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THE SITUATION IN THE MIDDLE EASTSECURITY COUNCIL
Agenda item Forty-fourth yearReport of the Secretary-General

CONTENTS

		<u>Para.</u>	<u>Page</u>
I.	INTRODUCTION	1	2
II.	UNITED NATIONS PEACE-KEEPING ACTIVITIES	2 - 11	2
III.	SITUATION IN THE OCCUPIED TERRITORIES	12 - 18	4
IV.	PALESTINE REFUGEE PROBLEM	19 - 21	8
V.	QUESTION OF PALESTINE	22 - 25	9
VI.	SITUATION IN THE MIDDLE EAST	26 - 34	11
VII.	OBSERVATIONS	35 - 43	16

I. INTRODUCTION

1. The present report is submitted in pursuance of General Assembly resolution 43/54 A of 6 December 1988. In that resolution, the Assembly dealt with various aspects of the situation in the Middle East and requested the Secretary-General to report to the Security Council periodically on the development of the situation and to submit to the Assembly at its forty-fourth session a comprehensive report covering the developments in the Middle East in all their aspects. The present report covers the period from 18 November 1988 to 22 November 1989. It should be pointed out, however, that the report does not address the situation concerning Iran and Iraq. It is based mainly on information available in United Nations documents, to which references are made whenever appropriate.

II. UNITED NATIONS PEACE-KEEPING ACTIVITIES

2. There continue to be three United Nations peace-keeping operations in the area: two peace-keeping forces, the United Nations Disengagement Observer Force (UNDOF) and the United Nations Interim Force in Lebanon (UNIFIL), and one observer mission, the United Nations Truce Supervision Organization (UNTSO).

A. United Nations Disengagement Observer Force

3. UNDOF, with some 1,330 troops provided by Austria, Canada, Finland and Poland, is deployed between the Israeli and Syrian forces on the Golan Heights in accordance with the disengagement agreement concluded between Israel and the Syrian Arab Republic in May 1974. A group of UNTSO observers is detailed to the Force and assists it in the performance of its tasks. The main functions of the Force are to supervise the cease-fire between the Israeli and Syrian forces and to man the area of separation established by the disengagement agreement. The mandate of UNDOF has been extended twice by the Security Council during the reporting period, the last time on 30 May 1989 for a further period of six months until 30 November 1989 (resolution 633 (1989)).

4. The activities of the Force since November 1988 are described in two reports of the Secretary-General to the Security Council dated 22 May

1989 (S/20651) and 22 November 1989 (S/20976). As reported by the Secretary-General, the situation in the Israel-Syria sector has remained generally quiet; UNDOF has continued to perform its functions effectively with the co-operation of the parties, and there have been no serious incidents.

B. United Nations Interim Force in Lebanon

5. UNIFIL, which is deployed in southern Lebanon, was established by the Security Council on 19 March 1978, following the first Israeli invasion of Lebanon. Its terms of reference were - and still are - to confirm the withdrawal of the Israeli forces as called for by the Security Council, to restore international peace and security and to assist the Government of Lebanon in ensuring the return of its effective authority in the area (resolution 425 (1978) of 19 March 1978).

6. The mandate of the Force has since been extended as necessary, the last time on 31 July 1989 for a further period of six months until 31 January 1990 (resolution 639 (1989)). UNIFIL has currently some 5,860 troops, provided by Fiji, Finland, France, Ghana, Ireland, Italy, Nepal, Norway and Sweden. A group of UNTSO observers assists the Force in the performance of its tasks.

7. The activities of UNIFIL and the situation in its area of operation in southern Lebanon from November 1988 to 21 July 1989 are described in two reports of the Secretary-General to the Security Council, dated 24 January 1989 (S/20416 and Corr.1 and Add.1 and 2) and 21 July 1989 (S/20742). On 30 July 1989, the Secretary-General expressed deep concern over a statement issued in Lebanon concerning Lieutenant-Colonel William Richard Higgins. He expressed dismay at suggestions of a link between the Israeli commando raid on Jibchit on 28 July and Lieutenant-Colonel Higgins's fate and urgently called for his release (SG/SM/4314). It will be recalled that Lieutenant-Colonel Higgins had been kidnapped on 17 February 1988 while serving as chief of the UNTSO military observers assigned to UNIFIL (see A/43/867-S/20294, para. 7). On 31 July, before the Security Council adopted resolution 638 (1989) on hostage taking and abduction, the President of the Council, in a statement on behalf of the members, referred to developments concerning Lieutenant-Colonel Higgins and urged those involved to act with reason, restraint and a proper respect for human life and dignity (SC/5113). That same day, the Secretary-General expressed grave concern over reports that Lieutenant-Colonel Higgins had been executed. He strongly hoped that Lieutenant-Colonel Higgins was still alive and that his appeal for his immediate release would be heeded. If the report could, however, be confirmed, the Secretary-General said, he could only express his outrage and revulsion at the murder (SG/SM/4316). Also on 31 July, following the adoption by the Security Council of resolution 639 (1989), a further statement was issued by the President of the Council, in which the members of the Council noted with regret and sorrow that UNIFIL had suffered additional loss of life and other casualties during the current mandate period, took note with grave concern of the reports about Lieutenant-Colonel Higgins and, should those reports prove to be true, expressed their outrage at the act (S/20758). On 1 August, the Secretary-General sent the Under-Secretary-General for Special Political Affairs, Mr. Marrack Goulding, to the area to ascertain, to the extent possible, the facts surrounding the fate of Lieutenant-Colonel Higgins, to endeavour to recover his body if it was true that he had been killed, and to explore what further the United Nations could do to contribute to a solution of the problem of all the hostages held in the area. On 9 August, after Mr. Goulding had returned to Headquarters and reported to him, the Secretary-General stated that, in spite of extensive conversations with various parties who might be in a position to know the facts, Mr. Goulding had not been able to obtain definitive proof of Lieutenant-Colonel Higgins's fate. Having heard his report, however, the Secretary-General had regretfully come to the conclusion that it was almost certain that Lieutenant-Colonel Higgins was dead. The Secretary-General reiterated his sorrow and outrage and said that he would continue to try to establish with certainty what had happened to Lieutenant-Colonel Higgins and, if his fears were confirmed, to recover his body (SG/SM/4321).

