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United Nations Relief and Works Agency for Palestine Refugees in the Near East

Report of the Special Political and Decolonization Committee (Fourth Committee)

Rapporteur: Ms. Paula **Parviainen** (Finland)

I. Introduction

1. At its 2nd plenary meeting, on 19 September 2008, the General Assembly, on the recommendation of the General Committee, decided to include in the agenda of its sixty-third session the item entitled "United Nations Relief and Works Agency for Palestine Refugees in the Near East" and to allocate it to the Special Political and Decolonization Committee (Fourth Committee).
2. The Fourth Committee considered the item at its 19th, 20th, 23rd and 24th meetings, on 29 and 30 October and 6 and 7 November 2008. The Committee held a general debate on the item at its 19th and 20th meetings, and took action on the item at its 24th meeting (see A/C.4/63/SR.19, 20, 23 and 24).
3. For its consideration of the item, the Committee had before it the following documents:
 - (a) Report of the Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East;¹
 - (b) Report of the Secretary-General on Palestine refugees' properties and their revenues (A/63/269);
 - (c) Report of the Secretary-General on persons displaced as a result of the June 1967 and subsequent hostilities (A/63/315);
 - (d) Report of the Working Group on the Financing of the United Nations Relief and Works Agency for Palestine Refugees in the Near East (A/63/375);
 - (e) Note by the Secretary-General transmitting the 62nd report of the United Nations Conciliation Commission for Palestine (A/63/317).
4. At its 19th meeting, on 29 October, the Committee heard a statement by the Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA), who introduced her report (see A/C.4/63/SR.19).
5. At the same meeting, the representative of Norway, in his capacity as Rapporteur of the Working Group on the Financing of UNRWA, introduced the report of the Working Group (see A/C.4/63/SR.19).
6. Also at the same meeting, the representative of the Permanent Observer Mission of Palestine to the United Nations made a statement (see A/C.4/63/SR.19).

II. Consideration of proposals

A. Draft resolution A/C.4/63/L.11

7. At the 23rd meeting, on 6 November, the representative of Indonesia, on behalf of Algeria, Austria, Bahrain, Bangladesh, Belgium, the Comoros, Cyprus, the Czech Republic, Denmark, Djibouti, Egypt, Estonia, Finland, France, Germany, Greece, Hungary, Iraq, Ireland, Italy, Jordan, Kuwait, Latvia, Lebanon, Lithuania, Luxembourg, Malaysia, Malta, Mauritania, Morocco, the Netherlands, Nicaragua, Oman, Poland, Portugal, Qatar, Romania, Saudi Arabia, Senegal, Slovenia, Somalia, South Africa, Spain, Tunisia, the United Arab Emirates, Yemen and Palestine, introduced a draft resolution entitled "Assistance to Palestine refugees" (A/C.4/63/L.11). Subsequently, Albania, Bosnia and Herzegovina, Bulgaria, Croatia, Cuba, Guinea, Indonesia, Liechtenstein, Mali, Nigeria, Slovakia, Sweden, Switzerland, the former Yugoslav Republic of Macedonia, the United Kingdom of Great Britain and Northern Ireland and Venezuela (Bolivarian Republic of) joined in sponsoring the draft resolution.
8. At the 24th meeting, on 7 November, the representative of Indonesia, orally revised the draft resolution by replacing, in operative paragraph 5, the date "30 September" with the date "1 October".

