them my own, Senegal. They felt that it was of fundamental importance for the Assembly to address the question of the status and fate of the people of Palestine, which had been ignored for more than 25 years even though the Assembly itself, the Security Council and other United Nations organs had had to deal with the violent consequences and ramifications of the displacements since 1947 of hundreds of thousands of Palestinians and the denial of their fundamental inalienable right to exist as a people.

"In agreeing to place the item on its agenda the Assembly not only recognized its historic, political and juridical responsibility regarding the question of Palestine, but also provided a dispossessed people with an international forum within which to give expression to its national existence and aspirations and to strive for recognition of its right to self-determination and to participate as an equal, through its representatives, in the deliberations of the community of nations. With the subsequent creation of the Committee on the Exercise of the Inalienable Rights of the Palestinian People, the General Assembly established the institutional mechanism for directing international action and efforts towards the achievement of a just solution to the question of Palestine, based on the realization of Palestinian rights.

"Certain countries voted against the resolutions through which the General Assembly fundamentally changed not only international approaches to the question but also the perceptions and opinion at all levels, governmental as well as non-governmental, on which policy and action are based. In the intervening years many things have happened and the wisdom of the approach developed 15 years ago has come to be recognized by the overwhelming majority of the international community. This is proved by the fact that resolution

43/176, in which the Assembly defined the principles for the establishment of comprehensive peace in the Middle East was adopted by 138 votes to 2, with 2 abstentions. Early in this session resolution 44/2, in which the Assembly demanded that Israel desist from its policies and practices in the occupied Palestinian territory and that measures be taken to provide international protection to the Palestinians living under occupation, was adopted by 140 votes to 2, with 6 abstentions.

"Through its courageous intifadah, which has been going on for almost two years now, the Palestinian people have demonstrated conclusively their firm determination to continue to exist and to establish themselves as a nation, unified by common objectives and by social, economic and political institutions of their own creation. The intifadah is more than an uprising, it is the expression of a nation-State in the making, for which the people have always been ready to accept the greatest sacrifices.

"The intifadah and other major developments, notably the proclamation of the independent Palestinian State at the meeting of the Palestine National Council in Algiers in November 1988 and the historic statement by President Yasser Arafat at the meeting of the General Assembly in Geneva in December 1988, have generated unprecedented, massive international support. A great many - even those who had previously hesitated - have now joined the international consensus and call for the effective realization of the Palestinian right to self-determination and sovereignty.

"The declaration of independence and the proclamation of the Palestinian State have now been recognized by more than 110 countries. The Palestinian peace initiative was endorsed by the Extraordinary Arab summit Conference held at Casablanca in June 1989 and by the Madrid summit meeting of the members of the European Community, also in June 1989. The states parties to the Warsaw Treaty, the Organization of African Unity, the Organization of the Islamic Conference and the Movement of Non-Aligned Countries have all declared their recognition of and support for the independent Palestinian State.

"During the past year, therefore, the issue of the attainment and exercise of the inalienable national rights of the Palestinian people has acquired the prominence that the Assembly has untiringly sought to give it for the past 15 years. All those who are sincerely interested in promoting a just and lasting settlement of the question of Palestine now recognize that the Palestinian people and its representative, the Palestinian Liberation Organization (PLO), are at the very centre of the equation on how to achieve peace in the region and must be involved on an equal footing in any effort to bring about a negotiating process. The opening of a substantive dialogue between the Government of the United States of America and the Palestine Liberation Organization and the subsequent efforts from many sides to bring the parties together have been significant steps in this direction although it is clear that much more needs to be done in order to achieve progress.

"Our Committee deeply regrets that the Government of Israel has so far failed to respond positively to the Palestinian peace initiative and that it has continued to refuse to acknowledge the inalienable national rights of the Palestinian people. On behalf of the Committee, I should like from this rostrum to urge the leaders of Israel to rise to the historic occasion presented by recent developments and by the favourable international climate, and to join the international consensus on how to solve this conflict. Too much blood has already been shed, too many people - men, women and children - have had to endure lives of hardship, humiliation and hopelessness. Military occupation and armed repression are an affront to the human dignity not only of the victims but also of the occupier. Does Israel truly wish its next generation to grow up injured to, and accepting, the kind of brutalities and inhumanities that are necessary to perpetuate the occupation?

"However, as our Committee found in its work during the course of the year, many sectors of Israeli public opinion are far ahead of their Government in this regard. There has been a significant increase in participation by Israeli non-governmental organizations and individuals, including well-known personalities from the mainstream of Israeli politics, in seminars and meetings of non-governmental organizations organized by the Committee. The same can be said of Jewish organizations in North America and Western Europe. The theme 'Two peoples, two States' was meaningfully addressed on a panel discussion by two prominent Palestinians and two Israelis at the International NGO Meeting held in Vienna under the auspices of our Committee last August. The Israeli panelists pointed out how the destinies of Israelis and Palestinians are inextricably intertwined and how perceptions in Israel had begun to change. For example, a team of senior researchers, including retired generals and academics, had prepared a study for the Jaffe Institute of Strategic Studies at Tel Aviv University, Israel's major think-tank, in which all options were compared and it was concluded that the two-States solution was the best option from the perspective of Israel's fundamental security and economic needs. It was also stated that the majority of high-ranking officers in the Israeli Defence Force reserves believe that Israel's security is no longer dependent on holding the occupied territories and that a political solution is necessary. Many other sectors of Israeli public opinion are moving in this direction.

"In the past year, joint activities between Palestinians, including PLO representatives, and Israelis have multiplied. There have been 'friendly visits', by Israelis, including Knesset members, to villages in the occupied territories, as well as efforts by Israeli peace activists to break through sieges and curfews in order to bring support and assistance. Conferences at which politicians and personalities from the two sides have come together to discuss their problems and differences and to develop ways to solve them have been held in Jerusalem itself, as well as in Prague, Paris, the Hague, Oxford and at Columbia University in New York. Our Committee has been proud to be able to contribute to this growing dialogue through its programme of seminars and non-governmental organizations' meetings and has been much encouraged by the commitment, seriousness of purpose and unflinching determination of all participants to continue on this road.

"The intensification of contacts between the two sides on so many different levels, regardless of the unbending position still espoused by the Israeli Government, clearly shows that an irreversible turning-point has been reached in the history of this conflict and that a negotiating process is indeed possible, if the Israeli authorities can finally muster the necessary political will and abandon their maximalist and exclusionary ideologies in favour of a peace with justice and appropriate security guarantees for all.

"The report of the Committee on the Exercise of the Inalienable Rights of the Palestinian People covering its work during the past year will be introduced by our Rapporteur, Ambassador Borg Olivier of Malta, and I will therefore not dwell on it in detail. I should like, however, to stress the main concerns and objectives of the Committee in the implementation of the mandate given to it by the General Assembly at its forty-third session.

"First and more urgently, the Committee has been distressed and alarmed at the continued intensification by Israel, the occupying Power, of its brutal repression in the occupied Palestinian territory, in particular the increased targeting of children. Casualties have continued to mount, reaching a total of 782 Palestinian killed by the occupying forces by the end of October. Through my letters to the Secretary-General and the President of the Security Council and in my statements in the Security Council and the General Assembly, I have stressed, on behalf of the Committee, the imperative necessity to obtain that Israel respect its obligations as the occupying Power under the Fourth Geneva Convention as well as to promote the adoption of all appropriate measures for the protection of Palestinian civilians under occupation and the provision of emergency assistance. Regrettably, and despite the valiant work of the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA) and of many non-governmental organizations and others in the field, the international community has not yet been able to adopt the required measures in this regard. Particularly disturbing, in our view, is the fact that those High Contracting Parties to the Geneva Convention which could prevail upon Israel to abide by its provisions have thus far not used their leverage as effectively as they could.

"However, protection and assistance, while urgently necessary, are not, of course, ends in themselves. The military occupation and all its tragic consequences have been universally rejected as a violation of the fundamental principles of international relations. It must come to an end. The Security Council, as the United Nations organ entrusted with the maintenance of international peace and security, must initiate and oversee the peace process in the region. In our opinion, the United Nations has now, more than ever before, the duty and the responsibility to promote the establishment of peace and coexistence between the Palestinian and Israeli peoples. The Committee has accordingly multiplied its efforts to encourage the convening of the International Peace Conference on the Middle East, in accordance with General Assembly resolution 43/176. That Conference remains the most widely accepted framework for the achievement of a comprehensive, just and lasting peace based on recognition of the rights and aspirations of all the parties. In this regard I should like to express the Committee's appreciation to the Secretary-General of the United Nations for his tireless efforts and to pledge once again our full co-operation and support for his further endeavours to facilitate the convening of the Conference.

