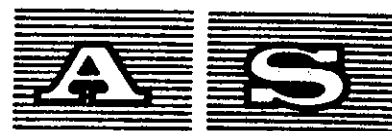


UNITED NATIONS

GENERAL
ASSEMBLY



SECURITY
COUNCIL



Distr.
GENERAL

A/36/655
S/14746
11 November 1981

ORIGINAL: ENGLISH

GENERAL ASSEMBLY
Thirty-sixth session
Agenda item 33
THE SITUATION IN THE MIDDLE EAST

SECURITY COUNCIL
Thirty-sixth year

Report of the Secretary-General

CONTENTS

	<u>Paragraphs</u>	<u>Page</u>
I. INTRODUCTION	1	2
II. STATUS OF THE CEASE-FIRE	2 - 14	2
A. Activities of UNTSO	3 - 6	2
B. Activities of UNDOF.	7 - 9	3
C. Activities of UNIFIL	10 - 14	3
III. SITUATION IN THE OCCUPIED TERRITORIES	15 - 21	5
IV. PALESTINE REFUGEE PROBLEM	22 - 24	6
V. PALESTINIAN RIGHTS	25 - 28	7
VI. SEARCH FOR A PEACEFUL SETTLEMENT	29 - 33	8

I. INTRODUCTION

1. The present report is submitted in pursuance of General Assembly resolution 35/207 of 16 December 1980. In that resolution, which is summarized in paragraph 30 below, the General Assembly requested the Secretary-General to report to the Security Council periodically on the development of the situation and to submit to the General Assembly at its thirty-sixth session a report covering the developments in the Middle East in all their aspects. The last report of the Secretary-General on the subject is contained in document A/35/563-S/14234 of 24 October 1980. The present report follows the pattern of that report. It is based mainly on information available in United Nations documents. In order to avoid duplication, only brief references are made to those documents, whenever appropriate.

II. STATUS OF THE CEASE-FIRE

2. The status of the cease-fire in the Middle East up to October 1980 was described in the report of the Secretary-General mentioned above (paras. 4-14). There continue to be three United Nations peace-keeping operations in the area: an observer mission, the United Nations Truce Supervision Organization (UNTSO), and two peace-keeping forces, the United Nations Disengagement Observer Force (UNDOF), and the United Nations Interim Force in Lebanon (UNIFIL). While, during the last 12 months, there have been serious breaches of the cease-fire in the Israel-Lebanon sector (see paras. 10-14), the other sectors have been generally quiet.

A. Activities of UNTSO

3. Military observers of UNTSO have continued to assist and co-operate with UNDOF and UNIFIL in the performance of their tasks. On the Golan Heights, UNTSO observers assigned to UNDOF man observation posts in the area of separation and carry out periodic inspections in the areas of limitation of armament and forces. In addition, observers assigned to the Israel-Syria Mixed Armistice Commission assist UNDOF as occasion requires. In southern Lebanon, observers assigned to the UNIFIL area of operation man observation posts, conduct patrols as necessary and provide liaison teams with various parties. The headquarters of the Israel-Lebanon Mixed Armistice Commission in Beirut functions also as a liaison office of UNIFIL.

4. In pursuance of Security Council resolutions 459 (1979), 467 (1980), 474 (1980), and 483 (1980), the Secretary-General has continued his efforts to reactivate the Israel-Lebanon Mixed Armistice Commission. In the context of those efforts, the Chief of Staff of UNTSO, who is also the Chairman of the Israel-Lebanon Mixed Armistice Commission, convened a meeting at Naqoura on 1 December 1980. Israel and Lebanon were represented by senior military officers. The Israeli delegation maintained its position that Israel no longer recognized that Commission since, in its view, the Armistice Agreement had expired in 1967.

/...

The Lebanese delegation held that the Armistice Agreement was still in force and it was their aim, through this and future meetings, to reactivate the Commission and to implement the Armistice Agreement fully. The Chief of Staff of UNTSO is keeping contact with both sides with a view to arranging another meeting at the earliest opportunity.

