



General Assembly

A/35/35
1 October 1980

REPORT
OF THE
COMMITTEE ON THE EXERCISE OF
THE INALIENABLE RIGHTS
OF THE PALESTINIAN PEOPLE

GENERAL ASSEMBLY
OFFICIAL RECORDS: THIRTY-SECOND SESSION
SUPPLEMENT No. 35 (A/35/35)

UNITED NATIONS
New York, 1980

NOTE

Symbols of United Nations documents are composed of capital letters combined with figures. Mention of such a symbol indicates a reference to a United Nations document.

[Original: English/French]
[1 October 1980]

CONTENTS

	<u>Paragraph</u>	<u>Page</u>
LETTER OF TRANSMITTAL		iv
I. INTRODUCTION	1 - 4	1
II. MANDATE OF THE COMMITTEE	5 - 6	2
III. ORGANIZATION OF WORK	7 - 11	3
A. Election of officers	7 - 8	3
B. Participation in the work of the Committee	9 - 10	3
C. Re-establishment of the Working Group (Task Force)	11	3
IV. ACTION TAKEN BY THE COMMITTEE	12 - 44	4
A. Action taken in accordance with paragraph 8 of General Assembly resolution 34/65 A	12 - 19	4
B. Action taken in accordance with paragraphs 2 and 3 of General Assembly resolution 34/65 C	20 - 37	6
C. Action taken in accordance with paragraphs 2 and 7 of General Assembly resolution 34/65 D	38 - 44	10
V. RECOMMENDATIONS OF THE COMMITTEE	45 - 48	12

ANNEX

RECOMMENDATIONS OF THE COMMITTEE ENDORSED BY THE GENERAL ASSEMBLY AT ITS THIRTY-FIRST SESSION	13
---	----

LETTER OF TRANSMITTAL

22 September 1980

Sir,

I have the honour to transmit to you herewith the report of the Committee on the Exercise of the Inalienable Rights of the Palestinian People for submission to the General Assembly in accordance with paragraph 3 of resolution [34/65 C](#).
Accept, Sir, the assurances of my highest consideration.

(Signed) Falilou KANE
Chairman of the Committee
on the Exercise of the Inalienable
Rights of the Palestinian People

His Excellency Mr. Kurt Waldheim
Secretary-General of the United Nations

I. INTRODUCTION

1. The Committee on the Exercise of the Inalienable Rights of the Palestinian People, originally composed of 20 members and later enlarged to 23, 1/ was established by the General Assembly in resolution 3376 (XXX) on 10 November 1975. Its first report, 2/ submitted to the General Assembly at its thirty-first session, contained the recommendations of the Committee designed to enable the Palestinian people to exercise its inalienable rights as recognized and defined by the General Assembly.

2. The Committee's recommendations were first endorsed by the General Assembly at its thirty-first session as a basis for the solution of the question of Palestine.

3. In its subsequent reports to the General Assembly at its thirty-second 3/ thirty-third 4/ and thirty fourth sessions 5/ the Committee retained its recommendations unchanged, and on each occasion they were again endorsed by the General Assembly which reviewed and renewed the mandate of the Committee.

4. Despite frequent urgings by the Committee, its recommendations have not yet been acted upon by the Security Council, and neither have they been implemented. The Committee consequently recommended, in terms of its mandate, the convening of an emergency special session of the General Assembly to consider the matter. This was held from 22 to 29 July 1980. By a vote of 112 to 7, with 24 abstentions, the General Assembly, at its seventh emergency special session, requested and authorized the Secretary-General, in consultation, as appropriate, with the Committee, to take the necessary measures towards the implementation of the recommendations as a basis for the solution of the question of Palestine (resolution ES-7/2 of 29 July 1980).

II. MANDATE OF THE COMMITTEE

5. The present Mandate of the Committee was specified in paragraph 8 of General Assembly resolution 34/65 A, paragraphs 2 and 3 of resolution 34/65 C, and paragraphs 2 and 7 of resolution 34/65 D. By those paragraphs the General Assembly:

(a) Authorized and requested the Committee, in the event that the Security Council failed to consider or to take a decision on the Committee's recommendations by 31 March 1980, to consider that situation and to make the suggestions it deemed appropriate;

(b) Requested the Committee to keep the situation relating to the question of Palestine under review and to report and make suggestions to the General Assembly or to the Security Council as may be appropriate;

(c) Authorized the Committee to continue to exert all efforts to promote the implementation of its recommendations, to send delegations or representatives to international conferences where such representation would be considered by it to be appropriate and to report thereon to the General Assembly at its thirty-fifth session and thereafter;

(d) Requested that the Special Unit should, in consultation with the Committee, discharge the tasks detailed in paragraph 1 of General Assembly resolution 32/40 B and undertake an expanded programme of work including, inter alia, the organization of seminars and the monitoring of political and other relevant developments affecting the inalienable rights of the Palestinian people.