"Finally, the Committee believes the time has come for the United Nations to address concretely the present and future socio-economic needs of the Palestinian people and to render all assistance necessary to promote the autonomous development of the occupied Palestinian territory, in preparation for the attainment of independence. The Committee accordingly has reiterated its call on the United Nations system, as well as on Governments and intergovernmental and non-governmental organizations, to sustain and increase their assistance, in close co-operation with the PLO.

"The simple courage of the children of the intifadah, who are not afraid to confront the soldiers' guns with their stones, has been an inspiration for all of us. Let us not forget that it is ultimately for their sake, and for the sake of the Israeli children - all our children - that we must not fail, so that they may be able, finally, to enjoy the more peaceful and just world that is called for in the Convention on the Rights of the Child, adopted by the General Assembly in November."

Statement by the Rapporteur of the Committee

"It is an honour and a privilege for me to present to the General Assembly the 1989 report (A/44/35) of the Committee on the Exercise of the Inalienable Rights of the Palestinian People.

"In 1989, 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 to exert all efforts to promote the implementation of its recommendations for the exercise of the inalienable rights of the Palestinian people. It also continued to give the highest priority to the early convening of the International Peace Conference on the Middle East, in accordance with General Assembly resolution 43/176.

"In chapter I of the report the Committee has stressed its concern at the grave determination of the situation in the occupied Palestinian territory and the urgent need to take measures for the safety and protection of the Palestinian people and to intensify efforts to promote a comprehensive, just and lasting settlement of the question of Palestine. The Committee has also affirmed its support for the intifadah, for the proclamation of a Palestinian State and for the Palestinian peace initiative, and it has called on the Security Council to take urgent action towards the convening of the International Conference.

"Chapters II and III, which are procedural, summarize the respective mandates of the Committee, the Division for Palestinian Rights, and the Department of Public Information, and they provide information on the organization of the Committee's work.

"The action taken by the Committee during 1989 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 territory as a result of the increasing resort by Israel to armed force, in an effort to suppress the popular intifadah, which began in early December 1987, against the continued occupation and gradual annexation of the occupied Palestinian territory, and against the Israeli policies and practices violating the rights of the Palestinian people. The Committee has monitored the situation, on an ongoing basis, through the media, through the reports of United Nations organs and agencies, as well as of non-governmental organizations, individual experts and Governments, and through other sources. As the Chairman of the Committee mentioned, from the beginning of the intifadah until 31 October the total number of Palestinians shot to death by Israeli armed forces or killed by beatings, tear-gas inhalation, or other means related to actions by Israeli armed forces and Israeli settlers has reached 782. The Committee expresses alarm at what appears to be the deliberate targeting of children - at least 20 per cent of the fatalities, and a staggering 46 per cent last August. Moreover, thousands of Palestinians have been wounded by Israeli soldiers.

"In this section the Committee also takes note, with deep concern, of other actions of the Israeli authorities, such as 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 intifadah.

"Section A.2 (a) refers to the letters addressed by the Chairman of the Committee to the Secretary-General and to the President of the Security Council drawing attention to specific incidents of particular gravity. Since these letters have been circulated as documents of the General Assembly and of the Security Council, they have not been summarized here, in order to make the report more concise. Instead, all the documents symbols are given for easy reference.

"In addition, the Committee has followed closely 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 June 1989, to consider the situation in the occupied Palestinian territory - in particular, the deportation of Palestinian civilians. On 6 July 1989 the Security Council, by 14 votes to none, with 1 abstention, adopted resolution 636 (1989).

"By that resolution, the Council, inter alia, deeply regretted the continuing deportation by Israel, the occupying Power, of Palestinian civilians and called upon Israel, to ensure the safe and immediate return of those deported and to desist forthwith from deporting any other Palestinian civilians.

"On 29 August 1989, at the request of the Chairman of the Group of Arab States, the Security Council met again to consider the situation in the occupied Palestinian territory and in particular the deportation of Palestinian civilians. On 30 August 1989 the Security Council adopted resolution 641 (1989) by 14 votes in favour with 1 abstention. By that resolution the Council deplored the continued deportation by Israel, the occupying Power, of Palestinian civilians and called upon Israel to ensure their safe and immediate return and to desist from deporting any other Palestinian civilians. It reaffirmed that the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, was applicable to the Palestinian territory occupied by Israel since 1967, including Jerusalem.

"The Council also held meetings in February, June and November 1989 to consider the situation in the occupied Palestinian territory. In view of the negative vote of a permanent member, however, the Council was unable to act on those occasions.

"Section A.2 C covers action taken by the General Assembly. The Assembly considered the question of Palestine from 13 to 15 December 1988 at the United Nations Office in Geneva. On 13 December 1988 the Assembly heard a historic statement by the Chairman of the Executive Committee of the Palestine Liberation Organization (PLO). On 14 December 1988 the United States Government announced its decision to open a substantive dialogue with the Palestine Liberation Organization. This positive development was welcomed by all States participating in the deliberations of the General Assembly. The Assembly adopted five resolutions on the question of Palestine - resolutions 43/175 A, B and C, 43/176 and 43/177 - and in view of the importance of the item decided to retain it on the agenda of its forty-fourth session. In fact the Assembly resumed its consideration of the question of Palestine on 18 April 1989. Resolution 43/233 was adopted at the resumed session. It called on the Security Council to provide measures of protection for the Palestinians under occupation.

"As I have already mentioned, in 1989 the Committee continued to give the highest priority to promoting the convening of the proposed International Peace Conference on the Middle East in accordance with General Assembly resolution 43/176. Its efforts in this regard are detailed in section A.3 of chapter IV. The Committee expresses appreciation for the support given by the international community to the Conference and notes that the Secretary-General's efforts in this regard have so far remained inconclusive.

"The Committee expresses the view that the continuation of the intifadah and the intensification of repressive measures by Israel, the occupying Power, have created a critical situation which makes it imperative to advance towards a comprehensive, just and lasting settlement of the question of Palestine, the core of the Arab-Israeli conflict in the Middle East. At the same time, events during the year have also created a new international momentum towards a negotiated settlement under the auspices of the United Nations. The Committee has therefore continued to stress the urgent need for the Security Council and the parties directly concerned to seize this opportunity to take positive action towards the convening of the Conference.

"The rest of that section contains 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. The documents 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. Three regional symposia for non-governmental organizations were held in Africa, North America and Europe, and also an international meeting of those organizations was held in Vienna. Two preparatory meetings were also held. The meetings were attended by a larger number of non-governmental organizations than in previous years and they included several from the occupied territories and Israel itself.

"The Committee notes that the various declarations adopted at those meetings supported the Palestinian peace initiative and the proclamation of the State of Palestine. They called upon the Governments of the United States and Israel to accept the Palestinian peace initiative and to agree to the convening of the International Peace Conference on the middle East, in accordance with resolution 43/176. The meetings also welcomed the opening of a dialogue between the United States and the Palestine Liberation Organization.

"As indicated in section B.2, seminars were held in Africa and North America. In the conclusions and recommendations adopted at those seminars the participants expressed their conviction that recent developments regarding the Arab-Israeli conflict and its core, the question of Palestine, had created a new momentum for bringing about a solution on the basis of United Nations resolutions and within its framework and fully supported resolution 43/176 as a basis for the achievement of a comprehensive peace. The United States was urged to continue its contacts with the PLO and to broaden the political scope of the dialogue.

"Section B.3 contains information on the activities of the Division for Palestinian Rights in the field of studies, research and the 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 has 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 includes dissemination of press releases, publications and audio-visual material and the organization of fact-finding news missions and regional and national encounters for journalists.

"The recommendations of the Committee, contained in chapter VI, were drafted taking into account developments since the last session of the General Assembly. The chapter recapitulates the significant events of the past year - the second year of the intifadah - in particular the proclamation of an independent Palestinian State, the Palestinian peace initiative, and the growing deterioration of the situation in the occupied territory. It stresses the moral duty of the United Nations and the international community as a whole to redouble their efforts to bring about a settlement and to ensure the safety and protection of the Palestinian people under occupation. The Committee reaffirms its original recommendations, which are annexed once again to the report, and calls on the Security Council to act upon them. It also reaffirms the validity of the Declaration and Programme of Action adopted by the International Conference on the Question of Palestine in 1983 and reiterates that the recognition, attainment and exercise of the inalienable rights of the Palestinian people are indispensable conditions for the solution of the question of Palestine, and that the evacuation of the occupied territory by Israel is a conditio sine qua non for the exercise of those rights.