5. Until July 1979, UNTSO observers assigned to the Egypt-Israel sector assisted the United Nations Emergency Force (UNEF) in the performance of its tasks. While the mandate of UNEF lapsed on 24 July 1979, a number of observers have remained stationed in the area in accordance with existing decisions of the Security Council. UNTSO also maintains a liaison office in Amman. The Officer-in-Charge of that office is also nominally the Chairman of the Israel-Hashemite Kingdom of Jordan Mixed Armistice Commission.

6. The authorized strength of UNTSO is 298 observers. They are made available by the Governments of Argentina, Australia, Austria, Belgium, Canada, Chile, Denmark, Finland, France, Ireland, Italy, the Netherlands, New Zealand, Norway, Sweden, the Union of Soviet Socialist Republics and the United States of America.

B. Activities of UNDOF

7. UNDOF was established by Security Council resolution 350 (1974) of 31 May 1974 and is deployed on the Golan Heights in the Israel-Syria sector. Its activities since October 1980 are outlined in the Secretary-General's reports to the Security Council on the Force (S/14263 and S/14482). The mandate of the Force has been extended by the Security Council twice during the period under review, most recently by resolution 485 (1981) of 22 May 1981, for a further period of six months, until 30 November 1981.

8. The functions and guidelines of UNDOF have remained as outlined in the Secretary-General's report of 27 November 1974 (S/11563, paras. 8-10). UNDOF has continued, with the co-operation of the parties, to supervise the area of separation and the areas of limitation of armament and forces in accordance with the Disengagement Agreement of May 1974 between Israel and Syria. The situation in its area of operation has remained generally quiet.

9. The Force has a total strength of about 1,280 and is composed of four contingents from Austria, Canada, Finland and Poland as well as 20 observers detailed from UNTSO. As indicated above, UNTSO observers assigned to the Israel-Syria Mixed Armistice Commission also assist UNDOF as occasion requires.

C. Activities of UNIFIL

10. UNIFIL was established by Security Council resolutions 425 (1978) and 426 (1978) of 19 March 1978 and operates in southern Lebanon. Its activities since October 1980 are outlined in the Secretary-General's reports on the Force to the Security Council (S/14295, S/14407 and S/14537). The mandate of the Force

/...

has been extended by the Security Council twice during the period under review, most recently by resolution 488 (1981) of 19 June 1981, for a further period of six months, until 19 December 1981.

11. UNIFIL has continued to function in accordance with the guidelines set out in the Secretary-General's report of 19 March 1978 (S/12611). Despite intensive and persistent efforts, UNIFIL has not yet received the degree of co-operation required of the parties to enable the Force fully to discharge its mandate. It has thus far been unable to deploy throughout the area of operation up to the internationally recognized border, and confrontations with armed groups and forces operating in the area have continued to occur.

12. There have also been at times extensive exchanges of shelling over and across the UNIFIL area of deployment between armed elements (mainly Palestine Liberation Organization (PLO) and Lebanese National Movement) and the de facto forces (Christian and associated militias) and the Israel Defence Forces, as well as air and sea attacks by Israeli forces against targets north of the UNIFIL area. A particularly serious cycle of hostilities took place from 10 to 24 July 1981. In this connexion, the Security Council met on 17 July and launched an urgent appeal for an immediate end to all armed attacks. On 21 July, the Security Council adopted resolution 490 (1981), by which it called for an immediate end of all armed attacks. In pursuance of the decisions of the Security Council, intensive efforts were undertaken to secure a cease-fire. Those efforts are described in the Secretary-General's statement to the Security Council on 21 July (S/PV.2293) and in his report of 23 July 1981 (S/14613 and Corr.1). As a result of these efforts a de facto cease-fire was established on 24 July (see S/14613/Add.1), and the area has remained generally quiet since then.

13. UNIFIL has an authorized strength of 6,000. It is composed of contingents from Fiji, France, Ghana, Ireland, Italy, Nepal, the Netherlands, Nigeria, Norway, Senegal and Sweden. UNTSO observers in the Israel-Lebanon sector assist and co-operate with UNIFIL in the performance of its tasks.