9. At the same meeting, the Committee adopted draft resolution A/C.4/63/L.11, as orally revised, by a recorded vote of 158 to 1, with 6 abstentions (see para. 16, draft resolution I). The voting was as follows:²

In favour:

Albania, Algeria, Andorra, Angola, Antigua and Barbuda, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belgium, Belize, Benin, Bolivia, Bosnia and Herzegovina, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Burundi, Cambodia, Canada, China, Colombia, Congo, Costa Rica, Côte d'Ivoire, Croatia, Cuba, Cyprus, Czech Republic, Democratic People's Republic of Korea, Denmark, Djibouti, Dominica, Dominican Republic, Ecuador, Egypt, El Salvador, Eritrea, Estonia, Ethiopia, Fiji, Finland, France, Gambia, Georgia, Germany, Ghana, Greece, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, Hungary, Iceland, India, Indonesia, Iraq, Ireland, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lao People's

Democratic Republic, Latvia, Lebanon, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Monaco, Mongolia, Montenegro, Morocco, Mozambique, Myanmar, Namibia, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Saint Lucia, Samoa, San Marino, Saudi Arabia, Senegal, Serbia, Singapore, Slovakia, Slovenia, Solomon Islands, South Africa, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Switzerland, Syrian Arab Republic, Thailand, the former Yugoslav Republic of Macedonia, Timor-Leste, Togo, Trinidad and Tobago, Tunisia, Turkey, Turkmenistan, Uganda, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, Uruguay, Uzbekistan, Venezuela (Bolivarian Republic of), Viet Nam, Zambia, Zimbabwe.

Against:

Israel.

Abstaining:

Cameroon, Marshall Islands, Micronesia (Federated States of), Nauru, Palau, United States of America.

B. Draft resolution A/C.4/63/L12

10. At the 23rd meeting, on 6 November, the representative of Indonesia, on behalf of Algeria, Bahrain, Bangladesh, Brunei Darussalam, the Comoros, Egypt, Iraq, Jordan, Lebanon, Malaysia, Mauritania, Morocco, Nicaragua, Oman, Qatar, Saudi Arabia, Senegal, Somalia, South Africa, Tunisia, the United Arab Emirates, Yemen and Palestine, introduced a draft resolution entitled “Persons displaced as a result of the June 1967 and subsequent hostilities” (A/C.4/63/L.12). Subsequently, Cuba, Djibouti, Guinea, Indonesia, Mali, Nigeria and Venezuela (Bolivarian Republic of) joined in sponsoring the draft resolution.

11. At its 24th meeting, on 7 November, the Committee adopted draft resolution A/C.4/63/L.12 by a recorded vote of 158 to 6, with 2 abstentions (see para. 16, draft resolution II). The voting was as follows:³

In favour:

Albania, Algeria, Andorra, Angola, Antigua and Barbuda, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belgium, Belize, Benin, Bolivia, Bosnia and Herzegovina, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Burundi, Cambodia, Chile, China, Colombia, Congo, Costa Rica, Côte d’Ivoire, Croatia, Cuba, Cyprus, Czech Republic, Democratic People’s Republic of Korea, Denmark, Djibouti, Dominica, Dominican Republic, Ecuador, Egypt, El Salvador, Eritrea, Estonia, Ethiopia, Fiji, Finland, France, Gambia, Georgia, Germany, Ghana, Greece, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, Hungary, Iceland, India, Indonesia, Iraq, Ireland, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lao People’s Democratic Republic, Latvia, Lebanon, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Monaco, Mongolia, Montenegro, Morocco, Mozambique, Myanmar, Namibia, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Saint Lucia, Samoa, San Marino, Saudi Arabia, Senegal, Serbia, Singapore, Slovakia, Slovenia, Solomon Islands, South Africa, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Switzerland, Syrian Arab Republic, Thailand, the former Yugoslav Republic of Macedonia, Timor-Leste, Togo, Trinidad and Tobago, Tunisia, Turkey, Turkmenistan, Uganda, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, Uruguay, Uzbekistan, Venezuela (Bolivarian Republic of), Viet Nam, Zambia, Zimbabwe.

Against:

Israel, Marshall Islands, Micronesia (Federated States of), Nauru, Palau, United States of America.

Abstaining:

Cameroon, Canada.