"The Committee reaffirms the international consensus that the Palestine Liberation Organization is the sole and legitimate representative of the Palestinian people and that its participation, on an equal footing, is indispensable in any efforts and deliberations aimed at the achievement of peace. It welcomes the Declaration of Independence of 15 November 1988, which is in fulfilment of General Assembly resolution 181 (II) of 29 November 1947, and it considers that the Palestinian State should be accorded its rightful place within the international community and the United Nations. The Committee also calls on Israel to reverse its position and to join in the international consensus. The Committee calls on the Security Council to take positive action towards the convening of the International Peace Conference on the Middle East on the basis of the framework and elements set out in General Assembly resolution 43/176, of 15 December 1988, and reaffirms the principles for the achievement of a comprehensive peace contained in that resolution.

"The Committee also recommends to the General Assembly that it call once again on the Security Council, in particular the permanent members, to consider measures needed to convene the Conference, including the establishment of a preparatory committee, and to consider guarantees for security measures in accordance with resolution 43/176. The General Assembly is also called upon to renew the mandate of the Secretary-General in this regard.

"The Committee protests the intensification of repression by Israel in the occupied Palestinian territory and calls for appropriate international action to provide protection and relieve the suffering. It also calls for the provision of necessary assistance to promote the autonomous development of the occupied Palestinian territory in preparation for the attainment of independence.

"The report of the Committee, the main elements of which I have just outlined, covers the period since the last session of the General Assembly and has been brought up to date as far as possible in order to enable the Assembly to have an accurate picture of the current situation.

"As the Assembly knows, at the beginning of the current session, in view of the extreme urgency of developments in the occupied Palestinian territory, the agenda item on the question of Palestine was briefly considered, at a time when the Committee was still completing consideration of its report to the forty-fourth session. On 5 October 1989 the Permanent Representative of the Libyan Arab Jamahiriya, on behalf of the States members of the League of Arab States, requested that special consideration be given immediately by the General Assembly to the situation in the occupied Palestinian territory, in view of its gravity.

"The Assembly considered the question the next day and adopted resolution 44/2 by an overwhelming majority of 140 votes to 2, with 6 abstentions. By that resolution, entitled 'The uprising (intifadah) of the Palestinian people', the General Assembly condemned the policies and practices of Israel, the occupying Power, which violate the human rights of the Palestinian people in the occupied Palestinian territory, including Jerusalem, demanded that Israel abide scrupulously by the Geneva Convention relative to the Protection of Civilian Persons in Time of War; called upon all the High Contracting Parties to the Convention to ensure respect by Israel, the occupying Power, for the Convention, in all circumstances, strongly deplored Israel's continuing disregard of the relevant decisions of the Security Council; reaffirmed that the occupation by Israel of the Palestinian and other Arab territories, including Jerusalem, since 1967, in no way changes their legal status; requested the Security Council to examine the situation with urgency with a view to considering measures needed to provide international protection to the Palestinians under occupation; invited States, the United Nations and other organizations and the mass media to continue and enhance their support for the Palestinian people; and, finally requested the Secretary-General to examine the present situation in the Palestinian territory occupied since 1967, including Jerusalem, by all means available to him and to submit Periodic reports thereon, and the first such report as soon as possible."

**III. 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 76th plenary meeting, on 6 December 1989.

44/41. 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, 42/66 A of 2 December 1987 and 43/175 A of 15 December 1988,

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 110 to 118 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;
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

1/ Official Records of the General Assembly, Forty-fourth Session, Supplement No. 35 (A/44/35).

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.

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-fifth 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 continue 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.

76th plenary meeting
6 December 1989

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 64 to 93 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, 42/66 B of 2 December 1987 and 43/175 B of 15 December 1988,

1. Takes note with appreciation of the action taken by the Secretary-General in compliance with General Assembly resolution 43/175 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 (b) 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 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;

4. 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;

5. 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.

76th plenary meeting
6 December 1989

C

The General Assembly,

Having considered the report of the Committee on the Exercise of the Inalienable Rights of the Palestinian People, 2/

Taking note, in particular, of the information contained in paragraphs 94 to 109 of that report,

Recalling its resolutions 43/175 C, 43/176 and 43/177 of 15 December 1988,

Convinced that the world-wide dissemination of accurate and comprehensive information and the role of the 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,

2/ Official Records of the General Assembly, Forty-fourth Session, Supplement No. 35 (A/44/35).

1. Takes note with appreciation of the action taken by the Department of Public Information of the Secretariat in compliance with General Assembly resolution 43/175 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 for the biennium 1990-1991, 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 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.

76th plenary meeting
6 December 1989

44/42. Question of Palestine

The General Assembly,

Having considered the report of the Secretary-General of 16 November 1989, 1/

Having heard the statement made on 29 November 1989 by the head of the observer delegation of Palestine, 2/

Stressing that achieving a comprehensive settlement of the Middle East conflict, the core of which is the question of Palestine, will constitute a significant contribution to international peace and security,

1/ A/44/731-S/20968.

2/ See A/44/PV.67.

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

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

Preoccupied by the increasingly serious situation in the occupied Palestinian territory as a result of persistent policies and practices of Israel, the occupying Power, and by the continuing lack of progress in achieving peace in the Middle East,

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. Reaffirms 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 once again 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. Reaffirms 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. Once again invites 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.

76th plenary meeting
6 December 1989

**IV. GENERAL ASSEMBLY ADOPTS RESOLUTION ON SITUATION IN
THE MIDDLE EAST**

At its 73rd plenary meeting, on 4 December 1989, the General Assembly adopted the following resolutions:

44/40. 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, 42/209 A to D of 11 December 1987 and 43/54 A to C of 6 December 1988,

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 27 October, 1/16 November 2/ and 22 November 1989, 3/

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 6 to 9 September 1982, 4/ which were confirmed by subsequent Arab summit conferences, including the Extraordinary Arab Summit Conference held at Casablanca, Morocco, from 23 to 26 May 1989, reiterating its previous resolution 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,

1/ A/44/690 and Add.1.

2/ A/44/731-S/20968.

3/ A/44/737-S/20971.

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

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, 5/ 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,

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,

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

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, 42/66 A to D of 2 December 1987, 43/175 A to C of 6 December 1988, and 43/176 and 43/177 of 15 December 1988;
4. Considers the Arab Peace Plan adopted unanimously at the Twelfth Arab Summit Conference, held at Fez, Morocco, on 25 November 1981 and from 6 to 9 September 1982, 4/ which was confirmed by subsequent Arab summit conferences, including the Extraordinary Arab Summit Conference, held at Casablanca, Morocco, from 23 to 26 May 1989, as well as relevant efforts and action to implement the Fez 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;
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 Civilians 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-fifth session a comprehensive report covering the developments in the Middle East in all their aspects.

73rd plenary meeting
4 December 1989

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 22 November 1989, 1/

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, 42/209 C of 11 December 1987 and 43/54 B of 6 December 1988,

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 or 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",

1/ A/44/737-S/20971.

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, ^{2/} 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 also 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, 42/209 C and 43/54 B;

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 decisions 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, ^{3/} and the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, continue to apply to the Syrian territory occupied by Israel since 1967, and calls upon the parties thereto to respect and ensure respect for their obligations under these instruments in all circumstances;

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

^{3/} Carnegie Endowment for International Peace, The Hague Conventions and Declarations of 1899 and 1907 (New York, Oxford University Press, 1915), p.100.

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. Further 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-fifth session on the implementation of the present resolution.

73rd plenary meeting
4 December 1989

C

The General Assembly,

Recalling its resolutions 36/120 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, 11 December 1987 and 43/54 C of 6 December 1988, 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,

Having considered the report of the Secretary-General of 22 November 1989, 1/

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-fifth session on the implementation of the present resolution.

73rd Plenary Meeting
4 December 1989

**V. GENERAL ASSEMBLY ADOPTS RESOLUTIONS ON ISRAELI PRACTICES
IN THE OCCUPIED TERRITORIES**

At its 78th plenary meeting, on 8 December 1989, the General Assembly adopted the following resolutions:

44/48. Report of the Special Committee to Investigate Israel
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 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, 43/21 of 3 November 1988, 43/58 A of 6 December 1988 and 44/2 of 6 October 1989.