14. A number of communications have been addressed to the President of the Security Council or the Secretary-General concerning hostile activities in and around southern Lebanon. Those communications were from Afghanistan (A/36/405-S/14620), Bangladesh (A/36/398-S/14614), Cuba on behalf of the Non-aligned Countries (A/36/311-S/14508, S/14618), Fiji (S/14568), Israel (A/36/62-S/14322, A/36/88-S/14355, S/14394, A/36/122, S/14398, A/36/130, A/36/212-S/14449, S/14454, A/36/219, S/14591, S/14594, A/36/387, S/14600, S/14602, S/14603, A/36/393, A/36/394, S/14605, S/14606, A/36/400, A/36/401, S/14617, A/36/404), Lebanon (S/14307, S/14354, A/36/87, S/14381, A/36/109, A/36/375, S/14586), the Netherlands on behalf of the 10 member States of the European Community (S/14421), Qatar (S/14612), and PLO (S/14435, annex; A/36/217, annex; S/14470, annex; A/36/310-S/14507, annex; A/36/389-S/14601, annex; A/36/395-S/14609, annex). Communications were also received from the Permanent Representative of Israel regarding violent incidents in Israel and in the occupied Arab territories (A/36/72-S/14328, A/36/127-S/14403, A/36/132-S/14409, A/36/169-S/14427, A/36/186-S/14438, A/36/211-S/14448, A/36/235-S/14476, A/36/292-S/14492, S/14622, A/36/413, A/36/437-S/14631, A/36/464-S/14668, A/36/520-S/14696, A/36/574-S/14714).

/...

III. SITUATION IN THE OCCUPIED TERRITORIES

15. The action taken prior to October 1980 by the United Nations concerning the situation in the occupied territories and the question of Jerusalem was outlined in the Secretary-General's report of 24 October 1980 (A/35/563-S/14234, paras. 15-28).

16. The General Assembly, at its thirty-fifth 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/35/425), which is composed of Senegal, Sri Lanka and Yugoslavia, adopted resolutions 35/122 A to F on 11 December 1980. By those resolutions, the General Assembly, inter alia, called upon Israel to acknowledge and to comply with the provisions of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949 ^{1/}, in territories it has occupied since 1967, including Jerusalem (resolution 35/122 A); called upon Israel to desist forthwith from taking any action to change the legal status, geographical nature or demographic composition of those territories (resolution 35/122 B); demanded that Israel desist forthwith from certain policies and practices in the occupied territories (resolution 35/122 C); called upon Israel to rescind the illegal measures taken in expelling and imprisoning the Mayors of Hebron and Halhul and in expelling the Sharia Judge of Hebron and to facilitate the immediate return of the expelled Palestinian leaders (resolution 35/122 D); called upon Israel, the occupying Power, to desist from enacting legislation purporting to alter the character and legal status of the Syrian Arab Golan Heights and upon Member States not to recognize such measures (resolution 35/122 E); demanded that Israel rescind all measures against educational institutions in occupied territories and also requested the Security Council to convene urgently to take the necessary measures, in accordance with the provisions of the Charter, to ensure that the Government of Israel rescind the illegal measures taken against the Palestinian mayors and the Sharia Judge (resolution 35/122 F).

17. The Security Council considered the situation in the occupied territories at two meetings on 19 December 1980 (A/PV.2259 and 2260). On the same day, it adopted resolution 484 (1980), in which it reaffirmed the applicability of the Fourth Geneva Convention of 1949 to all the Arab territories occupied by Israel in 1967; called upon Israel, the occupying Power, to adhere to the provisions of the Convention; declared it imperative that the Mayor of Hebron and the Mayor of Halhul be enabled to return to their homes and resume their responsibilities; and requested the Secretary-General to report on the implementation of this resolution as soon as possible. The Secretary-General submitted a report in pursuance of General Assembly resolution 35/122 D and Security Council resolution 484 (1980) on 30 January 1981 (A/36/85-S/14350).