C. Draft resolution A/C.4/63/L13

12. At the 23rd meeting, on 6 November, the representative of Indonesia, on behalf of Algeria, Bahrain, Bangladesh, Brunei Darussalam, the Comoros, Egypt, Iraq, Jordan, Kuwait, Lebanon, Malaysia, Mauritania, Morocco, Nicaragua, Oman, Qatar, Saudi Arabia, Senegal, Somalia, South Africa, Tunisia, the United Arab Emirates, Yemen and Palestine, introduced a draft resolution entitled “Operations of the United Nations Relief and Works Agency for Palestine Refugees in the Near East” (A/C.4/63/L.13). Subsequently, Cuba, Djibouti, Guinea, Indonesia, Nigeria and Venezuela (Bolivarian Republic of) joined in sponsoring the draft resolution.

13. At its 24th meeting, on 7 November, the Committee adopted draft resolution A/C.4/63/L.13 by a recorded vote of 160 to 6, with 1 abstention (see para. 16, draft resolution III). The voting was as follows:⁴

In favour:

Albania, Algeria, Andorra, Angola, Antigua and Barbuda, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belgium, Belize, Benin, Bolivia, Bosnia and Herzegovina, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Burundi, Cambodia, Canada, Chile, China, Colombia, Comoros, Congo, Costa Rica, Côte d’Ivoire, Croatia, Cuba, Cyprus, Czech Republic, Democratic People’s Republic of Korea, Denmark, Djibouti, Dominica, Dominican Republic, Ecuador, Egypt, El Salvador, Eritrea, Estonia, Ethiopia, Fiji, Finland, France, Gambia, Georgia, Germany, Ghana, Greece, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, Hungary, Iceland, India, Indonesia, Iraq, Ireland, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lao People’s Democratic Republic, Latvia, Lebanon, Lesotho, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Malawi, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Monaco, Mongolia, Montenegro, Morocco, Mozambique, Myanmar, Namibia, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Saint Lucia, Samoa, San Marino, Saudi Arabia, Senegal, Serbia, Singapore, Slovakia, Slovenia, Solomon Islands, South Africa, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Switzerland, Syrian Arab Republic, Thailand, the former Yugoslav Republic of Macedonia, Timor-Leste, Togo, Trinidad and Tobago, Tunisia, Turkey, Turkmenistan, Uganda, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, Uruguay, Uzbekistan, Venezuela (Bolivarian Republic of), Viet Nam, Zambia, Zimbabwe.

Against:

Israel, Marshall Islands, Micronesia (Federated States of), Nauru, Palau, United States of America.

Abstaining:

Cameroon.

D. Draft resolution A/C.4/63/L14

14. At the 23rd meeting, on 6 November, the representative of Indonesia, on behalf of Algeria, Austria, Bahrain, Bangladesh, Belgium, Brunei Darussalam, the Comoros, Cyprus, the Czech Republic, Denmark, Egypt, Estonia, Finland, France, Germany, Greece, Hungary, Iraq, Ireland, Italy, Jordan, Kuwait, Latvia, Lebanon, Lithuania, Luxembourg, Malaysia, Malta, Mauritania, Morocco, the Netherlands, Nicaragua, Oman, Qatar, Poland, Portugal, Romania, Saudi Arabia, Senegal, Slovenia, Somalia, South Africa, Spain, Tunisia, the United Arab Emirates, Yemen and Palestine, introduced a draft resolution entitled “Palestine refugees’ properties and their revenues” (A/C.4/63/L.14). Subsequently, Albania, Bosnia and Herzegovina, Bulgaria, Croatia, Cuba, Djibouti, Guinea, Indonesia, Mali, Nigeria, Slovakia, Sweden, the former Yugoslav Republic of Macedonia, the United Kingdom of Great Britain and Northern Ireland and Venezuela (Bolivarian Republic of) joined in sponsoring the

draft resolution.