Recalling also the relevant Security Council resolutions, in particular resolutions 605 (1987) of 22 December 1987, 607 (1988) of 5 January 1988, 608 (1988) of 14 January 1988, 636 (1989) of 6 July 1989 and 641 (1989) of 30 August 1989,

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/ 1989/1 of 17 February 1989, 1989/2 of 17 February 1989 and 1989/19 of 6 March 1989, 9/ and by other United Nations organs concerned and the specialized agencies,

Having considered the reports of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Population of the Occupied Territories, 10/ which contain, inter alia, self-incriminating public statements made by officials of Israel, the occupying Power,

Having also considered the relevant reports of the Secretary-General, 11/

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 impartiality;

2. Deplores the continued refusal by Israel to allow the Special Committee access to the occupied Palestinian territory, including Jerusalem, and other Arab territories occupied by Israel since 1967;

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

3/ See Official Records of the Economic and Social Council, 1983, Supplemental 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/ Ibid., 1989 Supplement No. 2 (E/1989/20), chap. II, sect. A.

10/ A/44/352 and A/44/599.

11/ A/44/640 and S/19443.

4. Reaffirms the fact that occupation itself constitutes a grave violation of the human rights of the Palestinian people in the occupied Palestinian territory, including Jerusalem, and other Arab territories occupied by Israel since 1967;

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 territory, including Jerusalem, 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 strategies:

(a) Annexation of parts of the occupied Palestinian territory, 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 taxes and dues;

(d) Establishment of new Israeli settlements and expansion of the existing settlements on private and public Palestinian and other Arab lands, and transfer of an alien population thereto;

(e) Eviction, deportation, expulsion, displacement and transfer of Palestinians and other Arabs of those occupied territories and denial of their right to return;

(f) Confiscation and expropriation of private and public Palestinian and other Arab property in those occupied territories and all other transactions for the acquisition of land by the Israeli authorities, institutions or nationals;

(g) Excavation and transformation of the landscape and the historical, cultural and religious sites, especially at Jerusalem;

(h) Pillaging of archeological and cultural property;

(i) Destruction and demolition of Palestinian and other Arab houses;

(j) Collective punishment, mass arrests, administrative detention and ill-treatment of Palestinians and other Arabs;

(k) Torture of Palestinians and other Arabs;

(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 Palestinians and other Arabs in those occupied territories;

(n) Interference with the freedom of movement of individuals within the occupied Palestinian territory, including Jerusalem, and other Arab territories occupied by Israel since 1967;

(o) Illegal exploitation of the natural wealth, resources and labour of those 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;

(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 organizations and harassment, including expulsion 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) Use of toxic gas, which has resulted, inter alia, in the killing of many Palestinians;

10. Condemns 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 those occupied territories to perpetrate and commit acts of violence against Palestinians and other Arabs, causing deaths and injuries;

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 occupied Palestinian territory, including Jerusalem, and other Arab territories occupied by Israel since 1967, 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, 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 those 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 those 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 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 Palestinians in the city;

17. Also 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;

18. Urges international organizations, including the specialized agencies, in particular the International Labour Organisation, the United Nations Educational, Scientific and Cultural Organization and the World Health Organization, to continue to examine the educational and health conditions in the occupied Palestinian territory, including Jerusalem, and other Arab territories occupied by Israel since 1967;

19. 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, the occupying Power, in those 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;

20. Requests the Special Committee, pending early termination of Israeli occupation, to continue to investigate Israeli policies and practices in the occupied Palestinian territory, including Jerusalem, and other 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 peoples of those occupied territories and to report to the Secretary-General as soon as possible and whenever the need arises thereafter;

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

22. Further requests the Special Committee to continue to investigate the treatment of prisoners in the occupied Palestinian territory, including Jerusalem, and other Arab territories occupied by Israel since 1967;

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

24. Requests the Secretary-General:

(a) To provide all necessary facilities to the Special Committee, including those required for its visits to those 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 21 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 which are no longer available;

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

25. Decides to change the name of the Special Committee to: the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories;

26. Also decides to include in the provisional agenda of its forty-fifth session an item entitled "Report of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories".

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, 42/160 B of 8 December 1987 and 43/58 B of 6 December 1988,

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;

12/ A/44/562 and S/19443.

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-fifth session on the implementation of the present resolution.

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, 42/160 C of 8 December 1987 and 43/58 C of 6 December 1988,

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, 11/ 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

13/ A/44/563 and S/19443.

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

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

4. Demands once more that Israel, the occupying Power, desist forthwith from taking any action that 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-fifth session on the implementation of the present resolution.

D

The General Assembly,

Recalling Security Council resolution 605 (1987) of 22 December 1987,

Recalling also its resolutions 38/79 A of 15 December 1983, 39/95 A of 14 December 1984, 40/161 A of 16 December 1985, 41/63 A of 3 December 1986, 42/160 A of 8 December 1987, 43/21 of 3 November 1988, 43/58 D of 6 December 1988 and 44/2 of 6 October 1989,

Taking note of the reports 10/ of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Population of the Occupied Territories,

Taking note also of the relevant reports of the Secretary-General, 14/

1. Deplores the Israeli arbitrary detention or imprisonment of thousands of Palestinians as a result of their resistance against occupation in order to attain self-determination;

2. Calls upon Israel, the occupying Power, to release all Palestinians and other Arabs arbitrarily detained or imprisoned;

3. Requests the Secretary-General to report to the General Assembly as soon as possible but not later than the beginning of its forty-fifth session on the implementation of the present resolution,

E

The General Assembly,

Recalling Security Council resolutions 605 (1987) of 22 December 1987, 607 (1988) of 5 January 1988, 608 (1988) of 14 January 1988, 636 (1989) of 6 July 1989 and 641 (1989) of 30 August 1989,

Taking note of the relevant reports of the Secretary-General, 15/

Alarmed by the continuing deportation of Palestinians from the occupied Palestinian territory by the Israeli authorities,

Recalling the Geneva Convention relating to the Protection of Civilian Persons in Time of War, 12 August 1949, 2/ in particular article 1 and the first paragraph of article 49, which read as follows:

"Article 1

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

"Article 49

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

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

1. Strongly deplores the continuing disregard by Israel, the occupying Power, of the relevant decisions of the Security Council and resolutions of the General Assembly;

2. Demands that the Government of Israel, the occupying Power, rescind the illegal measures taken by the Israeli authorities in deporting Palestinians and that it facilitate their immediate return;

15/ A/44/565 and S/19443.

3. Calls upon Israel, the occupying Power, to cease forthwith the deportation of Palestinians and to abide scrupulously by the provisions of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949;

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

F

The General Assembly,

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

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

Recalling also its resolutions 36/226 B of 17 December 1981, ES-9/1 of 5 February 1982, 37/88 E of 10 December 1982, 38/79 F of 15 December 1983, 39/95 F of 14 December 1984, 40/161 F of 16 December 1985, 41/63 F of 3 December 1986, 42/160 F of 8 December 1987, 43/21 of 3 November 1988, 43/58 F of 6 December 1988 and 44/2 of 6 October 1989,

Having considered the report of the Secretary-General of 20 October 1989, 16/

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

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

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

Recalling the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, 2/

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

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

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

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

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

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

G

The General Assembly,

Bearing in mind the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, 2/

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

Recalling Security Council resolution 605 (1987) of 22 December 1987,

Recalling also its resolutions 38/79 G of 15 December 1983, 39/95 G of 14 December 1984, 40/161 G of 16 December 1985, 41/63 G of 3 December 1986, 42/160 G of 8 December 1987, 43/121 of 3 November 1988, 43/58 G of 6 December 1988 and 44/2 of 6 October 1989,

Taking note of the relevant reports of the Secretary-General, 17/

Taking note also of the relevant decisions adopted by the Executive Board of the United Nations Educational, Scientific and Cultural Organization concerning the educational and cultural situation in the occupied Palestinian territory,

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

2. Condemns Israeli policies and practices against Palestinian students and faculties in schools, universities and other educational institutions in the occupied Palestinian territory, especially the opening of fire on defenceless students, causing many casualties;

3. Also condemns the systematic Israeli campaign of repression against and closing of universities, schools and other educational and vocational institutions in the occupied Palestinian territory, in large numbers and for prolonged periods, restricting and impeding the academic activities of Palestinian universities by subjecting the selection of courses, textbooks and educational programmes, the admission of students and the appointment of faculty members to the control and supervision of the military occupation authorities, in flagrant contravention of the Geneva Convention;

4. Demands that Israel, the occupying Power, comply with the provisions of that Convention, rescind all actions and measures against all educational institutions, ensure the freedom of those institutions and refrain forthwith from hindering the effective operation of the universities, schools and other educational institutions;

5. Requests the Secretary-General to report to the General Assembly as soon as possible but not later than the beginning of its forty-fifth session on the implementation of the present resolution.

