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THE SITUATION IN THE MIDDLE EAST

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Report of the Secretary-General

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I. INTRODUCTION

1. The present report is submitted in pursuance of General Assembly resolution 42/209 B of 11 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-third session a comprehensive report covering the developments in the Middle East in all their aspects. The present report covers the period from 14 November 1987 to 17 November 1988. 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 31 May 1988 for a further period of six months until 30 November 1988 (resolution 613 (1988)).

4. The activities of the Force since November 1987 are described in three reports of the Secretary-General to the Security Council, dated 13 November 1987 (S/19263), 20 May 1988 (S/19895) and 17 November 1988 (S/20276). 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)).

6. The mandate of the Force has since been extended as necessary, the last time on 29 July 1988 for a further period of six months until 31 January 1989 (resolution 617 (1988)). UNIFIL has currently some 5,840 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 1987 until 25 July 1988 are described in two reports of the Secretary-General to the Security Council, dated 22 January 1988 (S/19445) and 25 July 1988 (S/20053 and Corr.1). On 14 March 1988, the Secretary-General submitted to the Security Council a special report on developments relating to the kidnapping on 17 February 1988 of Lieutenant Colonel William Richard Higgins, an officer of the United States of America serving as chief of the UNTSO military observers assigned to UNIFIL (S/19617). In his report, the Secretary-General strongly condemned the abduction and continuing detention of Lt. Col. Higgins. The incident had occurred while he was performing functions assigned to him in order to assist UNIFIL in carrying out the mandate given to it by the Security Council, a mandate that had the full support of the Lebanese authorities and of the local population in southern Lebanon. The Secretary-General expressed concern about the possible implications such unwarranted attacks on members of the Force could have for its effectiveness. He said that UNIFIL would maintain all possible efforts to locate Lt. Col. Higgins and secure his release; he also noted that he and his senior staff would remain in contact with all parties whom he felt could be of help. On 29 July 1988, the Security Council adopted a resolution (resolution 618 (1988)) that condemned the kidnapping of Lt. Col. Higgins, demanded his immediate release and called upon Member States to use their influence in any way possible to promote the implementation of the resolution.

8. On another matter concerning the Israel-Lebanon sector, the Secretary-General, on 24 November 1987, addressed a letter to the President of the Security Council (S/19318) transmitting the text of a note on "the question of Israeli encroachments on the Israel-Lebanon border", together with a map, for the Council's information. The Secretary-General recalled that the issue had been raised by the representative of Lebanon on 6 October 1987 and had been discussed by the Security Council in informal consultations on 15 October.

9. During the period under review, the Security Council met in January and in May at the request of Lebanon (S/PV.2782-2784 and S/PV.2811, 2813 and 2814). On 18 January 1988 the Council voted on a draft resolution (S/19434) submitted by six members, by which it would have strongly deplored repeated Israeli attacks against Lebanese territory and all other measures and practices against the civilian population; strongly requested Israel to cease all acts of encroachment on land, construction of roads and setting up of fences that violated the border, and any attempts to change the status of Lebanese territory or to impede the effective authority of the Lebanese Government; 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. On 10 May 1988 the Council voted on a draft resolution (S/19868) submitted by six members, by which it would have condemned the recent invasion by Israeli forces of southern Lebanon; called again for the immediate withdrawal of all Israeli forces from Lebanese territory and for the cessation of all acts that violate the sovereignty of Lebanon and the security of its civilian population, and reaffirmed its calls for strict respect for the sovereignty, independence, unity and territorial integrity of Lebanon within its internationally recognized boundaries. The draft resolution was not adopted, owing to a negative vote by a permanent member.

10. On 28 September 1988 the Foreign Ministers of the five permanent members of the Security Council issued a statement after their meeting with the Secretary-General (see S/20224). In it they reaffirmed their strong commitment to the sovereignty, independence and territorial integrity of Lebanon.

C. United Nations Truce Supervision Organization

11. 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.

12. 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.