8. During the period under review, the Security Council met in December 1988 at the request of Lebanon (S/PV.2832). On 14 December 1988, the Council voted on a draft resolution (S/20322) submitted by six members, by which it would have strongly deplored an attack against Lebanese territory by Israeli naval, air and land forces on 9 December 1988; strongly requested Israel to cease immediately all attacks against Lebanese territory; and reaffirmed the urgent need to implement earlier Council resolutions on Lebanon. The draft resolution was not adopted, owing to the negative vote of a permanent member.

C. United Nations Truce Supervision Organization

9. As indicated in the preceding sections, observers of UNTSO have continued to assist UNDOF and UNIFIL in the performance of their tasks. In addition, UNTSO conducts two observation operations of its own, the Observer Group in Beirut and the Observer Group in Egypt.

10. The Observer Group in Beirut was set up by the Security Council in August 1982 following the occupation of West Beirut by Israeli troops. Since the withdrawal of the Israeli forces from the Beirut area in September 1983, the activities of the Group have been reduced and its total strength now stands at 14 observers, though for security reasons some of these were withdrawn temporarily during recent hostilities in Beirut.

11. The Observer Group in Egypt, which was established when the second United Nations Emergency Force (UNEF II) was withdrawn in July 1979, has a total strength of about 50 observers. It maintains, in addition to liaison offices at Cairo and Ismailia, six observation posts in the Sinai.

III. SITUATION IN THE OCCUPIED TERRITORIES

12. The General Assembly, at its forty-third session, after considering the report of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Population of the Occupied Territories (A/43/694), which is composed of Senegal, Sri Lanka and Yugoslavia, adopted resolutions 43/58 A to G of 6 December 1988. By these resolutions, the General Assembly, *inter alia*, demanded that Israel desist forthwith from a number of policies and practices mentioned in the resolution and renewed the mandate of the Special Committee (resolution 43/58 A); reaffirmed that the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949,^{1/} was applicable to the Palestinian and other Arab territories occupied by Israel since 1967, including Jerusalem, and strongly demanded that Israel acknowledge and comply with its provisions (resolution 43/58 B); demanded that the Government of Israel desist forthwith from taking any action which would result in changing the legal status, geographical nature or demographic composition of the Palestinian and other Arab territories (resolution 43/58 C); deplored the Israeli arbitrary detention or imprisonment of thousands of Palestinians and called upon Israel to release all Palestinians and Arabs arbitrarily

detained and imprisoned as a result of their resistance against occupation in order to achieve self-determination (resolution 43/58 D); demanded that the Government of Israel rescind the illegal measures taken in deporting Palestinians, especially in 1988, and that it facilitate their immediate return (resolution 43/58 E); determined that all legislative and administrative measures and actions taken or to be taken by Israel that purported to alter the character and legal status of the Syrian Arab Golan were null and void and constituted a flagrant violation of international law (resolution 43/58 F); and condemned Israeli policies and practices against Palestinian students and faculties in educational institutions in the occupied Palestinian territories and demanded that Israel rescind all actions and measures taken against those institutions, ensure their freedom and refrain forthwith from hindering their effective operation (resolution 43/58 G).

13. During the period under review, the Security Council met in February, June, July, August and November 1989 to discuss the situation in the occupied Arab territories (S/PV.2845-2847, 2849-2850, 2863-2867, 2870, 2883, 2887-2889). On 6 July 1989, the Council adopted resolution 636 (1989) by which it deeply regretted the continuing deportation by Israel, the occupying Power, of Palestinian civilians; called upon Israel to ensure the safe and immediate return to the occupied Palestinian territories of those deported and to desist forthwith from deporting any other Palestinian civilians; 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 territories occupied by Israel since 1967, including Jerusalem, and to the other occupied Arab territories; and decided to keep the situation under review. On 30 August 1989, the Council adopted resolution 641 (1989) by which it deplored the continuing deportation by Israel, the occupying Power, of Palestinian civilians; called upon Israel to ensure the safe and immediate return to the occupied Palestinian territories of those deported and to desist forthwith from deporting any other Palestinian civilians; reaffirmed the applicability of the Fourth Geneva Convention to the Palestinian territories occupied by Israel since 1967, including Jerusalem, and to the other occupied Arab territories; and decided to keep the situation under review.