78th plenary meeting
8 December 1989

**VI. TWENTY-THIRD UNITED NATIONS SEMINAR ON THE QUESTION OF PALESTINE
HELD AT KUALA LUMPUR, MALAYSIA, FROM 18 TO 22 DECEMBER 1989**

The Twenty-third United Nations Seminar on the Question of Palestine (Sixth Asian Regional Seminar), entitled "The inalienable rights of the Palestinian people", was held jointly with the Third United Nations Asian Regional NGO Symposium on the Question of Palestine at the Kuala Lumpur Hilton Hotel, Malaysia, from 18 to 22 December 1989, 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 and Seminar Chairman; H.E. Mr. Andreas Mavrommatis (Cyprus); H.E. Mr. Ismail Razali (Malaysia), who served as Rapporteur of the Seminar; H.E. Mr. Tom Obaleh Kargbo (Sierra Leone); H.E. Mr. Guennadi Oudovenko (Ukrainian Soviet Socialist Republic); and Mr. Zuhdi Labib Terzi, Permanent Observer for Palestine.

Nine meetings were held and 13 panelists presented papers on selected aspects on the question of Palestine. In addition, representatives of 38 Governments, Palestine, UNDP and the Economic and Social Commission for Western Asia (ESCWA), 3 intergovernmental organizations as well as 52 non-governmental organizations (NGOs) attended the Seminar.

The joint event was opened by Mrs. Diallo and a welcoming address was made by H.E. Datuk Abu Hassan Omar, Foreign Minister of Malaysia.

A message from the Secretary-General of the United Nations, H.E. Mr. Javier Pérez de Cuéllar, was read out by his representative, Mr. Naseem Mirza, Chief, Division for Palestinian Rights. The Chairman of the Committee also addressed the meeting, as did Ms. Yoshiko Tanaka of the International Co-ordinating Committee for NGOs on the Question of Palestine, speaking on behalf of the Asian NGOs. Mr. Ahmad Al-Farra, Observer for Palestine, read out a message from Mr. Yasser Arafat, Chairman of the Executive Committee of the Palestine Liberation Organization.

Further statements were made by the following: Mr. Kargbo, representative of the Special Committee on Decolonization; Mr. Oudovenko, Acting Chairman of the Special Committee against Apartheid; Mr. Nabil Taleb Ma'arouf, Assistant Secretary-General of the Organization of the Islamic Conference; Mr. Mostafa Foroutan, Assistant Secretary-General of the Asian-African Legal Consultative Committee, and Mr. Fouad Beseiso, regional representative of ESCWA.

the Seminar and Symposium participants 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 people of Malaysia.

The three panels which were established and their panelists were as follows:

1. (a) "The urgency of convening the International Peace Conference on the Middle East"; (b) "The intifadah in the occupied Palestinian territory and its impact on the achievement of a comprehensive settlement of the Middle East conflict"

Ms. Hanan Mikhail Ashrawi (Palestinian), Mr. Paul Findley (United States of America), Tan Sri Dato Abdul Rahman Bin Abdul Jalal (Malaysia), Mr. Zhentang Liu (People's Republic of China), Mr. Ron McIntyre (New Zealand), Mr. Vyacheslav N. Matuzov (Union of Soviet Socialist Republics), Mr. Amien Rais (Indonesia), Tan Sri M'ohd Ghazali Shafie (Malaysia).

2. "The role of the Palestine Liberation Organization in the social, cultural, economic and political development of the Palestinian people".

Mr. Nabil Sha'ath (Palestinian)

3. "The mobilization of public opinion in the Asian region for the realization of the inalienable rights of the Palestinian people".

Mr. Donald Betz (International Co-ordinating Committee for NGOs on the Question of Palestine), Mr. A Kadir Jasin (Malaysia), Mr. Daoud Kuttab (Palestinian), and Mr. Muntaz Soysal (Turkey).

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 Division for Palestinian Rights of the United Nations Secretariat.

CONCLUSIONS AND RECOMMENDATIONS

1. The participants in the Seminar in reviewing recent developments concerning the question of Palestine welcomed the results of the nineteenth extraordinary session of the Palestine National Council (PNC) held at Algiers in November 1988, and, in particular, the Political Communiqué as well as the Declaration of Independence proclaiming the State of Palestine as a positive contribution towards a peaceful settlement of the conflict in the Middle East. The decision adopted by PNC at Algiers, the position outlined by H.E. President Yasser Arafat, Chairman of the Executive Committee of the Palestine Liberation Organization, in his address to the United Nations General Assembly at Geneva on 13 December 1988, the debate on the question of Palestine in the General Assembly session, the adoption of resolution 43/176 on 15 December 1988 became important landmarks in the international endeavours towards achieving a just settlement of the question of Palestine and have led to increased support by all sectors of the international community for the

convening of the International Peace Conference on the Middle East. The Seminar noted with satisfaction that the provisions of that resolution had been reaffirmed in General Assembly resolution 44/42 of 6 December 1989. The participants also took note of a further qualitative improvement in the vote on this resolution. Even larger numbers of States, including Western States, cast their votes in 1989 in favour of the International Peace Conference on the Middle East, reflecting the pressing need to convene such a conference.

2. The participants noted that the Government of the United States of America had opened a dialogue with the Palestine Liberation Organization. In this connection, the participants emphasized that the scope of such a dialogue should be expanded and include the consideration of substantive issues leading to meaningful political decisions between the two parties with a view to arriving at a just and lasting solution to the question of Palestine.

3. They also noted that the peace initiatives undertaken by the Palestinian leadership as well as the proclamation of the State of Palestine by PNC at its nineteenth extraordinary session, have received enthusiastic support from an overwhelming majority of States who have welcomed those developments as a concrete contribution towards peace. Significantly, a large number of States have already recognized and acknowledged the proclamation of the State of Palestine and many States have established diplomatic relations with it.

4. The participants expressed their conviction that these developments relating to the question of Palestine have created a new momentum for bringing about a solution to this complex and dangerous conflict on the basis of resolutions of the United Nations and within its framework. These developments were brought about by the courageous and determined struggle of the Palestinian people for the realization of its inalienable rights, primarily the right to self-determination, as dramatically manifested in the continuing intifadah in the occupied Palestinian territory. The present international climate which is characterized by increasing co-operation and the political will to solve regional conflict in a peaceful way through negotiations, has created favourable conditions for a comprehensive, just and lasting settlement of the question of Palestine.

5. The participants noted that there exists a wide measure of agreement within the international community that a comprehensive, just and lasting settlement in the Middle East should be based on the following principles: withdrawal of Israel from the Palestinian territory occupied since 1967, including Jerusalem, and from the other Arab territories; acknowledgement of and respect for the sovereignty, territorial integrity and political independence of all the States in the region, including the States of Israel and Palestine, and their right to live in peace within secure and recognized boundaries; and finally, a satisfactory solution of the Palestinian problem based on the recognition of the inalienable rights of the Palestinian people, including the right to self-determination leading to the establishment of an independent State of Palestine in the occupied Palestinian territory, including East Jerusalem.

6. The participants expressed serious concern at the continued grave violations of the human rights of the civilian population in the occupied Palestinian territory. The Seminar took note with utmost concern of the continuing suffering of the Palestinian people under occupation, the enormous toll among the Palestinians and the far-reaching socio-economic, demographic and emotional consequences which the Palestinian people has to face. The entire international community, as represented at the United Nations, has repeatedly declared that the Israeli acts of violence against the Palestinians in the occupied Palestinian territory were in blatant violation of the provisions of the Geneva Convention relative to the Protection of Civilian Persons in Time of War of 12 August 1949, which is fully binding on Israel - a Party to the Convention. The Israeli actions are also contrary to United Nations resolutions and to the generally recognized norms of international law. In the Gaza Strip especially, new measures to control the movement of individuals produced inhumane and intolerable conditions. In the West Bank, settler vigilantism threatened to develop into large-scale bloodletting. Of special concern for the participants were brutal Israeli practices used against Palestinian women and children. The participants strongly opposed the presence of Jewish settlers in the occupied Palestinian territory.