15. At its 24th meeting, on 7 November, the Committee adopted draft resolution A/C.4/63/L.14 by a recorded vote of 161 to 6, with 1 abstention (see para. 16, draft resolution IV). The voting was as follows:⁵

In favour:

Albania, Algeria, Andorra, Angola, Antigua and Barbuda, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belgium, Belize, Benin, Bolivia, Bosnia and Herzegovina, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Burundi, Cambodia, Canada, Chile, China, Colombia, Comoros, Congo, Costa Rica, Côte d'Ivoire, Croatia, Cuba, Cyprus, Czech Republic, Democratic People's Republic of Korea, Denmark, Djibouti, Dominica, Dominican Republic, Ecuador, Egypt, El Salvador, Eritrea, Estonia, Ethiopia, Fiji, Finland, France, Gambia, Georgia, Germany, Ghana, Greece, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, Hungary, Iceland, India, Indonesia, Iraq, Ireland, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Latvia, Lebanon, Lesotho, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Monaco, Mongolia, Montenegro, Morocco, Mozambique, Myanmar, Namibia, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Saint Lucia, Samoa, San Marino, Saudi Arabia, Senegal, Serbia, Singapore, Slovakia, Slovenia, Solomon Islands, South Africa, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Switzerland, Syrian Arab Republic, Thailand, the former Yugoslav Republic of Macedonia, Timor-Leste, Togo, Trinidad and Tobago, Tunisia, Turkey, Turkmenistan, Uganda, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, Uruguay, Uzbekistan, Venezuela (Bolivarian Republic of), Viet Nam, Zambia, Zimbabwe.

Against:

Israel, Marshall Islands, Micronesia (Federated States of), Nauru, Palau, United States of America.

Abstaining:

Cameroon.

III. Recommendations of the Special Political and Decolonization Committee (Fourth Committee)

16. The Special Political and Decolonization Committee (Fourth Committee) recommends to the General Assembly the adoption of the following draft resolutions:

Draft resolution I **Assistance to Palestine refugees**

The General Assembly,

Recalling its resolution 194 (III) of 11 December 1948 and all its subsequent resolutions on the question, including resolution 62/102 of 17 December 2007,

Recalling also its resolution 302 (IV) of 8 December 1949, by which, inter alia, it established the United Nations Relief and Works Agency for Palestine Refugees in the Near East,

Recalling further relevant Security Council resolutions,

Aware of the fact that, for six decades, the Palestine refugees have suffered from the loss of their homes, lands and means of livelihood,

Affirming the imperative of resolving the problem of the Palestine refugees for the achievement of justice and for the achievement of lasting peace in the region,

Acknowledging the essential role that the United Nations Relief and Works Agency for Palestine Refugees in the Near East has played for fifty-nine years since its establishment in ameliorating the plight of the Palestine refugees through its provision of education, health, relief and social services and emergency assistance,

Taking note of the report of the Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East covering the period from 1 January to 31 December 2007,⁶

Aware of the continuing needs of the Palestine refugees throughout all the fields of operation, namely, Jordan, Lebanon, the Syrian Arab Republic and the Occupied Palestinian Territory,

Expressing grave concern at the especially difficult situation of the Palestine refugees under occupation, including with regard to their safety, well-being and socio-economic living conditions,

Expressing grave concern in particular at the humanitarian situation in the Gaza Strip, and underlining the importance of emergency and humanitarian assistance,

Noting the signing of the Declaration of Principles on Interim Self-Government Arrangements⁷ on 13 September 1993 by the Government of Israel and the Palestine Liberation Organization and the subsequent implementation agreements,

Aware of the role to be played by the Multilateral Working Group on Refugees of the Middle East peace process,

1. *Notes with regret* that repatriation or compensation of the refugees, as provided for in paragraph 11 of General Assembly resolution 194 (III), has not yet been effected, and that, therefore, the situation of the Palestine refugees continues to be a matter of grave concern and the Palestine refugees continue to require assistance to meet basic health, education and living needs;

2. *Also notes with regret* that the United Nations Conciliation Commission for Palestine has been unable to find a means of achieving progress in the implementation of paragraph 11 of General Assembly resolution 194 (III), and reiterates its request to the Conciliation Commission to continue exerting efforts towards the implementation of that paragraph and to report to the Assembly as appropriate, but no later than 1 September 2009;