13. 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

14. The General Assembly, at its forty-second 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/42/650), which is composed of Senegal, Sri Lanka and Yugoslavia, adopted resolutions 42/160 A to G of 8 December 1987. By these resolutions, the General Assembly called upon Israel to release all Arabs arbitrarily detained or imprisoned as a result of their struggle for self-determination and for the liberation of their territories, and demanded that the Government of Israel rescind its action against the detainees and imprisoned Palestinians and release them immediately (resolution 42/160 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 Arab territories occupied by Israel since 1967, including Jerusalem, and demanded that Israel acknowledge and comply with its provisions (resolution 42/160 B); demanded that the Government of Israel desist forthwith from taking any action that would result in changing the legal status, geographical nature or demographic composition of the occupied territories (resolution 42/160 C); demanded that Israel desist forthwith from certain policies and practices mentioned in the resolution and renewed the mandate of the Special Committee (resolution 42/160 D); demanded that the Government of Israel rescind the illegal measures taken in expelling the Mayor of Halhul, the Sharia Judge of Hebron and other Palestinian leaders expelled during 1985, 1986 and 1987 and that it facilitate their immediate return (resolution 42/160 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 42/160 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 from hindering their effective operation (resolution 42/160 G).

15. During the period under review, the Security Council met in December 1987 and January, February, March and April 1988 to discuss the situation in the occupied Arab territories (S/PV.2770, 2772-2777, 2780-2781, 2785-2787, 2790, 2804-2806). On 22 December 1987 the Council adopted resolution 605 (1987) by which it strongly deplored those policies and practices of Israel, the occupying Power, which violated the human rights of the Palestinian people in the occupied territories, and in particular the opening of fire by the Israeli army, resulting in the killing and wounding of defenceless 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 and other Arab territories occupied by Israel since 1967, including Jerusalem; called again upon Israel to abide immediately and scrupulously by that Convention and to desist forthwith from its policies and practices that were in violation of it; called for the exercise of maximum restraint to contribute towards the establishment of peace; stressed the urgent need to reach a just, durable and peaceful settlement of the Arab-Israeli conflict; and requested the Secretary-General to examine the situation in the occupied territories by all means available to him and to submit a report containing his recommendations on ways and means for ensuring the safety and protection of the Palestinian civilians under Israeli occupation. On 5 January 1988 the Council adopted resolution 607 (1988) by which it reaffirmed the applicability of the Geneva Convention to the Palestinian and other Arab territories occupied by Israel since 1967, including Jerusalem; called upon Israel to refrain from deporting any Palestinian civilians from the occupied territories; and strongly requested Israel to abide by its obligations arising from the Convention. On 14 January the Council adopted resolution 608 (1988) by which it called upon Israel to rescind the order to deport Palestinian civilians and to ensure the safe and immediate return to the occupied Palestinian territories of those already deported; and requested Israel to desist forthwith from deporting any other Palestinian civilians.

16. The report requested of the Secretary-General in resolution 605 (1987) was circulated on 21 January as document S/19443. The report, which was based on a mission to the area, gave a detailed account of the situation in the occupied territories and discussed ways and means by which the international community could improve the safety and protection of the Palestinian civilian population in those territories. In his concluding remarks, the Secretary-General emphasized that measures to enhance safety and protection, urgent though they were, could neither remove the causes of the tragic events that prompted Security Council resolution 605 (1987) nor bring peace to the region. The underlying problem, he said, could only be resolved through a political settlement that responded both to the refusal of the Palestinian population of the territories to accept a future under Israeli occupation and to Israel's determination to ensure its security and the well-being of its people. He believed that this could be achieved through a comprehensive, just and lasting settlement based on Security Council resolutions 242 (1967) and 338 (1973) and taking fully into account the legitimate rights of the Palestinian people, including self-determination. Such a settlement should be negotiated by means of an international conference under United Nations auspices, with the participation of all the parties concerned.