14. On 16 February 1989, the Security Council voted on a draft resolution (S/20463) submitted by seven members, by which the Council would have strongly deplored Israel's persistent policies and practices against the Palestinian people in the Palestinian territories occupied by Israel since 1967, including Jerusalem, especially the violation of human rights, and in particular the opening of fire that had resulted in injuries and deaths of Palestinian civilians, including children; strongly deplored also the continuing disregard by Israel, the occupying Power, of the relevant decisions of the Security Council; confirmed once more that the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, was applicable to the Palestinian territories occupied by Israel since 1967, including Jerusalem, and the other occupied Arab territories; called upon Israel, the occupying Power, to abide by the relevant resolutions of the Security Council, as well as to comply with its obligations under the Fourth Geneva Convention and to desist forthwith from its policies and practices that were in violation of the provisions of the Convention; called furthermore for the exercise of maximum restraint to contribute towards the establishment of peace; affirmed the urgent need to achieve, under the auspices of the United Nations, a comprehensive, just and lasting settlement of the Middle East conflict, an integral part of which was the Palestinian problem, and expressed its determination to work towards that end; requested the Secretary-General to follow the implementation of that resolution, including examining the situation in the Palestinian territories occupied by Israel since 1967, including Jerusalem, by all means available to him and to report to the Security Council; and decided to keep the situation in the Palestinian territories occupied by Israel since 1967, including Jerusalem, and the other occupied Arab territories, under review. The draft resolution was not adopted, owing to a negative vote by a permanent member. On 9 June 1989, the Council voted on a draft resolution (S/20677) submitted by seven members, by which it would have strongly deplored those policies and practices of Israel, the occupying Power, which violated the human rights of the Palestinian people in the occupied territory as well as vigilante attacks against Palestinian towns and villages and desecration of the Holy Koran; called upon Israel, as the occupying Power and as a High Contracting Party to the Fourth Geneva Convention, to accept the *de jure* applicability of the Convention to the Palestinian and other Arab territories occupied since 1967, including Jerusalem, and fully to comply with its obligations under that Convention and in particular its "responsibility for the treatment accorded to the protected persons by its agents"; recalled the obligations of all the High Contracting Parties, under article 1 of the Convention, to ensure respect for the Convention in all circumstances; demanded that Israel desist forthwith from deporting Palestinian civilians from the occupied territory and to ensure the safe and immediate return of those already deported; expressed great concern about the prolonged closure of schools in parts of the occupied territory, with all its adverse consequences for the education of Palestinian children, and called upon Israel to permit the immediate reopening of those schools; requested the Secretary-General to continue to monitor the situation in the occupied Palestinian territory by all means available to him and to make timely reports to the Council, including recommendations on ways and means to ensure respect for the Convention and protection of Palestinian civilians in the occupied territory, including Jerusalem; requested the Secretary-General to submit the first such report no later than 23 June 1989; and decided to keep the situation in the Palestinian and other Arab territories occupied by Israel since 1967, including Jerusalem, under review. The resolution was not adopted, owing to the negative vote by a permanent member. On 7 November 1989, the Council voted on a draft resolution (S/20945/Rev.1) submitted by seven members, by which it would have strongly deplored those policies and practices of Israel, the occupying Power, which violated the human rights of the Palestinian people in the occupied territory, and in particular the siege of towns, the ransacking of homes of inhabitants, as had happened in Beit Sahur, and the illegal and arbitrary confiscation of their property and valuables; reaffirmed once again the applicability of the Fourth Geneva Convention to the Palestinian and other occupied Arab territories, including Jerusalem; called once again upon Israel to abide immediately and scrupulously by that Convention and to desist forthwith from policies and practices in violation of its provisions; called upon all the High Contracting Parties to the Fourth Geneva Convention to ensure respect for it, including the obligation of the occupying Power under the Convention to treat the population of the occupied territory humanely at all times and in all circumstances; called upon Israel to desist from committing such practices and actions and to lift its siege; urged Israel to return the confiscated property to its owners; and requested the Secretary-General to conduct on-site monitoring of the present situation in the Palestinian territory occupied since 1967, including Jerusalem, by all means available to him, and to submit periodic reports thereon, the first such report as soon as possible. The resolution was not adopted, owing to a negative vote by a permanent member.

15. On 17 February 1989, the Commission on Human Rights adopted resolution 1989/1 entitled "Human rights in the occupied Syrian Arab Golan", by which it declared once more that the continued Israeli occupation of the Syrian Arab Golan and Israel's decision of 14 December 1981 to impose its laws, jurisdiction and administration on the occupied Syrian Arab Golan constituted an act of aggression and that that decision was null and void and without international legal validity or effect. Furthermore, on the same date the Commission adopted resolutions 1989/2 A and B entitled "Question of the violation of human rights in occupied Palestine". Those resolutions, in which the Commission condemned Israeli policies and practices along lines similar to those of General Assembly resolution 43/58 A, were brought to the attention of all Governments by a note verbale dated 1 May 1989.

16. The Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Population of the Occupied Territories held periodic meetings in pursuance of General Assembly resolution 43/58 A. During the period between the meetings, the Special Committee was kept informed of developments taking place in the occupied territories; the information was gathered from a variety of sources, including oral testimony and written communications. The Special Committee reviewed this information and assessed the human rights situation in the occupied territories with a view to

deciding whether any action was required. The reports requested of the Special Committee under General Assembly resolution 43/58 A have been circulated as documents A/44/352 and A/44/640.

17. During its forty-third session, the General Assembly also adopted resolution 43/178 of 20 December 1988 concerning assistance to the Palestinian people. The report requested in that resolution has been circulated as document A/44/637.