6. At the seventh emergency special session, in its resolution ES-7/3, the General Assembly further requested the Committee to study thoroughly the reasons for the refusal of Israel to comply with the relevant United Nations resolutions, particularly resolution 31/20 of 24 November 1976, in which the General Assembly endorsed the recommendations of the Committee and the numerous resolutions demanding the withdrawal of Israel from the occupied Palestinian and other Arab territories, including Jerusalem, and to submit the study to the Assembly.

III. ORGANIZATION OF WORK

A. Election of officers

7. In the months of January and February 1980 the Committee retained its bureau from 1979 on a provisional basis until the new officers were elected.

8. At its 49th meeting on 12 March 1980, the Committee unanimously elected the following officers:

<u>Chairman:</u>	Mr. Falilou Kane (Senegal)
<u>Vice-Chairman:</u>	Mr. Raúl Roa Kouri (Cuba) Mr. Farid Zarif (Afghanistan)
<u>Rapporteur:</u>	Mr. Victor J. Gauci (Malta)

B. Participation in the work of the Committee

9. The Committee reconfirmed that those States Members of the United Nations and Permanent Observers to the United Nations which wished to participate in the work of the Committee as observers could do so, and it again welcomed in that capacity Algeria, Egypt, Iraq, Jordan, the Libyan Arab Jamahiriya, Mauritania, the Syrian Arab Republic, Viet Nam, the League of Arab States, and the Palestine Liberation Organization, which continued in 1980 to participate in the work of the Committee.

10. At its request, the Organization of the Islamic Conference also participated in the work of the Committee as an observer from 12 March 1980.

C. Re-establishment of the Task Force

11. The Committee once again unanimously decided that the Working Group (Task Force) which it had established in 1977 should continue to function in order to facilitate the work of the Committee by: (a) keeping up to date with events which affect the work of the Committee and suggesting action which the Committee could usefully undertake, and (b) assisting the Committee in any other specific assignment related to its work. The following were reappointed members of the Working Group Malta (Chairman), Afghanistan, Cuba, Guinea, Guyana, India, Senegal, Tunisia and, as representatives of the people directly concerned, the Palestine Liberation Organization. In addition, the German Democratic Republic was co-opted to serve on the Working Group during the period of its term of membership of the Security Council.

IV. ACTION TAKEN BY THE COMMITTEE

A. Action taken in accordance with paragraph 8 of General Assembly resolution 34/65 A

12. The General Assembly in paragraph 7 of its resolution 34/65 A, urged the Security Council once again to consider and to make as soon as possible a decision on the recommendations of the Committee endorsed by the General Assembly. In paragraph 8 of the same resolution, the General Assembly authorized and requested the Committee, in the event that the Security Council failed to consider or to take a decision on those recommendations by 31 March 1980, to consider that situation and to make the suggestions it deemed appropriate.

13. In accordance with this mandate, on 6 March 1980 the Acting Chairman of the Committee addressed a letter (S/13832) to the President of the Security Council drawing his attention to paragraph 7 of General Assembly resolution 34/65 A. He also reiterated the fundamental principles which had guided the members of the Committee in formulating its recommendations. Those principles were:

(a) The question of Palestine is at the heart of the problem of the Middle East and no solution to that problem can be envisaged without taking into account the inalienable rights of the Palestinian people;

(b) The implementation of the inalienable rights of the Palestinian people of returning to their homes and property, of exercising their right of self-determination and independence and national sovereignty - will contribute to a final solution of the Middle East crisis,

(c) The participation of the Palestine Liberation Organization, the representative of the Palestinian people, on an equal footing with all other parties on the basis of General Assembly resolutions 3236 (XXXIX) of 22 November 1974 and 3375 (XXX) of 10 November 1975 is indispensable to all efforts, deliberations and conferences on the Middle East which take place under the auspices of the United Nation;

(d) The inadmissibility of the acquisition of territory by force and the consequent obligation for Israel to withdraw completely and speedily from all territory so occupied.