17. On 1 February 1988 the Security Council voted on a draft resolution (S/19466) submitted by six members, by which it would have expressed its deep appreciation to the Secretary-General for his report; called upon Israel, as the occupying Power and as a High Contracting Party to the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, to accept the de jure applicability of the Convention to the Palestinian and other Arab territories occupied since 1967, including Jerusalem, and to

fully comply with its obligations under that Convention; recalled the obligation of all the High Contracting Parties, under article 1 of the Convention, to ensure respect for the Convention in all circumstances; called again upon Israel to desist forthwith from its policies and practices which violate the human rights of the Palestinian people; requested Israel to facilitate the task of the International Committee of the Red Cross and of the United Nations Relief and Works Agency for Palestine Refugees in the Near East and requested all Members to give them their full support; requested the Secretary-General to continue to monitor the situation in the occupied territories by all means available to him and to make regular and timely reports to the Council; affirmed the urgent need to achieve, under the auspices of the United Nations, a comprehensive, just and lasting settlement of the Arab-Israel conflict, an integral part of which was the Palestinian problem, and expressed its determination to work towards that end; requested the Secretary-General to continue his endeavours to promote such a settlement and to keep the Council regularly informed. The draft resolution was not adopted, owing to a negative vote by a permanent member. On 14 April 1988 the Council voted on a draft resolution (S/19780) submitted by six members, by which it would have urged Israel to abide immediately and scrupulously by the Fourth Geneva Convention, and to desist forthwith from its policies and practices that were in violation of it; urged Israel to rescind the order to deport Palestinian civilians and ensure the safe and immediate return to the occupied Palestinian territories of those already deported; urged Israel to desist forthwith from deporting Palestinian civilians from the occupied territories; condemned those policies and practices of Israel that violated the human rights of the Palestinian people in the occupied territories, and in particular the opening of fire by the Israeli army, resulting in the killing and wounding of defenceless Palestinian civilians; affirmed the urgent need to achieve, under the auspices of the United Nations, a comprehensive, just and lasting settlement of the Arab-Israel conflict, an integral part of which was the Palestinian problem, and expressed its determination to work towards that end; and requested the Secretary-General to submit periodic reports on the situation in the occupied territories, including those aspects relating to endeavours for ensuring the safety and protection of the Palestinian civilians under Israeli occupation. The resolution was not adopted, owing to a negative vote by a permanent member.

18. On 15 February 1988, the Commission on Human Rights adopted resolutions 1988/1 A and B entitled "The question of the violation of human rights in the occupied Arab territories, including Palestine". Those resolutions, in which the Commission condemned Israeli policies and practices along lines similar to those of General Assembly resolution 42/160 D, were brought to the attention of all Governments by a note verbale dated 5 July 1988. Furthermore, the Commission adopted resolution 1988/2 entitled "Human rights in occupied Syrian territory" by which it declared once more that Israel's decision of 14 December 1981 to impose its laws, jurisdiction and administration on the occupied Syrian Arab Golan was null and void and without legal validity.

19. The Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Population of the Occupied Territories held periodic meetings in pursuance of resolution 42/160 D. 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 report of the Special Committee under General Assembly resolution 42/160 D has been circulated as document A/43/694.

20. During its forty-second session, the General Assembly also adopted resolution 42/166 of December 1987 concerning assistance to the Palestinian people. The report requested of the Secretary-General in that resolution has been circulated as document A/43/367-E/1988/82 and Corr.1 and 2.

21. On 26 August 1988, the President of the Security Council issued a note (S/20156) circulating the text of a statement he had made on the same date on behalf of the members of the Council. In it, the Council members expressed their grave concern over the continued deterioration of the situation in the Palestinian territories occupied by Israel since 1967, including Jerusalem, resulting from the closing-off of areas, the imposition of curfews and the consequent increase in injuries and deaths. They said that they were profoundly concerned by Israel's persistence in continuing its policy of deporting Palestinians in contravention of Security Council resolutions and the Fourth Geneva Convention, as demonstrated on 17 August 1988 by its expulsion of four Palestinian civilians to Lebanon and its decision to expel 40 more. The members requested Israel immediately to desist from deporting any Palestinian civilians and immediately to ensure the safe return of those already deported. The Council members considered that the situation in the occupied territories had grave consequences for endeavours to achieve a comprehensive, just and lasting peace in the Middle East. They reaffirmed the applicability of the Fourth Geneva Convention to the occupied territories, including Jerusalem, and requested the High Contracting Parties to ensure respect for the Convention.