18. On 6 October 1989, the General Assembly adopted resolution 44/2 entitled "The uprising (*intifadah*) of the Palestinian people". In it, the Assembly condemned those policies and practices of Israel, the occupying Power, which violated the human rights of the Palestinian people in the occupied Palestinian territory, including Jerusalem, and, in particular, such acts as the opening of fire by the Israeli army and settlers that resulted in the killing and wounding of defenceless Palestinian civilians, the beating and breaking of bones, the deportation of Palestinian civilians, the imposition of restrictive economic measures, the demolition of houses, the ransacking of real or personal property belonging individually or collectively to private persons, collective punishment and detentions, and so forth; demanded that Israel abide scrupulously by the Fourth Geneva Convention and desist immediately from those policies and practices in violation of its provisions; called upon all the High Contracting Parties to the Convention to ensure respect by Israel for the Convention in all circumstances, in conformity with their obligation under article 1 thereof; strongly deplored the continuing disregard by Israel of the relevant decisions of the Security Council; reaffirmed that the occupation by Israel of the Palestinian territory since 1967, including Jerusalem, and of the other Arab territories, in no way changed the legal status of those territories; requested the Security Council to examine with urgency the situation in the occupied Palestinian territory with a view to considering measures needed to provide international protection to the Palestinian civilians in the Palestinian territory occupied by Israel since 1967, including Jerusalem; invited Member States, the organizations of the United Nations system, governmental, intergovernmental and non-governmental organizations, and the mass communications media to continue and enhance their support for the Palestinian people; and 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, the first such report as soon as possible.

IV. PALESTINE REFUGEE PROBLEM

19. Following consideration at its forty-third session of the report of the Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA) for the period from 1 July 1987 to 30 June 1988,^{2/} the General Assembly adopted 10 resolutions on this subject on 6 December 1988. In resolution 43/57 A, the Assembly noted with deep regret that repatriation or compensation of the refugees as provided for in paragraph 11 of Assembly resolution 194 (III) of 11 December 1948 had not been effected, that no substantial progress had been made in the programme endorsed by the Assembly in paragraph 2 of its resolution 513 (VI) of 26 January 1952 for the reintegration of refugees either by repatriation or resettlement and that, therefore, the situation of the refugees continued to be a matter of serious concern; expressed its thanks to the Commissioner-General and to all the staff of UNRWA, recognizing that the Agency was doing all it could within the limits of available resources; reiterated its request that the headquarters of the Agency should be relocated to its former site within its area of operations as soon as practicable; noted with regret that the United Nations Conciliation Commission for Palestine had been unable to find a means of achieving progress in the implementation of paragraph 11 of resolution 194 (III), and requested the Commission to exert continued efforts towards the implementation of that paragraph and to report to the Assembly as appropriate, but not later than 1 September 1989; directed attention to the continuing seriousness of the financial position of the Agency as outlined in the report of the Commissioner-General; noted with profound concern that, despite the commendable and successful efforts of the Commissioner-General to collect additional contributions, that increased level of income to the Agency was still insufficient to cover essential budget requirements; and called upon all Governments, as a matter of urgency, to make the most generous efforts possible to meet the anticipated needs of the Agency.

20. The other resolutions adopted by the General Assembly dealt with the Working Group on the Financing of UNRWA (resolution 43/57 B), assistance to persons displaced as a result of the June 1967 and subsequent hostilities (resolution 43/57 C), offers by Member States of grants and scholarships for higher education, including vocational training, for Palestine refugees (resolution 43/57 D), Palestine refugees in the Palestinian territory occupied by Israel since 1967 (43/57 E), resumption of the ration distribution to Palestine refugees (resolution 43/57 F), the return of population and refugees displaced since 1967 (resolution 43/57 G), revenues derived from Palestine refugee properties (resolution 43/57 H), protection of Palestine refugees (resolution 43/57 I) and the University of Jerusalem "Al-Quds" for Palestine refugees (resolution 43/57 J).

21. The situation of the Palestine refugees and the activities of UNRWA since the adoption of those resolutions are described in the annual report of the Commissioner-General of UNRWA for the period 1 July 1988 to 30 June 1989.^{3/} The reports of the Secretary-General under resolutions 43/57 D, E, F, G, H, I and J have been circulated as documents A/44/505, A/44/608, A/44/506, A/44/507, A/44/431, A/44/508 and A/43/474, respectively. The report of the United Nations Conciliation Commission for Palestine under resolution 43/57 A and the report of the Working Group on the Financing of UNRWA under resolution 43/57 B have been circulated as documents A/44/497 and A/44/641 respectively.