14. The Acting Chairman also conveyed the Committee's conviction that appropriate action by the Security Council on the basis of the implementation of the Committee's recommendations would undoubtedly lead to the achievement of tangible progress towards the solution of the question of Palestine. He pointed out that specific action by the Security Council should not be delayed further especially on account of the increased intransigence by Israel in establishing and strengthening its settlements in the illegally occupied Arab territories. The Acting Chairman also stressed that in the past year Israel had blatantly defied Security Council resolutions 445 (1979) and 452 (1979) and had only a few days previously openly made it evident that it had no intention of paying any heed to resolution 465 (1980) which had just been passed unanimously by the Security Council.

15. The Acting Chairman also recalled that the Security Council had discussed the Committee's recommendations during June and August 1979 and that although a draft resolution (S/13514) had been presented, it had not been voted upon; in effect, therefore, the Security Council was still seized of the question and the Committee considered it important that the Security Council should take practical measures with a view to implementing the Committee's recommendations which were intended to restore to the Palestinian people their inalienable rights, the denial of which was the root of the Middle East problem.

15. On 24 March 1980, the Chairman of the Committee addressed another letter (S/13855) to the President of the Security Council, in which he pointed out that developments evolving in the occupied Palestinian and other occupied Arab territories, including Jerusalem, constituted continuing violations by Israel of the inalienable rights of the Palestinian people, and requested that since the date envisaged in paragraph 8 of General Assembly resolution 34/65 A was imminent, the Security Council should convene urgently to consider the recommendations of the Committee.

17. In response to these representations the Security Council considered the question of Palestine on 31 March and 3, 8, 9, 29 and 30 April. After a discussion in which, *inter alia*, the Chairman, the Rapporteur and seven members of the Committee participated, a draft resolution was presented to the Security Council by the representative of Tunisia, but was not adopted because of the negative vote of a permanent member.

18. Consequently, in accordance with the terms of paragraph 8 of resolution 34/55 A, the Committee considered the situation once more and recommended that the question of Palestine should be discussed by the General Assembly at an emergency special session.

19. Accordingly, at the request of Senegal 9 the seventh emergency special session of the General Assembly met from 22 to 29 July 1980 to consider the question of Palestine. The high level of attendance underlined the importance that most Member States attached to the session. The Committee noted that over 100 Member States had participated in the debate, and that the overwhelming majority had supported the Committee's position regarding the implementation of its recommendations and insisted on the restoration of the inalienable rights of the Palestinian people. The General Assembly adopted a draft resolution prepared by the Committee. By that resolution the General Assembly once more endorsed the Committee's recommendations and fixed the date of 15 November 1980 as a deadline for withdrawal by Israel from the occupied Arab territories. Of special satisfaction to the Committee was the fact that on this occasion several Western European member States had in their interventions censured Israel's settlement policy and its attempts to make Jerusalem its permanent capital; and they had also pointed out that the Palestine Liberation Organization should participate in any negotiations concerning the West Bank and Gaza if such negotiations were to be of any practical use. The Committee regarded as noteworthy the fact that many of these countries which had previously voted against the endorsement of the Committee's recommendations had now not done so but abstained in the vote. The Committee expresses its satisfaction with the results of the emergency special session of the General Assembly and considers it to have been most useful in highlighting the isolation of Israel in its defiant attitude towards world public opinion and the application of international law.

B. Action taken in accordance with paragraphs 2 and 3 of General Assembly resolution 34/65 C

1. Reaction to developments in the Occupied Territories

20. The Committee closely followed developments in the occupied territories and, on several occasions, authorized its Chairman to communicate its concern to the Secretary-General and to the President of the Security Council at the Israeli Government's practices and policies in those territories.

21. Accordingly, on every occasion on which the Government of Israel took any action which, in the opinion of the Committee, was in violation of international law and General Assembly and Security Council resolutions, these were invariably brought to the attention of the Secretary-General and the President of the Security Council by the Chairman. These letters dealt with illegal Israeli settlements in the occupied territories, the expropriation by the Israeli authorities of vast areas of Arab owned land, restrictions on educational establishments, the harsh and inhuman treatment of Arab prisoners by the Israeli authorities, the expulsion of the Mayors of Halhoul and Al Khalil (Hebron) and the Sharia Judge of Al Khalil (Hebron), and the assassination attempts on the lives of the Mayors of Nablus, Ramallah and Al Bireh, three cities in the West Bank.