7. The process of Israeli colonization of the West Bank and the Gaza Strip, as manifested in the continued establishment of settlements and the brutality of settler vigilantism, was unequivocally rejected and condemned by the participants. The participants were of the view that the Israeli policy of usurping Palestinian land and establishing and strengthening settlements in that land constituted not only a gross disregard for the inalienable rights of the Palestinian people, but also a serious obstacle to the solution of the Arab-Israeli conflict.. They also noted with appreciation that the entire international community had vigorously opposed the Israeli policy of establishing settlements in the occupied Palestinian territory. The Seminar noted with concern the continuing funding of the illegal settlement activities by Israel in the occupied Palestinian territory. The participants stressed that all assistance, financial or otherwise, to Israel, particularly from the United States, should cease forthwith. Any aid to Israel should be made conditional upon Israel's compliance with relevant United Nations resolutions and provisions of the Fourth Geneva Convention. Any assistance resulting in the development and consolidation of the Israeli settlement infrastructure in the occupied Palestinian territory is considered illegal and immoral and constitutes a serious obstacle towards achieving peace in the Middle East.

8. The participants were of the view that the Palestinian intifadah, as the popular, democratic expression of the collective will of the Palestinian people under Israeli occupation, has given the struggle of the Palestinians the force of authenticity as well as moral ascendancy and political maturity. The intifadah, now in its third year, embraces three dimensions: the overt and visible resistance to the Israeli occupation while simultaneously expressing the Palestinian people's commitment to its sole and legitimate leadership, the Palestine Liberation Organization; the social

transformation and nation-building as the embodiment of statehood through the establishment of authentic, alternative popular infrastructure of the Palestinian society; and, finally, the intifadah was instrumental in bringing about a clear-cut political articulation through the PNC resolutions of November 1988. The participants supported the view expressed by the United Nations Secretary-General that the message of the intifadah was direct and unequivocal, namely, that Israeli occupation, which has now been in effect for 22 years, will continue to be rejected, and that the Palestinian people will remain committed to the exercise of its legitimate political rights, including self-determination.

9. The Seminar appealed to the Security Council to take urgent measures to ensure physical protection of the Palestinian people under occupation, to guarantee the safety and security and the legal and human rights of the Palestinian refugees in all the territories under Israeli occupation. The participants regretted that on 7 November 1989 a permanent member of the Council had again prevented the Security Council from taking action on measures indispensable for ensuring the safety and protection of Palestinians in the occupied Palestinian territory. The Seminar participants stressed that the repressive policies and practices of Israel vis-à-vis Palestinians in the occupied territory and in particular the so-called policy of "transfer" or deportation of Palestinians, a gross violation of recognized instruments of international law, had been repeatedly condemned by the United Nations Security Council, the General Assembly as well as by an overwhelming majority of States Members of the United Nations. They pointed out that taking into account the gravity of the acts of violence and repression by Israeli authorities against Palestinian civilians in the occupied territory, the Security Council should assume its responsibilities and ensure protection of the Palestinian people under occupation. The participants called on Israel, the occupying Power, to respect the Geneva Convention Relative to the Protection of Civilian Persons in Time of War, and accept the de jure applicability of the Convention to the Palestinian territory and other Arab territories occupied since 1967, including Jerusalem, and to comply fully with its obligations under that Convention.

10. The participants welcomed the courageous steps taken by the Palestinians during the intifadah to end the Israeli occupation and to set up an alternative infrastructure that can be used as a basis for an independent and sovereign State of Palestine. The Seminar considered that intensified efforts towards genuine development of the occupied Palestinian territory, with the close involvement of the Palestinian people through its representative, the Palestine Liberation Organization, must be a necessary accompaniment of renewed efforts to achieve a political solution to the question. 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 the 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) and other United Nations bodies and agencies as well as through non-governmental organizations working directly in the occupied Palestinian territory.

11. The participants agreed that it was incumbent upon the Government of Israel to respond positively to the stand taken by the Palestine Liberation Organization which has been welcomed and praised by the international community. Israel can no longer ignore the national aspirations of the Palestinians and deny them their political rights, in particular their right to self-determination. The Seminar considered that the steps proposed by the Israeli Government were grossly inadequate. Any viable peace initiative must include interim measures of protection for the Palestinian people and measures which would enable Palestinians to exercise fully their right to self-determination. The participants stressed that as the so-called Israeli election proposals did not include the final objective of the exercise by the Palestinian people of all its inalienable rights including its right to self-determination and the establishment of an independent sovereign State, they are nothing but an instrument for perpetuating Israeli occupation.

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

13. The Seminar, in particular, stressed the significance of General Assembly resolution 43/176 of 15 December 1988 calling 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) and 338 (1973) and the legitimate national rights of the Palestinian people, primarily the right to self-determination. Cognizant of the role of the Security Council in maintaining international peace and security, the participants in the Seminar urged the Security Council to expedite the convening of the International Peace Conference on the Middle East, and to adopt interim measures including the deployment of a United Nations peace-keeping force to safeguard the physical security of the people of the occupied Palestinian territory and to bring about stability in the region pending agreement on a final comprehensive settlement. The participants considered that it was incumbent upon Israel to terminate its occupation in compliance with resolution 242 (1967) and to accept the terms for a lasting and comprehensive settlement in the region.

14. The Seminar stated that the international community was deeply and firmly convinced of the urgent need to achieve a just, comprehensive and lasting political settlement of the Arab-Israeli conflict and its core, the question of Palestine. 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, the Organization of the Islamic Conference, the European Community, the Nordic States, Japan, as well as by the USSR, the People's Republic of China, and other socialist countries. In that regard, the Seminar noted with appreciation the sustained and continuing support by all States and peoples of the Asian and the Pacific region for the exercise by the Palestinian people of its legitimate national rights and for the convening of the International Peace Conference on the Middle East. The position of Asian States was one of solidarity with and support for the struggle of the Palestinian people for the exercise of its inalienable rights. There was a broad consensus regarding the need for convening the International Peace Conference on the Middle East in accordance with the provisions laid down in General Assembly resolution 43/176 of 15 December 1988 and reaffirmed in resolution 44/42 of 6 December 1989. Movement towards peace in the region was facilitated by the carefully balanced and constructive position adopted by the Palestine Liberation Organization. The continuing obstacle was the inflexible position of the Government of Israel as well as the attitude of one permanent member of the Security Council. The participants called upon Israel to abandon its negative position and to respond positively to international efforts aimed at a just and lasting political settlement of the question of Palestine.

15. The Seminar took note of the continuing endeavours by the United Nations Secretary-General to set into motion a mechanism of consultations within the Security Council with a view to advancing the peace process, including the prospects for convening the International Peace Conference on the Middle East.

16. The Seminar appreciated 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.

17. The Seminar took note with appreciation of the activities of the Division for Palestinian Rights of the United Nations Secretariat and of its commitment to work, under the guidance of the Committee on the Exercise of the Inalienable Rights of the Palestinian People, towards the attainment and exercise by the Palestinian People of its inalienable rights.

18. The Seminar viewed with appreciation the support Governments and peoples of Asia have extended at the United Nations and in other organizations to the Palestinian cause and for the achievement of a just and lasting peace in the Middle East. The Seminar participants agreed that efforts should be continued and intensified to mobilize official and public opinion in Asia through the NGO activities and the use of the media. Participants expressed the view that the co-operation of Asian 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 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. For its part, the Department of Public Information of the United Nations Secretariat should make every effort to ensure that accurate information on the question of Palestine received the widest possible dissemination.

19. The participants expressed their warm appreciation to the Government and the people of Malaysia for providing a venue for the Asian Regional Seminar and NGO Symposium on the Question of Palestine, and for the facilities, courtesies and hospitality extended to them.

**VII. THIRD UNITED NATIONS ASIAN REGIONAL NGO SYMPOSIUM
HELD AT KUALA LUMPUR, MALAYSIA, FROM 18 TO 21 DECEMBER 1989**

The Third United Nations Asian Regional NGO Symposium on the Question of Palestine, on the theme "The inalienable rights of the Palestinian people", was held at the Kuala Lumpur Hilton Hotel, Malaysia, from 18 to 21 December 1989 in accordance with General Assembly resolution 42/66 B of 2 December 1987. The Symposium was held concurrently with the Twenty-third United Nations Seminar on the Question of Palestine, which took place from 18 to 22 December 1989.

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. Andreas Mavrommatis (Cyprus); H.E. Mr. Ismail Razali (Malaysia); H.E. Mr. Tom Obaleh Kargbo (Sierra Leone); H.E. Mr. Guennadi Oudovenko (Ukrainian Soviet Socialist Republic); and, Mr. Zuhdi Labib Terzi, Permanent Observer for Palestine.