3. *Affirms* the necessity for the continuation of the work of the United Nations Relief and Works Agency for Palestine Refugees in the Near East and the importance of its unimpeded operation and its provision of services for the well-being and human development of the Palestine refugees and for the stability of the region, pending the just resolution of the question of the Palestine refugees;

4. *Calls upon* all donors to continue to make the most generous efforts possible to meet the anticipated needs of the United Nations Relief and Works Agency for Palestine Refugees in the Near East, including with regard to increased expenditures arising from the continuing deterioration of the socio-economic and humanitarian situation in the region, particularly in the Occupied Palestinian Territory, and those mentioned in recent emergency appeals;

5. *Decides* to commemorate the work of the United Nations Relief and Works Agency for Palestine Refugees in the Near East on the occasion of the sixtieth anniversary of its establishment at a high-level meeting to be convened on 1 October 2009, during the sixty-fourth session of the General Assembly, and encourages the participation of Member States at the ministerial level;

6. *Decides also* to invite Finland and Ireland, in accordance with the criterion set forth in General Assembly decision 60/522 of 8 December 2005, to become members of the Advisory Commission of the United Nations Relief and Works Agency for Palestine Refugees in the Near East.

Draft resolution II

Persons displaced as a result of the June 1967 and subsequent hostilities

The General Assembly,

Recalling its resolutions 2252 (ES-V) of 4 July 1967, 2341 B (XXII) of 19 December 1967 and all subsequent related resolutions,

Recalling also Security Council resolutions 237 (1967) of 14 June 1967 and 259 (1968) of 27 September 1968,

Taking note of the report of the Secretary-General submitted in pursuance of its resolution 62/103 of 17 December 2007,⁸

Taking note also of the report of the Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East covering the period from 1 January to 31 December 2007,⁹

Concerned about the continuing human suffering resulting from the June 1967 and subsequent hostilities,

Taking note of the relevant provisions of the Declaration of Principles on Interim Self-Government Arrangements of 13 September 1993¹⁰ with regard to the modalities for the admission of persons displaced in 1967, and concerned that the process agreed upon has not yet been effected,

- 1. Reaffirms the right of all persons displaced as a result of the June 1967 and subsequent hostilities to return to their homes or former places of residence in the territories occupied by Israel since 1967;*
- 2. Expresses deep concern that the mechanism agreed upon by the parties in article XII of the Declaration of Principles on Interim Self-Government Arrangements of 13 September 1993³ on the return of displaced persons has not been complied with, and stresses the necessity for an accelerated return of displaced persons;*
- 3. Endorses, in the meanwhile, the efforts of the Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East to continue to provide humanitarian assistance, as far as practicable, on an emergency basis, and as a temporary measure, to persons in the area who are currently displaced and in serious need of continued assistance as a result of the June 1967 and subsequent hostilities;*
- 4. Strongly appeals to all Governments and to organizations and individuals to contribute generously to the Agency and to the other intergovernmental and non-governmental organizations concerned for the above-mentioned purposes;*
- 5. Requests the Secretary-General, after consulting with the Commissioner-General, to report to the General Assembly before its sixty-fourth session on the progress made with regard to the implementation of the present resolution.*

Draft resolution III

Operations of the United Nations Relief and Works Agency for Palestine Refugees in the Near East

The General Assembly,

Recalling its resolutions 194 (III) of 11 December 1948, 212 (III) of 19 November 1948, 302 (IV) of 8 December 1949 and all subsequent related resolutions, including its resolution 62/104 of 17 December 2007,

Recalling also the relevant Security Council resolutions,

Having considered the report of the Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East covering the period from 1 January to 31 December 2007,¹¹

Taking note of the letter dated 11 June 2008 from the Chairman of the Advisory Commission of the United Nations Relief and Works Agency for Palestine Refugees in the Near East addressed to the Commissioner-General,¹²