22. On 3 November 1988 the General Assembly adopted resolution 43/21 entitled "The uprising (intifadah) of the Palestinian people". In it the Assembly condemned Israel's persistent policies and practices violating the rights of the Palestinian people in the occupied Palestinian territories, 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, and the deportation of Palestinian civilians, the imposition of restrictive economic measures, the demolition of houses, collective punishment and detentions, as well as denial of access to the media; strongly deplored the continuing disregard by Israel, the occupying Power, of the relevant decisions of the Security Council; reaffirmed that the occupation by Israel of the Palestinian territories since 1967, including Jerusalem, in no way changed the legal status of those territories; demanded that Israel abide immediately and scrupulously by the Fourth Geneva Convention; called upon all the High Contracting Parties to the Convention to take appropriate measures to ensure respect by Israel for the Convention in conformity with their obligation under article 1 thereof; invited Member States, various organizations, and the mass communications media to continue and enhance their support for the Palestinian people; urged the Security Council to consider the current situation in the occupied territories, taking into account the recommendations contained in the report of the Secretary-General; and requested the Secretary-General to examine the present situation in the occupied Palestinian territories by all means available to him and to submit periodic

reports thereon, the first such report no later than 17 November 1988. The report requested of the Secretary-General in resolution 43/21 was circulated as document A/43/806.

IV. PALESTINE REFUGEE PROBLEM

23. Following its consideration, at its forty-second session, of the report of the Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East for the period 1 July 1986 to 30 June 1987,^{2/} the General Assembly adopted 11 resolutions on this subject on 2 December 1987. In resolution 42/69 A, the Assembly noted with deep regret that repatriation or compensation of the refugees as provided for in paragraph 11 of resolution 194 (III) 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) 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 1988; directed attention to the continuing seriousness of the financial position of the Agency as outlined in the report of the Commissioner-General; noted with concern that, despite the commendable and successful efforts of the Commissioner-General to collect additional contributions, this increased level of income to the Agency was still insufficient to cover current essential 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.

24. The other resolutions adopted by the General Assembly dealt with the Working Group on the Financing of UNRWA (resolution 42/69 B), assistance to persons displaced as a result of the June 1967 and subsequent hostilities (resolution 42/69 C), offers by Member States of grants and scholarships for higher education, including vocational training, for Palestine refugees (resolution 42/69 D), Palestine refugees in the Gaza Strip (resolution 42/69 E), resumption of the ration distribution to Palestine refugees (resolution 42/69 F), population and refugees displaced since 1967 (resolution 42/69 G), revenues derived from Palestine refugee properties (resolution 42/69 H), protection of Palestine refugees (resolution 42/69 I), Palestine refugees in the West Bank (resolution 42/69 J) and the University of Jerusalem "Al-Quds" for Palestine refugees (resolution 42/69 K).

25. The situation of the Palestine refugees and the activities of UNRWA since the adoption of these resolutions are described in the annual report of the Commissioner-General of UNRWA for the period 1 July 1987 to 30 June 1988.^{3/} The reports of the Secretary-General under resolutions 42/69 D, E, F, G, H, I, J and K have been circulated as documents A/43/652, A/43/653, A/43/654, A/43/655, A/43/581, A/43/656, A/43/657 and A/43/408, respectively. The report of the United Nations Conciliation Commission for Palestine under resolution 42/69 A and the report of the Working Group on the Financing of UNRWA under resolution 42/69 B have been circulated as documents A/43/582 and A/43/702 respectively.

V. QUESTION OF PALESTINE

26. At its forty-second session, on 2 December 1987, the General Assembly adopted four resolutions under the agenda item entitled "Question of Palestine". In resolution 42/66 A, the Assembly endorsed the recommendations of the Committee on the Exercise of the Inalienable Rights of the Palestinian People; 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;^{4/} and authorized the Committee to continue to exert all efforts to promote the implementation of its recommendations. In resolution 42/66 B, the Assembly requested the Secretary-General to ensure that the Division for Palestinian Rights continued to discharge the tasks detailed in previous resolutions. In resolution 42/66 C, the Assembly requested the Department of Public Information of the Secretariat, in full co-operation and co-ordination with the Committee, to continue its special information programme on the question of Palestine. In resolution 42/66 D, the Assembly reaffirmed its endorsement of the call for convening the International Peace Conference on the Middle East in conformity with the provisions of its resolution 38/58 C; reiterated its endorsement of the call for setting up a preparatory committee, within the framework of the Security Council, with the participation of its permanent members, to take the necessary action to convene the Conference; and requested the Secretary-General, in consultation with the Security Council, to continue his efforts with a view to convening the Conference and to report thereon not later than 31 March 1988.