22. The Chairman, on behalf of the Committee, repeatedly conveyed the Committee's grave concern at these steps by Israel which were undoubtedly aimed at strengthening its annexation of the occupied Arab territories in flagrant violation of international law, world public opinion and General Assembly and Security Council resolutions; he pointed out that Israel's protestations of being a peace loving member of the United Nations, dedicated to finding a comprehensive solution to the problem of the Middle East had no basis in good faith. He also stressed that effective action needed to be taken by the Security Council to convince Israel of the danger of its policies and the necessity for its immediate and complete withdrawal from the illegally occupied territories since its continued presence there and its series of defiant acts were a serious obstruction to achieving a comprehensive, just and lasting peace in the Middle East.

23. In addition the Committee, through its Chairman, participated in the meetings of the Security Council to examine the situation relating to settlements in the Palestinian and other Arab territories occupied since 1967, including Jerusalem. The Committee also intervened in the Council's meetings concerning other developments in the area and particularly on Jerusalem.

24. On the unanimous adoption by the Council of resolution 465 (1980) accepting the conclusions and recommendations contained in the second report of the Commission of the Security Council established under resolution 446 (1979), the Chairman conveyed to the President of the Security Council the Committee's satisfaction at the adoption of that resolution; he advised that the Committee considered it particularly auspicious that the Council was unanimous in determining that all measures taken by Israel to change the physical character, demographic composition, institutional structure or status of the Palestinian and other Arab territories occupied since 1967, including Jerusalem, had no legal validity, and that the Committee took special note of the Council's reference to the specific status of Jerusalem.

25. He also conveyed the Committee's gratification that the Council was unanimous in strongly deploring the Israeli Government's policy of establishing settlements in the occupied territories, including Jerusalem as a policy which constituted a flagrant violation of the Fourth Geneva Convention of 1949 and also as a serious obstruction to a comprehensive, just and lasting peace in the Middle East. The Committee noted with appreciation the call on the Israeli Government to dismantle the existing settlements and to cease on an urgent basis the establishment of such settlements.

26. In a separate letter to the President of the Security Council on the same day, the Chairman conveyed the Committee's deep concern at the possible implications of the statement made by the President of the United States of America regarding Security Council resolution 465 (1980). While emphasizing that the Committee had no intention of questioning the right of any Government to formulate its foreign policy, the Chairman drew the attention of the Security Council to one particular statement which touched on a very important aspect of the Committee's mandate. The sentence in question read as follows: "As to Jerusalem, we strongly believe that Jerusalem should be undivided' with free access to the Holy Places for all faiths and that its status should be determined in the negotiations for a comprehensive peace settlement."

27 He pointed out that the Committee was concerned at the fact that this formulation could be interpreted as supporting Israel's insistence that the City of Jerusalem was indivisible only as long as it remained under Israeli domination and that the Committee believed that this proposition was in direct contradiction to resolution [242 \(1967\)](#) which emphasized the inadmissibility of the acquisition of territories by war and called for the withdrawal of Israeli armed forces from the territories occupied in June 1967. The Committee, he stated, sincerely hoped that the United States statement was in no way designed to support the Israeli position.

28. He conveyed also the Committee's concern at the reference made in that statement to the status of Jerusalem as a matter of negotiation. In the Committee's view the Holy City of Jerusalem already had a very special and unique status for the three monotheistic religions. The only international definition of the status of Jerusalem was to be found in General Assembly resolution [181 \(II\)](#) of 29 November 1947, which specified that the City of Jerusalem should be established as a corpus separatum under a special international regime administered by the United Nations. The Committee believed that it was only by means of an internationalized status of corpus separatum that free access to the Holy Places could be guaranteed to the followers of all religions, and hoped that the United States statement was not intended to prejudice that delicate issue. The Committee expressed its appreciation to those Governments which had decided to remove their embassies from Jerusalem as a reflection of their respect for international law.

29. Following expropriation by the Israeli authorities of vast areas of Arab owned land within a few days of the unanimous adoption by the Security Council of resolution 465 (1980), the Chairman conveyed the Committee's deep concern at these outrages committed by the Government of Israel which clearly proved that Israel had little intention of helping progress towards a peaceful settlement of the Middle East problem; he once again called for concrete and practical action by the Security Council.

2. Review of events relating to the Middle East

30. In reviewing events which had taken place on the Middle East question, the Committee felt that it should recall once more the detailed and phased recommendations which it had made on the inalienable rights of the Palestinian people, which the General Assembly had repeatedly endorsed, most recently at its seventh emergency special session.