Deeply concerned about the critical financial situation of the Agency, as well as about its rising expenditures resulting from the deterioration of the socio-economic and humanitarian conditions in the region and their significant negative impact on the provision of necessary Agency services to the Palestine refugees, including its emergency-related and development programmes,

Recalling Articles 100, 104 and 105 of the Charter of the United Nations and the Convention on the Privileges and Immunities of the United Nations,¹³

Recalling also the Convention on the Safety of United Nations and Associated Personnel,¹⁴

Affirming the applicability of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949,¹⁵ to the Palestinian territory occupied since 1967, including East Jerusalem,

Aware of the continuing needs of the Palestine refugees throughout the Occupied Palestinian Territory and in the other fields of operation, namely Jordan, Lebanon and the Syrian Arab Republic,

Gravely concerned about the extremely difficult living conditions being faced by the Palestine refugees in the Occupied Palestinian Territory, including East Jerusalem, particularly in the refugee camps in the Gaza Strip, resulting, inter alia, from the loss of life and injury, the extensive destruction of their shelters, properties and vital infrastructure, the displacement of the Palestine refugees, the prolonged closures and socio-economic decline,

Aware of the extraordinary efforts being undertaken by the Agency for the repair or rebuilding of thousands of damaged or destroyed refugee shelters and for the provision of shelter and emergency aid for those refugee families internally displaced as a result of Israeli military actions, as well as for those refugees affected and displaced by the crisis in the Nahr el-Bared refugee camp in northern Lebanon, and welcoming the efforts of the Government of Lebanon and the international community to support the rebuilding by the Agency of the Nahr el-Bared camp,

Welcoming, in this regard, the pledges made at the International Donor Conference for the Recovery and Reconstruction of the Nahr el-Bared Palestine Refugee Camp and Conflict-affected Areas of Northern Lebanon, held in Vienna on 23 June 2008, and urging the early fulfilment of pledges as well as a rapid response by donors to the additional relief and recovery appeal for the Nahr el-Bared camp launched by the Agency on 11 September 2008,

Aware of the valuable work done by the Agency in providing protection to the Palestinian people, in particular Palestine refugees,

Gravely concerned about the endangerment of the safety of the Agency's staff and about the damage caused to the facilities of the Agency, in particular as a result of Israeli military operations during the reporting period,

Deploping the killing of nineteen Agency staff members by the Israeli occupying forces in the Occupied Palestinian Territory since September 2000,

Also deploping the killing and wounding of refugee children, including in the Agency's schools, by the Israeli occupying forces,

Expressing deep concern about the gravely negative impact of the continuing closures, the imposition of severe restrictions on the movement of persons and

goods, and the construction of the wall, contrary to international law, in the Occupied Palestinian Territory, including in and around East Jerusalem, on the socio-economic situation of the Palestine refugees,

Deeply concerned about the continuing imposition of restrictions on the freedom of movement and access of the Agency's staff, vehicles and goods, and the injury, harassment and intimidation of the Agency's staff, which undermine and obstruct the work of the Agency, including its ability to provide essential basic and emergency services,

Aware of the agreement between the Agency and the Government of Israel,

Taking note of the agreement reached on 24 June 1994, embodied in an exchange of letters between the Agency and the Palestine Liberation Organization,¹⁶

1. *Reaffirms* that the functioning of the United Nations Relief and Works Agency for Palestine Refugees in the Near East remains essential in all fields of operation;

2. *Expresses its appreciation* to the Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East, as well as to all of the staff of the Agency, for their tireless efforts and valuable work, particularly in the light of the difficult conditions during the past year;

3. *Expresses its appreciation also* to the Advisory Commission of the United Nations Relief and Works Agency for Palestine Refugees in the Near East of the Agency, and requests it to continue its efforts and to keep the General Assembly informed of its activities;

4. *Takes note with appreciation* of the report of the Working Group on the Financing of the United Nations Relief and Works Agency for Palestine Refugees in the Near East¹⁷ and the efforts of the Working Group to assist in ensuring the financial security of the Agency, and requests the Secretary-General to provide the necessary services and assistance to the Working Group for the conduct of its work;