18. The Special Committee was kept informed of developments concerning the human rights situation in the occupied territories by the periodic communication to its

^{1/} United Nations, Treaty Series, vol. 75, No. 973, p. 287.

members of information gathered or received from several sources. The Special Committee held periodic meetings to review such information and to hear oral testimony and to assess the human rights situation in the occupied territories with a view to deciding whether any action could be undertaken. The report submitted by the Special Committee under General Assembly resolution 35/122 C will be circulated as a document of the General Assembly (A/36/579). The report of the Secretary-General requested under the same resolution has been circulated under agenda item 64 (A/36/588).

19. On 11 February 1981, the Commission on Human Rights adopted resolutions 1 A and B (XXXVII) concerning the question of the violation of human rights in the occupied territories. These resolutions, in which the Commission condemned Israeli policies and practices in the occupied territories along lines similar to those of General Assembly resolution 35/122 C, were brought to the attention of the General Assembly (A/36/344-S/14567).

20. During its thirty-fifth session, the General Assembly also adopted resolution 35/75 on the living conditions of the Palestinian people in the occupied territories and resolution 35/110 concerning permanent sovereignty over national resources in the occupied territories. These questions are the subject of separate reports which have been circulated under agenda items 69 (k) (A/36/260 and Add.1-3) and 12 (A/36/648) respectively.

21. The situation in the occupied territories has been the subject of a number of communications addressed to the President of the Security Council or the Secretary-General and circulated as official documents of the United Nations. These communications dealt with the question of Israeli settlements and the expropriation of land in the occupied territories (S/14418, A/36/373-S/14585, A/36/399-S/14615, A/36/460-S/14657), Israeli activities affecting the Syrian population in the Golan Heights (A/36/110-S/14383, A/36/126-S/14402, A/36/134-S/14411, A/36/345-S/14569, A/36/369-S/14583), Israeli plans to build a canal across the Gaza Strip linking the Dead Sea and the Mediterranean (A/36/180-S/14432, A/36/187-S/14439, A/36/575-S/14715), matters relating to Jerusalem and the Holy Places (A/36/58-S/14317, A/36/125-S/14400, A/36/137-S/14416, A/36/158-S/14424, A/36/178-S/14431, A/36/489-S/14684, A/36/505-S/14690, A/36/555-S/14708), and other matters relating to the situation in the occupied territories (S/14315, S/14319, A/36/89-S/14356, A/36/94-S/14365, A/36/105-S/14376, A/36/128-S/14404, A/36/381-S/14592, A/36/443-S/14633, A/36/444-S/14634).

IV. PALESTINE REFUGEE PROBLEM

22. The Palestine refugee problem and the efforts of the United Nations to assist the refugees up to October 1980 were dealt with in the report of the Secretary-General of 24 October 1980 (A/35/563-S/14234, paras. 29-35).

23. Following its consideration of the report of the Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East

/...

(UNRWA) 2/ at its thirty-fifth session, the General Assembly adopted resolutions 35/13 A to F on 3 November 1980. These resolutions dealt with assistance to Palestine refugees and the extension of the UNRWA mandate through June 1984 (resolution 35/13 A), offers by Member States of grants and scholarships for higher education for the Palestine refugees and the establishment of a university in Jerusalem to cater to the needs of Palestine refugees in the area (resolution 35/13 B), assistance to persons displaced as a result of the June 1967 hostilities (resolution 35/13 C), the Working Group on the Financing of UNRWA (resolution 35/13 D), the population and refugees displaced since 1967 (resolution 35/13 E) and the Palestine refugees in the Gaza Strip (resolution 35/13 F).

24. In addition to the annual report of the Commissioner-General of UNRWA, 3/ the General Assembly will have before it at its thirty-sixth session reports of the Secretary-General on the offers of scholarships and grants for Palestinian refugees (A/36/385 and Add.1 and 2), on the question of establishing in Jerusalem a university for Palestine refugees (A/36/593), on the population and refugees displaced since 1967 (A/36/558), and on the Palestine refugees in the Gaza Strip (A/36/559), as well as a report of the United Nations Conciliation Commission for Palestine (A/36/529) and a report of the Working Group on the Financing of UNRWA (A/36/615).

