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UNITED NATIONS RELIEF AND WORKS AGENCY FOR PALESTINE REFUGEES IN THE NEAR EAST

Protection of Palestine refugees

Report of the Secretary-General

1. The present report is submitted to the General Assembly in pursuance of its resolution 43/57 I of 6 December 1988, entitled "Protection of Palestine refugees", the operative paragraphs of which read as follows:

"The General Assembly,

"...

"1. Holds Israel responsible for the security of the Palestine refugees in the Palestinian and other Arab territories occupied since 1967, including Jerusalem, and calls upon it to fulfil its obligations as the occupying Power in this regard, in accordance with the pertinent provisions of the Geneva Convention Relative to the Protection of Civilian Persons in Time of War, of 12 August 1949;

"2. Calls upon all the High Contracting Parties to the Convention to take appropriate measures to ensure respect by Israel, the occupying Power, for the Convention in all circumstances in conformity with their obligation under article I thereof;

"3. Urges the Security Council to consider the current situation in the occupied Palestinian territory, taking into account the recommendations contained in the report of the Secretary-General; 1/

* A/44/150.

"4. Urges the Secretary-General, in consultation with the Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East, to continue their efforts in support of the upholding of the safety and security and the legal and human rights of the Palestine refugees in all the territories under Israeli occupation in 1967 and thereafter;

"5. Calls once again upon Israel, the occupying Power, to release forthwith all arbitrarily detained Palestine refugees, including the employees of the United Nations Relief and Works Agency for Palestine Refugees in the Near East;

"6. Welcomes the provision by the Commissioner-General, in consultation with the Government of Lebanon, to providing housing to the Palestine refugees whose houses were demolished or razed;

"7. Welcomes also the provision by the Commissioner-General, in consultation with the Government of Lebanon, to provide emergency housing repairs for the shelters and Agency installations that have been partly damaged or destroyed in the fighting;

"8. Calls once again upon Israel to compensate the Agency for the damage to its property and facilities resulting from the Israeli invasion of Lebanon, without prejudice to Israel's responsibility for all damages resulting from that invasion;

"9. Requests the Secretary-General, in consultation with the Commissioner-General, to report to the General Assembly, before the opening of its forty-fourth session, on the implementation of the present resolution."

2. On 28 February 1989, the Secretary-General addressed a note verbale to the Permanent Representative of Israel to the United Nations, in which he drew attention to his reporting responsibility under the resolution and requested the Permanent Representative to inform him of any steps his Government had taken or envisaged to take in implementation of the relevant provisions of the resolution.

3. In a note verbale dated 28 June 1989, the Permanent Representative of Israel to the United Nations replied as follows:

"Israel's position on this resolution was fully set forth in statements by Israel's representative to the Special Political Committee on 15 November 1985 (A/SPC/41/SR.14), and in the report of the Secretary-General (A/43/656) dated 30 September 1988.

"The adoption of resolution 43/57 I entitled 'Protection of Palestinian refugees' is clearly hypocritical, anachronistic and out of place. Despite Israel's withdrawal from Lebanon in 1985, this resolution still blames Israel for the 'suffering of the Palestinians' in Lebanon. Not surprisingly, the sponsors of this resolution continue to blame Israel for Arab persecution of Palestinian refugees.

"In recent years, thousands of Palestinians have been killed and wounded in Lebanese refugee camps in vicious fighting totally unconnected with Israel. Likewise, Palestinian refugee camps in Syria and Jordan have been the scenes of considerable human misery which the authors of resolution 43/57 I choose to ignore.

"This selective and distorted presentation of the Palestinian refugees' situation in Arab countries by the sponsors of resolution 43/57 I clearly illustrates the double standards inherent in this resolution and the blatant disregard for their general welfare.

"In the context of the operative part of this resolution, it is emphasized that in keeping with international law, Israel alone is competent to ensure full protection to all the inhabitants of Judea, Samaria and the Gaza District."

4. The Commissioner-General of UNRWA, as the senior United Nations official responsible for providing services to the Palestine refugees, has continued his efforts, in consultation with the Secretary-General, to do all that is feasible to contribute to the safety and security of the refugees in the occupied territory. His efforts in regard to Palestine refugees are described in the annual report of the Commissioner-General of UNRWA to the General Assembly for the period 1 July 1988 to 30 June 1989. 2/

5. Following the withdrawal of the Israeli forces from the Saida and Tyre areas in February and April 1985 respectively (see A/40/756, para. 5), there is nothing further to state regarding the Palestine refugees in Lebanon in the context of the present report.

6. Section IV D of the annual report of the Commissioner-General of UNRWA 2/ reviews the efforts UNRWA has made during the period to initiate a programme for repair of refugee shelters and Agency installations damaged and destroyed during the fighting in Lebanon.

7. There has been no progress on the claim by UNRWA against the Government of Israel regarding damage to its property and facilities resulting from the Israeli invasion of Lebanon in 1982.

Notes

1/ S/19443.

2/ Official Records of the General Assembly. Forty-fourth Session, Supplement No. 13 (A/44/13).