5. *Commends* the continuing efforts of the Commissioner-General to increase the budgetary transparency and efficiency of the Agency, as reflected in the Agency's programme budget for the biennium 2008-2009¹⁸ and in its comprehensive, three-year organizational development plan;

6. *Requests* the Secretary-General to support the institutional strengthening of the Agency through the provision of sufficient financial resources from the regular budget of the United Nations;

7. *Endorses*, meanwhile, the efforts of the Commissioner-General to continue to provide humanitarian assistance, as far as practicable, on an emergency basis, and as a temporary measure, to persons in the area who are internally displaced and in serious need of continued assistance as a result of recent crises in the Occupied Palestinian Territory and Lebanon;

8. *Acknowledges* the important support provided by the host Governments to the Agency in the discharge of its duties;

9. *Encourages* the Agency, in close cooperation with other relevant United Nations entities, to continue making progress in addressing the needs and rights of children and women in its operations in accordance with the Convention on the Rights of the Child¹⁹ and the Convention on the Elimination of All Forms of Discrimination against Women,²⁰ respectively;

10. *Expresses concern* about the continuing relocation of the international staff of the Agency from its headquarters in Gaza City and the disruption of operations at the headquarters due to the deterioration and instability of the situation on the ground;

11. *Calls upon* Israel, the occupying Power, to comply fully with the provisions of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949;⁵

12. *Also calls upon* Israel to abide by Articles 100, 104 and 105 of the Charter of the United Nations and the Convention on the Privileges and Immunities of the United Nations³ in order to ensure the safety of the personnel of the Agency, the protection of its institutions and the safeguarding of the security of its facilities in the Occupied Palestinian Territory, including East Jerusalem;

13. *Urges* the Government of Israel to speedily compensate the Agency for damage to its property and facilities resulting from actions by the Israeli side and to expeditiously reimburse the Agency for all transit charges incurred and other financial losses sustained by the Agency as a result of delays and restrictions on movement and access imposed by Israel;

14. *Calls upon* Israel particularly to cease obstructing the movement and access of the staff, vehicles and supplies of the Agency and to cease the levying of extra fees and charges, which affect the Agency's operations detrimentally;

15. *Requests* the Commissioner-General to proceed with the issuance of identification cards for Palestine refugees and their descendants in the Occupied Palestinian Territory;

16. *Reiterates its request* to the Commissioner-General to proceed with the modernization of the archives of the Agency through the Palestine Refugee Records Project, and to indicate progress in her report to the General Assembly at its sixty-fourth session;

17. *Notes* the success of the Agency's microfinance and microenterprise programmes, and calls upon the Agency, in close cooperation with the relevant agencies, to continue to contribute to the development of the economic and social stability of the Palestine refugees in all fields of operation;

18. *Reiterates its appeals* to all States, specialized agencies and non-governmental organizations to continue and to augment the special allocations for grants and scholarships for higher education to Palestine refugees in addition to their contributions to the regular budget of the Agency and to contribute to the establishment of vocational training centres for Palestine refugees, and requests the Agency to act as the recipient and trustee for the special allocations for grants and scholarships;

19. *Urges* all States, specialized agencies and non-governmental organizations to continue and to increase their contributions to the Agency so as to ease the ongoing financial constraints, exacerbated by the current humanitarian situation on the ground that has resulted in rising expenditures, in particular with regard to emergency services, and to support the Agency's valuable and necessary work in assisting the Palestine refugees in all fields of operation.