27. The report requested of the Secretary General in resolution 42/66 D was circulated on 31 March 1988 as document A/43/272-S/19719. In it, the Secretary-General after quoting the communications he had received from the President of the Security Council and the parties, concluded that sufficient agreement did not exist, either amongst the parties directly concerned or within the Security Council, to permit the convening of the International Peace Conference on the Middle East as called for in resolution 42/66 D. He stated that the recent and continuing events in the occupied West Bank and Gaza Strip had dramatically highlighted the urgent need for the negotiation, in a manner acceptable to all the parties directly concerned, of a comprehensive, just and lasting settlement of the Arab-Israeli conflict. He said that his views about the basis of such a settlement and about how it should be negotiated remained those expressed in the closing paragraphs of the report he submitted in accordance with Security Council resolution 605 (1987).

28. The report of the Committee on the Exercise of the Inalienable Rights of the Palestinian People appears in document A/43/35.^{5/}

VI. SITUATION IN THE MIDDLE EAST

29. At its forty-second session, on 11 December 1987, the General Assembly adopted four resolutions concerning the situation in the Middle East. In resolution 42/209 A the Assembly reaffirmed once again that the convening of the International Peace Conference on the Middle East under the auspices of the United Nations and at the invitation of the Secretary-General, with the participation of the five permanent members of the Security Council and all the parties to the Arab-Israeli conflict, including the Palestine Liberation Organization, the sole legitimate representative of the Palestinian people, on an equal footing, was the appropriate way to a peaceful, comprehensive and just settlement of the conflict, which would ensure the restoration of the occupied Arab territories and the solution of the Palestinian question in all its aspects and guarantee the realization of the inalienable national rights of the Palestinian Arab people; called upon all States that had not done so to lend their support to the convening of the Conference; and requested the Secretary-General, in consultation with the Security Council, to continue his efforts with a view to convening the Conference and to apprise the General Assembly of the results of his consultations no later than September 1988. In resolution 42/209 B, 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 withdrawal of Israel from all the Palestinian and 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; considered the Arab Peace Plan 6/ adopted unanimously at the Twelfth Arab Summit Conference, held at Fez, Morocco, and reiterated by the Extraordinary Summit Conference of Arab States,7/ held at Casablanca, Morocco, 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 and other Arab territories, including Jerusalem, 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 territories and outside these territories; 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 regime of South Africa; reaffirmed its call for the convening of the International Peace Conference on the Middle East, as specified in the Geneva Declaration on Palestine and endorsed by the General Assembly; endorsed the call for setting up a preparatory committee to take the necessary action to convene the Conference. The other parts of resolution 42/209 deal with Israeli policies in the Syrian Arab Golan and the other occupied territories (resolution 42/209 C) and the transfer by some States of their diplomatic missions to Jerusalem (resolution 42/209 D).

30. The report requested of the Secretary-General in resolution 42/209 A was circulated on 30 September 1988 as document A/43/691-S/20219. In it, the Secretary-General, after quoting the communications he had received from the President of the Security Council and the parties, said he was again obliged to report that the necessary agreement did not exist for the convening of the International Peace Conference on the Middle East. While it was true that all the Security Council members believed that it was desirable to convene an international conference and it was possible to identify in the replies of the parties agreement that there should be an international framework for the negotiation of a just and lasting settlement, familiar and deep differences remained about the nature of that framework, about its powers, about the basis on which it would be convened, and about who should take part in it. It was thus clear, the Secretary-General stated, that much further work would have to be done and positions would have to change if an international negotiating process acceptable to all were to be established.

31. Resolutions 42/209 B to D were brought to the attention of Member States, and a report of the Secretary-General including the relevant comments received from the Member States was circulated as document A/43/683 and Add.1.