V. PALESTINIAN RIGHTS

25. The developments concerning the question of Palestinian rights up to October 1980 were outlined in the report of the Secretary-General (A/35/563-S/14234, paras. 36-41).

26. At its thirty-fifth session, the General Assembly considered the report of the Committee on the Exercise of the Inalienable Rights of the Palestinian People 4/ and adopted, on 15 December 1980, five resolutions 35/169 A to E. In those resolutions, the General Assembly, inter alia, reaffirmed that a just and lasting peace in the Middle East could not be established without the achievement of a just solution of the problem of Palestine on the basis of the attainment of the inalienable rights of the Palestinian people, including the right of return and the right to self-determination, national independence and sovereignty in Palestine (resolution 35/169 A); reaffirmed its rejection of those provisions of the /Camp David/ accords which ignored, infringed, violated or denied the inalienable rights of the Palestinian people and which envisaged and condoned continued Israeli occupation of the Palestinian territories occupied by Israel since 1967 and expressed its strong opposition to all partial agreements and separate treaties

2/ Official Records of the General Assembly, Thirty-fifth Session, Supplement No. 13 (A/35/13).

3/ Ibid., Thirty-sixth Session, Supplement No. 13 (A/36/13).

4/ Ibid., Thirty-fifth Session, Supplement No. 35 (A/35/35).

which constituted a flagrant violation of the rights of the Palestinian people (resolution 35/169 B); requested the Committee to keep the situation relating to the question of Palestine under review (resolution 35/169 C); requested the Secretary-General to ensure that the Special Unit on Palestine Rights of the Secretariat, in consultation with the Committee and under its guidance, continue to discharge the tasks detailed in previous Assembly decisions (resolution 35/169 D); and determined that all legislative and administrative measures and actions taken by Israel which had altered or purported to alter the character and status of the Holy City of Jerusalem, and, in particular, the "Basic Law" and the proclamation of Jerusalem as the capital of Israel were null and void and must be rescinded forthwith (resolution 35/169 E).

27. On 11 February 1981, the Commission on Human Rights adopted resolution 2 (XXXVII) by which it, inter alia, reaffirmed the inalienable right of the Palestinian people to self-determination without external interference and the establishment of a fully independent and sovereign State in Palestine.

28. The report of the Committee on the Exercise of the Inalienable Rights of the Palestinian People has been submitted to the General Assembly. ^{5/} In addition, a number of communications have been received from the Chairman of the Committee (A/36/114-S/14389, A/36/177-S/14430, A/36/237-S/14477, A/36/341-S/14566, A/36/382-S/14593, A/36/449-S/14641, A/36/519-S/14695, A/36/521-S/14698, A/36/578-S/14719, A/36/604-S/14730, S/14739). A number of other communications have been circulated under agenda item 31. Some of these are referred to in paragraph 21 and 32 of the present report. In addition, a letter was received from the Permanent Representative of Cuba transmitting the report of a mission of the Co-ordinating Bureau of Non-aligned Countries on its visit to Lebanon in August 1981 (A/36/547-S/14704).

VI. SEARCH FOR A PEACEFUL SETTLEMENT

29. The search for a peaceful settlement in the Middle East up to October 1980 was outlined in the report of the Secretary-General (A/35/563-S/14234, paras. 42-48).

30. The situation in the Middle East was again considered by the General Assembly at its thirty-fifth session. On 16 December 1980, it adopted resolution 35/207, in which it, inter alia, condemned Israel's continued occupation of Palestinian and other Arab territories and renewed its call for the immediate, unconditional and total withdrawal of Israel from all occupied territories; reaffirmed its conviction that the question of Palestine was at 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; reaffirmed that a settlement could not be achieved without the participation on an equal footing of the parties to the conflict, including the

^{5/} Ibid., Thirty-sixth Session, Supplement No. 35 (A/36/35).