Draft resolution IV **Palestine refugees' properties and their revenues**

The General Assembly,

Recalling its resolutions 194 (III) of 11 December 1948 and 36/146 C of 16 December 1981 and all its subsequent resolutions on the question,

Taking note of the report of the Secretary-General submitted pursuant to its resolution 62/105 of 17 December 2007,²¹ as well as that of the United Nations Conciliation Commission for Palestine for the period from 1 September 2007 to 31 August 2008,²²

Recalling that the Universal Declaration of Human Rights²³ and the principles of international law uphold the principle that no one shall be arbitrarily deprived of his or her property,

Recalling in particular its resolution 394 (V) of 14 December 1950, in which it directed the Conciliation Commission, in consultation with the parties concerned, to prescribe measures for the protection of the rights, property and interests of the Palestine refugees,

Noting the completion of the programme of identification and evaluation of Arab property, as announced by the Conciliation Commission in its twenty-second progress report,²⁴ and the fact that the Land Office had a schedule of Arab owners and a file of documents defining the location, area and other particulars of Arab property,

Expressing its appreciation for the preservation and modernization of the existing records, including the land records, of the Conciliation Commission and the importance of such records for a just resolution of the plight of the Palestine refugees in conformity with resolution 194 (III),

Recalling that, in the framework of the Middle East peace process, the Palestine Liberation Organization and the Government of Israel agreed, in the Declaration of Principles on Interim Self-Government Arrangements of 13 September 1993,²⁵ to commence negotiations on permanent status issues, including the important issue of the refugees,

1. *Reaffirms* that the Palestine refugees are entitled to their property and to the income derived therefrom, in conformity with the principles of equity and justice;
2. *Requests* the Secretary-General to take all appropriate steps, in consultation with the United Nations Conciliation Commission for Palestine, for the protection of Arab property, assets and property rights in Israel;
3. *Calls once again upon* Israel to render all facilities and assistance to the Secretary-General in the implementation of the present resolution;
4. *Calls upon* all the parties concerned to provide the Secretary-General with any pertinent information in their possession concerning Arab property, assets and property rights in Israel that would assist him in the implementation of the present resolution;
5. *Urges* the Palestinian and Israeli sides, as agreed between them, to deal with the important issue of Palestine refugees' properties and their revenues within the framework of the final status negotiations of the Middle East peace process;
6. *Requests* the Secretary-General to report to the General Assembly at its sixty-fourth session on the implementation of the present resolution.

Notes

¹ *Official Records of the General Assembly, Sixty-third Session, Supplement No. 13 (A/63/13).*

² The delegations of Chile, Yemen and Iran (Islamic Republic of) subsequently indicated that they had intended to vote in favour.

³ The delegations of Yemen and Iran (Islamic Republic of) subsequently indicated that they had intended to vote in favour.

⁴ The delegations of Yemen and Iran (Islamic Republic of) subsequently indicated that they had intended to vote in favour.

⁵ The delegations of Yemen and Iran (Islamic Republic of) subsequently indicated that they had intended to vote in favour.

⁶ *Official Records of the General Assembly, Sixty-third Session, Supplement No. 13 (A/63/13).*

⁷ A/48/486-S/26560, annex.

⁸ A/63/315.

⁹ *Official Records of the General Assembly, Sixty-third Session, Supplement No. 13 (A/63/13).*

¹⁰ A/48/486-S/26560, annex.

¹¹ *Official Records of the General Assembly, Sixty-third Session, Supplement No. 13 (A/63/13).*

¹² *Ibid.*, pp. vii-ix.

¹³ Resolution 22 A (I).

¹⁴ United Nations, *Treaty Series*, vol. 2051, No. 35457.

¹⁵ *Ibid.*, vol. 75, No. 973.

¹⁶ *Official Records of the General Assembly, Forty-ninth Session, Supplement No. 13 (A/49/13)*, annex I.

¹⁷ A/63/375.

¹⁸ *Official Records of the General Assembly, Sixty-second Session, Supplement No. 13A (A/62/13/Add.1).*

¹⁹ United Nations, *Treaty Series*, vol. 1577, No. 27531.

²⁰ *Ibid.*, vol. 1249, No. 20378.

²¹ A/63/269.

²² See A/63/317.

²³ Resolution 217 A (III).

²⁴ *Official Records of the General Assembly, Nineteenth Session, Annexes*, Annex No. 11, document A/5700.

²⁵ A/48/486-S/26560, annex.