31. The Committee deems it necessary to stress once more that the participation of the Palestine Liberation Organization, the representative of the Palestinian people, is indispensable to a comprehensive, just and lasting settlement of the question of Palestine, which is at the heart of the Middle East conflict. The Committee recalled that in resolution 34/65 B the General Assembly had noted with concern that the Camp David Accords had been concluded outside the framework of the United Nations and without the participation of the Palestine Liberation Organization, the representative of the Palestinian people; that the resolution had rejected those provisions of the Accords which ignored, infringed upon, violated or denied the inalienable rights of the Palestinian people, including the right of return, the right of self-determination and the right to national independence and sovereignty in Palestine, in accordance with the Charter of the United Nations, and which envisaged and condoned continued Israeli occupation of the Palestinian territories occupied by Israel since 1967; that it strongly condemned all partial agreements and separate treaties which constitute a flagrant violation of the rights of the Palestinian people, the principle of Charter and the resolutions adopted in the various international forums on the Palestinian issue, and declared that the Camp David Accords and other agreements had no validity in so far as they purport to determine the future of the Palestinian people and of the Palestinian territories occupied by Israel since 1967.

32. The Committee noted also that the General Assembly in its resolution ES-7/2, adopted at its seventh emergency special session, had reaffirmed the principles which had guided the Committee in formulating its recommendations.

3. Action taken by other organizations

33. The Committee followed with the greatest interest action taken during the year by other organizations on questions relevant to the work of the Committee. Among these were:

(a) The Commission on Human Rights which, at its thirty-sixth session held from 4 February to 14 March 1980, had adopted resolutions condemning Israeli policies and practices in the occupied Arab territories as well as administrative and legislative measures by the Israeli authorities to encourage, promote and expand the establishment of settlers' colonies in the occupied territories, which further demonstrate Israel's determination to annex those territories. The Commission also expressed its deep concern at the consequences of Israel's refusal to apply fully and effectively the Geneva Convention of 12 August 1949 relative to the Protection of Civilian Persons in Time of War [6/](#) in all its provisions to all Arab territories occupied by Israel since 1967, including Jerusalem.

(b) The Political Consultative Committee of the States Parties to the Warsaw Treaty which, in a declaration adopted on its meeting in Warsaw on 14 and 15 May 1980, stressed and reaffirmed the positive position of the countries concerned and which stated, inter alia, that a lasting peace in the Middle East could have been established long ago on the basis of an all-embracing Middle Eastern political settlement with the direct participation of the parties concerned, including the Palestinian Arab people as embodied by its representative, the Palestine Liberation Organization, and of respect for the legitimate interests of all states and peoples of the Middle East, including Israel; such a settlement required the withdrawal of Israeli forces from all Arab territories occupied in 1967, the restoration of the right of the Arab people of Palestine to self-determination, including the establishment of its own independent State, the granting of the sovereignty and security of all States of the region; it requires also that no action should be taken which could make the attainment of those goals more difficult. The full text of the declaration is reproduced- in document A/35/237-S/13948.

(c) The Islamic Conference, at an extraordinary session of its Foreign Ministers held at Islamabad, Pakistan, from 27 to 29 January 1980 at its eleventh Conference of Foreign Ministers held at Islamabad from 17 to 22 May, and at an extraordinary session of its Al Quds Committee held at Casablanca, Morocco, from 16 to 18 August, reaffirmed its stand on the question of Palestine in the final declarations and resolutions adopted. These declarations and resolutions are reproduced in documents [A/35/109-S/13810](#), [A/35/419-S/14129](#) and [S/14169](#) respectively. It had also held a second extraordinary session of the Islamic Conference of Ministers of Foreign Affairs at Amman, Jordan, on 11 and 12 July, which was devoted exclusively to the question of Palestine. A resolution was adopted which, inter alia, considered the Camp David Accords and the Egyptian-Israeli Peace Treaty a conspiracy against the future of Jerusalem and of the other occupied Arab territories, which should be categorically rejected, and the repercussions and consequences withstood; the resolution refused to recognize separate and partial solutions of the Palestinian question. The Conference also called upon the General Assembly to consider, at its emergency special session devoted to Palestine, ways and means whereby to secure the implementation of its resolutions on the Palestinian question, including the imposition of sanctions, in accordance with Chapter VII of the United Nations Charter. These resolutions are reproduced in document [A/35/384-S/14097](#).