V. QUESTION OF PALESTINE

22. At its forty-third session, on 15 December 1988, the General Assembly adopted five resolutions under the agenda item entitled "Question of Palestine". In resolution 43/175 A, the Assembly endorsed the recommendations contained in paragraphs 141 to 148 of the report of the Committee on the Exercise of the Inalienable Rights of the Palestinian People;^{4/} requested 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;^{5/} and authorized the Committee to continue to exert all efforts to promote the implementation of its recommendations. In resolution 43/175 B, the Assembly requested the Secretary-General to ensure that the Division for Palestinian Rights of the Secretariat continued to discharge the tasks detailed in previous resolutions. In resolution 43/175 C, the Assembly requested the Department of Public Information of the Secretariat, in full co-operation and co-ordination with the Committee, to continue and expand its special information programme on the question of Palestine. In resolution 43/176, the Assembly affirmed the urgent need to achieve a just and comprehensive settlement of the Arab-Israeli conflict, the core of which is the question of Palestine; called 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. It also affirmed the following principles for the achievement of comprehensive peace: the withdrawal of Israel from the Palestinian territory occupied since 1967, including Jerusalem, and from the other occupied

Arab territories; 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; resolving the problem of the Palestine refugees in conformity with General Assembly resolution 194 (III) and subsequent relevant resolutions; dismantling the Israeli settlements in the territories occupied since 1967; and guaranteeing freedom of access to Holy Places, religious buildings and sites. It also noted 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; requested the Security Council to consider measures 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; and requested 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 that matter. In resolution 43/177, the Assembly acknowledged the proclamation of the State of Palestine by the Palestine National Council on 15 November 1988; affirmed the need to enable the Palestinian people to exercise their sovereignty over their territory occupied since 1967; and decided that, effective as at 15 December 1988, the designation "Palestine" should be used in place of the designation "Palestine Liberation Organization" in the United Nations system, without prejudice to the observer status and functions of the Palestine Liberation Organization with the United Nations system, in conformity with relevant United Nations resolutions and practice.

23. The report requested of the Secretary-General in resolution 43/176 has been circulated as document A/44/731-S/20968.

24. The report of the Committee on the Exercise of the Inalienable Rights of the Palestinian People appears in document A/44/35.4/

25. On 20 April 1989, the General Assembly adopted resolution 43/233 under the agenda item entitled "Question of Palestine". In it, the Assembly condemned those policies and practices of Israel, the occupying Power, which violated the human rights of the Palestinian people in the occupied Palestinian territory, including the right of freedom of worship, and, in particular, the opening of fire by Israeli armed forces, which had resulted in the killing and wounding of defenceless Palestinian civilians, and specifically the latest action of members of the Israeli armed forces against the defenceless civilians in the Palestinian town of Nahalin; demanded that Israel, the occupying Power, abide scrupulously by the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, and that it desist immediately from those policies and practices which were in violation of the provisions of the Convention; requested the Security Council to consider with urgency the situation in the occupied Palestinian territory with a view to considering measures needed to provide international protection to the Palestinian civilians in the Palestinian territory occupied by Israel since 1967, including Jerusalem; stressed the urgent need to expedite the convening of the International Peace Conference on the Middle East, under the auspices of the United Nations and in conformity with the provisions of Assembly resolution 43/176; and requested the Secretary-General to submit periodic reports on developments in the occupied Palestinian territory.

VI. SITUATION IN THE MIDDLE EAST

26. At its forty-third session, on 6 December 1988, the General Assembly adopted three resolutions concerning the situation in the Middle East. In resolution 43/54 A, the Assembly reaffirmed its conviction that the question of Palestine was the core of the conflict in the Middle East and that no comprehensive, just and lasting peace in the region would 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; reaffirmed that a just and comprehensive settlement of the situation in the Middle East could not be achieved without the participation on an equal footing of all the parties to the conflict, including the Palestine Liberation Organization; declared that peace in the Middle East was 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; considered the Arab Peace Plan adopted unanimously at the Twelfth Arab Summit Conference, held at Fez, Morocco,^{6/} and reiterated by the Extraordinary Summit Conference of the Arab States, held at Casablanca, Morocco,^{7/} 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; condemned Israel's continued occupation of the Palestinian territory occupied since 1967, including Jerusalem, and the other occupied Arab territories, and demanded the immediate, unconditional and total withdrawal of Israel from all the territories occupied since 1967; rejected all agreements and arrangements that violated the inalienable rights of the Palestinian people and contradicted the principles of a just and comprehensive solution to the Middle East problem; determined 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 were null and void and demanded that they be rescinded immediately; condemned Israel's aggression, policies and practices against the Palestinian people in the occupied Palestinian territory and outside this territory; condemned Israel's annexationist policies and practices in the occupied Syrian Arab Golan; considered that the agreements on strategic co-operation between the United States of America and Israel, of 30 November 1981, and the continued supply of modern arms and matériel to Israel, augmented by substantial economic aid, had encouraged Israel to pursue its aggressive and expansionist policies and practices, had had adverse effects on efforts for the establishment of peace in the Middle East and posed a threat to the security of the region; called 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; strongly condemned the collaboration between Israel and the racist régime of South Africa; reaffirmed its call for the convening of the International Peace Conference on the Middle East; and endorsed the call for setting up a preparatory committee to take the necessary action to convene the Conference. Resolution 43/54 B dealt with Israeli policies in the Syrian Arab Golan and the other occupied territories, and resolution 43/54 C concerned the transfer by some States of their diplomatic missions to Jerusalem.

27. Resolutions 43/54 A to C were brought to the attention of Member States, and a report of the Secretary-General that included the relevant comments received from the Member States was circulated as document A/44/690 and Add.1.

28. On 29 September 1989, the Ministers for Foreign Affairs of the five permanent members of the Security Council issued a statement (S/20880, annex) after their luncheon with the Secretary-General. In it they stated, *inter alia*, that, having reviewed developments in the Middle East, they "reaffirmed their support for an active peace process in which all relevant parties would participate, leading to a comprehensive, just and lasting peace in the region. They reiterated their full support for the efforts of the Arab League Tripartite Committee to put an end to the trials of the Lebanese people through the implementation of a plan for the settlement of the Lebanese crisis in all its aspects by guaranteeing the full sovereignty, independence, territorial integrity and national unity of Lebanon. In this regard, they expressed the strong hope that the resumed inter-Lebanese dialogue would develop constructively."