VII. OBSERVATIONS

32. The intifadah in the occupied Palestinian territories, which began on 9 December 1987, has for nearly a year been a dominating factor in the political agenda in the Middle East. It was the focus of the Arab Summit Conference in Algiers last April and the inspiration behind the recent session of the Palestine National Council in Algiers. It has also generated an intense debate among Israelis about the peace process and about their role in the occupied territories. Born of the frustration and despair of a population that has lived under occupation for more than 20 years, the intifadah is a direct result of the stalemate in the search for a peaceful settlement of the Arab-Israeli conflict. The Palestinian people have endured great suffering; the perseverance of the intifadah is evidence of their commitment to exercise their legitimate rights, including self-determination.

33. For several years now, in compliance with my reporting responsibilities under various General Assembly resolutions, I have documented the positions of the Security Council and of all the concerned parties, including the Palestine Liberation Organization, with regard to the convening of an international peace conference on the Middle East. And it is with deep regret that I have always been obliged to report, most recently in my report dated 30 September 1988 to the General Assembly (A/43/691-S/20219), that sufficient agreement did not exist to convene such a conference. At the same time, I would like to stress that a great deal of thought and effort have been devoted in recent years, both within and outside the United Nations, to seeking agreement on the principle of an international conference. It is encouraging to note, as I did in my report of 30 September, that all members of the Security Council now believe that it is desirable to convene an international conference on the Middle East, and that they have invited me to pursue my efforts and consultations in this regard. I will proceed on the basis of this mandate. However, I feel that in the prevailing circumstances it is insufficient to concentrate solely on procedural matters. The loss of life and the maiming and wounding of civilians on both sides during the intifadah compel us to address fundamental questions.

34. That said, it is important that the intifadah not be viewed solely in the context of Palestinians and Israelis, for it is an integral part of the broader Arab-Israeli conflict with its many complex and interrelated issues. On 21 January 1988 I submitted to the Security Council a detailed report on the situation in the occupied territories (S/19443) in the final paragraph of which I urged the Security Council to take the lead in the search for a comprehensive, just and lasting settlement based on Security Council resolutions 242 (1967) and 338 (1973), and taking fully into account the legitimate rights of the Palestinian people, including self-determination. In spite of a wide measure of support within the Council for my recommendation, such a move did not materialize. Nor did a major bilateral initiative, undertaken outside the Council, succeed in launching a negotiating process acceptable to all the parties to the conflict. Thus the stalemate in the peace process continues, with all of its attendant dangers.

35. In these circumstances, I think that the time is right for the Security Council, which has a major and historically recognized responsibility for this complex issue, to commit itself to a thorough review of the situation with a view to adopting a pragmatic approach that would take fully into account the concerns and security interests of all the parties. I intend to pursue this matter with the Security Council.

36. I am well aware that any initiative concerning the Arab-Israeli conflict - be it in regard to questions of procedure or substance - is bound to encounter difficulty. But as Secretary-General I have a responsibility under Article 99 of the Charter, as well as under numerous Security Council and General Assembly resolutions, to promote the maintenance of international peace and security and the search for a comprehensive settlement of the Arab-Israeli conflict. I am confident that with the full support of the Security Council, and in particular the co-operation of the major Powers, progress can be made towards a just and lasting peace in the Middle East. Recent months have seen tangible progress towards the settlement of several regional conflicts; the protracted and explosive nature of the Arab-Israeli conflict makes it all the more urgent that we now concentrate our efforts in this area.

37. The recent session of the Palestine National Council in Algiers has generated a new momentum in the diplomatic process and I believe it offers fresh opportunities for progress towards peace which should be seized. Every gesture towards peace should be nurtured if we are to overcome the mistrust that is so deeply felt on all sides. It has been tragic that, in the history of the Middle East, opportunities have in the past only too often followed war. The growth of extremism and the alarming proliferation of weapons in the area are trends that must be reversed if we are to avert disaster in a region that has already experienced five major wars, thousands of casualties and untold suffering. In concluding, therefore, I cannot but reiterate the fundamental importance of devising an effective negotiating process that can secure the interests of both Israelis and Arabs and enable them to live in peace with each other.

Notes

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

2/ Official Records of the General Assembly, Forty-second Session, Supplement No. 13 (A/42/13 and Add.1 and Add.1/Corr.1).

3/ Ibid., Forty-third Session, Supplement No. 13 (A/43/13).

4/ Ibid., Forty-second Session, Supplement No. 35 (A/42/35).

5/ Ibid., Forty-third Session, Supplement No. 35 (A/43/35).

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

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