(d) The meeting of Heads of States and Governments and the Ministers for Foreign Affairs of the European Council in Venice, Italy, which in its declaration of 13 June 1980, had detailed its position on the Middle East. The Committee regarded as specially significant that the Nine had taken a firm position on the question of Palestine and on the fact that the Palestinian people must be placed in a position to exercise fully their right to self-determination; that the Palestine Liberation Organization should be associated with the negotiations to that end; that Israel should put an end to the occupation of the territories which it has maintained since 1967; that Israeli settlements constituted a serious obstacle to peace in the Middle East and were illegal under international law and that the Nine would not accept any unilateral initiative designed to change the status of Jerusalem. The Committee considered this declaration to be an important advance on the part of the Nine towards an understanding of the question of Palestine as well as a major step towards a resolution of the problem.

(e) The Council of Ministers of the Organization of African Unity at its thirty-fifth ordinary session held at Freetown, Sierra Leone, from 18 to 28 June, adopted a resolution on the Question of Palestine, in which it reaffirmed its stand on this question and its strong, support to the Palestinian people led by its sole legitimate representative the Palestine Liberation Organization. The Ministers also condemned Israel's expansionist policies and all partial agreements and separate treaties which constitute a flagrant violation of the rights of the Palestinian people and of resolutions adopted in various international forums on the Palestine issue, and which prevent the realization of the Palestinian peoples' aspirations to return to their homeland, to self-determination and to exercise full sovereignty on their territories.

4. Attendance at Conferences

34. In accordance with paragraph 3 of General Assembly resolution 34/65 C, which, inter alia, authorized the Committee to send delegations or representatives to international conferences where such representation would be considered appropriate, the Committee accepted several invitations in 1900.

35. The Committee was represented at the Islamic Conference in Islamabad, Pakistan, from 17 to 22 May 1980, at the Week of Solidarity with the Palestinian People organized by the Solidarity Committee of the German Democratic Republic in Berlin, from 2 to 0 June; and at a conference on "World Parliament of Peoples for Peace", organized by the World Peace Council, in Sofia, Bulgaria, from 23 to 27 September.

36. The Committee has also accepted an invitation by the International Progress Organization to attend a conference on "The legal aspects of the Palestine problem including, especially, the Question of Jerusalem", at Vienna, from 5 to 7 November 1980.

37. On each of these occasions representatives of the Committee took the opportunity to make known the work of the Committee and its recommendations and to discuss ways and means of promoting the implementation of those recommendations. There was conclusive evidence of considerable understanding of, and sympathy for, the problems of the Palestinian people as well as of interest in the work of the Committee and United Nations action on the question.

C. Action taken in accordance with paragraphs 2 and 7 of General Assembly resolution 34/65 D

38. The Committee wishes to stress the importance it attaches to the work being done by the Special Unit on Palestinian Rights and to the need to provide it with adequate resources to discharge its duties.

39. In paragraph 1 of resolution 34/65 D, the General Assembly requested the Secretary-General to redesignate the Special Unit as the Division for Palestinian Rights and to provide it with the resources necessary to discharge the increased responsibilities assigned to it by the Assembly. In paragraph 2 of that resolution, the General Assembly requested the Secretary-General to ensure that the Division for Palestinian Rights would continue to discharge its tasks in consultation with and under the guidance of the Committee.

40. The Committee noted that, pending the recommendations of an interdepartmental working group established by the Secretary-General, there would be no change in the designation of the Special Unit on Palestinian Rights. However, it noted with appreciation that immediate action had been taken to strengthen the Special Unit and that this had enabled the Unit to expand the scope of its work. While considering it too early to judge whether the Special Unit needed further strengthening in order to discharge the expanded programme of work that had been entrusted to it, and was likely to be entrusted to it in the future, the Committee decided that it should keep the matter under constant review.

41. In accordance with paragraph 2 of resolution 34/65 D, two seminars on Palestinian rights were organized by the Special Unit, the first in Arusha, United Republic of Tanzania from 14 to 18 July 1980 and the second at Vienna, from 25 to 29 August 1980. The Committee, which was represented at these seminars, considers them to have been most useful in bringing together academicians and others interested in the question of Palestine and enabling an exchange of views which would constitute a valuable contribution towards informing the international community of the various facets of the question. The papers presented at these seminars will be issued in due course.

42. The Committee also noted with satisfaction that the publications prepared by the Special Unit were, through the co-operation of the Department of Public Information, receiving the widest possible dissemination and that the film prepared in 1979 by the Department of Public Information in consultation with the Committee had been awarded a prize at the 22nd Annual American Film Festival sponsored by the Educational Film Library Association in New York in May 1980.