29. During the period under review, the Security Council issued a number of statements on Lebanon. On 31 March 1989, the President of the Security Council, following consultations, made a statement (S/20554) on behalf of the Council at its 2851st meeting. In it the members expressed their grave concern at the recent deterioration of the situation in Lebanon, which had left many victims among the civilian population and caused considerable material damage. In view of the threat that that situation posed to peace, security and stability in the region, they expressed encouragement and support for all ongoing efforts to find a peaceful solution to the Lebanese crisis, notably those made by the Ministerial Committee of the League of Arab States led by His Excellency Sheikh Sabah Al Ahmad Al Jaber Al Sabah, Minister for Foreign Affairs of Kuwait. They urged all the parties to put an immediate end to the confrontations, to respond favourably to the appeals launched for an effective cease-fire and to avoid any action that might further heighten the tension. They reaffirmed their support for the full sovereignty, independence, territorial integrity and national unity of Lebanon. The members of the Council also stressed the importance of the role of the United Nations Interim Force in Lebanon (UNIFIL) and reaffirmed their resolve to continue to keep the evolution of the situation in Lebanon under close review. On 24 April 1989, the President of the Security Council made another statement (S/20602), on behalf of the Council, at its 2858th meeting. In it the members of the Council, gravely concerned by the sufferings caused to the civilian population by the worsening situation in Lebanon, reaffirmed their statement of 31 March, in which, in particular, they urged all parties to respond favourably to the appeals for an effective cease-fire. They reiterated their full support for the action of the ministerial committee of the League of Arab States, in order to put an end to the loss of human lives, to alleviate the sufferings of the Lebanese people and to achieve an effective cease-fire indispensable for a settlement of the Lebanese crisis. They invited the Secretary-General, in collaboration with the ministerial committee of the League of Arab States, to make all possible efforts and to make all contacts which could be deemed useful for those same purposes.

30. On 15 August 1989, the Secretary-General addressed the following letter to the President of the Security Council (S/20789):

"For some time now, I have been following with deep concern the tragic events in Lebanon, which have caused such immense suffering to the Lebanese people. At the same time, I have been following with great interest and appreciation the initiative undertaken by the League of Arab States, first through the Ministerial Committee of Six, and more recently through the Tripartite Committee, comprising H.M. King Hassan II of Morocco, H.M. King Fahd Bin Abdul-Aziz Al Saud of the Kingdom of Saudi Arabia, and H.E. President Chadli Bendjedid of Algeria, to resolve the security and political crises in Lebanon.

"On 31 March (S/20554) and again on 24 April (S/20602), the Security Council issued a Presidential Statement highlighting its concern about events in Lebanon and expressing full support for the efforts of the League of Arab States. I made a number of similar statements. Furthermore, throughout this period I remained in close contact with the Arab governments and leaders involved, offering to assist them in any way I could. As you know, I have always felt that the complexities of the Lebanese problem are such that they can best be resolved through Arab efforts, with the backing of the international community. This remains my position.

"On 11 August, as I informed you, I met with the five Permanent Members in order to convey my growing anxiety about the violence in and around Beirut, which had escalated to a level unprecedented in fourteen years of conflict. They shared my concern and agreed on the need to fully support the efforts of the Tripartite Committee.

"You will recall that the Committee on 31 July issued a communiqué in which it summarized its efforts to date. That same day, the UNIFIL mandate was renewed by a unanimous decision of the Security Council. As on previous occasions, the Council reiterated its strong support for the territorial integrity, sovereignty and independence of Lebanon within its internationally recognized boundaries. Sadly, 31 July was also the day on which we received initial reports of the tragic fate of Lieutenant-Colonel William Higgins, who was serving UNIFIL at the time of his abduction in February 1988. All of these events serve to remind us of the United Nations long-standing involvement and commitment to Lebanon, one of the Organization's founding members. Given the depth of this relationship, the United Nations has a responsibility to prevent further bloodshed in Lebanon and to support the wider efforts, led by the Tripartite Committee, for a resolution of this tragic conflict.

"I believe that, as a step in that direction, an effective cease-fire is imperative. This would put an end to the bloodshed and enable the Committee to proceed with its mandate. What is required, to my mind, is a concerted effort by the Council as a whole to impress upon the parties to the conflict that there is an immediate need to halt all military activities and to adhere to a cease-fire so that the efforts of the Tripartite Committee may continue unimpeded.

"In my opinion, the present crisis poses a serious threat to international peace and security. Accordingly, in the exercise of my responsibility under the Charter of the United Nations, I ask that the Security Council be convened urgently in order to contribute to a peaceful solution of the problem."

31. Following consultations, the President of the Security Council, on 15 August 1989, made the following statement (S/20790) at the Council's 2875th meeting:

"In response to the urgent appeal addressed to the Security Council by the Secretary-General in his letter of 15 August 1989 (S/20789), the Council met immediately and, without prejudice to any subsequent action by it, adopted the following statement:

'Deeply concerned at the further deterioration of the situation in Lebanon, the Security Council profoundly deplores the intensification of the shelling and the bitter fighting in recent days. It expresses its great disquiet at the loss of human lives and the untold sufferings that it causes to the Lebanese people.