Palestine Liberation Organization; declared that peace in the Middle East was indivisible and that a just and lasting settlement of the Middle East problem must be based on a comprehensive solution, under the auspices of the United Nations; rejected all partial agreements and separate treaties which violated the recognized rights of the Palestinian people and contradicted the principles of just and comprehensive solutions to the Middle East problem; reaffirmed its strong rejection of Israel's decision to annex Jerusalem and related measures; strongly condemned Israel's aggression against Lebanon and the Palestinian people as well as its practices in the occupied Palestinian and Arab territories, particularly the Syrian Golan Heights; and called for strict respect for the territorial integrity, sovereignty and political independence of Lebanon.

31. During the period covered by this report, the Secretary-General, in his periodic reports on the activities of UNDOF (S/14263 and S/14482), reiterated the view that, although the area of operation of the Force was quiet, the situation regarding the Middle East as a whole continued to be potentially dangerous and was likely to remain so unless and until a comprehensive settlement covering all aspects of the Middle East problem could be reached. The Security Council, in reviewing the mandate of UNDOF for further periods of six months in November 1980 and again in May 1981, concurred with this view (S/14271 and S/14485) and called upon the parties concerned to implement immediately its resolution 338 (1973) (resolutions 481 (1980) and 485 (1981)).

32. Since the Secretary-General's last report on this question was issued on 24 October 1980, a number of communications have been addressed to him which dealt with the situation in the Middle East or various aspects thereof and have been circulated as documents of the General Assembly and the Security Council. In addition to those referred to in the preceding sections of this report (see paras. 14, 21 and 28 above), communications were received containing the documents of the New Delhi Conference of Ministers for Foreign Affairs of Non-aligned Countries (A/36/116), resolutions adopted at the Third Islamic Summit Conference (A/36/138), recommendations adopted by the Jerusalem Committee of the Organization of the Islamic Conference at its fifth session (A/36/379-S/14590), resolutions of the thirty-fifth ordinary session of the Council of Ministers of the Organization of African Unity (A/35/463 and Corr.1), resolutions of the Twelfth Islamic Conference of Foreign Ministers (A/36/421-S/14626 and Corr.1), the communiqué of the Meeting of the Ministers for Foreign Affairs and Heads of Delegations of the Non-aligned Countries to the thirty-sixth session of the General Assembly (A/36/566-S/14713), the resolutions adopted by the sixty-eighth Inter-Parliamentary Conference (A/36/584), the communiqué and declaration of the Commonwealth Heads of Government Meeting (A/36/587) and the final communiqué of the meeting of the Ministers for Foreign Affairs of the Islamic Conference at United Nations Headquarters (A/36/603 and Add.1). In addition, letters were received from the Permanent Representative of Israel, concerning statements made at the 2299th meeting of the Security Council and in the course of the eighth emergency special session of the General Assembly (A/36/507-S/14691) and concerning the establishment of a nuclear-free zone in the Middle East (A/36/630). Letters were also received from the Permanent Representative of the Soviet Union, concerning a

/...

statement by his Government to the Government of the United States of America (A/36/595-S/14727), and from the Permanent Representative of Egypt on the same subject (A/36/627-S/14736).

33. In his annual report on the work of the Organization, 6/ the Secretary-General has indicated that the situation in the Middle East with all its complexities and ramifications continues to be of central concern to the entire international community, containing as it does an explosive potential of conflict endangering world peace. The heightening of tension between Israel and the Syrian Arab Republic, the Israeli attack on the nuclear facility in Iraq, which was the subject of Security Council resolution 487 (1981) of 19 June 1981, the continuing cycle of violence in and around Lebanon have all underlined the dangers inherent in the absence of progress towards a settlement that ultimately can ensure a peaceful and just future for all the nations and peoples of the region. The Secretary-General continues to believe that the United Nations can do much to facilitate a settlement and that the Organization provides a universal forum in the framework of which efforts to evolve a peaceful settlement may in the end best be pursued.

6/ Ibid., Thirty-sixth Session, Supplement No. 1 (A/36/1).