The Symposium was attended by 52 non-governmental organizations, 8 of them participating as observers, also present were several observers from Governments, Palestinians, intergovernmental organizations and United Nations bodies.

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

Both events shared three panels on different aspects of the question of Palestine which are described under chapter VII above.

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

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

1. "Mobilizing the NGO network in Asia",
2. "The role of NGO assistance in meeting the needs of the Palestinian people: Medical, economic, and educational support".

The declaration of the Symposium, which was adopted unanimously, is reproduced below. Participants also elected an Asian Co-ordinating Committee for NGOs on the Question of Palestine.

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 Third United Nations Regional NGO Symposium
on the question of Palestine

1. We, the non-governmental organizations (NGOs) gathered at the United Nations Asian Regional Seminar and NGO Symposium on the Question of Palestine, totally uphold the inalienable rights of the Palestinian people and fully support its continuing struggle for independence, as expressed in the intifadah and by all other internationally legitimate means. We recognize and uphold the historic proclamation of the State of Palestine made on 15 November 1988. We recognize the proclamation not only as the expression of the continuous struggle of the heroic Palestinian people culminating in the intifadah, but also as an expression of the fundamental principle of the self-determination of peoples enshrined in the Charter of the United Nations. We call on all Governments of Asia and the Pacific region who have not already done so, to recognize the State of Palestine, in unequivocal terms and without delay.

2. We particularly note and welcome the declaration by President Arafat at the United Nations General Assembly meeting held at Geneva on 14 December 1988 in which he recognized the right of all States in the Middle East region to exist in peace and security, including the States of Palestine and Israel. We uphold the Palestinian's inalienable right of return to their homeland and their right to freedom and sovereignty, in the spirit of justice and of reconciliation, details to be negotiated between the Israeli Government and the PLO on the basis of all relevant United Nations resolutions.

3. We vigorously renew the call for the early convening of the International Peace Conference on the Middle East in accordance with General Assembly resolution 43/176 of 15 December 1988 and as reaffirmed in resolution 44/42 of 6 December 1989, with participants to include the five permanent members of the Security Council, the Palestine Liberation Organization (PLO), Israel, the Arab States party to the conflict and other concerned States on an equal basis and with equal rights. The emphasis must be on reaching a peaceful, just and comprehensive political settlement between Israel and independent Palestine as defined by the Palestine National Council in the Algiers Declaration of Independence and in all relevant United Nations resolutions, for the mutual advantage of all the peoples of the region and of the world. The need for the international conference is further reinforced by the recognition of the State of Palestine by an overwhelming number of nations.

4. Reaffirming the international consensus that the PLO is the sole and legitimate representative of the Palestinian people, we note the great strengthening of the consensus by the unwavering support for the PLO by the people of the intifadah and by the unified national leadership of the intifadah. We therefore urge all Governments fully to recognize the PLO as the sole legitimate representative of the Palestinian people and the State of Palestine, and to press for its participation on an equal footing with other parties to the Arab-Israeli conflict at the International Peace Conference on the Middle East as the representative of the Palestinian people.

5. We, Asian NGOs, call for the immediate end to the military occupation of Palestine. We note with utmost concern and indignation that the Israeli repression, including killing, wounding, especially of women and children, mass arrests and detentions, demolition of homes, expulsions, starvation, uprooting of trees, confiscation of land, closures of educational institutions, and other violations of human rights continue. The fact that they have less media coverage arises not from any lessening of repression but because the media are prevented from reporting and can be penalized for doing so by the Israeli authorities. We nevertheless demand that media from all countries make every effort to cover and report events in occupied Palestine.

6. We call for effective international political and economic pressure on Israel to make it comply with its obligations under the Fourth Geneva Convention and to accept United Nations Security Council resolutions. We appeal to the Security Council to establish an immediate United Nations presence in the Palestinian territory occupied by Israel since 1967, to bring an immediate end to the escalating violations of human rights, to protect the Palestinian people and to bring the perpetrators of these practices to justice. We strongly recommend an expansion of UNRWA's Refugee Affairs Officer (RAO) Programme as a practical expression of international concern for the protection of the Palestinian people under occupation.

7. We express grave concern at the situation of the Palestinians in Lebanon, call for help for them, for the strengthening of the United Nations peace-keeping activities in Lebanon and demand that Israel withdraw all its military forces unconditionally to the internationally recognized boundaries of Lebanon in accordance with Security Council resolution 509 (1982) of 6 June 1982. We wish to alert the world to the illegal diversion to Israel via subterranean channels of the waters from the Lebanese Litani and Hasbani Rivers. The result will be the desertification of the rich farmland of South Lebanon, the evacuation of the population and, we fear, the formal incorporation of South Lebanon into "Greater Israel". We express our appreciation for the peace efforts of the Arab League in resolving the crisis in Lebanon and particularly in assisting the Palestinian refugees in Lebanon.

8. We strongly uphold the forces of peace in Israel which support the International Peace Conference on the Middle East and an independent Palestinian State. We strongly condemn the penalizing of Israeli peace activists. We express support for those growing numbers of Israeli citizens who refuse military service in occupied Palestine and other occupied Arab territories, and we call upon the Israeli Government to recognize the right of Israelis to conscientious objection. We urge the Israeli Parliament to repeal the so-called "anti-terrorism" law of August 1986 which prohibits contact between Israeli citizens and representatives of the PLO.

9. We strongly condemn the proposed new Amendment No. 3 to the above law, which threatens charitable institutions, and urge the Israeli parliament not to pass it as it would provide arbitrary and dictatorial powers of confiscation of the assets of charitable and educational NGOs and close to them all avenues to aid from international sources. We call for an urgent international campaign against that amendment by Governments, NGOs and all peace-loving peoples.

10. We strongly condemn the Israeli practice of closing schools and kindergartens in occupied Palestine since the beginning of the intifadah and the continuous closure of Palestinian universities. We urgently call for international pressure to bear on the Israeli Government to immediately reopen all schools and universities and to stop this deplorable form of collective punishment. We urge the United Nations to implement its own resolutions, including sanctions that will ask the Governments of those Member States to reconsider their official, social, cultural and educational exchange programmes with Israel as well as grants or other educational facilities it gives to Israel, as long as Israel fails to respect the basic right of the Palestinian community to provide education for its children.

11. We call upon all NGOs to establish contact with and extend support to fellow NGOs in occupied Palestine, especially related to human rights, women, health, labour, children and education.

12. We call upon all Asian NGOs to monitor the relationships among Asian governmental and private institutions and Israeli governmental and private institutions particularly in the areas of trade, labour, armaments and intelligence-gathering. We urge NGOs to publicize these linkages and to take collective action against them, including organizing boycotts of Israeli products regardless of exporting or mediating country.

13. We declare that the policies and practices of zionism and Israel are forms of racism. We appeal to the United Nations to consider impositions of mandatory sanctions against these racist policies and practices.

14. We call upon all Asian NGOs to appeal to their respective Governments to bring greater pressure upon the United States to end its unconditional support for Israel. We express our satisfaction with the PLO/United States dialogue in Tunis although the pace of this dialogue is very slow. We call upon the United States to advance the level of this dialogue to lead to early convening of the International Conference on the Middle East. Further, we appeal to Asian NGOs to seize any opportunity to express their opposition to the United States Government's unqualified support (financial and otherwise) for Israeli policies which violate Palestinian human rights. Specifically we call on NGOs to organize popular campaigns, vigils or sit-ins directed at United States embassies and its other governmental institutions. Such campaigns could also be directed at other Governments which lend support for Israeli policies against Palestinians.

15. We support the United Nations Security Council resolution which condemns illegal settlement in occupied Palestine, and we oppose any action by States or individuals which lend support to illegal settlement in occupied Palestine. We call upon all Governments that permit Jewish emigration to provide sufficient guarantees to ensure that those emigrants do not settle in the territory of occupied Palestine.

16. We request all Asian Governments to support the important role of NGOs in Asia in mobilizing public opinion and to extend financial and other assistance to these organizations so that they can more effectively support the struggle of the Palestinian people.

17. We consider the formation of the Asian Regional Co-ordinating Committee of NGOs to be a significant step in the mobilization of public opinion throughout Asia in support of the rights of the Palestinian people. We ask the United Nations to extend every support possible, to ensure the firm foundation and functioning of the Co-ordinating Committee. The Asian Regional Co-ordinating Committee looks forward to close co-operation with the International Co-ordinating Committee (ICCP) and the other regional Co-ordinating Committees to maximize the effectiveness of the NGO network in support of the rights of the Palestinian people.