'The Council reaffirms its statement of 24 April 1989 (S/20602) and urgently appeals to all the parties to put an immediate end to all operations and to all firing and shelling on land and at sea. It firmly appeals to all the parties to observe a total and immediate cease-fire. It also appeals to them to do everything possible to secure the consolidation of the cease-fire, the opening of the lines of communication and the lifting of the sieges.

'The Council expresses its full support for the Tripartite Committee of the Arab Heads of State in the efforts it is making with a view to putting an end to the trials of the Lebanese people through the establishment of an effective and definitive cease-fire and the putting into effect of a plan for the settlement of the Lebanese crisis in all its aspects by guaranteeing the full sovereignty, independence, territorial integrity and national unity of Lebanon. It appeals to all States and to all the parties likewise to support the efforts of the Tripartite Committee.

"In this context, the Council invites the Secretary-General to pursue all appropriate contacts, in liaison with the Tripartite Committee, in order to ensure observance of the cease-fire, and to keep it informed on the matter."

32. On 20 September 1989, following consultations, the President of the Security Council made a statement (S/20855), on behalf of the Council, at its 2884th meeting. In it the members recalled their statement of 15 August 1989 (S/20790); welcomed the resumption of the work of the Tripartite Committee set up to resolve the Lebanese crisis; once again expressed to the Tripartite Committee full support in its efforts to stop the bloodshed and to establish an atmosphere conducive to ensuring security, stability and national reconciliation in Lebanon; strongly urged respect for the appeal by the Tripartite High Committee for an immediate and comprehensive cease-fire, the implementation of the security arrangements and the establishment of the necessary conditions for national reconciliation in Lebanon; expressed their full support to the Tripartite Committee in its action to put into effect a plan for the settlement of the Lebanese crisis in all its aspects by guaranteeing the full sovereignty, independence, territorial integrity and national unity of Lebanon; and welcomed the contacts maintained by the Secretary-General since 15 August 1989 with the members of the Tripartite Committee and invited him to pursue those contacts and to keep the Council informed.

33. On 7 November 1989, following consultations, the President of the Security Council made a statement (S/20953) on behalf of the Council at its 2891st meeting. In it the members of the Security Council recalled their statements of 15 August and 20 September 1989, in which they had expressed their full support for the Tripartite Committee in its action for the implementation of a settlement plan for the Lebanese crisis in all its aspects by guaranteeing the full sovereignty, independence, territorial integrity and national unity of Lebanon; welcomed the election of the President of the Lebanese Republic and the ratification of the Taif Agreement by the Lebanese Parliament; and paid particular tribute to the high sense of responsibility and to the courage of the Lebanese members of Parliament. An essential stage had thus been accomplished on the road to restoring the Lebanese State and establishing renovated institutions. In the aftermath of the constitutional election, the members of the Council called upon all Lebanese to stand resolutely by their President with a view to uniting the aspirations of the Lebanese people to achieve peace, dignity and harmony. At that historic moment, they urged all sectors of the Lebanese people including the armed forces, to come to the support of their President in order to achieve the goals of the Lebanese people, which were the restoration of the unity, independence and sovereignty of Lebanon on its entire territory, so that Lebanon could reassume its role as a leading centre of civilization and culture for the Arab nation and for the world.

34. Following consultations, the President of the Security Council, on 22 November 1989, made the following statement (S/20988), at the Council's 2894th meeting:

"The members of the Security Council express their deep indignation and dismay over the assassination of Mr. René Moawad, President of the Lebanese Republic, earlier today in Beirut. They express their sympathy and condolences to the family of the late President, to the Prime Minister and to the Lebanese people.

"The members of the Security Council strongly condemn this cowardly, criminal and terrorist act for what it is, an attack upon the unity of Lebanon, the democratic processes and the process of national reconciliation.

"The members of the Security Council recall their statement of 7 November 1989, and reaffirm their support for the efforts undertaken by the Tripartite High Committee of the League of Arab States and for the Taif agreement. These remain the only basis for guaranteeing the full sovereignty, independence, territorial integrity and national unity of Lebanon.

"The members of the Security Council reiterate their call of 7 November 1989 to all sectors of the Lebanese people to continue the process of achieving the goals of the restoration of the Lebanese State and the establishment of renovated institutions that had started with the election of President Moawad and the appointment of Prime Minister Selim El-Hoss. Democratic Lebanese institutions must be strongly supported and the process of national reconciliation must go forward. This is the only way that Lebanese national unity can be fully restored.

"The members of the Security Council solemnly reaffirm their support for the Taif agreement, ratified by the Lebanese Parliament on 5 November 1989. In this regard, they urge all Lebanese people to exercise restraint, to rededicate themselves to the urgent task of national reconciliation and to demonstrate their commitment to democratic processes.

"The members of the Security Council are convinced that all those who seek to divide the people of Lebanon through such cowardly, criminal and terrorist acts of violence cannot, and will not, succeed."

VII. OBSERVATIONS

35. At the beginning of this year, expectations for progress in the Middle East peace process were heightened by a number of dramatic political developments, notably the decisions adopted by the November 1988 session of the Palestine National Council in Algiers, the General Assembly debate on the question of Palestine in Geneva a month later, and the events that led to the decision by the United States of America to begin a dialogue with the Palestine Liberation Organization. Since then, important proposals, aimed primarily at launching a dialogue between Israelis and Palestinians, have been put forward. While it is, of course, essential to pursue every initiative that might help bridge the gaps between the parties and bring them to the negotiating table, I cannot but be concerned by the fact that valuable time is passing and that the willingness to negotiate that exists today may be eroded by bitterness resulting from events on the ground.