43. The Committee observed, once more, that there had been an enthusiastic response from a large number of countries to the invitation to observe the International Day of Solidarity in 1979. Consequently, it recommended that the observance of Solidarity Day should follow the same pattern in 1980 and that a special meeting of the Committee would be held to which all Member States would be invited and at which statements would be made and messages received from 'cads of State and Government read out. It is expected that many Governments, with the assistance of the United Nations Information Centres, will once more observe the International Day of Solidarity with the Palestinian People in an appropriate manner.

44. The Committee was informed that, in accordance with the requests contained in paragraphs 5 and 7 of General Assembly resolution 34/65 D, action was being taken to issue a series of United Nations commemorative postage stamps in January 1981. A photographic display in the public areas of United Nations Headquarters, designed to keep visitors informed of the grave situation in Palestine, and of the inalienable rights of the Palestinian people, will also be exhibited as from November 1980.

V. RECOMMENDATIONS OF THE COMMITTEE

45. The repeated endorsement of the recommendations the Committee by the General Assembly at its thirty-first, thirty-second and thirty-third sessions and its seventh emergency special session, strengthens the Committee's conviction that positive action by the Security Council could create the necessary conditions for a just and lasting peace, since the recommendations contain the basic principles relating to the problem of Palestine within the Middle East situation. The Committee, consequently, unanimously decided once more to reiterate the validity of those recommendations which are again annexed to the present report.

46. The Committee once more urges the Security Council to take positive action on those recommendations which, with emphasis on the urgency of their implementations, have repeatedly been brought to the attention of the Security Council.

47. The Committee once more draws the attention of the General Assembly to its considered opinion that the Camp David Accords and the attendant negotiations which continue to take place contravene paragraph 4 of the General Assembly resolution 33/28 A of 7 December 1978 and paragraphs 1 and 2 of General Assembly resolution 34/65 B of 29 November 1979, to the extent that they did not take into account the inalienable rights of the Palestinian people and were negotiated without the participation of the Palestine Liberation Organization, the representative of the Palestinian people.

48. The Committee considered that a wider understanding of the just cause of the Palestinian people would be a major contribution toward a just solution of the question of Palestine and that it should continue in its efforts to achieve such a wider understanding so as to promote the implementation of its recommendations.

1/ The Committee is composed of the following members. Afghanistan, Cuba, Cyprus, German Democratic Republic, Guinea, Guyana, Hungary, India, Indonesia, Lao People's Democratic Republic, Madagascar, Malaysia, Mali, Malta, Nigeria, Pakistan, Romania, Senegal, Sierra Leone, Tunisia, Turkey, Ukrainian Soviet Socialist Republic and Yugoslavia.

2/ Official Records of the General Assembly' Thirty-first Session, Supplement No. 35 (A/31/35).

3/ Ibid., Thirty-second Session, Supplement No. 35 (A/32/35).

4/ Ibid., Thirty-third Session, Supplement No. 35 (A/33/35 and Corr.1).

5/ Ibid., Thirty-fourth Session, Supplement No. 35 (A/34/35 and Corr.1).

6/ United Nations, Treaty Series, vol. 75, No. 973, p. 287.

ANNEX

Recommendations of the Committee endorsed by the General Assembly at its thirty-first session

I. BASIC CONSIDERATIONS AND GUIDELINES

59. The question of Palestine is at the heart of the Middle East problem, and, consequently, the Committee stressed its belief that no solution in the Middle East can be envisaged which does not fully take into account the legitimate aspirations of the Palestinian people.

60. The legitimate and inalienable rights of the Palestinian people to return to their homes and property and to achieve self-determination, national independence and sovereignty are endorsed by the Committee in the conviction that the full implementation of these rights will contribute decisively to a comprehensive and final settlement of the Middle East crisis.

61. The participation of the Palestine Liberation Organization, the representative of the Palestinian people, on an equal footing with other parties, on the basis of General Assembly resolutions 3236 (XXIX) and 3375 (XXX) is indispensable in all efforts, deliberations and conferences on the Middle East which are held under the auspices of the United Nations.

62. The Committee recalls the fundamental principle of the inadmissibility of the acquisition of territory by force and stresses the consequent obligation for complete and speedy evacuation of any territory so occupied.

63. The Committee considers that it is the duty and the responsibility of all concerned to enable the Palestinians to exercise their inalienable rights.

64. The Committee recommends an expanded and more influential role by the United Nations and its organs in promoting a just solution to the question of Palestine and in the implementation of such a solution. The Security Council, in particular, should take appropriate action to facilitate the exercise by the Palestinians of their right to return to their homes, lands and property. The Committee, furthermore, urges the Security Council to promote action towards a just solution, taking into account all the powers conferred on it by the Charter of the United Nations.