18. We thank the Committee on the Exercise of the Inalienable Rights of the Palestinian People for convening this meeting and we greatly appreciate the presence of the Members and Observers of the Committee. We thank the Division for Palestinian Rights and all of the United Nations Secretariat, including the interpreters who assisted in this meeting. We express our appreciation to the distinguished experts who spoke here and to the presence and contribution of members of ICCP. All those mentioned here contributed greatly to the success of our meeting.

19. We sincerely thank the people and Government of Malaysia for welcoming us to Kuala Lumpur, for their warm hospitality and for the excellent facilities they place at our disposal.

**VIII. EXCERPT FROM THE TEXT OF THE FINAL COMMUNIQUE
ADOPTED BY THE TENTH SUMMIT OF THE SUPREME COUNCIL OF
THE GULF CO-OPERATION COUNCIL, HELD AT MUSCAT
FROM 18 TO 21 DECEMBER 1989**

The final communiqué of the Tenth Summit of the Gulf Co-operation Council, held at Muscat from 18 to 21 December 1989 included the following:

The current Arab situation

The Supreme Council reviewed the current situation in the Arab world in view of the resolutions adopted by the recent Casablanca emergency Arab Summit on the Palestinian uprising, and ways of supporting it and the Palestinian people's struggle, as well as their right to self-determination and to establish their own independent State on their territory. The Council commended the heroic uprising and expressed appreciation of the sacrifices of the Palestinian people in the occupied territories. The Council affirmed GCC member States' support for the heroic uprising to achieve its goals. The Council appealed to the world community to give support to the uprising and to expose the oppressive and terrorist Israeli practices against Palestinians in the occupied territories, and to put an end to the Israelis' oppressive measures, including the deportation of Palestinians and the demolishing of houses, which run counter to the principles of human rights and international norms and conventions.

The Supreme Council renews its support for the convening of an international conference under the auspices of the United Nations and with the participation of the Palestine Liberation Organization in order to achieve a lasting and comprehensive solution to the question of Palestine.

The Muscat Declaration adopted by the Tenth Summit of the Supreme Council of the Gulf Co-operation Council included the following paragraph:

"Their Majesties and Highnesses, leaders of the GCC announce: The furtherance of efforts (to affirm) the Palestinian's legitimate rights to self-determination and the establishment of their own independent State under the leadership of the Palestine Liberation Organization".

(See A/45/73-S/21065, pp. 3 and 4)

IX. UNRWA TO PROTEST CONTINUED ENFORCED CLOSURE OF WEST BANK SCHOOLS

Vienna, 9 December (UNRWA) — The United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA) has been advised by the Israeli Civil Administration that schools in the West Bank will be kept closed — if necessary, by force — until 10 January 1990, when the delayed 1989-1990 school year is to begin.

In view of this, UNRWA has decided not to attempt to reopen its schools in the West Bank as planned, on 11 December, in order not to compromise the safety of 36,000 Palestine refugee schoolchildren.

The Israeli Civil Administration on 12 November ordered all schools in the West Bank closed "for the interest of the local residents and to secure discipline and order". That order made it impossible for UNRWA to complete the 1988-1989 school year, as planned, by the end of November under a compressed curriculum aimed at making up for months of schooling lost the previous year.

The UNRWA protested at the time that the closure order put the education of refugee children in serious jeopardy. The Agency subsequently made plans to reopen the 90 affected UNRWA schools in the West Bank on 11 December in order to make up for time already lost in the current school year.

The Agency has now decided against trying to reopen its schools in the West Bank "despite the further loss of time and the increased burdens" that this will place on the pupils and their 1,340 teachers.

At the same time, UNRWA has expressed its disappointment to the Israeli authorities at the way in which co-ordination was handled with the Agency "as a matter of grave concern to us". It has also noted its intention to follow up the issues raised by the protracted West Bank school closures through appropriate channels.

(see PAL/1724)

X. NON-GOVERNMENTAL ORGANIZATIONS: ACTIVITIES AND INFORMATION

A. Israeli Minister of the Interior turns back the Organizers of the "1990, Time for Peace" Initiative

The following report was received from the International Co-ordinating Committee for NGOs on the Question of Palestine on 29 December 1989.

"The Chairman of the European Co-ordinating Committee for Non-Governmental Organizations (NGOs) on the Question of Palestine (ECCP), Mikko Lohikoski, of Finnish nationality, and the Director of the International Co-ordinating Committee for NGOs on the Question of Palestine (ICCP), Jean-Marie Lambert, of French nationality, were turned back by the Israeli authorities when they arrived at Ben-Gurion Airport in Tel Aviv, on 26 and 27 December, respectively. Both are members of the Preparatory Committee for the "1990, Time for Peace" project, designed to give expression to the desire for peace and for a search for a lasting solution based on the principles of respect for human rights, negotiation for peace, and two States for two peoples.

"This project, whose full title is: "1990, Time for Peace: Action for Peace with the Israelis and the Palestinians", was launched by the European and international peace movements and the NGOs. The Preparatory Committee consists of ACLI (Christian Association of Italian Workers), ACRI (Association for Recreation and Culture in Italy), Pax Christi Hollande, the Bertrand Russell Peace Foundation, ECCP and ICCP. During its first visit to Israel and the occupied territories, in September 1989, the Preparatory Committee met with the representatives of Peace Now and peace forces in Israel and with representatives of various Palestinian NGOs. All agreed on the three aforementioned principles, and on 18 December we learned with pleasure that the Israeli police had authorized the formation of a human chain at Jerusalem on Saturday, 30 December. This human chain was one of the many events scheduled for these three days, which are supposed to include forums and round tables on various topical subjects, visits in Israel and in the occupied territories, cultural events and religious services.

"We have also learned that the Soviet delegation, composed of parliamentarians and representatives of various solidarity associations and women's organizations, has been denied entry visas to Israel requested especially for the purpose of participation in the three days devoted to "1990, Time for Peace".

"Protests have already been made by various Israeli organizations, including Peace Now. The decisions to turn back the persons mentioned above were made by the Ministry of the Interior without any explanation.

Geneva, 28 December 1989

B. Documentation

During the month of December, the following information came to the attention of the Division for Palestinian Rights:

1. NECF REPORT, November/December issue covering Canada's position at the forty-fourth session of the General Assembly, available from NECF, 106 Duplex Avenue, Toronto, Canada.
2. AJME NEWS, October/November issue, available from Americans for Justice in the Middle East, P.O.B. 113-5581, Beirut, Lebanon.
3. American-Israeli Civil Liberation Coalition, Inc., Publication dated Winter 1990, volume X, No. 1, available from: Suite 1776, 275 Seventh Avenue, New York, N.Y. 10001.
4. Jerusalem, November issue, available from: Palestine Committee for NGOs, B.P. 554, Tunis Cedex 1080, Tunis, Tunisia.
5. Israel and Palestine Political Report, October issue available from: Magelan/L & P, 5 rue Cardinal Mercier, 75009, Paris, France.
6. The General Federation of Iraqi Women on the Palestinian Uprising, statement dated December 1989, available from: The Federation of Iraqi Women, Abi Talib Street, Wazeeria, Baghdad, Iraq.
7. Indo Arab Islamic Youth Association, Report of UN Solidarity Day Commemoration, available from: P.O. Box 1322 Malakpet, Hyderabad, 500 036, India
8. Israeli Mirror, fortnightly digest of news and views from the mainstream Hebrew press, available from: 21 Collingham Road, London SW5 0NV.
9. Capital District Committee for Palestinian Rights, newsletter, available from: The Social Justice Center of Albany, Inc., 33 Central Avenue, Albany, N.Y. 12210.
10. Palestine Focus, national newspaper of the Palestine Solidarity Committee, November/December 1989 issue, available from: P.O. Box 27462, San Francisco, CA 94127.
11. The Intifadah, The United Nations and the Non-Governmental Organizations, publication written by Don Betz, Chairman, International Co-ordinating Committee for NGOs on the Question of Palestine, available from: IOCP Office, PO Box 2100, 1211 Geneva 2, Switzerland.
12. The Palestinian, monthly publication of the Association of Palestinian Arab Canadians, Capital Region, available from: A.P.A.C., PO Box 2605, Station "D", Ottawa, Ontario K1P 5W7, Canada.

13. Afro-Asian Peoples Solidarity Organization, bulletin and quarterly of the Permanent Secretariat, available from 89, Abdel Aziz al-Saoud Street, Manial El Roda, Cairo, Egypt.

14. The Other Front, monthly publication, available from Alternative Information Center, P.O.B. 24278, Jerusalem.

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