36. The intifadah in the occupied territories will soon enter its third year. In contrast to the nuances of the diplomatic process, the message of the intifadah is direct and unequivocal, namely, that the 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 their legitimate political rights, including self-determination. During the past year, confrontations involving Israelis and Palestinians have continued unabated, with much bloodshed. In this atmosphere, it seems to me imperative that a way must be found, and soon, to begin an effective negotiating process that can restore hope in the possibility that a just and durable peace can be attained.

37. In my last comprehensive report on the situation in the Middle East, I put forward the suggestion that the Security Council should undertake a

thorough review of the peace process with a view to adopting a pragmatic approach that would take fully into account the concerns and security interests of all the parties. With this in mind, and as a preparatory step, I have endeavoured to launch a process of consultations, initially with the permanent members of the Security Council, in the hope of gaining their views on matters of substance that lie at the core of a comprehensive settlement. I shall persist in my efforts, not only with the permanent members, but with the Council as a whole.

38. Furthermore, during the course of the past year, I have remained in continuous contact with the parties to the conflict, since it is they, after all, who will need to enter into negotiations. In this connection, I have on several occasions met with leaders of Egypt, Israel, Jordan, Lebanon, the Syrian Arab Republic and the Palestine Liberation Organization to discuss ways of advancing the peace process, including the prospects for convening an International Peace Conference on the Middle East, on which subject I have reported separately (A/44/731-S/20968).

39. As I stated in my report on the work of the Organization ^{8/} this September, I have been, and continue to be, troubled by declarations that question the applicability of Security Council resolution 242 (1967). In view of the fundamental nature of the principles upon which this resolution is based, any deviation from them imperils the prospects for a comprehensive settlement of the Arab-Israeli conflict. I believe that, in addition to the efforts now taking place to promote a dialogue between Palestinians and Israelis, the Security Council could make an important contribution to the process by renewing its commitment to resolutions 242 (1967) and 338 (1973), which, in my view, together with the legitimate political rights of the Palestinian people, including self-determination, can constitute the basis of a just and lasting peace in the region.

40. During the past year, I have also been greatly anguished by developments in Lebanon, where the failure to hold elections in September 1988 led to the collapse of most of its legal institutions and eventually to a serious escalation in the military confrontation in and around Beirut that produced devastating casualties. This report is being written in the shadow of Lebanon's most recent tragedy: the assassination of President René Moawad. His death has cast a pall over - but must not be allowed to destroy - the hopes that were generated by the initiation of the process of national reconciliation which was achieved through the sustained efforts of the League of Arab States, first on the part of the Ministerial Committee of Six, and then by the Tripartite High Committee of Arab Heads of State, whose endeavours have been strongly supported by the Security Council, most recently through the statement of its President on 22 November 1989 (S/20988).

41. In the brief period of President Moawad's tenure, a number of steps were taken to begin rebuilding Lebanon's legal institutions. The Speaker of Parliament was re-elected, a Prime Minister was appointed, and consultations were under way to form a government. The fact that there has been opposition to this process is an indication of the most serious difficulties involved in attempting to reconstruct not only the institutions, but the social and political fabric of a country torn apart by 14 years of civil war and the presence within Lebanon of many outside elements.

42. The Security Council has on numerous occasions during the past year reaffirmed its support for efforts aimed at restoring Lebanon's unity, independence, sovereignty and territorial integrity. And of course, in this context, the Council has a special responsibility deriving from its resolution 425 (1978), the implementation of which will be essential to the extension of Lebanon's full authority throughout its territory.

43. The chaotic nature of events in Lebanon and the continuing intifadah in the occupied territories underscore the need to bring peace and stability to a region of the world whose peoples have for far too long been subjected to the ravages of conflict and war. Last August, when the fighting in and around Beirut had escalated to an unprecedented level, I felt compelled, for the first time in my tenure as Secretary-General, to invoke Article 99 of the Charter. As we are all too well aware, the Middle East is an explosive region and events or trends in one area almost invariably have repercussions elsewhere. For years I have stated that few international issues are as complex or potentially dangerous as the Arab-Israeli conflict. This remains so today. My regret at the lack of progress in resolving this question is all the greater given the significant steps that have been taken towards the resolution of other regional disputes. It seems to me imperative, therefore, that a fully concerted and well co-ordinated effort be made by the international community to help the parties enter into an effective negotiating process that will lead to a comprehensive, just and lasting peace in the Middle East. For my part, I shall do all that I can to discharge the responsibilities entrusted to me in this regard.

Notes

^{1/} United Nations, Treaty Series, vol. 75, No. 973.

^{2/} Official Records of the General Assembly, Forty-third Session, Supplement No. 13 and addendum (A/43/13 and Add.1).

^{3/} Ibid., Forty-fourth Session, Supplement No. 13 (A/44/13).

^{4/} Ibid., Supplement No. 35 (A/44/35).

^{5/} 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.

^{6/} See A/37/696-S/15510, annex.

^{7/} See A/40/564 and Corr.1, annex.

^{8/} Official Records of the General Assembly, Forty-fourth Session, Supplement No. 1 (A/44/1).