65. It is with this perspective in view and on the basis of the numerous resolutions of the United Nations, after due consideration of all the facts, proposals and suggestions advanced in the course of its deliberations, that the Committee submits its recommendations on the modalities for the implementation of the exercise of the inalienable rights of the Palestinian people.

* Previously issued as annex I of Official Records of the General Assembly, Thirty-second Session, Supplement No. 35 (A/32/35).

II. THE RIGHT OF RETURN

66. The natural and inalienable right of Palestinians to return to their homes is recognized by resolution 194 (III), which the General Assembly has reaffirmed almost every year since its adoption. This right was also unanimously recognized by the Security Council in its resolution 237 (1967); the time for the urgent implementation of these resolutions is long overdue.

67. Without prejudice to the right of all Palestinians to return to their homes, lands and property, the Committee considers that the programme of implementation, of the exercise of this right may be carried out in two phases

Phase one

68. The first phase involves the return to their homes of the Palestinians displaced as a result of the war of June 1967. The Committee recommends that:

- (i) The Security Council should request the immediate implementation of its resolution 237 (1967) and that such implementation should not be related to any other condition;
- (ii) The resources of the International Committee of the Red Cross (ICRC) and/or of the United Nations Relief and Works Agency for Palestine Refugees in the Near East, suitably financed and mandated, may be employed to assist in the solution of any logistical problems involved in the resettlement of those returning to their homes. These agencies could also assist, in co-operation with the host countries and the Palestine Liberation Organization, in the identification of the displaced Palestinians.

Phase two

69. The second phase deals with the return to their homes of the Palestinians displaced between 1948 and 1967. The Committee recommends that.

- (i) While the first phase is being implemented, the United Nations in co-operation with the States directly involved, and the Palestine Liberation Organization as the interim representative of the Palestinian entity, should proceed to make the necessary arrangements to enable Palestinians displaced between 1948 and 1967 to exercise their right to return to their homes and property, in accordance with the relevant United Nations resolutions, particularly General Assembly resolution 194 (III),
- (ii) Palestinians not choosing to return to their homes should be paid just and equitable compensation as provided for in resolution 194 (III).

III. THE RIGHT TO SELF-DETERMINATION, NATIONAL

INDEPENDENCE AND SOVEREIGNTY

70. The Palestinian people has the inherent right to self determination, national independence and sovereignty in Palestine. The Committee considers that the evacuation of the territories occupied by force and in violation of the principles of the Charter and relevant resolutions of the United Nations is a conditio sine qua non for the exercise by the Palestinian people of its inalienable rights of Palestinians to their homes and property and with the establishment of an independent Palestinian entity, the Palestinian people will be able to exercise its rights to self-determination and to decide its form of government without external interference.

71. The Committee also feels that the United Nations has an historical duty and responsibility to render all assistance necessary to promote the economic development and prosperity of the Palestinian entity.

72. To these ends, the Committee recommends that:

- (a) A time-table should be established by the Security Council for the complete withdrawal by Israeli occupation forces from those areas occupied in 1967; such withdrawal should be completed no later than 1 June 1977;
- (b) The Security Council may need to provide temporary peace-keeping forces in order to facilitate the process of withdrawal;
- (c) Israel should be requested by the Security Council to desist from the establishment of new settlements and to withdraw during this period from settlements established since 1967 in the occupied territories. Arab property and all essential services in these areas should be maintained intact;
- (d) Israel should also be requested to abide scrupulously by the provisions of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, and to declare, pending its speedy withdrawal from these territories, its recognition of the applicability of that Convention;
- (e) The evacuated territories, with all property and services intact, should be taken over by the United Nations, which with the co-operation of the League of Arab States, will subsequently hand over these evacuated areas to the Palestine Liberation Organization as the representative of the Palestinian people;
- (f) The United Nations should, if necessary, assist in establishing communications between Gaza and the West Bank,
- (g) As soon as the independent Palestinian entity has been established, the United Nations, in co-operation with the States directly involved and the

Palestinian entity, should, taking into account General Assembly resolution 3375 (XXX), make further arrangements for the full implementation of the inalienable rights of the Palestinian people, the resolution of outstanding problems and the establishment of a just and lasting peace in the region, in accordance with all relevant United Nations resolutions

(h) The United Nations should provide the economic and technical assistance necessary for the consolidation of the Palestinian entity.
